

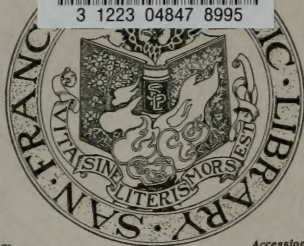


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THE CALIFORNIA WEEKLY: NOVEMBER 27 : 08

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THE STAFF

A. J. PILLSBURY.....Editor and Manager
CHESTER H. ROWELL.....Associate
A. J. WATERHOUSE.....Assistant
O. BLACK.....Business Manager

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WHY THE CALIFORNIA WEEKLY?

This new publication is the outcome of a conviction that there is not only room, but need, in California for a weekly paper, State-wide in its scope, which shall be in a position to tell the truth and advocate the right, unhindered by any interest or influence whatever. That conviction must be wide-spread, because two hundred persons, many of them among the best-known men in the community, have subscribed for shares of stock in the company which has established The California Weekly. No one of these persons has invested more than \$500 in the enterprise, and no one has placed money in it with any reference to immediate pecuniary profit, though it is believed that a journal which can gain the confidence of the public, and keep it, will become stable and, in the long run, profitable. These facts are stated at the outset in order to save unnecessary speculation regarding the question of ownership and to make it clear that the paper is not the organ of any interest or influence even among its own stockholders.

It is proposed to publish a weekly paper which shall be as generally entertaining and readable as possible, and to that end there will be supplied literary and special features of the best merit obtainable. But beyond this there is, as indicated in the opening paragraph, a purpose more serious and one without which The California Weekly would not have been established. It is to represent the best conscience and best intelligence of the community in the discussion of the many issues, political, social and moral, which must arise in a State so great as this and having interests so diversified. There is a place for a weekly which will truly do this. The daily newspaper gives news and influences opinion, but it does

not give all the news, and oftentimes that which is of the highest value is omitted. This is most likely to be the case with that which represents the results of serious study and investigation. In the thoughtful discussion of important questions the weekly is the more effective agency for public education.

The man who is now President of the United States will, in a few months, become the first citizen of the country, as he has been for four years at least, the most conspicuous personality in the world. People have wondered what he would find to do after his term of office, and his well-earned play spell, have ended. He has settled that. He will not become, as some have supposed that he might, president of a great university. He will not be the editor of a great daily or a great monthly magazine or review. He has decided to associate himself with the publication of a weekly paper of good reputation and with a good hold upon public confidence.

Good faith with its readers will be the aim of The California Weekly. There has been a growing skepticism among newspaper readers regarding the amount of confidence to be placed in printed information, especially in political or controverted matters. Yet in the nature of things there nowadays can be no other adequate source of general information. It is the ambition of The California Weekly to deserve, and thereby earn, the confidence of the people of California in the entire good faith and greatest attainable accuracy of its statements.

The California Weekly believes with the Lincoln-Roosevelt Republican League that the fundamental evil in American public life is corporate domination of public affairs, represented in California by the political bureau of the Southern Pacific Railroad Company, and its allied interests, and it will urge the people of California to throw off that domination, but The Weekly will not be the organ of the League or of any other organization or influence.

This paper will stand unwaveringly for the equal enforcement of all our laws and will resist any tendency to set up one law for the millionaire and another for the man. Therefore it will uphold in all proper ways those officers of the law who are striving to bring to a successful termination the graft cases in San Francisco, and it will vigorously oppose any and all efforts to hamper the prosecution and thwart its purpose.

The paper itself will be its own best evidence of what it stands for and, in that belief, is respectfully commended to the reading public.

Vol. I No. 1

THIS NUMBER CONTAINS

"Suggested Reforms in Our Criminal Procedure."

PROF. ORRIN K. McMURRAY.

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* Diplomacy, Not Bluster.

The relation of California toward the forthcoming tariff revision campaign calls for diplomacy rather than for bluster. Our position is a delicate one. We are producers of special products that must be protected or suffer annihilation. The 2,000 miles of land haul between us and our market makes the equivalent of a stiff tariff tax and always will, but the tariff is to be revised and revised downward. The standpatters may boast and bluster if they know of no better way to advance their cause, but that policy will avail little. The nation is convinced that predatory interests do find shelter behind high tariff walls and those walls are to be lowered if not levelled. That issue should mainly be fought out between the Rocky Mountains and the Atlantic Ocean where staple commodities are being produced almost without distinction with regard to State and State, city and city, town and town. It is an individual problem, a difference between neighbors. Let them settle it. California may, can and must stand aloof from it, asking only for justice from all because of her peculiar position and her specialized productions that must be grown here, if anywhere under the protection of our flag. With the aid of diplomacy and reserve and quietness of spirit, plus the innate justice of her cause, California should come out of the contest in good plight and owing no State or locality anything but good will.

Where Lies the Greater Danger?

It is well for the business interests of California to take, as planned, a well fortified position with reference to the proposed advance of freight rates on transcontinental shipments. These interests themselves are not only deeply interested, but they stand in a representative relation toward every producer and consumer in the State. Common carriers are engaged in a public, not a private, enterprise and there should be power somewhere to determine issues arising between the public and those who serve them by right of a public franchise. This is not saying that an increase in freight rates may not be justified when all facts involved are taken into account, but only that before any such increase is made a full hearing should be had and the common good safeguarded. As long as the world's product of gold outstrips consumption of that metal in the arts, and leaves an ever increased accumulation in the world's monetary chests, prices will rise and money will fall and it will take more of it to build railroads, equip them and pay operating expenses. In so far as this justification for an increase may obtain the railroads will not be without arguments tending to sustain their contentions, but if a full hearing shall disclose that rates are sought to be raised in order that increased dividends may be paid upon fictitious valuations of railroad securities, then the effort should be resisted by all the forces which industrial and commercial life can muster to do battle for the common good. There lies the greater danger.

The Channel Is Still There.

John Bull has ever been the personification of cool-headed confidence and has not been charged with timidity, yet he is beset with the fear that some European army may invade his tight little island, and this fear has haunted him from time immemorial. General Lord Roberts has just given new tongue to the old fear, with the result that the British Empire is on nettles. Nothing can be more absurd. Napoleon found ways enough for getting an army into England but none at all for getting one out again, and it is not likely that Kaiser Wilhelm would fare any better. The British government will do well to dismiss this obsession from its mind that it may the more uninterruptedly consider the problem of the unemployed. There have been few more important facts in all human history than that of the twenty-mile strip of water dividing Britannia from continental Europe, and that fact has by no means lost its significance. The strait is still there.

Look Farther and Do Better.

We have it upon the authority of Vice-President-elect Sherman that, if re-elected Speaker of the House, Uncle Joe Cannon will work cordially with President Taft, as no doubt he will if President Taft will do the things that Joe Cannon wants done when he wants them done, otherwise relations are likely to be as strained during the new administration as they have been with the present one. The new administration may easily do better by looking farther for a speaker. Joe Cannon lags.

Not for Kings and Emperors.

There are not many lands now in which the citizen is not at liberty to speak his mind if he have one, but the uneasy head that wears a crown has not the privilege. Kaiser Wilhelm is a masterful man. He has a mind of his own and a mind to speak it, but it is plain even to himself that he might easily play the mischief by speaking it. He has said nothing that is not obviously true, but neither the truth nor the obviousness of it becomes an international irritant until he has said the thing. Then it is. Europe seems now to be suffering from a widely diffused spirit of peevishness and every word that drops from the mouth of one high in authority increases the irascibility to a degree little less than alarming. It would seem that such adult nations as France and Germany, Russia and Great Britain, should put away childish things.

Graham Taylor regards the efforts of Samuel Gompers to throw the union labor vote to Mr. Bryan in the recent campaign as being more in the direction of detaching the labor vote from party dictation than a purpose to subject that vote to the dictation of unionist leadership. Dictation is a mean word when applied to anyone not a stenographer, and when applied to the suffrages of men it becomes intolerable, whoever would attempt it.

The Deeper Significance : : : : of Living : : : :

THANKSGIVING.

Every man owes it to himself to have a few moments to himself every day of his life. Every being who does not propose living as the birds live, always in the present and never in conscious relation to the heretofore and the hereafter, as well as the now, needs to go away back and sit down with his own soul at least once in each twenty-four hours that he may orient himself, may take his latitude and longitude and so become conscious of his own position. To aid the formation of this salutary habit this paper will, in nearly every issue, have some one article that will make an especial appeal to the deeper significances of living. Just now we are all of us recovering from Thanksgiving.

It is probable that Thanksgiving was of old, to the many, an occasion for overeating, for sociability and jollity, but to that thoughtful few who at all times make public sentiment and impress themselves upon their age and its institutions Thanksgiving spoke mainly of dependence upon, and responsibility to, Almighty God, and it has been well for our nation that the dominant element in the shaping of the nation so deeply felt that dependence and that responsibility.

The theology of those periwigged old fathers, bending their way to the meeting house, may have been as rugged as the rocks among which they lived and as cold as the meeting houses in which they worshipped, but it had at least this merit: It never suffered one among them all to be without a sense of personal responsibility to the God of their fathers and of their posterity, and if our generation lacks one saving grace more than another it is that ever present sense of responsibility.

During 1907 there were 10,782 recorded cases of suicide in the United States, and there were three men to one woman who went out by that door. It has been pointed out that there are three women to one man in attendance upon worship on Sunday, or such other day in the week as religious services are held. Is it not possible that some relation may be traceable betwixt these two facts? Without a sense of dependence and responsibility upon some power that bends above us what has any human being left in the hour of crucial trial except suicide and a wish to blot existence out?

We repeat, it is profitable now and again, at least once in twenty-four hours, for each person whose head is not in an uncontrollable whirl, to draw himself a little out of the swim of things and, shall we say, pray? If not to pray at least, if he may, to find where he is "at" and just at this time, it may be well to dwell a moment on the fact that Thanksgiving has a deeper significance than gluttony.

If you like this number of THE CALIFORNIA WEEKLY and are in sympathy with the principles it stands for, fill out the blank on page 15 of this issue.

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GETTING CLOSE TO THE MUNICIPAL PROBLEM

[Special Correspondence of The California Weekly.]

The League of California Municipalities has recently been in session in Sacramento, this being the eleventh annual meeting of an organization whose practical work for the cause of good government has been as efficient as it has been unpretentious. Between it and the National Municipal League, which has also been holding an annual session, there is something of a contrast. The proceedings of the national organization consist largely of reading papers and making speeches on good government in the abstract, while the California league has been more disposed to devote attention to the proper way to dig sewer trenches or the best way of keeping municipal accounts. This avoidance of theoretical and attention to the strictly practical has kept the league alive and made it grow steadily in strength. It owes much, too, to the good common sense and organizing ability of its secretary, Mr. H. A. Mason.

Its history is interesting. In 1898 Mr. Mason, then city clerk of Santa Clara, called a meeting of city and town officials to talk over matters of common interest. It was held in San Francisco, where the league was organized, Mayor Phelan becoming its first president. In later years the representatives of the smaller cities and towns have manifested most interest in it, and neither San Francisco, Los Angeles, nor Oakland has done much to promote its progress. It was soon found that to keep up interest the organization must have a monthly journal and also that it must be supplied with enough funds to meet expenses necessarily incurred in its activities. So a magazine was started and has been continuously published, while the funds were provided by making the towns and cities themselves the members, and requiring from each a yearly payment proportioned to population. About a hundred cities and towns are now members, they pay from \$10 to \$60 each, and the total revenues amount to something like \$2,000.

The annual meeting preceding the latest was held in Pasadena and was attended by a hundred mayors, city clerks, auditors, city attorneys, street superintendents, city engineers, treasurers and other officials. At the Sacramento meeting seventy-five attended, and it was a singular fact that out of about thirty thriving towns and cities in the Sacramento Valley only three, Sacramento, Chico, and Red Bluff, appeared to be represented. It has been noted before that while interested participants in the annual meetings usually come from the most distant places, the nearby towns almost neglect the opportunity for the exchange of views and information between men engaged in the work of conducting municipal governments. But as the proceedings of the annual meetings, including all the valuable papers, are printed in full in the journal during the course of

the year, matters of interest are brought to the attention of a much larger audience.

In order to cultivate the professional spirit and to increase the interest several sub-organizations have been established and at the annual gatherings the discussions are conducted in the sections. Thus, while the city attorneys, who have their own organization, are discussing the latest decisions of the courts bearing on municipal affairs, the city engineers and street superintendents are meeting in another room and talking about sewer systems or street paving, and the clerks, auditors and engineers are having their own meeting to debate some such subject as uniform municipal accounting. At each meeting of the League of California municipalities it is demonstrated afresh that in the employ of the various local governments there are many bright young engineers, lawyers and accountants, besides an even larger number of non-professional men of hard-headed common sense. The town politician finds nothing to interest him and does not come twice to meetings of the league.

A subject of which the delegates to this year's meeting heard a great deal was petrolithic street paving. This is a new idea and a California idea, too; it first germinated in southern California, where so many new things are discovered, but it is being taken up and tried experimentally in many places, and it promises to become of interest wherever automobiles are operated on city streets and country roads. The automobile has precipitated a sort of crisis in street improvements, because it has proved to be a destroyer of macadamized highways, which were thought to be the last word in scientific road building everywhere outside of streets of heavy traffic in large cities. A smooth macadamized road makes a beautiful race course for automobiles, but the soft tires of rubber destroy the surface as iron wheels never did. The finely crushed rock which forms the top layer of a macadamized street or road is sucked up by the rubber and scattered, leaving the large stones exposed, and presently the highway is ruined. But now comes the petrolithic process to make a street which the automobile can use equally well and cannot destroy. At least, so say its advocates, and another great advantage is its cheapness.

It is merely a new application of a familiar idea, for the petrolithic road is an oiled road, only the oil is worked into the ground instead of being spread on top of it. Special machinery has been invented to do the work, the principal machine being a tamper, a heavy roller with innumerable feet projecting from it. The idea is said to have been suggested by seeing a flock of sheep, with their small sharp feet, walking over newly plowed

ground and in so doing packing it hard. In making a petrolithic street the ground is first plowed up and harrowed and the proper crown given to the surface. Then the surface is wet down and rolled with the tamper, the function of which is to compact the dirt from the bottom, so to speak, instead of from the top. When the soil has been compacted to within six inches of the surface oil tanks are driven over it and three-quarters of a gallon of oil applied to each square yard. Then the tamping roller is used again; then more oil is applied, and the process is continued until two gallons of oil have been put on each square yard. Afterwards two inches of gravel or crushed rock are put on; the surface is cultivated to effect a thorough mixture of the rock or gravel with the soil, and finally another oiling is done, the total quantity of oil used in all stages of the process being three and a half gallons to the square yard. A petrolithic street properly made is said to be as smooth and dustless as a street can be and to last a long time with any kind of wear. There are two hundred miles of petrolithic roadway in Los Angeles, and a few miles of it have been constructed in this part of the State.

Mr. Peet, a very diffident man, was unable to prevent himself being introduced one evening to a fascinating young lady, who, misunderstanding his name, constantly addressed him as Mr. Peters, much to the gentleman's distress. Finally summoning up the courage, he earnestly remonstrated: "Oh, don't call me Peters. Call me Peet!"

"Ah, but I don't know you well enough, Mr. Peters," said the young lady, blushing, as she withdrew behind her fan.—Catholic News.

Mr. Lovatt Fursyte—"I'd like you to go to church with me sometime next month."

Miss Pechis—"Good! But can you have your trousseau made in time?"—Philadelphia Press.

Tourist (in Western State)—"I suppose cattle-rustling is now a thing of the past?"

Larret Larry—"Sure thing! About all our prominent bad men are in the land-rustling business."—Puck.

"So you are going to teach your daughter music?" "Yes," answered Mrs. Thingtill, "just enough to give us an excuse for having a piano lamp and a mahogany music rack."—Washington Star.

"Pod, what do they mean by 'the garden beautiful'?" "A plot of ground covered by devastation and despair, entirely surrounded by poultry."—Los Angeles Herald.

Mrs. Eastend—"You'll not find me difficult to suit, Nora."

Nora (the new maid)—"I'm sure not, ma'am; I saw your husband as I came in, ma'am."—Pittsburg Observer.

If you like this number of THE CALIFORNIA WEEKLY and are in sympathy with the principles it stands for, fill out the blank on page 15 of this issue.

THE WORLD WAGS

By A. J. WATERHOUSE

FRANCIS J. HENEY.

We needed thunderbolt and fire of God
To drive us from this desert of sloth and shame,
For while on knavery's back he laid the oar,
We drowned through lack of red-hot will and shame.
"See," cried the traitorous voices of press,
"Boughten and vile, and voice of purchased hind—
This bleggery Henev adds to your distress!"
And we one-half believed: O, foods, and blind!

We needed thunderbolt and fire of God,
Through two long years, maligned by vilest men,
The way into our freedom Henev tried, and shame,
Unbought, unowned, true heart beyond our ken,
And then the venomous tongues of slander wagged
In lies that might have hearts of mercy lagged,
But still he went his way—our way—nor ever lagged,
While we—O, foolish ones—one-half believed!

Oh, burdened by our burden, this was he,
Through the days that we left undone,
While we stood back, or, tuned to libel's key,
Cried, "It were well this moulder all should shun."
Ah, this we did! We ran it to our shame—
We hid our faces from accusing light;
Too much we heeded those who most defame,
While still he waged the war of God and right.

And then the assassin's bullet, and we knew
"At last we knew how straightly he had stood
Gained robber barons and their bounteous crew,
For you, for me, for all that means our good."
And we have sworn in God's great name we swear
Full grateful that this Henev yet forth live,
That Freedom's burden we will help him bear,
And unto Justice chase his mite shall give.

This be the proof that we the right have seen;
This demonstrate, at last, we know, a MAX;
This prove our shame for yester's sudden mind,
And all the guilt to better morrow—span;
So, Francis Henev, stand you straight and tall,
As you have stood—no more could mortal do
Maintain your battle for your brothers' al!
And by the God of Right, we'll stand with you.

* * *

Newspapers and the Clergy.

"It was like this," said Juniper, "A beneficent Providence foresaw the difficulties, trials and adversities under which newspaper men are compelled to drag out their weary existence, and so it provided clergymen for them. A bit of news comes limping into the office, and the jaded city editor considers its availability. 'A quarter of beef disappears from a well-known butcher-shop. Nawthin' doin'," says he, 'throw it out!'"

"But did ye notice," says the intelligent reporter, "that a preacher lives in the same block, and 'tis susp—"

"Play it up for a first-page feature with a scarehead across the top of the page, and run pictures of the girl that was seen last in the vicinity of the shop, and don't forget to mention her remarkable beauty in your story," says the city editor, and 'tis so done. The public is terribly worked up over it, and it says the clergyman ought to be ashamed of himself, not to mention the beautiful girl, for whose youth some allowance should be made, as the picture of the Oshkosh beauty that was dug up for the occasion indicates that she must be on the sunny side of forty-three.

"If ye don't believe me, turn your attention to the case of Edna Clark and Rev. Payson Young. Disembowelled of a few hundred columns of newspaper frills and tucks, the case stands like this: Edna Clark is a young woman of the average youth of average young women of her age, average education, and more than the average lack of good sense. She disappeared, and the one person beyond all others who, it is certain, was not with her is Rev. Payson Young. Consequently, as ye read between the newspaper lines, it is queer about Rev. Young, and the case should be investigated.

"The newspapers will attend to the investigation, so ye needn't worry about it. They do it, discovering that Rev. Young is

something like an average clergyman of average clerical intellect, who preaches average sermons on average Sundays to audiences of average smallness. But, oh, his dark and gloom-haunted past! With shudders of horror, the newspapers reveal the incriminating fact that he has kissed several women at various times. Deepening interest on the part of the public. As a clergyman, he should not have done it; he should have left it to the rest of us. Rouse ye, Romans! Rouse ye, slaves! If the clergy take to kissing the women, where do the rest of us get off? Also, Mr. Young kissed Edna Clark, and therefore he knows all about her.

"That is the story in a nutshell, but you never would suspect it in reading the columns and columns, and more columns, of newspaper fiction concerning it. Once in a while a man or woman glances at with a shake of the head, and says: 'It is too bad thus to drag Rev. Young in the mire when he may not be guilty,' or perhaps another says: 'Well, I don't know many people, and I am included, who would like to have all of their past dug up and displayed in the limelight.' But the most of us, or, at least, a great many, say, 'Hully chee! But isn't Young a sly one! Won't it be a joke on the clergy if he is proved guilty?' or, if we do not say it in words, we say it in actions. Ten thousand clergymen may do right, and little or nothing will be said about it, but let one go wrong, and then watch the newspaper fireworks!"

"Oh, yes," Juniper concluded, "the clergy are a gossend to the papers."

Does it strike you that perhaps he is right?

* * *

The Same, But Different.

She was a sweet and coy young dear,
Miss Nancy;
To whom bluest visions would appear
In fancy.

She now is married, and no more
Miss Nancy;
Yet finds her bliss, e'en as of yore,
In fancy.

* * *

The Opinions of Rufus.

The philosopher that said they's a reason for ev'rything was mighty well satisfied with his 'pinion till he come home an' ketched his wife cryin' a few times. Since then he's sorter stidestepped.

I've noticed that I advertise my own folly in a blam' sight wrong tone o' voice than I do my neighbor's.

They's nuthin' wrong with 'wine, women 'an song' more'n they is with honey. Trouble is it tastes good, an' so we eat till we can't help noticin' 'bout that queer feelin'.

Willie says that Ethel's hair is golden. Our cat's hair is jest the same color, an' Willie says it's a hidjus yaller. I ain't explainin' it, but hain't ye ever noticed nuthin' of the kind?

The main object, as I understand it, of the Ruef prosecution is to prove that Ruef didn't lie when he said he was a briber, an' of course it bein' Ruef the nat'ral presumption is the other way.

'Lizabeth went to church last Sunday to glorify the A'mighty, an' I b'lieve she'd done it, too, if Sister Snooks hadn't wore her new hat. Still I never blamed 'Lizabeth an' I don't s'pose the Lord will, fer He knows she's fem'ine.

I see that you're allers in a hurry. Au-

gustus. So's my pup, but I don't notice that he ever accomplishes anything very important.

* * *

Schmitz feeling gloomy, though the higher courts were good;
Ruef upon his trial, would be absent if he could;

Glass looking solemn, and Halsey in a daze—I wish you'd tell me, brother, if you think that hoodling pays.

* * *

Opportunity Comes—and Stays.

It has been said many times and in many ways, Rehoboth, that Opportunity comes once to every man and woman, us all. She does; you need not doubt that, but what I wish to insist upon in this is that she also stays. The dear old girl, maligned, abused, jostled, hustled, the recipient of cuffs and blows, is about the best stayer that travels down the world's broad pipe. She comes to the boy or girl about as soon as he or she begins to "take notice," and from that time all through the journey she never is far away.

"Say," Opportunity whispers to the young man, "here is your chance to do your plain, simple, unadorned duty, and make the winning that such doing always attains."

"Awfully sorry," the young man responds, "Probably you are right, but this is the evening for that little theater party, and a little dinner afterward, and a few primroses. Would it bother you too much to call again when I am not so busy?"

This is a solar plexus for Opportunity, and you might think, Rehoboth, that she would leave the young man permanently, but she merely goes around the corner while he gathers primroses and a large head, and the next day she is with him again. Probably he gives her a black eye this time, but she puts a beefsteak over it, and directly she is with him again, smiling and insistent as ever. I tell you, my boy, when it comes to staying qualities, I am placing my last nickel on the blessed old girl.

"You could be very useful to your good old mother to-day," Opportunity suggests to Mabel, "and in so doing you would be particularly useful to yourself as well."

"I know," murmurs coy Mabel, "but there's Chawlie."

And Chawlie gets the persimmon, while Opportunity and the good old mother talk, but asks together. Another knockout blow for Opportunity, even from Mabel's small white fist, but she picks herself up and is with Mabel again just as soon as Chawlie has finished saying good night through three bliss-painful hours. Oh, you can't beat Opportunity as a stayer and permanent fixture in the lives of men and women.

So don't run away with the idea, Rehoboth, my boy, that Opportunity knocks but once at any man's door. She comes again and again, and her knocking is heard at our doors every blessed day of our faltering lives. As a knocker she beats even the unfortunate citizen who doesn't believe in the city and tells every stranger so. Always she is with us, and we no more can permanently drive her away than we can hurry Central when we want a number.

And so endeth the first lesson, Rehoboth, and you will be better off if you pay some attention to it.

AS THE WORLD WAGS—Continued.

Up-to-Date Fables.

An editor who had long dallied with chills misfortune and grinding penury, and who was a well known habitué of free-lunch routes, suddenly flashed out in tailor-made clothing and a 7-carat diamond solitaire.

"You look opulent," said a man who had been in the habit of passing him by on the other side.

"That's what I am," the editor replied, with a blithesome chortle.

"New subscribers?"

"Nay, nay, Pauline; not that anybody has noticed."

"More advertisers?"

"Nixie! Nix! They're falling off."

"Then how do you manage to accumulate the simoleons?"

The editor took the man behind an adjacent barn, and whispered in his ear.

"Dear man," he confided, "I enjoy an extensive acquaintance with the indicted grafters."

Moral:—A "higher-up" acquaintance is not rather to be chosen than great riches, but sometimes it is the next thing to it.

A certain young woman was weeping bitterly.

"Why do you weep?" a friend inquired.

"Alas!" the young woman responded, "I am so plain, so homely, so ugly!"

"Then why don't you have yourself made beautiful," the friend replied. "You know how."

So the young woman went and did something scandalous, and all the newspapers read about it, at the same time assuring their readers that she was "beautiful, attractive, and charming."

Moral:—Almost any girl can be beautiful, attractive, and charming—in the papers—if she is willing to pay the price.

There was a boy who was the terror of the neighborhood, so much so that all the mothers in the vicinity used to call their children in when they saw him coming for fear that he would teach them to do and say naughty things; and forever he carried a chip on his shoulder, and he used language that is not approved by the best authorities.

And when he went home at night his mother used to put her arm tenderly about him, and say, "Mamma's own little angel!"

Moral:—If it were not for our mothers, some of us never would be appreciated.

Clytemnestra Adelina.

"They named the dear child, their first," said Grandma Spraggins, reflectively, "to fit her initials."

"I don't understand what you mean," said I. "No, I s'pose not," the good old lady replied; "like's not you don't. Y'see, 'twas like this: Fore the little one come 'long 'twas mighty sweet an' tetchin' to see how anxious his ma was to have ev'rything jest so fer the little darling. They want a thing that hadn't ben done, an' she even had' brodered his initials on his cute little clothes, fer 'says she, 'his pa's name is Charles Adolphus, an' he's goin' to have the same name as his pa, so I thought I'd better 'broider the initials just to show how perfectly sweet they look on his little clothes.' Oh, they ain't nuthin' like mother love, is they, an' when I looked at them darlin' little things with the initials on 'em I couldn't help reelin' in it."

"I don't wonder that you felt so," said I. "There is nothing more tender, more beautiful, or more sacred, than a young mother's preparations to receive and bless the little soul that's to come hereafter from the mists."

"Yes, that's what I think," said Grandma

Spraggins, beaming upon me, "And then the little one come, an' 'see-an' so—"

"And so?" I repeated, inquiringly.

"An' so they named the little darling Clytemnestra Adelina, 'cause they hated to change all the initials on them cute little clothes."

The Great White Way.

Oh, the Great White Way, and the merry, merry way, With its million lights a glimmer, bright and brighter Than the day,
With its song and sing of laughter and its dancing eyes ashore
To the luring eyes that sparkle to the sparkle of the wine,
The crooning of the music, and its message to the heart,
As the visitor and the motorist meet a moment, then to part,
And the nameless thrill that holds us, shaken-handed, in its way,
As we dance a round with I treasure on the Great White Way.

Ho, my brothers, fill your glasses! Ho, my sisters, here
With the sparkling spell of glances that tomorrow we forget
This one night for love and laughter, merrily dead and
Conscience nipped,
Why look toward the morrows that may never, never come,
Phantom treasure, lead us ever! (Down the street is
Sorrow's brood.)

Here's a pledge to eyes a-quarrel in the maddening moon,
Music, wine and women ever! We, their bondsmen, to
The day,
In the singing rout and revel of the Great White Way.

Oh, the Great White Way with its laughter shrilling high
But last night there came a stranger—'twas a coffin
passing by,
Bearing a lonely sleeper, strangely white and
strangely still,
Heaving not the tongue of laughter, heaving not the
muscle's thrill,
Then the maddening rout grew madder, Ho, my
brothers, drink no more,
Ho, my sisters, lift with glances all the staidest sons
of men,
Let us forget for merrily maddens as we own the
maddening's swag,
That a coffin's waiting for us down the Great White
Way.

No One Questions It.

An automobile party was touring through the mountainous district of Western Pennsylvania, and had made a stop in one of the small towns to make some repairs to the machine.

While they waited the attention of one of the party was called to an intelligent looking lad of about fourteen, who seemed to be very much interested in the work, and of whom the following question was asked:

"Say, son, what do you live on out here?"

"Nuthin'," replied the somewhat surprised youth. "Dad's a preacher."—Judge.

His Initials.

Henry A. Turner is a commercial traveler whose work takes him up and down the State of Texas. In Fort Worth recently he needed a hat, so he proceeded to one of the city's grandest men's furnishing stores and stated the fact. The obliging young clerk who waited upon him, after the purchase had been made, proudly announced that his house had the only machine in town for cutting initials in the leather bands of head-coverings and asked if Turner would like to have his chapeau marked.

"What initials?" inquired the merchant-prince-to-be, swelling out his chest.

"Well, let me see," said the reflective Turner, and after further deliberation announced his choice as "H. A. T."

"H. A. T.?" gasped the astonished clerk.

"Yes, H. A. T.; that'll be enough."

So the hat was marked, and, putting it on, the drummer started out of the store, according to the St. Louis Republic. The mystified clerk's curiosity got the better of him before the customer had reached the street, and hurrying up, he asked pardon, and said he would like to know the reason for those letters, adding:

"Why anybody can see it's a hat."

"Yes, I know," said Turner, without a smile, "but you see I'm afraid I'll get up some morning and think it's a shirt or one of my socks."

Evidently Mrs. Young's Oyster.

The Youngs had unexpectedly dropped in on the Baileys just as dinner was about to be served. The hostess, considerably disturbed, called her little daughter Helen aside, and explained that there would not be enough oysters to go round, and added:

"Now, you and I will just have some of the broth, and please do not make any fuss about it at the table."

Little Helen promised to remember and say nothing. But when the oysters were served, Helen discovered a small oyster in her plate, which had accidentally been ladled up with her broth. This puzzled the little girl, and she could not recall any instructions covering this contingency. After studying a few moments, she dipped the oyster up with her spoon and, holding it up as high as she could, piped out:

"Mamma, mamma, shouldn't Mrs. Young have this oyster, too?"—Christina Register.

Catching the "Tone."

He was a well-meaning young man, but as curate in a small village he had never occasion to meet the class of people to which he had just been appointed, says the New York Times.

His new rector, wishing to help him on to success, had been liberal with advice, and had duly impressed him with the importance of always taking the "tone" of the people with whom he mingled. Being invited to take dinner at the mansion of one of the members of the congregation and knowing that he would have to say grace, the young curate took his cue from the conversation overheard before dinner, and when his hostess nodded meaningly in his direction, he delivered himself of the following, which he considered quite in keeping with the "tone" of the guests assembled:

"O Lord, thanks awfully; jolly good feed, wot?"

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SUGGESTED REFORM IN CRIMINAL PROCEDURE

Written for The California Weekly by ORRIN KIP McMURRAY, Professor of Law, University of California.

"Speaking generally, the improvement of justice, civilly and criminally, in the matter of its prompt despatch and the cheapening of its use for the poor man, is the most important question before the American people," said Mr. Taft in an interview at Hot Springs, Va., and a few days later he delivered a memorable address upon the subject before the Virginia Bar Association in which he said:

"Courts and Legislatures could devote themselves to no higher purpose than the elimination from the present system of those of its provisions which tend to prolong the time in which judicial controversies are disposed of."

The very definite suggestion of the President-elect appears as quite an obvious need when applied to the procedure in civil cases, though its importance may be less apparent in connection with criminal cases. But a consideration of the matter will, I think, bring out the result that expedition is of far more importance in criminal cases than in civil cases. The poor litigant in civil cases is more or less of a myth. Usually such cases deal with property rather than with personal rights, and property usually manages to find means to take care of itself. In such matters litigation is often resorted to because of the obstinacy or evil passions of one or both of the parties, and the lapse of a sufficient cooling time between the wrong complained of and its final determination is not always a thing to be deplored. Perhaps I have stated the matter rather paradoxically, but what I wish to call attention to is that the encouragement of litigation is in itself not a desirable end; it is perhaps better for society that disputes be arbitrated than that its members should be disposed to perpetual warfare. On the other hand, the trial of persons charged with crime is, in the modern State, a matter of paramount importance. From the point of view of the innocent person charged with crime it is obvious enough that a speedy trial is indispensable, and though not so obvious at first, a little thought will convince us, I think, that in the case of the guilty, it is not less important.

The unfortunate thing about the whole matter is that the delay in such exceptional cases as *People vs. Suesser* gives an entirely false conception as to the actual efficiency of the system. As a matter of fact, the system is really not inefficient. The records of the District Attorney's office in New York City for several years, show that the average time from arrest to final judgment in prison cases, including preliminary hearing, the hearing of the evidence by the Grand Jury, the finding of the indictment, and the final disposition by trial, plea of guilty or discharge, was only eight days. And yet public complaint as to the law's delay is not less in New York than in our own State. In San Francisco in 1900, 702 felony cases were finally disposed of, and at the end of the period there were only fifty-seven cases pending undetermined. In other words, the District Attorney and the courts disposed of more than two felony cases daily.

Not only, in the case of the average offender, is the punishment speedy, but it is also certain. From 1902 to 1904, out of 2,503 persons tried for felony throughout the state, 2,120 were convicted and 383 acquitted; from 1904 to 1906, out of 2,711 tried, 2,428 were found guilty and 283 acquitted; from 1906 to 1908 the ratio was 2,678 to 371. And of those convicted very few escaped pun-

ishment through the medium of appeal. Only 134 defendants from 1902 to 1904 exercised their privilege of appeal, and in 97 of those cases the appeal was without avail, and the sentence was affirmed. In only thirty-seven out of 2,120 cases was the decision of the trial court disturbed. Of the 134 appellants forty-two or about one-third were defendants convicted of murder and manslaughter. From 1904 to 1906 there were only 109 appeals to the Supreme Court and District Courts of Appeal, and out of those 109 appeals twenty-six only were reversed and eighty-three were affirmed. Of the 109 appeals, forty-five were in homicide cases. The proportion of reversals to indictments and informations during this period was sixty-two hundredths of one per cent. That is, only six persons out of every thousand charged with felony got some benefit from the appellate courts.

If we remember that of the cases reversed, probably one-half at the least were against the defendants, it is plain that the actual number of guilty persons escaping punishment through the medium of appeals is very inconsiderable. It is a conservative estimate to say that not three out of a thousand defendants finally escape punishment through this means.

When we come to consider the question whether or not substantial justice is observed in the disposition of cases on appeal, we pass from the region of safe fact to the region of mere opinion. Some years ago our Supreme Court reversed a murder case because the indictment did not state that the victim, who was named in the indictment, was a human being. The Supreme Court of Kentucky not long ago reversed a murder case because the judge told the jury that they could not convict the defendant on the uncorroborated testimony of an accomplice. He did not say "accomplice or accomplices," but neither did the Statute, which he read word for word. The defendant thought the words "or accomplices" ought to have been inserted by the judge, though they were not in the Statute, and so did the Supreme Court of Kentucky. Thus Caleb Powers escaped the gallows. Was it more absurd for the California court to say that the omission of one of the elements defined in the Penal Code as constituting the crime of murder rendered Lee Look's conviction bad, than it was for the Kentucky court to say that the omission of something not stated in the Statute rendered Powers' conviction bad?

There are not many cases, however, of the character of the Lee Look case or of the Powers case. In most instances the grounds of decision are broader and more human, and I think that, as a rule, even persons unskilled in the law would agree that the great majority of decisions are not technical. It may not be amiss to state that Lee Look was again convicted on a new indictment, and his conviction sustained on a second appeal. But it may be urged, What then was the use of reversing the case the first time? And this brings up the question, What is the use of a court of review anyway? If, as the figures I have quoted show, so few seek the advantage of an appeal, and if only three out of a thousand get any result from it, and if some of those three cases are like Lee Look's, what is the use of preserving such an expensive part of the judicial machinery? Besides, as to real justice, is it more likely to be done by an honest judge who is near to the people and a jury of common sense citizens, or by a body of rather conservative men

who don't hear the evidence, who don't see the witnesses, but who read big printed briefs in a dusty library and decide, maybe, according to the notions of some old bewigged and begowned English judge of ten generations ago?

It may well be doubted whether the right of appeal does exist mainly that justice may be done in the particular case. Not that it is not an important part of the appellate court's business to decide the particular case, but its most important functions are probably interpretative and regulative. It declares the law; it preserves its unity. Without a tribunal of authority to declare the law, we would in time have as many systems of law as there are judges. The fact that the business actually performed by these courts in connection with the administration of criminal law is inconsiderable, should not blind us to their real importance; the fact that in the exceptional case there is either absurdity or delay should not be taken as a basis for a general arraignment of the appellate court.

And yet it is the exceptional case, like the *Suesser* case, or the recently decided *Botkin* case, that stands out in the public mind. What is the sentiment of the public when a notorious malefactor is found guilty by a jury? He will appeal and tie the matter up for years, and will probably succeed in reversing the sentence—so thinks the public. Whether finally affirmed or reversed, if a long period elapses between the verdict and its affirmation, the conviction loses most of its tonic effect upon the public mind, and the prevailing sentiment against the criminal judge, upon counsel for the State, and counsel for the defendant. With the pen of genius, Dickens, in his *Bleak House* points out how the dry rot of the Court of Chancery attacked and destroyed all who came within its influence. The spirit of procrastination and uncertainty typified in the case of *Jarnyce vs. Jarndyce* permeated the whole atmosphere; the very streets and houses about the court were touched by the taint. So in respect to the present sentiment. The defendant's counsel tries the case to make error, the State's counsel to avoid error. The trial judge fears to make rulings as his own judgment dictates and decides as he thinks some court of review might require. For example, hardly a criminal case of importance now arises in which the members of the Grand Jury are not examined for bias; sometimes days, nay, weeks, are spent in the search for prejudice, not in the hope that the trial court will quash the indictment, but in the hope that he refuse to set it aside, and that possibly an error may be committed for which a court of review may possibly reverse, if the defendant is finally convicted. Now the possibilities involved here are very remote, for under the law as established in this State, it makes no difference whether or not some members of the Grand Jury were biased, provided that a sufficient number of competent jurors were present and found an indictment. But difficult as it is to prove bias, and unimportant in the outcome as it is likely to be, even though one or two jurors should be biased,—though no case has ever been reversed on this ground in this State,—though the power of examination of grand jurors has never been held to be the right of the defendant in California, and it most certainly was not his right at common law,—the trial judge permits day after day to be consumed so that a possible error may not happen, and the defendant's counsel wastes day after day in the expectation that a possible error may be com-

mitted. The trial judge reasons thus: "Most probably the courts of review would not disturb the verdict if I refused to permit the examination, but it is better to be certain; the trial will occupy weeks, probably, the appeal years, and if by any chance my present opinion that the jury should not be examined should prove wrong and the case is reversed upon that ground two or three years hence, I should feel greatly at fault."

And just as the trial judge reasons, so the defendant's counsel reasons, looking at the problem from a different standpoint. And so the whole machinery of the courts is obstructed by a shadow. If trial judges knew that an affirmation or a reversal was sure to follow in a short time after the verdict in appeal cases, a strong motive would exist for them to apply the law as they believed it, rather than to attempt to steer an impossible course. They could afford to take ordinary risks of reversal. If defendant's counsel knew that the game of delay was one that it hardly paid to play, we would have more cases well tried before the jury than for the sake of the record.

The certainty of the law, which, as we have seen, really exists, can only be made vivid to trial judges and counsel by a swift despatch of their business by the courts of review.

As the matter stands at present, it is not difficult to enumerate many cases where from three to four years elapse between the verdict and the final determination by the appellate court. The average case in the Supreme Court occupied one year and three months on appeal, in the period from 1902 to 1904, and in the period from 1904 to 1906, one year, four months and fourteen days. Yet that it is possible to dispose of appeals more rapidly, is shown by the fact that in one case, *People vs. Nihil*, only two months and twenty-one days elapsed between the jury's verdict and the final decision in the Supreme Court. The court itself was not directly to blame for most of the delay. The greater part of the time was consumed in getting the case into the Supreme Court, for which, of course, the District Attorney's and defendant's counsel were wholly responsible. The Supreme Court, as its business is at present constituted, knows nothing of the appeal until the transcript is filed. This is done by the defendant and it regularly should be filed within forty days after appeal, but the cases are very numerous where a year is allowed to elapse without the transcript being filed, and in one case,—a murder case,—six years, two months and twenty-eight days were taken in preparing the transcript. In *People vs. Wynne*, the transcript followed the verdict in three years, five months and eleven days, and in *People vs. Manning*, in three years and four months. It took nine months and nine days to get the transcript filed in the average case in the Supreme Court from 1904 to 1906, and seven months and five days after its filing for the court to decide it.

If appeals were decided as well as they now are decided, within ninety days after verdict, instead of nearly a year and a half after the verdict, if the exceptional *Suesser* and *Botkin* cases were rendered impossible, we would have much less about the law's technicalities and delays, or about propositions to abolish the right of appeal, or to try dangerous experiments affecting the rights of the individual. The attitude of the community towards the law, including trial judges and lawyers, would considerably change for the better. If the judges of the courts of review would realize the importance of Mr. Taft's words, it would be an easy matter to frame a few rules that would compel lawyers engaged in criminal appeals to expedite the business pending before the courts. Some legislation might be needed and could be suggested by those judges; but would probably

be in the direction of clearing away those Statute and Code provisions that interfere with a simple and effective procedure, rather than in line with the New York statute passed in 1902 directed to this very matter, which provides that appeals in all capital cases shall be dismissed unless brought to a hearing within six months after appeal. The Legislature would doubtless readily pass any Statutes which the courts might think necessary to enable them to simplify and despatch the business that came before them.

It is not claimed that the good results that would flow from the speedy determination of appeals would cure all the evils in the present administration of criminal law. But it can hardly be gainsaid that a rule which would prevent such results as occurred in the cases of *Suesser*, of *Botkin*, of *Clark*, of *Manning*, and a host of others, would be a distinct advance along the line which Mr. Taft has pointed out.

In the Right Direction.

Bishop Bloomfield was one of the many witty Englishmen whose good things have found their way into a recent volume of reminiscences, "Leaves from the Notebooks of Lady Dorothy Nevill."

Bishop Bloomfield was led into a controversy one time with a learned man as to the mental superiority of the East over the West, and his opponent, as a parting shot, said:

"Well, at any rate, you can't dispute that the Wise Men came from the East."
"Surely, that was the wisest thing they could do," retorted the bishop.

A Useful Echo.

"Out where I live," says the man with the wide-brimmed hat and the large mustache, according to the *Chicago Post*, "we have a gulch we call Political Canyon, and in that gulch is the most remarkable echo you ever heard."

"Yes," dubiously inquires the listener.
"Yes, sir. Why, you can fire off a revolver on one side of the gulch and the echo will take up the sound and repeat the report all day and night."

"That is not so—"
"But the remarkable part of it is that next morning the echo begins denying the report."

Belated Leap Year Story.

A mismatched family's troubles were being aired in the Supreme Court, room T, says the *Indianapolis Journal*.

Judge McMaster listened to the man's story—he was the plaintiff and had charged his wife with cruel and inhuman treatment. He was a small man, and his wife—well, there were at least apparent grounds for the charge. After the plaintiff had finished his testimony, Judge McMaster decided to ask a question.

"Where, Mr. Trouble, did you meet your wife, who has treated you this way?"

"Well, judge, (somewhat meekly), you see it's this way; I never did meet her. She just kind of overtook me."

Field's Head for Business.

In the early eighties, when Eugene Field was managing editor of the *Denver Tribune*, newspapers in that city were not conducted with metropolitan preciseness, says the *Philadelphia Ledger*. Field's official position gave him access to the money drawer. He would take out such amount as he needed and drop a memorandum, known as a "tab," for the guidance of the bookkeeper. In this manner he was generally contrived to have his salary expended several weeks in advance.

One day Field was in a hurry and, as usual, in need of cash. Rushing to the money-

drawer he hastily scooped out coins and bills, transferred them to his overcoat pocket and started away. But apparently he was struck by the thought that this would be confusing to the accountant, for he returned, and, scribbling a "tab," placed it in the raised drawer. When Fred Skiff, the business manager, opened the drawer a little later, he found nothing but the slip of paper bearing the legend: "Took all there was, Gene."

A Parliamentary Strategem.

It was at an informal session, after one of the regular meetings of a religious convention, that the New Hampshire minister told some of his best stories, says the *Youth's Companion*. "There is one man in our church," he said, "who is as good as gold, but so long-winded that he tires everybody out."

"At one time it was suggested by one of the deacons that in order to avoid the extreme length of this good man's remarks at prayer meeting, we might make a five-minute limit." "This I inaugurated at the next meeting, and it was cheering to us all, to see that when the long-winded man rose to speak he held his open watch in his left hand."

"When the limit was all but reached, he said: 'Finding, my dear friends, that I have only a few seconds left in which to speak, and having much to say, I will throw the rest of my remarks into the form of a prayer.'"

A New Bryan Anecdote.

Last winter when William Jennings Bryan was here, says the *Binghamton, N. Y., Press*, he attended an informal reception, for men only. He had told a number of clean, witty stories, when suddenly a man, a stranger, edged through the crowd and began to joke with Mr. Bryan. Nothing was thought of this, as it was a game of conversational give and take. Suddenly from the lips of the stranger there fell a single coarse remark.

The Commoner's jaw set like a steel trap, and his eyes flashed. The stranger was quickly hustled out of the room.

"He was a stranger, Mr. Bryan," said one present, "and had no business here. We beg your pardon for this occurrence."

"Never mind me," said Mr. Bryan, his eyes softening. "The man's ill-judged remark did me no harm, and I know he had no business here, but"—pointing to a lad of fifteen years, who was watching the scene and waiting for a handshake—"it was not just the sort of speech for the laddie to hear."

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ASS'S SPRING

From the German of Rudolf Baumbach, Translated for The California Weekly by Hugh Jeidell.

[Rudolf Baumbach, 1840-1905; born in Lachsen-Muegen, in Thuringia, where his father, who was a physician; studied at several German universities, taking the degree of Ph. D.; traveled extensively; taught a few years in Austrian colleges; then devoted himself entirely to literature; became titular counselor to the district court of Bamberg, where he died in 1905. His writings include a dozen volumes of lyrical and epic poetry; a historical romance—"Truggold und Fools Gold"; and a large number of short stories, fantastic tales and "novellets." Without being literature of the very highest order, they are of the quality of true art—worthy in content and honest and attractive in expression—and have given their author an assured place in the history of German literature.]

Baumbach's work much resembles, as it were, his native Thuringia, that romantic district famous for its beauty of landscape, quaint customs, and wealth of folklore and historical tradition. In his "Maerchen," i. e. "Fairy Tales," he has produced a unique variety of that species by skillfully interweaving the fantastic figures and events of fairyland with the conditions of modern reality. The following tale—"Ass's Spring"—is taken from Baumbach's "Sommer maerchen," i. e. "Summer Fairy Tales."]

In a green vale that is completely encircled by steep mountains, rises a cool, bounteous spring, known as the "Ass's Spring." It is walled in and protected by a roof, on the top of which there turns as weather-vane, a tin ass.

Every summer morning the spring is lined by pale young ladies, and under the watchful eyes of solicitous mothers or chaperoning aunts, sip the cool water from dainty cups. Gentlemen, too, visit the spring—by no means only such as are sickly, but also strapping fellows with brown faces and bold and twisted mustaches. A gray-haired military man who for thirty years has been coming and going with the swallows; a poetizing miss with long straw-colored locks; a mysterious widow in deep mourning; a prestidigitator in great demand in rainy weather, who makes money disappear and performs card tricks—all these are present at Ass's Spring; and thus nothing is lacking of what belongs to so-called "high society resort." Oh! almost we had forgotten the main thing, which is the landlady of the "Golden Goose." She rules with absolute sovereignty, is a fine cook, and treats high and low with an honest, if somewhat rude, straightforwardness which acts on the city folk as refreshingly as May dew.

Over the origin of the spring's name there is much dispute; some relating that the pawing of a thirsty ass had disclosed the spring; others maintaining it got its name from the circumstance that its water, like ass's milk, is beneficial to weak constitutions. But both opinions are erroneous. And that will be abundantly plain to every one who follows this story to the end.

Many, many years ago, when the mightiest tree of that forest yet slumbered, a seed in a brown acorn, nothing was known of the curative powers of what was to be Ass's Spring. Then its guests were the beasts of the wood or grazing cattle, herdsmen and woodchoppers, huntsmen and charcoal-burners; and the men praised the cool water, and the animals, in their way, did likewise.

One day two beings stood by the spring—one on this side, one on the other. He was an ass—and she was a goose, both in the first flush of youth. They exchanged a silent salute and quenched their thirst. Then the ass approached the goose and asked bashfully: "May I walk with you, Miss?"

She nodded and had liked to blush, but that was beyond her; and together they went through the meadow and talked of the weather. They had gone some distance, when the ass stopped and asked: "Whither leads your way, Miss?"

Sadly the goose bent a side-long glance at her companion and said softly: "If I but knew, myself! Oh, I'm the unhappiest creature under the sun!" And when the ass had ques-

tioned further and urged her to ease her mind, she told him her history.

"My name is Adelaide," said the goose, "and I am of good family. My ancestress was one of those sacred geese that saved the capital—of course, you know the story, Sir?"

The ass responded with a hesitating: "Y-ah." As a matter of fact, he had heard nothing of the story, but he would not offend the goose.

"Another of my forefathers," Adelaide continued, "was on most friendly terms with St. Martin; a dark legend has it that she even went to her death for his sake. But I will not dwell on my ancestors; let me speak of myself. I first saw the light of this world in the company of eleven brothers and sisters who were born at the same time, on a farm where my mother, as setting goose, resided in a style appropriate to her rank. I was mother's favorite, for in our family the youngest child is always the most highly gifted."

"Exactly as with us," remarked the ass. "I'll pass over my childhood," the goose went on—"the merry games in the village pond and the little lake in the squire's park, where in the company of some young swans I acquired that elegance of movement for which I've had praise so often."

"I had shed the yellow down of early youth and bloomed into womanhood, when there appeared on the farm a man with a hooked nose, with a glossy black curl adorning either temple, and with a bundle slung over the shoulder. The farmer's wife and the maids gathered round him and cast longing eyes at the gay-colored ribbons and shawls which he took from his pack. To make it short: I was caught and, bound wing and foot, handed over to the stranger, who had taken me in barter for a blue kerchief decorated with red roses."

"Then followed sad days. I was locked into a narrow stall and with balls of barley-flour developed into a—stuffed-goose. With horror I noticed that my waist-measure grew from day to day, and not even my grief at my desperate situation could check the evil."

Here the ass gave an expressive look at his companion and affirmed he had never seen a more elegantly formed goose. With a grateful glance at the ass the goose resumed:

"In the last night—I shudder to think of it—I heard agonized screams, coming evidently from the throat of one of my fellow prisoners. I saw two eyes gleaming in the moonlight and heard a death-rattle—a fox or pole-cat must have broken into the barn. Fear gave me strength. I squeezed through the rails and gained the open—I was saved. My wings bore me into this vale, and here I'll try to elude out an existence as wild-goose until winter, when I may perhaps obtain a modest situation as snow-goose."

Adelaide heaved a deep sigh and was silent. "My fate," said the ass, "resembles your own, Miss Adelaide. Look at the black cross on my shoulder, that will tell you everything; I am of the tribe of the palm-asses and my name is Baldwin. My family-tree goes back to Noah's Ark; Balaam's ass and he with whose jawbone Samson slew two thousand Philistines, were ancestors of mine. Be it mentioned only in passing, that I was also one of my forefathers who died, a true philosopher, between two bundles of hay; nor shall I dilate on the achievements of my ambitious ancestor who founded the collateral line of the mules. My parents were convent folk and carried pious monks on their journeys. My elder brothers also became serving brethren; we, however, the holy father sold to the miller of the monastery,

and I, a palm-ass, was compelled by human brutes to pack vile sacks of flour! For a time I bore it in quiet resignation; at last, however, my maltreatment—O that beast of a miller's boy!—drove me desperate; I broke my fetters and reached this peaceful mountain valley, where I found you at the spring, charming Adelaide. Here I intend to remain for the time being and to lead a contemplative life as wood-ass."

Thus ass and goose remained in the valley. They had their dwellings apart, as the properties demanded, but they met and talked together daily; and finally one could not live without the other. They were happy and sad at once; happy, because of their love; sad, because they recognized they could never belong to each other.

"Oh, that I was born a goose!" was Adelaide's plaint; and Baldwin sighed: "Were I but a bird!"—and he knew precisely what kind of bird he had liked to be.

Weeks went by. The ass grew visibly thinner, though the valley lacked not an abundance of nourishing fare; and the red paled on the goose's bill and her eyes grew misty.

Now there dwelt in that forest, in a hollow rock, a very old owl. That was the wisest woman for miles around, and often would the forest folk seek her advice. And thus the ass went to her with a moving account of his distress. When the owl had heard him she said: "I have no help for a case like this; but wait until the turning of the sun—then the wish fairy comes to bathe in the spring of the meadow-vale. Confide your sorrow to her, and, maybe, she will help you and change your form; for she is a great sorceress."

Half-consolated, the ass trotted away. On the eve of the summer solstice, when Adelaide had repaired to her chamber for the night, he hid himself near the spring and awaited the coming of the wish-fairy. She did not keep him waiting long. In gown of swan's down she came dyed blue, threw off the magic garment and bathed her white limbs in the cool water. With an ass's patience the ass waited till she had left the spring; and when she was seated on a rock and had begun to comb her hair, he appeared, gave three salutatory paws with his fore-hoof and piteously besought the fairy to turn him into a gander.

The sorceress shook her head. "That is a curious wish," she said; "but I can and will grant it." And she whispered into the ear

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of the devoutly listening ass: "Tomorrow morning, at sunrise, pluck seven daisies and eat them in silence; then dip your head into the spring and you will be turned into a handsome gander. And now go your way, and leave me alone."

Deeply moved, the ass gave thanks and went. All night he closed not an eye, and as soon as the mountain tops showed the first faint flush of red he was afoot to get the seven daisies. Then he hurried to the spring, dipped his head, and when he pulled it out again he gazed in ecstasy on the image of an elegant gander with beautiful curved neck, mirrored in the surface of the water.

As fast as he could he hastened to the bush where the goose had made her residence. "Adelaide, my beloved Adelaide," he cried, "where are you?"

"Here, my beloved," it came from the thicket; and out of the bushes pranced a dainty she-ass.

Petrified with horror the lovers looked at each other.

"O, ass that I am!" groaned the gander.

"O, goose that I am!" moaned the she-ass. Then hot tears stole from their eyes, and sobbingly Adelaide related how by the owl's advice she had sought the wish-fairy and, on her hard begging, had been changed into a she-ass. Hereupon the gander told his story, interrupted by rending sobs; and never has the midsummer sun shone on two unhappier creatures than our two lovers.

Time heals. In place of wild pain there came resigned suffering. One hope the couple clung to: Perhaps they could prevail on the wish-fairy at her next visit to restore to one of them the original form. But till then a full year must go by. Patience, therefore, patience! And again Adelaide and Baldwin dwelt together like brother and sister.

After many a danger and distress that the winter brought the two anchorites, spring once more came into the land; the sun mounted higher and ever higher; and at last it was the eve of the summer solstice.

With beating hearts the lovers—this time together—went to the spring and put their case before the wish-fairy.

"That's bad—very bad," said the sorceress. "I cannot change back either of you, dearly as I should like to do you the favor. But let me make a suggestion: how would it be were you to become human? To make a young fellow and a young girl out of an ass and a goose—that is not so difficult, that I can do. Are you willing?"

"Yes," cried Adelaide and Baldwin in unison. The wish fairy murmured a spell and bade the two plunge their heads into the spring. They obeyed, and when they stood erect once more, there was Baldwin, a strapping young fellow with extremely good-natured features; and facing him, a charming little woman with dainty pouting red mouth and languishing eyes.

They fell on their knees and gratefully kissed the hands of the good fairy; and then they kissed and kissed each other and whispered tender nothings in each other's ear. The wish-fairy, however, who noticed that she was superfluous, got into her feather-robe and flew away.

The two young people remained in the valley. Baldwin built a house; and in it they passed many happy days, and every year there came a child, now a boy, then a girl.

No one in the surrounding villages suspected that Baldwin had been an ass, and Adelaide a goose; for they were about as rational as other people. Nor did they hanker to have the story of their transmutation noised abroad, for that would have hurt their reputation. But in their dying hour they entrusted their secret to the eldest son; and he it was who, in memory of his parents, named the house "The Golden Goose" and the spring, "Ass's

Spring"; as house and spring are still named to this very day.

How the healing power of the water was discovered and how gradually life came into the secluded mountain vale—all that is told at great length in a book which the landlady at the Golden Goose sells to the summer guests.

The wish-fairy has long since ceased to come—probably because it became too noisy for her in the valley. But even now it happens almost every year that a couple of young people are mated at the Ass's Spring who are as well suited to each other as were the hero and the heroine of our tale.

Electrical Terms and Their Meaning.

Because electricity can not be seen is no reason why it should not be understood and it is strange that with all the millions of users of electricity for light, power and heat, so few know anything about this wonderful force.

The majority are content to know that the pressure of a finger will light the house, a turn of a switch will start the electric cooking devices and another switch will give instant power, without prying into the mysteries of electrical energy. When anything gets out of order they send for an electrician and let him wrestle with the problem.

In this electrical age it is important that everyone should understand the rudimentary principles of electricity. The first step is to comprehend the numerous technical terms associated with the profession and then grasp some tangible idea of the nature of the current.

In the scientific world electricity is called a fluid, in the same sense that light is called a fluid, and therefore, it can best be compared with water. To make the terms "ampere," "watts" and "volts" comprehensive it is only necessary to keep the water comparison in mind and remember that amperes correspond with the volume of flow of a fluid, watts with energy or horse-power, and volts with pressure. A "kilowatt" is a thousand watts, or equal to one and a third horse-power of energy.

Electric lights consume electrical energy—this energy is expressed in watts and paid for at so much per kilowatt, or a thousand watts.

If the rate is fifteen cents a kilowatt-hour it is equal to about eleven cents a horse-power hour.

The average electric incandescent lighting circuits carry current at a pressure of about 110 volts and the street railway systems at about 500 volts. This means that the wires are carrying electricity under a pressure of so many volts just as water pressure is expressed in pounds. We can easily understand that a certain stream has a volume of so many gallons of water and it should be as easy to comprehend that a certain electrical line is carrying so many "amperes" of electricity, which means the volume of the flow of the current.

One reads a great deal about "direct current" and "alternating current." In the beginning of the electrical industry direct current only was known, that is, the current generated always flowed one way along the circuit. But later developments proved that a generator could be made much easier and simpler that would produce an "alternating current"—a current that surged first one way and then the other over the line. This current surges back and forth as often as sixty times or "cycles" a minute on the average lighting circuits and twenty-five times on power lines. Alternating current generators are most extensively used to-day and where direct current is needed for street railway lines or other work the alternating current is changed into direct current with rotary converters. These machines look not unlike generators, but they simply change the surging current to one which flows always the one way.

Electrical Definitions.

Alternating Current.—That form of electric current whose direction of flow reverses a given number of times per second.

Ampere.—Unit of current. It is the quantity of electricity which will flow through a resistance of one ohm under a pressure of one volt.

Armature.—That part of a dynamo or motor which carries the wires that are rotated in the magnetic field.

Circuit.—Conducting path for electric current.

Circuit-breaker.—Apparatus for automatically opening a circuit.

Electromagnet.—A mass of iron which is magnetized by the passage of a current through a coil of wire wound around the mass, but insulated therefrom.

Fuse.—A short piece of conducting material of low melting point which is inserted in a circuit and which will melt and open the circuit when the current reaches a certain value.

Galvanometer.—Instrument for measuring current strength.

Insulator.—Any substance impervious to the passage of electricity.

Kilowatt.—One thousand watts. (See watt.)

Kilowatt-hour.—One thousand watt hours. Motor Generator.—Combined motor and generator for changing alternating to direct current or vice versa.

Ohm.—The unit of resistance. It is arbitrarily taken as the resistance of a column of mercury one square millimeter in cross sectional area and 106 centimeters in length.

Poles.—Terminals of an open electric circuit.

Potential.—Voltage.

Resistance.—The quality of an electrical conductor by virtue of which it opposes the passage of an electric current. The unit of resistance is the ohm.

Switch.—Device for opening and closing an electric circuit.

Transformer.—A device for stepping-up or stepping-down alternating current from low to high or high to low voltage, respectively.

Volt.—Unit of electromotive force or potential. It is the electromotive force which, if steadily applied to a conductor whose resistance is one ohm, will produce a current of one ampere.

Voltage.—Potential difference or electromotive force.

Watt.—Unit representing the rate of work of electrical energy. It is the rate of work of one ampere flowing under a potential of one volt. Seven hundred and forty-six watts represent one electrical horse-power.

Watt-hour.—Electrical unit of work. Represents work done by one watt expended for one hour.—Exchange.

If you like this number of THE CALIFORNIA WEEKLY and are in sympathy with the principles it stands for, fill out the blank on page 15 of this issue.

A Dreadful Woman.

"That woman next door is really dreadful. John," said a young married woman to her husband. "She does nothing but talk the whole day long. She can not get any work done, I'm sure."

"Oh," remarked her husband, "I thought she was a chatterbox. And to whom does she talk?"

"Why, my dear, to me, of course," was the reply. "She talks to me over the back fence."—Philadelphia Ledger.

A Peoria family has finally signed a treaty. Hereafter it will take the husband only as long to get ready for church as it takes the wife to get ready for the theater.—Peoria Herald-Transcript.

POLITICAL TABLE TALK

By ALL-OF-US

A contemporary truthfully protests, in effect, that if Victor Metcalf, Secretary of the Navy, had stood up stanch and bold for the interests of California and the Pacific Coast when the President commissioned him to look into the Japano-San Francisco school problem he would stand in better plight with the people of this coast than he now does. Let it be remembered, however, in what extenuation it may, that one who, during a long political career, has not been disobedient to the authority of the Republican "organization" in this State, with all that name implies, has had small opportunity for developing a robust spinal column. It takes on elasticity at the expense of rigidity. Mr. Herrin's school for citizenship does not make for independence or initiative, or aid in rising to supreme requirements at crucial moments. The man who habitually "takes programme," sooner or later takes also the political back seat.

Historian Farish, writing for the Scripps papers a "History of the Southern Pacific in California Politics," records an occasion, away back in '69 and '70, when one George C. Perkins, then an Honorable State Senator from Butte, alone of all the Republicans in the upper house, stood up inflexibly against a proposition to authorize the interior counties of California to bond themselves to the verge of bankruptcy in aid of the construction of lines of road already over-aided by the United States government and, with the aid of thirteen independent Democrats, effectually blocked the measure. Alas! what changes has time wrought in California's senior Senator since '69 and '70.

Mendocino County wandered for forty years in the Democratic wilderness, and even now it can hardly be said to have reached the promised land. It is Republican, but not the very best kind of Republican, and Republicans of that county are beginning to be sensible of the fact. This is how it happened: Frank Caughey made himself deservedly popular with the citizens of Mendocino County. Whatever they set him to doing he did well. As Auditor he stanchly refused to approve an account that was not as straight as a plumb line and the men of Mendocino made up their minds that Frank Caughey would do to tie to. Frank was ambitious. Having held a variety of public jobs in his home county he aspired to a State job. His first choice was for nomination for Surveyor General, but Mr. Herrin had other ideas as to that place, the more certainly because Los Angeles had its heart set on the possession of that office, so Frank took the next best thing, or the best thing he could get, and stood for Clerk of the Supreme Court. Up to that time there had been considerable independence in Republican politics in Mendocino County, but under the bargain-counter method of expressing the will of the people it became indispensable for Caughey to go to the Santa Cruz convention with the Mendocino delegation in his pocket. The delegation was loyal to their candidate and, not counting cost to the State, went onto the bargain counter without reservation. Caughey got his job and Herrin got Mendocino County. Since then Republicans of Mendocino, here and there, have been asking themselves if that deal really paid. They have been wondering if the pos-

session of a mere clerkship by a well-loved citizen was compensation enough for the delivery of their county to a political bureau whose offenses against good politics and good government have become a national scandal. The more they think it over the less they like the look of it. Frank Caughey had deserved well of the county, but the county had deserved better of Frank Caughey than to be sold so cheap.

And then there is John L. McNab of Mendocino! He is another problem that Mendocino is pondering over. John L. is a good fellow. He has good ability and a good voice. When Caughey gave Mendocino to Herrin for a clerkship, John L. McNab was thrown in to make good measure. Among all her sons Mendocino has none of which it is more proud than of the half-brother of the redoubtable Gavin. During the late campaign he was honored by being made the fellow traveler and chief orator with a governor who was elected by sixty thousand less than a majority vote of his State, and the echo of that voice still reverberates, even if no one does remember what the voice said. It was musical and still tinkles pleasantly in the ear of recollection. But the men of Mendocino, the more thoughtful men especially, are beginning to ask themselves if it was really a good thing for John L. McNab to be tossed onto the Herrin bargain counter to make good measure, in addition to giving the whole county, just to get a clerkship for Frank Caughey. They know full well that, while office may come to a man who serves the machine, and some notoriety, honor never can, and they would like to see John McNab honored at some fitting time in some fitting way. They reflect that of all the public men California has produced not one who "took orders," or was in any way subservient, attained a name that was an asset to posterity. They have seen the gubernatorial office emptied of honor by being made subservient to the political bureau of the Southern Pacific Company. They have seen seats in the United States Senate confer as little honor as a seat on a drygoods box in front of a country store, for the same reason, and they are wondering if any higher honor awaits their bright young man than to come to be known as "Tom Dozier No. 2."

Among the surprises of the legislative election was the defeat of Fred C. Handy of Mendocino for the assembly. At this distance it is not easy to account for it. The winds which go sighing through the tall timber of Mendocino make a noise like that of double-crossing a candidate who might not prove as handy as the name implies. Fred C. Handy is an honest man. He would go as far as another, institutional or otherwise, but there would inevitably come a time when the assemblyman from Mendocino would balk at taking orders, and the "organization" may have foreseen this eventuality and provided for it. This is not implying that the successful candidate will prove more sure, for he is to depend unknown, but it is hard to understand, without being on the ground, how a county that gave such a round majority for Taft could have given such a round minority to Fred C. Handy, as clean and reputable a man as Mendocino holds.

To shift to another field, it is encouraging to note that Los Angeles did not vote down the sea-wall and India basin bond proposals merely through pique or out of a spirit of commercial jealousy of San Francisco. That city so voted because the San Francisco Chamber of Commerce told it so to vote. To whom, if not to a great commercial body, presumably conversant with such matters, should voters so far away from the fact, look for advice? Let the responsibility therefore rest upon those who gave the advice and not upon those who took it, and suffer not the incident to estrange the metropolis of the north from the metropolis of the south.

Voters do not always express their dissatisfaction with a politician or a political policy in the most direct and effective way, but they generally find some way of expressing it so that the object of their disfavor knows who they are alluding to, even though they have to punish the innocent as well the guilty. Santa Cruz County manifested its disposition toward Warren R. Porter, quite the rawest spoilsman in California politics, by electing Democrats to senate and assembly. A Santa Cruz paper grumblingly remarks that, because of this, Santa Cruz "won't get anything" from the coming legislature. Perhaps not but, anyhow, Warren Porter has something that he will not fail to understand and, moreover, he will know that he will get more of the same as soon as a good opportunity offers. The fact is that it is not profitable for any county or community to be misrepresented anywhere and California's lieutenant governor has conferred anything but honor upon his home town and home county. His address before the students of the State University received no more applause from his neighbors than from the students. And yet it should be remembered to his credit that he practiced no hypocrisy. His speech was as raw as his political policies.

Whoever will take the tangles out of politics in Contra Costa County will confer a favor on a mystified public. The Republican party in that county was split into two warring factions on local animosities rather than on issues. Each faction made overtures to leaders in the Lincoln-Roosevelt League for permission to ally itself with the League and so have the League influence to help make its fight against its adversary. There are reasons for believing that, in both cases, love for League principles was never more than skin deep, but there was one issue in which the League was interested and that was the making of the primary law mandatory. The League stands for giving the voter a chance to be heard directly, and so espoused the cause of the faction that stood for making that law mandatory, and won on it at the special election. The office of superior judge was the storm center. The leader of the "organization" forces gave as his reason for fighting the incumbent that he could win no cases against the Southern Pacific Company in that judge's court, and the fight that was made against the incumbent by every railroad influence was focussed on the objection that the incumbent was suspected of having had railroad affiliations. How was that for a family row? The Republican convention took the bits in its teeth and nominated a thoroughly independent candidate in the per-

son of Fred V. Wood, but when the vote was counted it was found that Contra Costa had gone for Taft by 1,100 and for the Democratic candidate for superior judge by a majority of 726. Politically speaking, Contra Costa County is mixed pickles put up in acid vinegar.

Before dropping Mendocino men from further consideration at this time, it may be apropos to observe that Senator Sanford is believed to be nursing a gubernatorial ambition. How doth hope spring eternal in the Democratic breast!

The Woodland Democrat consoles itself with the reflection that "A defeat does not prove that justice and right are on the side of the victorious party." Of course it does not but it sometimes raises a presumption to that effect that is hard to overcome.

Among politicians who discuss the organization of the coming Legislature the only two men whose names are often mentioned in connection with the Speakership of the Assembly are Robert L. Beardslee of Stockton and Philip A. Stanton of Los Angeles. It is not thought the organization will bring out any other candidate, and therefore it is assumed that one of these two will be elected—the successful one to be he who, upon calm reflection and broad consideration of all points involved, the organization shall decide it would prefer in the position.

Of course the organization has encouraged both candidates to hope for its favor; that is the organization's way of doing politics. It never, or at least very seldom, starts in by making any one man its avowed candidate for an office of real importance. There is nearly always something to be gained by holding the choice in suspense for a while, or appearing to do so. Walter Parker, who is the Southern Pacific political manager in the southern end of the State, has announced that Stanton is his candidate, but it has not been observed that the persons who have authority to represent the Southern Pacific in politics in the northern end of the State have ratified the choice. No doubt they are encouraging Mr. Beardslee and his friends.

For the benefit of readers who do not know either candidate but who feel some interest in the filling of an office of such large powers as that of Speaker of the California Assembly it may be said that both of the men who are mentioned are forty years of age; Stanton was born in Ohio and came to California in 1886; Beardslee was born in California, and his home has always been in San Joaquin County; Beardslee is a lawyer and before being elected to the Assembly he was city attorney of Stockton; Stanton is a real estate dealer, a man of considerable means and the principal promoter of one of the beach towns in Los Angeles County; Beardslee has served two terms in the Assembly, at the last one being Speaker; Stanton was first elected in 1902, has served three terms, and at his second term held the responsible position of chairman of the Ways and Means Committee.

Both men are bright and ready, and both have shown themselves prepared to do pretty nearly any job of programming which may be required, and yet both have on occasion manifested a flash of independence. They think, talk and act as organization politicians, but each of them can make some stir of opposition when the organization is not going his way. Stanton has carried this further than Beardslee, for at the Santa Cruz convention, in which he was a delegate, he made a hard fight for Pardee for Governor, although Gillett was the programmed choice of the organization. But the railroad machine appears to regard that as a personal affair which on Stanton's part did not disqualify

him for further association with the organization.

The "organization" is giving out the tip in a rather ostentatious way that at the coming session of the Legislature it is to be regarded as a non-combatant on one issue in which it is already foreseen there is going to be a fierce fight. This is the anti-race track gambling bill. In substance, the politicians who speak for the Southern Pacific say that the race track men must "make their own fight this time"; that the organization does not intend to bear the odium of being the defender of that business; that it realizes that it cannot afford it, and that the close political partnership with the California Jockey Club

is at an end, or at least suspended for this session of the Legislature.

There is a possibility, of course, that this may be true; it would be a good thing if it were true; but its truth is not likely to be generally accepted until corroborated by the course of events. It is easy to see why the organization should not wish to appear as openly backing the race track gamblers in their efforts to defeat legislation which will place California on an equality with New York in the scale of morals, and it is not altogether impossible to see why the head of the race track gambling trust should consent to an arrangement by which the organization is to be put in the nominal attitude of taking no part in the matter.

RESUME OF GRAFT CASES TO DATE

It has been more than eighteen months since the graft prosecutions began in San Francisco, and as their ramifications have been numerous, and their details, as given and variously colored in the daily papers, have been minute, it may be timely to refresh the memory of readers concerning the exact course and status of the cases. Briefly, this is done in the following:

In the first of these cases in point of time, with the exception of that of Schmitz, Louis Glass was charged with the bribery of Thomas F. Loneragan, a supervisor of San Francisco. The trial began August 12, 1907, and continued till the thirtieth of that month. Glass was found guilty, as charged, and on September fourth was duly sentenced to a term in the penitentiary. He at once appealed to the Appellate Court, and since that time has been out on bail. It is considered probable that the appeal will be argued at the approaching January term of the court, some sixteen or seventeen months after sentence was pronounced.

The first trial of Tirey L. Ford for the alleged bribery of Thomas F. Loneragan began September 13th and terminated October 3, 1907. The jury disagreed. His next trial, on the charge of bribing Jennings J. Phillips, continued from October 17th to December 3d of the same year (the bank holidays intervening), and Ford was acquitted. A third trial, under an indictment alleging the bribery of Daniel G. Coleman, consumed the time between April 14th and May 2d, inclusive, and the jury declared Ford not guilty. It is understood that other trials under other indictments probably await him.

The trial of Theodore V. Halsey for bribery was to have taken place in October, 1907, but on the fourth of that month, after ten jurors had been secured to try him, Halsey was taken suddenly and seriously ill with appendicitis, and so the jury was discharged. As the defendant still is in precarious health, it is doubtful when, if ever, he will be tried.

Forty-five indictments were brought by the grand jury against Eugene E. Schmitz, at that time Mayor of San Francisco, for bribery or extortion. In five of these instances he was indicted with Abraham Ruef: in fourteen with Patrick Mulholland, Tires L. Ford and Ruef, in fourteen others with Eugene De Saba, John Martin and Frank Drum; with Ruef alone in five instances, and Schmitz was indicted alone in three cases for receiving bribes. He went to trial on the five counts for which he was indicted with Ruef only on May 22, 1907, and the trial terminated in his conviction on June 13th, Schmitz being sentenced on July 8th to five years in San Quentin. He immediately appealed, and the First District Court of Appeals ordered his release on January 9, 1908. A rehearing of the case was denied by the Supreme Court on March 9th. He is now out

on bonds in the amount of \$400,000, and may be tried at any time on any of the forty indictments still standing against him.

"Abie" Ruef, "the fallen boss," constantly has been so central a figure in these prosecutions, his early confession of guilt and his subsequent recantation thereof were so dramatic and impossible to forget, that it doubtless will be sufficient briefly to recapitulate what has been done in his trial now in progress. The empanelling of the jury began on August 27th, fifteen hundred jurors being brought into court, of whom eleven hundred were dismissed for sufficient reason, and four hundred were examined by the attorneys on both sides. After two months and ten days a jury was duly sworn in and the prosecution's opening statement to the jury was made on November 6, 1908. John E. Behan, clerk of the board of supervisors, and State Senator George B. Keane, former clerk of the board, had testified concerning the passage of certain ordinances in connection with which it was claimed that bribes had been paid, and former Supervisor James L. Gallagher was on the stand, when, on November 13th, a shot was fired which, like another, "was heard around the world," and Francis J. Heney, seriously but fortunately not mortally wounded, fell. The gory incident served as ground for motions, by the defense, for change of venue, continuance, etc., but all were denied by Judge Lawlor, and the cross-examination of Gallagher still continued. He went on the stand November 10th, and three days were devoted to direct examination and two weeks to cross-examination. Nearly a day of this time, however, was devoted to the examination of Alexander S. Lathan, Ruef's former chauffeur, who denied or claimed to have forgotten the facts relating to testimony sworn to by him before the grand jury.

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THE LAST REBEL

Written for The California Weekly by Len Low.

"We ain't no sons of rest, nor hoboes, nor anarchists; we make our way and pay it—make enough hay when the sun shines to keep us in muligans when the stress of nature envelops us. No layin' any foundation for trusts, or the strenuous life for us, eh Humpy? We're just freeborn spirits that ain't got any real anchorage." The Bully lolled back on the grass and gazed into the depths of the autumn sky. The exertion of his speech necessarily called for a space of silence and only the drone of the distant city or the chatter of the magpies in the oaks, could be heard.

Several days before these two birds of passage had dropped from the southbound and were now in their winter rendezvous anxiously awaiting their comrades, the Prince and the Veteran.

"Most time for the Prince to be showin' up," said Humpy Jackson some hours later as he turned his head to one side to escape the smoke, and scolded furiously at a carrot he held above the coal-oil can. Some fell squarely into the can, sending up little firs of water, some fell wide of the mark into the fire. The Bully, who was stripping the leaves from a pockmarked cabbage, noticed this, and cried out:

"Look what you're doin', fool! Who wants to take a three-mile hike after gratts eatables and have you stand there an' slice 'em into the fire!"

"Don't get angry, Bully dear. I was in a reminiscent mood, conjurin' up memories of the past an' I always close my eyes then." Humpy drew back, wiping his smoke-laden eyes.

"I know some things in your past that makes your eyes open pretty wide when you think of 'em. But about the Prince—yes, 'tis about time he was ringin' in. By the last tell-tale I saw they had a blanket of the beautiful around Reno. That'll start the tin horns for the valley."

"Pass up your fruit, Bully," broke in Humpy. "There," he sighed as he backed out of the smoke, "there's seven kinds of cereal in that can—it ought to be good—I've cried over it like a mother over her sick babe. I was bound to make this a Thanks-givin' dinner to be remembered."

"By the way you talk, Bully, a fellow might infer you classed the Prince as a tinhorn." Humpy's face bore a look of high disdain. The Bully threw back his head and laughed uproariously, his fat sides shaking like a jelly-fish.

"Now look here, Humpy, I said nothing of the kind. Infer? Oh Lord! I suppose you think I don't know what your principal parts of speech are—huh—I bet I went to the little red school house as long as you! I was been rubbin' that kind of volapuk into me ever since we left the Yakima. Wait till the Prince shows up—you'll go way back and stand up!" Humpy did not answer. He was busily drilling the pit from a willow twig for a pipestem. The Bully, feeling that he had won his point, altered his tone and spoke on.

"He's sure a wonder! Full of schemes an' yet you can't call him a schemer in the flat sense of the word, can ye Humpy?"

"No, can't say as ye can," answered Humpy. "He's full of hopes an' visions an' such like, if that's what you mean."

"That's partly it. Say, he makes some of 'em stick too, don't he?"

"Well," answered Humpy as he fitted the new-made stem, "there's where it does seem strange. The Prince always puts on a good

front an' always has the wherewith, but does he get it out of them schemes of his?"

"Hanged if I know, Humpy. As you say, the Prince always has the lucre—where does it come from? I don't take much stock in fairy tales, but if there are fairy tales, the way the Prince hands them out—you can see visions. Stir up the fire, Humpy!"

"Stir yourself up, I'm goin' to smoke," and he carefully turned the lining of his coat pocket for a pipeful of tobacco. The Bully, seeing no alternative, arose and replenished the fire around the steaming can.

"Well, anyway, I'd like to see the Prince. Wherever he is, the Veteran ain't far away." Their laugh ceased and an expectant look gathered on each face at the sound of a step along the path. The willows at the far end of the clearing parted and a man came quickly toward them. Humpy Jackson jerked the pipe from his mouth, the Bully half arose and they ejaculated in accord, "The Veteran!"

The one addressed did not answer until he had seated himself on an upturned keg between the two. There was something portentous of evil in the calm, deliberate way that he drew his slouched hat from his head and brushed back the scattered gray locks.

For a few seconds there was silence while they thought of the law and hoped the old man had not collided—but pshaw!—then they thought of the Prince and still were silent.

The Veteran looked from one to the other and said slowly, "Yes, it's the Prince."

"Is he pinched?" began Humpy, but paused abruptly at the look of scorn on the old man's face.

"Say, Veteran," said the Bully, "he ain't cashed in, has he?"

"No, he ain't cashed in nor he ain't pinched, but he won't be with us any more—he's gone back to the world he came from." They waited for him to continue. They knew him well. 'Twas useless to urge him and impossible to repress him in speech.

"No, don't expect the Prince, for he's gone. I say, to his nat'ral place. I'll begin at the beginnin', boys, so's you can understand. You know we've all thought there was somethin' unusual about him, an' we've thought right. I was with him most all the latter part of the summer, an' we came down from the Klamath together. He seemed alright an' nat'ral till we reached Marysville, an' then some news he heard or read outen a tell-yele, set him agoin'. An' nothin' would stop him but onto the next southbound he got, takin' me with him. I seed he was in trouble an' wa't goin' to quit him. 'Veteran,' said he several times, 'I need you for awhile, an' I, not forgettin' the time he nursed me back to life on the Sound in numerous other things, just said, 'Prince, I stay by you till the last wall is scaled.'"

"When we reached Sacramento, we took a streetcar to the city limits, then walked out the river road about two miles, along where them big hop-fields an' fruit ranches are, but not a word did he say till we stopped opposite one of them gabled houses that sets far back from the road. Then he turned on me.

"See that house, Veteran?" said he with eyes blazin', "that's my home." I looked at him foolish like. "Sit down here an' I'll tell you something of myself. That was my home till a few years ago. My people live there yet. You see, my father was an old soldier and fought with the South, and after the war he came West and I was born and raised here. Father never talked much about the war, but when he did one could see he was still sore. I never could understand that, but anyway, everything went hairy until the Spanish War

broke out. I was all for going, but it roused the old man and he said some bitter words about the flag and the government and I answered back in the same spirit. I was a little onery, I guess, Veteran, for I went to the piano and played and sung the Star-Spangled Banner with a vigor that brought to life every unpatriotic sentiment the old gent had. It wasn't right, but I was bullheaded, and then he told me to go and never to come back as far as he was concerned. I went to the Philippines and from there to Alaska where, in a little over a year I made one of those old-time wads, passed the buck and came south.

"When I left home the old ranch was payin' big dividends, but I hear the padre got to speculating in hops and got a setback from which he can't come up at the count. That's what I saw in the paper up the country, and from what I heard as we came through town they are up against it, good and hard. My brother sick and the old man not able to see to things. Now I want to see them, the Lord knows, and they want to see me. I'm not going to take any undue advantage of them, or heap coals of fire, but I'm going back there just the same and the old man's going to salute the flag. But I want you, Veteran, to do something for me first. Take this money and give it to them and tell them I'm coming up to-morrow at five."

"With that he thrusts a bag of simoleons into my fist an' hikes off toward town. I sat there a minute, dazed like, but I knew it was the truth, so I marched up the driveway an' straight into the rebel stronghold. The old man met me at the door an' asked me my business, an' I told him I wanted a few words with him about the Prince. 'The Prince!' said he, eying me curious. 'Your son, sir,' said I firm an' strong. He hesitated a second but someone behind him heard the words an' I was hustled in there pretty pronto. I don't go into detail but just dumps that gold on the table before 'em. The old man came flitterin' toward me. 'Man,' said he, 'have you been robbin'?' 'No,' says I, 'that's from the Prince, your son—it's for you all. He's comin' to-morrow eve an' I guess if you've any undamaged bovine you can trot him down to the slaughterhouse. This will help you decorate up a little.' The old man looked first at me an' then at the gold 'sif he was tryin' to understand. Twice he tried to speak, but couldn't."

"Well, I guess that money saved them an' the ranch; they'd needed it bad. They'd all wore an anxious look, but the change, it was wonderful."

"I stayed. I couldn't get away. Anyway, the Prince gave no orders otherwise. But how they did ask questions, but I left it most all for him to tell."

"The next day, the women tidied up the house 'sif for a ball. The old man shaved an' acted nervous. All day there was a quiet about the house, an' I longed for the pasture. The old mother opened an' dusted the piano an' pat, an' smooth things round that piano, touchin' the keys reverent-like just 'sif she was communin' with an old friend. There was a light in her face that told someway of prayer answered, an' when she came for the forth time to where I was settin' on the porch, an' lay her tremblin' hand on my shoulder with that painfully eager expression in her eyes, an' asked me if I didn't think it was most time for him, I just couldn't stand it. I kissed her wrinkled hand an' went out into the orchard to commune with nature. wishin' I had known a mother."

"Just about five o'clock I seen him through the trees, coming toward the gate. If I should keep on livin' forever I shouldn't ever forget that scene. I gaddy! I sometimes think God fixes up things just to show us what we are not.

"The sun was just disappearin' behind the orchard an' its rays were slippin' silverlike through the branches, lightenin' up that flower-bordered walk just like you see it in plays, only better. Someway there had come a silence; a sort of waitin', expectant feelin' settled over everything. Even the mockin' birds were still. 'Twasn't like that silence one feels when standin' at a grave waitin' for the words of the minister which always breaks open the safe of grief—but more like when you stand on the wharf an' watch a ship with some one dear to you on board, come sidin' in. Leastways, that's how I felt.

"When the Prince reached the gate, the old Reb was there, fumblin' to open it. His hat was off an' his gray hair glistened as his head bobbed this way an' that in his efforts but the Prince threw the gate wide an' for a minute they just stood gazin' at each other. They didn't speak. Someway, men don't at times like that, but I saw the old man raise both hands an' the Prince took 'em in his, then they turned an' walked side by side up the walk. Half-way to the house stood the mother, nervously foldin' an' unfoldin' her hands. The Prince just reached out an' took her in his arms like she was a child. I guess he'd butted up against sorrow an' stood it well enough till then, but when he felt her caresses he just gave up for a minute. The Sis cried, an' I walked to the end of the porch behind the mornin' glories. Ben had come out an' was sittin' on the step. I saw his face workin' fast an' painful as he coughed an' tapped the porch with his cane, but shucks! they just took each other's hands and were brothers again.

"The Prince headed the procession into the house an' went straight to the piano—it was open an' waitin'—an' before they was all fairly into the room, his fingers struck the keys an' out came a soft tear-bringin' melody that just opened your heart an' let the good slip right out. I ain't never heard much such playin' but the way he went over that machinery I'll never forget. Up an' down an' sometimes 'peared like he'd go right through them, then he'd settle down softlike an' hovered over 'em like a turtle dove over its nest. He played through storm an' calm, through the sorrow of the past right up to the joy they all felt. He paused a second an' then he began to sing the song I reckon most of the world knows. It was the Star-Spangled Banner. There was no defiance in it now, only a restful calm, seemin' to brush all arbitrary feelin' aside, like a ship with treasures of peace unloadin' its freight to waitin' hearts. He hadn't sung but a few words till the Sis rose an' joined him, then the grand old mother added her feeble voice.

"Right here I'll pause to say I've seen Rebs chased an' been chased by 'em, but in all my rambles from Yuma to the Sound I never met one but had surrendered long ago, an' I know that old man was the last one to.

"For a minute he sat there lookin' far away into the past, or future, or maybe both. An' then as they sing the last verse, hanged if he didn't up an' join 'em with a voice that meant what he said—the war was over, the last rebel had surrendered—the house that was once divided was together again.

"As they finished singin' I slipped away quiet an' came here to you. I knew you was waitin' for me an' the Prince." He paused, then added, "But the Prince—well, it has been a Thanksgivin' Day for some people."

While the Veteran had been talking the sun had disappeared behind the blue line of the distant Coast Range, the gloom of evening

hung over the valley, the fire had died down and the can smoldered on the hot ashes, a thin line of smoke rose a few feet in air and drifted slowly through the willows. The scream of a locomotive far up the river told that the westbound was on time.

For some time no one spoke, their thoughts were with the absent Prince, then the Bully arose an' clearing his throat with unusual vigor, said almost gently, "Boys, the mulligan is gettin' cold."

STATE PRESS CONCERNING THE WEEKLY.

It is decidedly refreshing to note that San Francisco is to have a decent weekly publication. The subsidized weekly press of the corruption-ridden city has so long been a stench in the nostrils of the better element of the city and State that the entrance into the field of a paper free from entangling alliances with the higher-ups, and whose avowed policy is "absolute good faith with the public," will be most gratifying.—Ventura Free Press.

It will aim always to promote a higher plane of citizenship and public morality in the State. It will work constantly for good government and substantial justice. It will be a vehicle for the conveyance of the better thought of California.—Stockton Record.

There should be room in San Francisco for one more such paper; a paper that will not represent any special interest, and that will not be afraid to speak out and tell the truth at all times.—Santa Cruz Evening News.

As the Press is devoted to the same cause, I am sure your paper will prove of great value to me. I shall be glad to speak a word for the paper wherever and whenever I can. I enlisted for the war over a year ago, and . . . appreciate the need of such a paper as you purpose to issue.—Chris Runckel, of the Niles Washington Press.

What California long has needed is a weekly paper that will truly represent the people's interest; a paper whose columns cannot be purchased by the law-breaking elements and that will not be influenced by any man's political ambitions; in brief, a paper that shall be State-wide in its influence and that shall owe allegiance to no one but the public. That is the sort of paper that The California Weekly aims to be.—Los Angeles Express.

Among other things, we notice that The California Weekly will contain reading matter for "tired men." If all the men who have been made tired by the "scarlet letter" weeklies of San Francisco take The California Weekly, its success is assured.—San Francisco Star.

The main purpose of the new publication is to aid in getting the government of the State of California back into the hands of the people and keeping it there, and for that reason it may be expected to indorse the principles enunciated by the Lincoln-Roosevelt League and other reform organizations which have in view the purification of public life, but it is distinctly declared that the paper will not become the "organ" of any movement, but will preserve its absolute independence of thought and expression.—Tulare Register.

A. J. Pillsbury and A. J. Waterhouse were connected with the Sacramento Union before it passed into the hands of the Calkins syndicate. Both are able, fearless and reliable journalists. Mr. Rowell is the editor of the Fresno Republican, and one of the virile and resourceful editorial writers on the Pacific Coast. The combination is capable of putting out a splendid paper.—Woodland Democrat.

That some men fail to keep their word is probably due to the fact that it isn't worth keeping.—Boston Courier.

The Baseball Umpire.

"That gentleman who is to umpire the game to-day is an old friend of mine," said the mild-mannered baseball fan to his neighbor as they sat leaning forward in the grand stand, their eagerness over the coming contest enhanced by the stentorian command, "Play ball!"

"He's one of the squarest and finest of men. Yes, sir, he's as nice a fel—a Say, watch the graceful attitude of our first batter! He's got his eye with him to-day, too, for see how he lets this first bad one go— What did the umpire call that?"

"A strike," replied his neighbor.

"Now, what do you think of that? Ball went a mile wide of the plate! Well, umpires will make mistakes. I've seen—"

At this juncture a crack rent the air and the ball sailed on a line toward the left field fence.

The mild-mannered man was on his feet in a jiffy.

"Oh, what a swat! Run, run like the dickens! Go on and make it a homer! Look at that cuss go, you'll! Go on; keep a-going. Don't stop. Make it—What's that?"

"The umpire called it a foul!"

"A foul? He's crazy! Say, Mister Umpire, put on your glasses. A foul! Good Gad, man, you're the limit. Throw him out! Go lay down somewhere, umpire! You're rotten! Rotten! Rotten!"

And in his disgust the mild-mannered man slapped his derby hat down on the seat and sat on it.—The Bohemian.

"I thought you said that auto you sold me was the latest thing out!"

"Well?"

"Well, I went out in the country with it yesterday and I had a breakdown and had to be dragged home! Didn't get in until midnight!"

"Well, it couldn't very well be out later than midnight, could it?"—Houston Post.

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If you like this first number of THE CALIFORNIA WEEKLY and are in sympathy with the principles it stands for, fill out the appended blank and mail it to the Business Office of the paper, 26 Montgomery Street, San Francisco. To those subscribing now the paper will be mailed for thirteen months to January 1, 1910, for the regular subscription price of \$2.00 per year.

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Maternal, generous and pure,
Thou didst not close thine heart and ehsh;
Thy love o'erlooked, thine arms were wide;
And men were proud to own thy love.

They came to thee from many lands,
Brave men that worthy were of thee;
And those that struggled to be free,
Took heart to see thine outstretched hands;

Thy brow, that stooped not to the gale,
Thy kind blue eyes, unswerving, true;
Ah! eyes that were not meant to sue,
For love they did not dream could fail!

Thy temple did not fail by age;
Its towers fell not stone by stone;
Till shafts unbudged stood alone,
Torn fragments of a splendid page;

But, victim to the eternal fate
That flung the mountains to the sky,
Here was no God to hear thy cry,
Who could be swayed by love or hate.

To the last day, thy doom unguessed,
Thine heart was tender toward thy weak;
Now, stricken, let thy children speak,
Mother, whose blind eyes face the west.

Mother, thy sons are round thee still;
Forgive us our first fearful greed;
One word, and we had given heed:
We lost the savior of thy will.

Ask of thy sons that knew thy love,
And the kindest of thine eyes—
Ask the long filial sacrifice,
And we stand ready to endure!

—David Atkins.

Him—"Miss Peachly has such lovely eyes
of brown."

Her—"Yes; and such lovely teeth of Gray."

Him—"I beg pardon?"

Her—"Gray, the dentist, you know."—Chi-
cago News.

OUR SCHOOL FOR CITIZENSHIP

Let us Pledge Ourselves to the Cause of Self-Government.

By Fairfax Wheelan.

No truth in history is shown with greater clearness than that republics can exist in form long after they have ceased to exist in reality. In the pages of the historians we read of great peoples enthusiastically singing songs about "the land of the free and the home of the brave" when they neither inhabited the one nor were domiciled in the other. We see them throughout long periods of time contentedly casting a vote that was but a hollow mockery. We see grave senates decreeing laws they had power neither to originate nor to enforce. And we see great concourses of people going wild in a frenzy of patriotism while they listen to impassioned orators ascribing to them liberties they did not enjoy, rights they did not possess, and virtues they did not practice.

It was ever so. In a republic you can have the form without the substance, the name without the fact. If the citizens neglect their civic obligations, if they fail in the performance of their political duties, if they cease to take an active part in the full scheme of self-government, the result will be the enthronement of a boss and the erection of a form of government closely akin to absolutism.

It is time that every true American should guide himself by the teachings of the past and take warning from the portents of to-day. It is his part never to forget that God in his wisdom and mercy has permitted him to have a share in guiding, maintaining and perfecting the greatest, grandest, noblest experiment of a government "of the people, by the people and for the people" ever granted to the sons of men. Let him never cease to bear in mind that he is a trusted laborer in a vineyard where ripens a harvest—the most longed for, striven for, fought for, since the dawn of history. And upon the issue of that experiment the highest hopes of humanity depend.

There is need of his activity. The press of Europe in its columns, with too great a justification, has been lately filled with articles on the Breakdown of Democracy. Our kindest critics assert, with too much truth, that the government of our large cities has been a shining disgrace. In many states and in an overwhelming majority of municipalities a boss selects delegates, controls conventions, nominates candidates, and owns the officers after election.

The cause of the evils of our day is the cause of the failures in the ancient times—popular indifference, the neglect of the citizen to perform his due part in the scheme of government. Less than forty per cent of the registered voters of San Francisco cast a vote at a primary election. This humiliating fact holds good for a long period of years and over all portions of our Union. Less than forty per cent of the citizens, in one of the first steps of self-government, take occasion to express their will. Who is it that does not fail to express his will? Every man anxious to distort the public good to his private gain, every boss large and small, every job-chaser, every element that can profit by corruption or by violation of the law, every selfish scoundrel who has no conception of the honor of American citizenship and no notion of the obligation his country owes to the highest destiny of man. Throughout our land on the day of the primary, respectability, for the most part, lies dormant, corruption hustles; intelligence evades, ignorance executes; honor needles, dishonor fulfills; integrity omits, pascality performs; and thus is fashioned the sceptre of the

boss and the field made ready for the harvest of graft.

Can a people hope for good government if they surrender the performance of so important a political duty to a mob composed of the least disinterested and most corrupt of their number? Could a nation hope for success if she sent only her poltroons to battle and entrusted her safety and her destiny to only her lowest and most designing soldiers?

In all republics there is abundant work for patriotism in the days of peace. It commands us to stand sentinel no less than to wage war. And it tells us that to strive with heart and soul against domestic evils which, unchecked, will destroy the Republic, is as meritorious and as chivalrous and as patriotic as to bear arms against a foreign foe.

The American people have too long neglected their political duties. The boss and his minions are deeply entrenched. The ark of the covenant is in danger. Every citizen worthy of the name of patriot should now enlist for a contest that may be justly called the Second War of Independence.

With this end in view we have prepared below a pledge binding each citizen upon his sacred honor to perform his full duty to his country and to the cause of self-government.

Sign it and forward it to the office of The California Weekly, 26 Montgomery Street, San Francisco.

THE PLEDGE OF CITIZENSHIP

I, a citizen of the United States of America, realizing that a free Republic is an impossibility unless the citizen performs his civic duty, hereby pledge myself upon my sacred honor never to fail to exercise my right of citizenship by voting at every election, primary or secondary, wherever it is possible and legal for me to render that service to my country, my health permitting me so to do.

In taking this pledge it is distinctly understood that I in no way obligate myself to vote for any particular party, any definite candidate or any certain measure. I am binding myself only to my Country, and pledging myself solely to the faithful performance of the duty I owe to her as a citizen.

Signed

Age

Address:

WHY TAKE THE FOREGOING PLEDGE?

Those taking the foregoing pledge, signing and sending it to this office, will be enrolled upon The California Weekly's "School for Citizenship," which will be a permanent feature of this paper. It will entitle the person signing to his name to have answered, either through the columns of the paper or by letter, any rational question he may ask concerning public affairs, and, generally, by the person best equipped to afford the desired information. It will also entitle the signer to such special literature bearing upon the obligations and opportunities of good citizenship as may from time to time be issued. While this pledge is open to persons of all ages it is especially desired that it be taken and sent in by young men lately become voters, or who will cast their first vote, two years hence. It will take but a moment to clip out the pledge, sign, enclose in an envelope, stamp and address to "School for Citizenship," office The California Weekly, 26 Montgomery Street, San Francisco, and it opens the way for a liberal education in citizenship.

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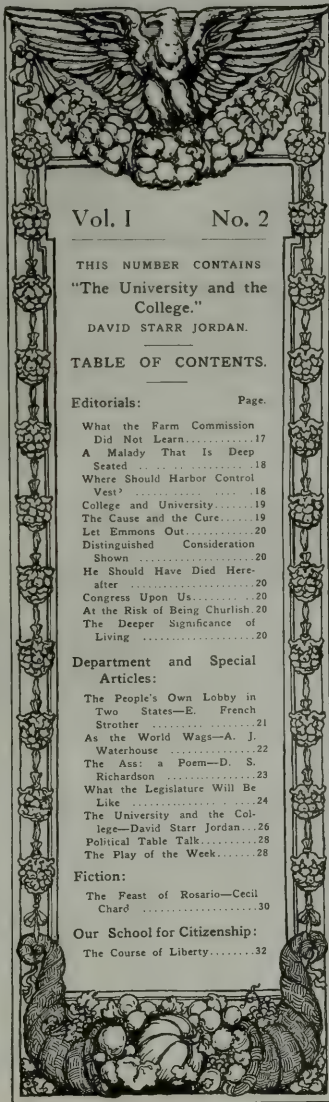
WHAT THE FARM COMMISSION DID NOT LEARN.

When President Roosevelt decided to appoint a commission charged with the duty of making a particular study of the conditions of rural life he had in mind the problem involved in the steady drift of population from the country to the city. If the conditions of life in the country are not generally favorable they may be rendered more so, in order that the advantages of the city may be rendered relatively less attractive.

In the tour of inquiry which the commission has been making, and which brought a part of the commissioners to California, it has proved to be difficult to hold the discussion down to points on which it was the President's desire that it should center attention. Wherever the farmers and other country people have been gathered together the talk has tended toward industrial rather than social questions. The speakers have wanted to talk about the farmer's opportunity for making money, and the helps or hindrances thereto, very much as though the making of money were in itself the important subject, without reference to the effect on the movement of population to urban centers.

Production and distribution, transportation and banking, education and postal delivery, are all subjects related to the problem to be studied, but they have been considered in that relation by only a minority of the speakers. Time and again the commissioners found it necessary to recall speakers to the main issue from such engrossing topics as methods of farm cultivation and rates of railroad transportation.

Those women representatives of the rural life who told of the difficulty of finding domestic servants and the personal hardships of the farmer's wife came nearer the mark. It is the farmer's wife, rather than the farmer, who determines the time when removal from country to city shall be made. It is not alone that the worst of the annoyances of which complaint is made fall upon the wife and mother, but theirs are the most pronounced inclinations toward the urban life. That it is not the difficulty of making money in the country which is thinning its population is clear, since in so many cases it is only when a comfortable degree of prosperity has been attained on the farm that the change is a possibility. Ordinarily the prosperous farmer is content to live and die on his farm, but it is likely to be quite otherwise with his wife, whose social inclinations are not bounded by the same narrow circle that



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THIS NUMBER CONTAINS
"The University and the College."
DAVID STARR JORDAN.

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bounds his own. She hopes and waits for the time when the income shall have been increased to the point where it does not appear to be a reckless extravagance to take a house in the nearest flourishing town, delegate the management of the farm to a foreman, or perhaps to rent it, and live the life, not quite of the idle rich, but of the well-to-do classes.

In those instances in which the wife's social ambitions soar beyond the ordinary she is impelled to a flight beyond the nearest market town and as far as the great metropolis, the center of life and fashion. In this view of it the womanly influence in the household furnishes the strong motive to cityward migration, and if it happens that the wife is the mother of several marriageable daughters, that motive is correspondingly strengthened. But, in any event, it is as much the prosperity of the country which tends to depopulate the agricultural districts as it is the reverse. In California it is more so.

This is the aspect of the question which has been unwisely ignored, although we do not claim the cause here stated is more than one—an important one—among a multitude of causes.

It is one thing to write a diagnosis, and quite another to prescribe a cure. There is no cure except in changes of conditions so general that they only can be described as revolutionary, and that must come as evolutionary changes come, slowly. Peter Finley Dunne condensed a deal of shrewd wisdom in one of his Dooley satires in a current magazine, when he said: "The trouble with the country is it's too far from the city, and that's the trouble with the city, too." The abatement of the objections to country life and the evils of city life lies in the direction of bringing city and country closer together.

Electric railroads, telephones, rural mail delivery and automobiles are now tending to bring town and country together. As distances are abridged social chasms are closed. If the automobile makes city people wish to get into the country, as it unquestionably does, it also makes it easier for country people to get to town, and so, by a double operation, it works for the improvement of the conditions which the President had in mind when he named his commission and sent it forth on its mission of research and recommendation.

The Tennessee night riders had nothing to ride at night about, but there had been night-riding in Kentucky and wherefore not in Tennessee also? It was the power of criminal suggestion upon unemployed and therefore receptive minds, and a great power it is, too.

A MALADY THAT IS DEEP SEATED.

The United States possesses nearly one-half of the railroad mileage of the world, all constructed within the lives of persons still living, but mainly since the Civil War. This mileage is now chiefly embraced in a few large systems, growing steadily fewer in number and larger in mileage, with a manifest tendency toward unification into a single "community of interest" presided over by one central authority.

This great railroad mileage reaches practically every community in the United States and has perfectly legitimate interests in every community to be looked after. To look after these interests and report to headquarters, as the sense of touch reports to the brain, there are in round numbers 40,000 station agents and 120,000 assistants on the ground, with between a million and a half and a million and three-quarters of employees in other departments—all more or less under political control in the special interests of their employers.

Financially speaking, this great railroad mileage centers in New York City, on a single street within that city and in the hands of less than one hundred men who can be called together, upon emergency, in a day's, almost an hour's, notice. This same hundred men control vast aggregations of banking capital, insurance funds and great American industrials like Standard Oil and the United States Steel Corporation.

Almost without knowing it, certainly without any person or group of persons having prearranged or planned for it in malice or otherwise, but wholly incident to the development of a splendidly great transportation system by splendidly capable men, there has been evolved a far-reaching and tremendously powerful mechanism for conducting the affairs of government, and the affairs of government, municipal, State and National, are, or have been, so conducted, not in the interests of the common good, but for the selfish advantage of these special, allied, dominating financial, industrial and transportation interests. Subtly, silently, steadily, the foundations of popular government have been undermined in a land solemnly dedicated to free government and amid the partial ruins there has been set in the seats of the mighty the meanest spirited, most tyrannous and humanly hopeless form of government the world has ever known—government by a purse-proud plutocracy. And for this the apathy of the so-called "good citizen" has furnished the opportunity.

It nothing extenuates that the men who have done this thing—our fellow citizens one and all—have done it without malevolent and conscious design. They have not been men who looked into or had any care for the future. According to the philosophy of their lives money has been the only good, and the making of it, by any method short of the application of physical violence, the only pursuit befitting men of capacity and the only purpose that made life worth the living. They have done the things that were

THE STAFF

A. J. PILLSBURY.....Editor and Manager
CHESTER H. ROWELL.....Associate Editor
A. J. WATERHOUSE.....Assistant Editor
E. FRENCH STROTHER.....Assistant Editor
O. BLACK.....Business Manager

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needed for the attainment of their purposes and for the gratification of their unrestrained passion to acquire, leaving it to others to be answerable to the God of nations and the sons of men for the consequences of their acts. It had been better for them, as well as for the common good, had they had a care for the direction their steps were taking.

Such men are materialists and have made their age materialistic to the last degree. They have cherished no "impracticable ideals," and, cherishing none, have wanted nothing but opportunity and the prick of their ruling passion to make them political criminals. The miasma of criminality that pervades our municipal life, here and elsewhere, is explicable from this cause. There is not a public evil not incident to the mere sporadic irresponsibilities of human nature that does not owe its being to this all sufficient cause. The carnival of crime initiated by Schmitz and Ruef would have been impossible of development except for the existence of the Political Bureau of the Southern Pacific Company and allied interests, and that bureau and its ramifying machinery, used for preventing the enforcement of justice, has been a principal buffer betwixt the accused and the punishment they have so richly deserved.

Executives have been selected, legislatures controlled and the judiciary, in no small measure, constituted by this power in its own interests and no other. Where public servants have not been owned in fee and under bondage to "take orders" they have been chosen because of possessing types of mind that rendered them equally servicable. This has been especially true of men put upon the bench.

For the better part of a generation California has been a political dependency of the Southern Pacific Company, but not more so than New York has been a dependency of the New York Central Railroad or Pennsylvania of a railroad corporation bearing the same name as the commonwealth. Many another State has known its master's voice and done his bidding to the destruction of the spirit of independence and debauching of manhood. The truth of this arraignment is at last permeating the subconsciousness, at least, of the manhood of this nation and signs portend a national upheaval against the downward pressure of an incorporated plutocracy. If California can

be redeemed to self government there is not a State in the Union that will not be so redeemed.

Democracy has its faults and limitations, but, having made due allowance for them, a democracy is still the safest form of government for all concerned that the world has ever known. But the maintenance of a democracy implies an age-long controversy with interests glutinous for acquisition and power, ever desirous for special privileges and immunities. Since the Civil War the American people have, in affairs of government, taken the direction of least resistance and that direction always leads to a centralization of power in covetous and dangerous hands. For this there is no remedy except a training of our youth to a realization of the truth that citizenship carries with it an obligation as well as a privilege, and to this training The California Weekly, in its "School for Citizenship," elsewhere explained, will give constant and earnest attention.

WHERE SHOULD HARBOR CONTROL VEST?

Los Angeles continues to feel sore at San Francisco because San Francisco feels sore at Los Angeles on account of the way Los Angeles voted on the India Basin and seawall amendments. The insistence down south is that harbor control should be a municipal and not a State problem inasmuch as it is impossible that all the people of a State shall ever be able to judge wisely as to the needs of all, or any, of the harbors of the State. Accordingly the best sentiment in Los Angeles is reaching out toward San Pedro with the view of making that port an integral portion of the City of Los Angeles in order that the port may be placed under the protection of the metropolis of the south.

Oakland also is seeking to hold within municipal control what "white meat" on her water front greedy corporations have left her, and Oakland wants no State interference with municipal control of a harbor that means very much to Oakland.

So far as San Francisco is concerned her harbor, for better or for worse, is in the control of the State and every benefit sought has got to be referred to the whole State for approval before a pile can be driven.

It may be laid down as fundamentally true that, so far in the history of California, neither municipal nor State control of harbors has worked for the common good, but only into the hands of predatory interests. In San Francisco harbor management is and has been confined mainly to the care of political odd-jobs men, recruiting sergeants for the Herrin machine. Sacramento's water front has been municipally managed with the result that special interests have acquired all except 400 feet of river frontage and that remnant must be reached by crossing nine tracks of the Southern Pacific railroad, which corporation lately sought to reduce access to this frontage to one forty-foot street. Oakland has, in times past, been as fully under the domination of the Southern Pacific inter-

ests as State or city ever was, and, as for San Pedro, by manipulation of the municipal government and the government of Los Angeles County, the Southern Pacific, and allied interests, have bottled the harbor and may insert the stopper at their own convenience.

Is it not about time for commercial interests to ask who the real party in interest in harbor control by right ought to be? Is San Francisco the only, or even the chief, party in interest in the development and control of her harbor? What of the Nation whose commerce with untold millions across the Pacific must pour in and out through the Golden Gate! To whose surpassing interest is it that the ship and the car should come together along Oakland's extended water front if not to the producers and consumers beyond the Sierras who are to fill and empty the cars that come to and go from the ships? Does the harbor problem at San Pedro pre-eminently concern Los Angeles or the States and Territories far to the East that must create the commerce that makes the harbor needful?

In the last analysis is not the question of harbor management chiefly of national concern? Must the commerce of a great nation be at the risk of the incompetence or the subserviency of a State political machine or of municipal degradation? It militates little for or against any policy that we did not start that way, for the whole history of humanity is a history of moving toward, not from, correct principles.

The issue thus raised may savor of the academic, but it is hardly possible that only one harbor in all California shall remain under State control while all the others are municipally managed. If the nation be the predominating party in interest in control of harbors why should not the nation control all harbors?

COLLEGE AND UNIVERSITY.

President Jordan's article, to be found on another page, will prove of great interest to all those who have a vital concern for education. His conclusions have not been reached without wide investigation and deep thought, and if there be those who are not able to follow him to all of his conclusions the lack of an investigation as wide, and thoughtfulness as deep, may explain their inability.

Bigness is not greatness, and there are reasons for fearing that some of our western universities may have become big rather than great, and yet there are few of them that do not take pride in the length of their student rolls. They are human and the spirit that permeates them is human to a tantalizing degree.

It is a far cry from the little red schoolhouse to the ultimate university for whose existence David Starr Jordan is striving to prepare the public mind—the institution where mature and serious-minded men and women make their final preparation for particular vocations in life, or consecrate themselves to the pursuit of truth as men have given themselves to the church and women to the hospital. Will the burden-bearing public ever be willing to assume the charge of the chain of

schools from kindergarten through the grammar school, high school, junior college, college and university? It will be asking a good deal of the taxpayer, the more especially as it will be scarcely more than the hundredth child of the people who will pass out from the university with his final diploma inside his breast pocket.

In a former time it was held sound policy to devote the public purse to the support of the common school, and those secondary schools which were looked upon as the colleges for the common people, leaving it to private and benevolent enterprise, or the vainglory of money-getters, to provide that specialized education which the university idea suggests. That idea may obtain again, and yet nothing can the more certainly tend to stratify society than the inability of the children of the poor, who have the aspiration and the ability to take an education, to reach as high a rung on the ladder of learning as the children of the rich.

The problem which David Starr Jordan has set before thoughtful readers of *The California Weekly* is a brain-cracking one, but in so setting it forth he has performed a patriotic and a needed service. It is not by shutting the eyes to coming issues that the public is to be best prepared for meeting them when they come.

THE CAUSE AND THE CURE.

There is no man in America better qualified to speak of the inadequacy of our judicial system than Judge William H. Taft. In a series of four addresses, delivered before the senior class at Yale in 1906, he pointed to what he regarded as the most serious fault to be found with our judicial system as it obtains, especially in the South and West. This fault is that the man on the bench has been stripped of a large share of the common law functions of a judge and of his co-operative powers in aid of the deliberations of a jury. Under the common law system, which still obtains in England and in the Federal courts in this country and, to some extent, in the older States of the Union, judge and jury are one and inseparable, working together for the establishment of justice. Under the common law system the court tries the causes with the assistance of attorneys on either side. Under the newer order of things judicial, attorneys try cases in the presence of judges who serve as umpires.

If it can be clearly shown how this condition came about, a way may be more easily be found for remedying the fault.

The reason for the condition is not far to seek. Gentlemen at the bar have desired to win bad cases and have found the common law powers of judges standing in their way. Inasmuch as our western and southern legislatures have mainly been made up of attorneys who sought election to legislative positions in order that they might so tinker the laws as to make it easier for them to win bad cases in court it is easy to see by what influence the courts were stripped of their common law prerogatives. Every session of every legislature affords numberless instances

where general laws are amended to fit the needs of special cases.

Having stripped the judge of his common law advisory relation to the jury, attorneys with bad cases were free to practice all the arts of amateur theatricals upon the jurors. That was the first step. The next was to load down and confuse the jury with interminable and inexplicable instructions. Then came the "fixing" of jurors by downright bribery. This method was, however, open to the objection of being more or less raw so that, in San Francisco at least, there developed the custom of "fixing" the jury lists in advance of calling any case on the calendar. That reduced the whole course of law to a farce and a fraud.

It would not be wholly fair to leave out of consideration, as playing a part in the process of stripping our courts of power, a growing distrust of the courts themselves by reason of the methods more recently employed in selecting judicial candidates, but the desire of unprincipled attorneys, freed from the restrictions of professional tradition, has been adequate to the end.

The remedy is to restore to the courts the common law powers they have lost, and then restore to the people the power to select their judges. A purging of the bar of those who have sought admission to it that they might the more safely and effectively practice rascality will come near to doing the rest.

The Pillsbury-Washburn mills of Minneapolis have always done a splendid business. The margin between the cost of wheat and the selling price of flour has been good, though not as good as when the original Pillsbury first hit upon the gradual reduction process and put the flour made at St. Anthony falls from the foot to the head of the market. At that time he could buy enough wheat for \$2.50 to make flour that sold for \$14.00, and it was no trouble to make money at milling. What threw the Pillsbury-Washburn mills into the hands of receivers was their inability to pay dividends on millions of money never invested in the business. The ability to convert barley into beer has scarcely been able to bear that burden.

The news that the way has been made clear for Elihu Root to succeed Tom Platt in the Senate of the United States is full of encouragement for a new and better order of things. It would inspire California with hope if only California had an Elihu Root, or even a fair counterfeited him, but has she? Political life in California, since the advent of the Southern Pacific influence, has not been attractive to men of the Root quality of mind.

If conditions which obtained in Cuba ten years ago were intolerable in American eyes, so intolerable as to justify going to war to relieve the situation, why is not the prevailing condition in Hayti equally so now? Both of those pretended republics have outraged civilization for a century. It is time to bring the miserable fiasco to a close and Uncle Sam is the only power that can be permitted to perform that service. Why not do it now?

Let Emmons Out.

Alas, poor Emmons! He wants to be let out of jail. Everybody who ever got into the Sacramento County jail has wanted to get out, and with reason. It is not an up-to-date institution. Emmons was in jail more than three years and that should be rated as the equivalent of five years in either state prison without benefit of credits. Besides, Emmons has been given the worst of it when he was not entitled to harsher treatment than the others received. The door to oblivion was opened to French by a jury more kind than discriminating. Harry Bunkers went to San Quentin, served his time, earned his credits, and has been restored to society a wiser if a sadder man. Eli Wright made faces at the newspapers, then packed his grip for Patagonia where he wrestled with the aches and pains of nostalgia until a sympathetic prosecuting attorney had proceedings against him dismissed that he may come home and see the folks. These men sinned because they loved sin and preferred sin to righteousness. It was not so with Emmons. When he is in the right mood he prefers righteousness to all else and can lead a prayer meeting as readily as, in another mood, he can head a procession "down the line" or loot a money drawer. He is as unstable as a jellyfish and amazingly good or despicably bad owing to the veer of the wind that blows his way. Turn the wayward rascal out. No doubt some evanescent reform movement is waiting for him to lead it. Having sunken to the depths, the next place to look for him is at the heights just this side of glory.

Distinguished Consideration Shown.

Jackson Hatch was, until something more than a year ago, held in high esteem and the political party to which he belongs ungrudgingly did him the honor to offer him to the State as candidate for judicial preferment. Something more than a year ago he was charged with having looted an estate the management of which was entrusted to his charge. The truth or falsity of the charge should have been ascertained months ago, a reputation vindicated or a guilty man punished. However, it is only just now that the judicial machinery in Santa Clara County has begun to make ready to begin to do justice. Being a man of distinguished bearing, and much social consequence, the deference has been shown the accused of awaiting his pleasure in the matter of his trial. His state of mind, condition of nerves, the embarrassments attending a situation so entirely novel to one in his station in life, evidently all these things have been taken into account in the case of The People vs. Jackson Hatch. Would this delay have occurred had the accused been just a plain citizen, no matter what the condition of his mind or the state of his nerves? The people of California rightfully demand that the law shall not be a respecter of persons and that justice shall be prompt and evenhanded.

He Should Have Died Hereafter.

In the absence of certainty as to the manner of his taking off it is no more than just to the memory of Chief of Police W. J. Biggy to accept the most likely rather than the most unlikely explanation of the event. Suicide is exceptional, quite contrary to the ordinary hazards of life, while the hypothesis of accidental falling into the water from a lurching launch in the darkness of night is not an unreasonable one. In seeking to explain similar phenomena nine hundred times out of the thousand he who accepts the more ordinary and usual explanation, rather than the more extraordinary and unusual, will have his wisdom justified when the denouement takes place. Peace to the memory of the dead chief! He should have died hereafter.

Congress Upon Us.

Congress will soon be upon us. The session will be important as the skirmish ground preparatory to the tariff fight to follow in the extra session after the fourth of March. The rest of the work will be of routine character. The President will no doubt recall Congress to its unfinished business, but it is likely enough that the Roosevelt influence may wane as his term of office approaches expiration. "The king is dead; long live the king," had its origin in human nature and congressmen are human, and, in the forthcoming stepping in and stepping out, nothing will be gained in the good graces of the new President by slightly treating the old, but quite to the contrary. Nevertheless, the Roosevelt policies, in Congress, are likely to mark time until President Taft, in his message, makes them his own. Then they'll go again.

At the Risk of Being Churlish.

It springs eternal in the newspaper breast to extend the hand to every new journalistic enterprise and to every new management that undertakes an old enterprise. Therefore it is with regret that The California Weekly, itself the thankful recipient of so many congratulatory sayings, must withhold words of cheer from the Evening Globe under its new control. For it is announced that the change of management does not imply a change of policy. That alone should prove fatal to the Globe's longevity. No greater harm can come to any community than to have it become possible for newspapers of the Calkins Syndicate type to be prosperous. This is said with no ill will toward that syndicate or any of its members, and with no wish to do them harm. Their ideals are unhealthy and the execution of them has been hurtful wherever they have cast their lines. May we not therefore hope that the new proprietors of the Globe will see their way to announce, or put into practice, an entire change of policy. In that event we shall hasten to bid it a hearty good-speed.

The Deeper Significance : : : : of Living : : : :

AS GOOD AS HALF OF THEM.

She was splendidly tall and possessed a figure so well proportioned as not to fail of being noticed in any company or any crowd. Her features were regular and complexion exceptionally good. She spoke with a vivacity and intelligence that made those sitting near her eyes-droppers in their own despite, and yet, with all her culture and sprightliness of mind, there was a certain "setness" to her facial expression that made against her. Otherwise she had been as fine a specimen of a perfected womanhood as one could find in many a day. All that she said to her companion while coming across the bay, that made any impression upon the writer's inattentive ear, was this: "I never go to church myself, but I believe that I am just as good as one-half of those who do."

Doubtless she was and is as good a woman as one-half of those who go to church upon occasion, and it may be that she is as good a woman as one-half of those who go to church habitually, but how about the other half? The writer has been wanting to ask her this question ever since. How about the other half?

It may not be far from true to say that one-half of the women who go to church go to hear the music, go because others go, go to be entertained by an interesting talker, go for intellectual and social refreshment. This woman thought herself as good as these and perhaps she is, yet it is possible that something of the deeper significance of church attendance soaked into their consciousnesses and made them better women than she after all. They ran the risk of it.

But how about the other half? How about the women who go to church because they love God, because their hearts have gone out to the gentle Nazarene, because they feel and know that they are not sufficient unto themselves but must lay hold of and lean upon that unseen power which pervades all things and shapes all destinies, so far away to many, but nearer to them than hands and feet? How does this woman compare with such as these? The answer is to be read in her face and in their faces. The one thing she lacked they have. The many charms, she has most of them may lack, but that one which she had not is worth them all.

It is mainly a question of atmosphere and spiritual nourishment. Out-of-doors is good for the complexion, for elasticity of movement and for that plus condition of mind and body which gives sprightliness to the mind and piquancy to the conversation, but it is as rare that a soul can be developed outside of a worshipping atmosphere as it is that a rose can be developed away from the sun, and there is no power under heaven that can prevent the difference showing in the face.

Man is a worshipping animal and, unless the quality of worshipfulness is in him, he is only an animal. The habit of worship is to the human soul what perfume is to the rose and the apple and, whether it be church or synagogue that affords the opportunity, it is as well worth while to attend religious services of some sort habitually as it is to plant our gardens with reference to sunshine and atmosphere. Good as one-half she may have been, but in the nature of things she cannot be as good as the other half. That would be expecting figs from thistles.

THE PEOPLE'S OWN LOBBY IN TWO STATES

By E. FRENCH STROTHER.

Governor Hughes' phenomenal success in forcing the Legislature of New York to enact constructive reform laws, in the face of the opposition of every organization clique of both parties, was made possible almost wholly by the co-operation of the People's Lobby. Throughout his political career he has deliberately isolated himself from his party and from his friends, but he has been able, notwithstanding, to compel a hostile legislature to pass laws distasteful to its members but demanded by the people.

Sometime before Governor Hughes' first election, the Citizens' Union of New York City established a branch office in Albany, for the purpose of following the progress of legislation there, with special reference to bills that might be against the public interest of New York City. This work was entrusted to a young lawyer and two assistants. They examined every bill as it was introduced into the legislature, analyzed it for possible hidden motives, and reported the result to the Citizens' Union. Where a bill proved to be a blind to cover a "grab" of public property for private use, the Citizens' Union would immediately call mass meetings, organize public sentiment against it, send large delegations by special trains to Albany to protest, and so alarm the legislators that they would defeat the bill for fear of their constituents. In this way dozens of scandalous measures of a kind that had hitherto passed daily unchallenged were now defeated with equal regularity. One such bill, if uncontroverted, would have relieved several of the richest corporations in the city from a large share of their taxes; another would have given a franchise in perpetuity without cost to a street railway company to use one of the main thoroughfares of the city; and dozens of others would have handed out, free of charge, valuable special privileges to corporations. In short, the lobby stopped the steals, so far as they affected New York City.

This lobby soon found another way to make its righteous influence effective. An alliance was gradually developed with the newspaper correspondents at Albany. These men, representing daily papers in every constituency in the State, had been handicapped by the fact that they had no legal training to help them in analyzing the huge mass of bills that were introduced every day. The People's Lobby supplied this deficiency. Every evening, within half an hour after the day's batch of bills had been introduced, the correspondents found in the office of the lobby a typewritten analysis of every bill, showing not only its professed intention but also what its actual effect would be when enacted into law. These analyses were absolutely impartial, and with rare exception offered no comment, but they made perfectly plain the real intent of the authors of the bill. Gradually the correspondents learned to place implicit confidence in these reports, and to rely wholly upon them for the news about legislation. With this confidence and this reliance came a growth of friendliness toward the People's Lobby, so that eventually, when the lawyer in charge printed a comment on the undesirable character of a bill, the correspondents gladly considered this comment to be news, and included it as part of their news letters. Thus the People's Lobby established a State-wide medium of publicity through which it made its influence felt instantly whenever it wished to do so.

This influence proved to be a weapon of deadly efficiency, for when the next campaign was opened, and the legislators went back to their constituencies for re-election, they found

that their record followed them. It was done in this way: At the opening of the campaign the leaders of the Citizens' Union carefully reviewed the record of every member of the Legislature from all the boroughs of Greater New York, prepared a concise summary of that record, and gave it out to the correspondents. The day following, in nearly every influential paper in New York, there appeared a series of paragraphs like the following:

Senator John Smith, Borough of Brooklyn, Senate District No. 1. Voted yes on bill to grant postal franchise to gas company under guise of amending the charter of cities having more than one million inhabitants. Voted in favor of allowing New York Central to grab Eleventh Avenue Generally friendly to the corporations Should be defeated.

Reports similar to the above resulted in the defeat of eleven senators from the Borough of Brooklyn alone. The People's Lobby had achieved a new efficiency. It could not only defeat bad bills in the Legislature; it could go to the root of the evil and put corrupt men out of public office.

Its activity had also effects in other directions. Fewer bad bills were introduced. They were wasted effort. Fewer men voted for the bad bills that did get in. It had proved to be poor politics. Legislators became more attentive to their duties. They examined more carefully the bills that they were asked to introduce. It was becoming too embarrassing to be sponsor for a bad bill, and men who had often really quite innocently introduced such a bill out of friendship, without examining it closely for hidden motives, became very cautious of repeating the indiscretion. Altogether, the People's Lobby accomplished a genuine reform in legislative procedure in New York.

When Governor Hughes was elected for the first time, the Citizens' Union, after carefully considering the wisdom of the step, placed this People's Lobby, with its organized machinery of publicity, wholly at the governor's service, and toward it, alone of all his friends, he relaxed his inflexible attitude of isolation and accepted its co-operation. The result was that in his fight for the enactment of the Public Service Commissions Act and of the anti-race track gambling laws, his sole weapon was this publicity. But this weapon was sufficient. In every legislator's home town the home paper daily chronicled his state of mind toward the governor's campaign for reform legislation, and as the governor's campaign was the people's cause, the people promptly gave the lawmakers to understand that they must face the issue squarely and stand or fall by the choice they made. The effect of this concentration of public opinion was visible from day to day. One after another of the wavering and the bought yielded to the pressure of the public will, until the bills were brought squarely to issue and passed, under bitter protest but with equal acknowledgment of the compulsion. The People's Lobby had simply supplied the facts to the public, and the public did the rest.

This lobby for the people is still maintained, at the private expense of a comparatively small proportion of the public-spirited citizens of New York. But in Wisconsin much the same result has been brought about by a bureau of the State government. In this case, the work is almost wholly constructive in character. So many of the laws enacted by the legislature were declared to be unconstitutional by the State courts, or were found to be defective, so that they were either insufficient to achieve the purpose for which they were designed or incidentally affected adversely previous good statutes, that a general public

demand arose for greater care in the original drafting of bills. A young man who had attracted attention to himself by some work similar to that done by the People's Lobby in New York, was thereupon chosen to help the legislators in the preparation of proposed laws, and an office was created for him for that purpose. He and his assistants were consulted before bills were introduced at all, the purpose of the proposed statute was explained, and they carefully consulted all the previous statutes and the courts' interpretations of those that could possibly be affected by the change before drafting the new bill. In this way the objections of the courts were forestalled, and previous good laws were not disturbed. The results were an immediate reduction in the number of bills introduced and a reduction in litigation arising from conflicting laws. The time of the legislature was economized by the elimination of worthless bills, with the result that more attention was given to a consideration of the business before the houses. The time of the courts was economized by the elimination of unnecessary cases, with the result that the period between the filing of reasonable cases and the judgment of the courts was shortened.

If you like this number of THE CALIFORNIA WEEKLY and are in sympathy with the principles it stands for, fill out the blank on page 31 of this issue.

Boggs—"I'd like to have my face on all the \$10 bills."

Coggs—"I'd prefer to have my hands on them."—Harvard Lampoon.

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AS THE WORLD WAGS

By A. J. WATERHOUSE

San Francisco.

Now the great white goal of the great round earth who knoweth the ways of men,
How they build and they build till their structure falls,
and then they do build again;
How palace and cottage, or steeple and dome with their upward-reaching spire,
Are first but a thought that springs into life in the train of His creature, man,
He chose Him a place in the wide, wide West where the hills slope down to the sea,
Where the landlocked waters are bright and fair as the dreams of life's morning lay,
Where step after step the hills come down to the shore of the mighty bay,
Till their feet are flecked by its drifting spume and laved by its sparkling spray,
And He hemmed it in with shine of the suns and smiles of the tranquil sea,
For He said, "Here is room in this world abloom, and here shall a city be."

Then a city arose, stone piled upon stone, and the robe of her grace was fair,
With the blue of the waters for eye at her feet and the sunlight for eye in her hair,
She danced through the seasons that knew not a change, our own San Francisco, the bright,
And she waltzed through days with their glory allday, and she danced to the lure of the night,
Oh, fairer a maiden than ours of the West was never and never I trow,
A laughing coquette and a siren, and yet with loyalty wholly abiding,
And the fame of her graces went out through the lands, the love of their folk to beguile,
Till she trusted in folly to those who betray, believing in men who were vile,
Then the gutter, the gutter, the buyer of men, all vil tures that prey on a land,
Heed sways, and debauched, and dined with their touch in the city the Architect planned.

Then chaos came down, lost chaos again. The crepitant demon of fire
Ran rioting on through the places of men, mad leaping o'er steeple and spire,
And the homes of our love in their ashes were laid; but palace and hovel were there,
And this was the time that the hoolster and knave selected for laying their snare,
They dashed their plots on our ocean of tears; man's anguish they seized as a prize,
And a mad moral chaos both matched and outmatched the chaos that greeted our eyes,
And now, San Francisco, how straight wilt you stand? Shall the bribe be as solid as his hold?
Then walk you unheeding the whispers of men, small men who are lighthearted for gold,
Stand straight, and strong with the strength of your youth, when scant was the shift robbers knew,
And the God who had set our foundation of yore again shall be builder with you.

United Railways Transfer Rules.

A large number of people travel over the lines of the United Railways in San Francisco, and all of them use transfers at one time or another. This makes the rules relating to these precious slips of paper of very general interest, and consequently it is felt that no excuse is needed for presenting them here. It should be said in this connection that in giving the rules I rely upon my memory, and hence there doubtless are verbal inaccuracies in them. I am convinced, however, that I convey the spirit of the rules with absolute fidelity and unflinching accuracy—yes, I am confident that there can be no doubt of that. Here, then, are the rules as thus remembered and spiritually portrayed:

Rule 1.—A transfer will be issued only upon request when passenger pays fare. If he is a stranger in town, unacquainted with this rule, and consequently does not request when he pays his fare, let him suffer. The wretch has no business to be a stranger.

Rule 2.—Transfers are not transferable. If you transfer a transfer you will not be transferred on the car; so get ready to take your medicine.

Rule 3.—A transfer is good only "on first car passing transfer point." If the first car thus passing is going in the wrong direction you can take it or let it alone as you please. We believe in giving the public its choice in these matters.

Rule 4.—Transfers are good only at the transfer points, so, if you are compelled to

go down the street for anything, take the point with you.

Rule 5.—Passengers must travel over the most direct route to reach destination. If the road doesn't happen to run over the most direct route, walk. The exercise may help your dyspepsia.

Rule 6.—Transfers will not be issued on transfers except to enable passengers to continue ride on a terminal line. We find the extra nickel convenient to use.

Rule 7.—A transfer will be refused on any line which will return passenger to or near original point of departure. You can't come any of this circular business on us.

Rule 8.—Conductor will punch transfers in space provided to validate. In case of oversight, punch the conductor. He is paid to square matters with the public.

Rule 9.—If any controversy arises passengers are requested to pay their fare again and report the matter promptly to the General Manager, being particular to give time, car number, conductor's number, his age and the condition of his teeth, whether married and, if so, why; previous condition of servitude, amount and character of the family laundry, and any other little particulars that may be of general interest as well as a subject for light-hearted laughter. The General Manager will inspect this bill of particulars and do what he pleases about it.

Other rules will be promulgated from time to time, as the interest of the company may demand, and it is enjoined upon the public to look pleasant, please.

The Opinions of Rufus.

Some folks allers remind me of my black hen. She clucked louder an' o'fener than any other hen in the barnyard, but she laid the smallest eggs an' dern few of 'em.

I argue that they's suthin wrong with the reelection that ain't es good in a hoss trade es it is in prayer-meetin'.

Ef you're thinkin' of gittin' married it's just es well to remember that the mockin' bird don't make much of a show 'long side of a peacock, but it's a more satisfyin' domestic companion.

I hope the Lord will realize how I was tempted when I fell, an' make allowance. But it's different with St. Boggs; anyone can see that he sins deliberately.

I don't claim they ain't no exceptions to the rule, but I'm bettin' consid'ble that, in the long run, the boy that has one of these old-fashioned prayin' mothers will pull 'round to purty near the right track.

Don't tell me they ain't no such thing es worshipin' both God an' Mammon successfully. Ever hear of John D. Rockefeller?

The feller that differs with us materially may mean all right, but anybody must see that they's suthin wrong with either his intellect or his morals.

Don't git discouraged too easy. After the calf had butted pa over six times when he was tryin' to teach it to drink milk, it turned out to be the best heifer in the lot.

He Scorned to Answer.

"And now," said the political orator, as he was about to conclude his address, "if anybody desires to ask any question, I shall be pleased to answer it. I consider the right to ask reasonable questions and receive reason-

able answers an essential part of the palladium of our liberty, and I—"

"Say," broke in a harsh voice, "what is a palladium?"

"Hey?" said the orator.

"What's a palladium?"

"A palladium is a—it is a—a—a palladium is—a pal— See here," the orator suddenly interrupted himself to remark in ringing tones, "I refuse to answer so childish a question. Everybody knows what a palladium is, and I will not consume the time of this audience by replying to you. The orchestra will please strike up."

So he escaped from a sad dilemma.

Moral:—If a political orator doesn't have his nerve with him, where does he get off?

A Tragedy of Whiskers.

"Whiskers, carry cars." Therefore, cut off your whiskers. Advice of H. A. Hogcholine, city physician

A young and charming maiden lay moaning on her bed, While the stricken mortals gathered to hear the words she said,
And to note her evolutions when she twisted in her pain When another germ, arriving, would prod her once again. The maiden moaned fully sorely, and the mortals also moaned,
And nearly tears stood in their eyes when'er the damsel groaned. While she murmured, oh, so tenderly, "Your sympathy I crave,
To think that I am passing 'cause my Chawlie wouldn't shave!"

"He is tall and straight and manly, and his whiskers are so sweet;
And they felt so very funny that they made my jaw complete.
And I knew not, oh, I knew not, as I state in plainest terms,
That those whiskers, all so lovely, were a nesting-place for germs."

So I took the awful chances, and I took them somewhat off.

And if you had mentioned microbes then I'm sure I would have scoffed.

Oh, pity me, and wipe the eyes that dimming teardrops have.

For I'm passing, I am passing, 'cause my Chawlie didn't shave.

"For those awful chances then, as my sad state confirms,
For I was not a scientist and was not up on germs."

And then they came and camped with me, a billion tiny bugs.

And each one had a fiery dart, the kind a microbe lugs. They hurled their darts most recklessly and made my life their pawn.

I'm passing, such! I'm passing 'cause—" A sigh, and she was gone.

Oh, pass young men and Willie-boys, your answer now I crave:

If you're so fond of Ethyl why in thunder don't you shave?

The Lawyer, His Client, and His Fee.

"It is a peculiarly vile case," said the Higher-up, with manifest dissatisfaction. "I am accused of bribery, you know."

"But you didn't bribe, did you?" the lawyer inquired, with an airy wink.

"Did I! Well, seeing as this is in professional confidence, I don't mind mentioning that I did. I have to look after my business, you know."

"Of course," said the lawyer.

"And the defense will have to be conducted with great acuteness. The right newspapers will have to be seen, and the right jurors will have to be approached quietly, and the dynamite will have to be located properly and with the highest legal acumen, and—Well, here's a good, stiff retainer for you."

So the lawyer, being a member of an honorable and time-honored profession, accepted the retainer and sent out for the dynamite.

And the Bar Association maintained a great silence, as well as a masterly inactivity anent the matter.

Moral (involved in the question)—Would it

AS THE WORLD WAGS—Continued.

be strange if the dear, but not absolutely blind people thought deep, queer thoughts concerning the legal profession, even while they rejoice that ermine shows white through the spots?

Post-Thanksgiving Paean.

There isn't a notion at all in my head,
And my gratitude proved by passing my plate,
And if you'd know the cause, way, in one word it's said:
Thanksgiving.

I was grateful, of course, so I ate and I ate,
And my gratitude proved by passing my plate,
And I said to my neighbor, "Tis really a great
Thanksgiving."

Don't ask me to say that my grandpa came
That night on a heliglog with optics of flame
To take a mad part in the very queer game
Thanksgiving.

For my dear grandpa, who was much of a snob,
Was a much finer man than I'm able to do,
And he never would mix with the cutters. I saw
Thanksgiving.

Dull aches and we pains in my system now lurk,
And labor's a feature. I'd much rather work,
And yet I am grateful. That I'm not the Turk!
Thanksgiving.

The Odor of Otis Again.

"Well or ill, whole or wounded, we cannot modify in one jot our opinion of this man (Francis J. Heney). He is ignorant of the law, violent in disposition, a bluffer by breeding and long practice. He is as tempestuous a blusterer as ever disgraced the practice of the law. He is a bundle of selfishness seeking after vainglory, merciless in his cruelty when he has some helpless wretch to badger."—From Harrison Grey Otis' Los Angeles Times.

Ay, shame him with your slame. There is a vile
And crawling creature, leashed and more than foul,
Which none may touch unmoved by reeking life,
That marks its path where'er it crawl or prowls.
The leathsome slime of its mantle like life-veils
And leaves its ooze on all things sweet and fair—
Where Otis goes, his ink of hell to spread,
Let all that's clean beware, and yet beware.

Even while the felon's bullet held its place
In quivering flesh of him who dared to do
Your work and mine, this Otis paused no space
His venom o'er our martyr there, and there
The slame of it! Disgrace that knows no name!
Fates of old would fainhold here and now!
Well might all demons chortle in acclaim,
"Hell hath a laurel saved for Otis' brow."

The Price He Has Paid.

Speaking of Harrison Grey Otis, going into a Los Angeles bank, not long ago, a certain man met him and then passed into the bank.
"I am sorry for Otis," said the cashier.
"Yes," said the man, inquiringly.

"He needs pity," the cashier continued.
"Why so?" was a not unnatural inquiry.
"He just said to me," the cashier responded, "that he had made a million dollars in the newspaper business, and that he hasn't a friend in the world. Poor old chap!"

Aye, poor old chap! He is old, gray, worn and ready to step over the precipice into the gulf of infinite silence, and his life's history is summed up in, "I have made a million dollars, and I haven't a friend in the world." Pugnacious, combative, overbearing, pettily conceited, he has gone through life without a friend because he is no man's friend, for "whatsoever a man soweth, that shall he also reap" is no less true of the emotions that sway man than it is of the grain of the field. Harrison Grey Otis has valued having his own way and securing money more than he has valued ought else in life, and the price he has paid for self-gratification is "I haven't a friend in the world." How could he have? He has deserved no friendship.

Is that accumulated million dollars worth the price it has cost its owner? Can any glittering pile compensate for such enmity or despal as grimly faces Otis wherever he turns? Answer the question for yourself as you please, but for my part I will hold that there is such a thing as paying too much for coin, and I would sooner be some humble and

unknown man who nightly goes from his toil to a little home where wife and children believe in him and love him, and where neighbors sometimes come to give him cordial greeting, than to be any Harrison Grey Otis, possessor of a million dollars, but without a friend in the world. Ay, infinitely better the laborer in the ditch whose life is made beautiful by love and friendship than he who sits him down, alone and friendless, in a glittering palace.

But what do you think about it? Isn't there such a thing as paying too much for money?

The Downward Path.

Among the private papers of Peter Van Vlissingen, who was convicted and sentenced in Chicago the other day for forging mortgages of enormous aggregate face value, was a document written by Van Vlissingen and relating to the case of Paul O. Stensland, who wrecked the Milwaukee Avenue State Bank. The document is introspective in its character. Van Vlissingen clearly having had himself in mind as he wrote it, and the lesson it conveys should be of interest to young men who are about starting out in life, not to mention some older ones. Says the forger, in beginning—

"It is not to be supposed that Paul O. Stensland deliberately resolved at some particular period of his life to rob the poor people whose confidence he had gained.

"Such is not the history of the defaulter. "His downfall begins with some apparently trivial irregularity, followed, unfortunately for him, with no unpleasant consequences."

The convicted forger then cites one of these "trivial irregularities." He tells of a trustee who has money in his charge and who draws a portion of it to meet the last payment on an investment, although having enough money of his own, but taking the other person's for the sake of convenience.

"Surely you have done nothing to be ashamed of," he then asserts. "What you have done is to make a little breach in the dykes that keep the raging ocean of dishonesty out of a man's life.

"Again you yield to the temptation and again you find it has done nobody any harm. Nobody, that is, except yourself, for you are on the downward path and stand in grave peril of becoming a defaulter and a felon."

He speaks of the defaulter in a corner, his hopes of "squaring" himself gone.

"Choose he must between forgery on one hand and the total wreck of his hopes on the other," declares Van Vlissingen, and then speaks of when the dishonest man adopts the alternative of forgery. "Though racked with fearful misgivings, he still keeps up appearances," he says, "and looks his friends straight in the eye." But the time comes when the hope of restitution has receded further and further into the distance, and he is face to face with the naked conviction that he is a common felon.

"Groping down to his bedrock character, he chooses whether to pass the remainder of his life as a fugitive from justice or make a clean breast of it and serve out his justly earned course in the pen.

"Considering the number of defalcations, great and small, which are disclosed only when some carefully arranged business ventures go awry, one cannot help wondering how many of his respected neighbors are being saved from disgrace by the success of their enterprises. If most men who use other people's money prosper in their speculations what gulfs of undetected dishonesty must yawn on every side."

He finishes his discourse with a paragraph which would not be badly timed coming from his lips to-day. He says:

"Have you ever used another man's money

—innocently, you may say—but as you had no right to use it? If so, remember how easy is the descent, how hard the recovery, and that to relax the stern rules of honesty by the breadth of a hair is to dally with the seductions of the primrose path that leads to ruin."

The Ass.

By D. S. RICHARDSON.

I am an ass, and take great pride
In being this, and not a child.
How do I know? Why, Mike De Young
And Willie Hearst and the Barge
Have pressed this conceit home to me,
And they, in matters of this sort,
Are umpires of the last resort.
I know I have no right to think,
Or even think I think I think,
I have my thinking done each day
By hired scribbles who draw their pay
From "Higher Up" and thugs who stand
With dynamite and gun in hand.
These thinking men are right of course,
They simply ask that we enforce
Such laws as make it safe for men
To lose the only thing they hold dear.
A claim most rational and clear
To men who have no God to fear.
They ask with reason, why not I,
Can you send

The kid-gloved genius, out on end,
Across the bay because, forsooth,
They did not always tell the truth,
Or simply have a quality
Of supervisors, more or less?
Is that a crime, in this fair age
Whose freedom is our heritage?
Such laws like Glass and Pat Calhoun
Break rocks like any other stone.
And wear the stripes, because they thought
That crime consists in getting caught?
The bare idea suggests the sense
Yet popular impotence.

What is the crime when coming to
When men demand that we review
The actions of the sacred few
Who wear banded shirts, and exercise
A right derived from Paradise
To rub it into those who dare
"Lift a protest, here and there?"
Calhoun is right. How do I know?
Because Pat Calhoun told me so.
It is no crime, at dead of night,
To host a man to whom I am sworn
Who told me that? Why every day
The "Mutt" cartoons have told that way.
To show a man the degrading how
Is but an incident to crown
The reign of those who hold the right
With cries for justice and the right
While press and pulpit all resound
With cries for justice and the right
And made to tremble 'neath the tread
Of frantic thousands, stern and dread,
Who, marching, march the degrading how
That they may chance to pull a rope;
With all the ruckus in the air
Why don't the people sometimes meet
To cheer Calhoun or voice their praise
Of all his heaven-descended ways?
Why don't they meet to shout their glee
In murder, graft and anarchy?
Why don't they scream their mad delight
When they are ridiculed and called "right?"
Why don't they clasp their hands and screech
That jury fix is a "heck!"
To which they one and all subscribe—
It wrong is such a sacred thing,
It is to wrong that I would sing.
If slavery is good, why then
I sing the slavery of men.
All had injustice. Aye rare!
All had the smell upon the air.
Who named thee black or stamped thee wrong?
Injustice is a thing that never ends
Hurrah for crime! Hurrah for graft!
Hurrah for murder, here and there!
And, while we're shouting, it were well
To go the limit!—Rah for Hell!
I glory in my shame, this you?
Well that is what I'm taught to do,
Between the sneers for righteousness,
The lawless and the slow press,
Between the greed for gold and all
The pitfalls of the lawless crew.
How can I tell, as others might,
What right is wrong or what wrong right?
And so, it sadly comes to pass
That I subscribe myself an ass.

He Compiled.

A distinguished Belgian lady, says a German paper, wrote the following note to the famous cellist, Servais: "We give next Thursday a banquet, followed by a reception and ball, M. de Z. and I shall be most happy to see you with us. Cordially, Baroness de Z. P. S.—Don't forget to send your violoncello."

The baroness had not long to wait for the artist's reply. It ran as follows: "My Dear Baroness: A pressing engagement necessitates my leaving Brussels immediately, so I am forced, though with great regret, to decline your very kind invitation for Thursday. Sincerely, Servais. P. S.—In accordance with your wish, I am sending you my violoncello."

WHAT THE LEGISLATURE WILL BE LIKE

A SURVEY OF ITS PERSONNEL.

When the Legislature of California is in session, and it soon will be again, it constitutes a large-sized fact in the eyes of many of our two million people, and well it may, because of its ability to interfere in the affairs of all of them, and to make them uncomfortable or otherwise, the Legislature is more potential than anything else in the commonwealth. But with limited exceptions people view Legislatures in the aggregate and do not come to know much of the personality of the men who compose them; they are too far away to become interesting. Yet this is a mistake, because to understand anything of the acts of a Legislature it is necessary to know a good deal about at least a few of the men who compose it. Generally to know a few of the members is enough, since in Legislatures as well as elsewhere, the few always control the many. A hundred and twenty Senators and Assemblymen cast the votes, but not to exceed twelve do the controlling, and these are men of marked individuality, very interesting when one gets to know them.

It is not too early for citizens and taxpayers to begin studying the Legislature of 1909.

A study of the complexion of the Legislature recently chosen by the suffrages of the people of California reveals many changes in membership since last session, a few losses of valuable members, some gains and a large degree of uncertainty concerning the quality of the masses of new material introduced into the legislative body. The Assembly is so far made up of raw recruits that out of the eighty members only twenty-one were on the roll at the last session, although several of those here counted as new men have in times past served in one or the other branch of the Legislature.

There is not so much change in the composition of the Senate, because at the beginning of each session half of the members are holdovers, and because a number of Senators long ago formed the habit of coming back term after term. Twenty-four out of the forty who will sit in the Senate this winter were there last session; six others have just been promoted from the Assembly, and ten are beginners. All these and the other figures here presented presume the correctness of an official list issued by Secretary of State Charles F. Curry.

In a party sense the new Legislature is not quite such a one-sided affair as was the last. Two years ago there were only eleven straight-out Democrats in both Houses, while this time there are twenty-five out of a total membership of a hundred and twenty. In the Senate the Democrats gained two, raising their number from six to eight, while in the Assembly they now have seventeen as compared with five last time. In 1907 there were thirty straight Republicans in the Senate, and this time twenty-four.

In the Assembly there are now forty-seven unhyphenated Republicans as compared with fifty-six last time. The hyphenated form a class by themselves, or, we might say, several classes, all due to the peculiar conditions of politics in the metropolis. In the Assembly, for example, there are two Republican-Union Laborists, and two Democrat-Independence League-Union Laborists. It may be safely predicted that in spite of the hyphens most of these Assemblymen, and also the Senators who ran on more than one ticket, will put in an appearance at the Republican caucus, simply because that is the place in which things are expected to be done.

Of the raw recruits the rawest, as a class, are the San Francisco Assemblymen; only

three out of the entire eighteen having been in the Legislature before, so far as the roster of the last session shows. On the Senate side six of the nine were members two years ago.

At least four or five of the men who took a prominent part in the business of the Legislature at its last session, and who will not be present when the roll is called next January, are real losses to the State. For example, W. F. Chandler, who had represented one of the Fresno County districts in two sessions, is a sturdy character and possessed a growing influence, which was always exercised for good. He would have made an almost ideal chairman of the Committee on Ways and Means. But Mr. Chandler had the misfortune to run against a young Democrat named Odol, who lived in Coalinga, and the old county division animosities were revived and resulted in Chandler's defeat.

Another Assemblyman who made a reputation in the last session, and who would have been welcomed back without much distinction of party, was Mr. J. O. Davis, Democrat, of San Benito County. He was a candidate again this year, and his election was generally expected, but he was opposed to a Republican nominee who was a member of the famous Flint family. W. R. Flint, the brother of Thomas Flint, once candidate for Governor. Family influence must have been potent in the little pocket county, for Davis was beaten and Flint elected.

Frank R. Devlin of Solano County, well known as president of the Lincoln-Roosevelt Republican League, was an Assemblyman who had made an admirable record in several sessions, but he was chosen Superior Judge and consequently was not a candidate for the Legislature. Assemblyman Eshleman of Berkeley, who made the memorable fight against race-track gambling two years ago, removed from Alameda County to Imperial, was made district attorney and therefore does not return to Sacramento to renew the contest against the gamblers.

Other Assemblymen who are out, and who were notable for one cause or another, are W. D. L. Held of Mendocino, author of the direct primary amendment to the constitution; Warren M. John of San Luis Obispo, who made a valiant fight against Henry W. Lynch for the office of Senator; R. H. Jury of San Mateo County, the man who stirred up an investigation of the State Printing Office; W. L. McGuire of Kings County, who introduced the bill to divide Fresno County, which precipitated one of the great combats of the session, and F. M. Walsh of Oakland, who has been prominent in several sessions as one of the trusty workers for the machine.

From the Senate there are missing Charles M. Belshaw, who had been in the Legislature, in one house or the other, continuously since 1897, and who had done a lot of valuable work as chairman of the Finance Committee and in other capacities; G. Russell Lukens of Oakland, chairman during two sessions of the Judiciary Committee, a man of ability and also of a considerable faculty for getting on the wrong side of things when he ought to have been on the right side; Howard Broughton, famous as the author of the Broughton bill, who moved from Los Angeles County to San Francisco and thereby gave another and better man a chance to fill his old seat; Henry W. Lynch, of San Luis Obispo County, who beat Warren John for the nomination through a kind of politics which only a few men would wish to play, and then could not be elected himself; and A. E. Muentzer of San Joaquin, who was Lynch's closest rival for

the reputation of being the most subservient follower of the machine, and who is now the holder of a Federal office.

There is still left in the Senate a group of able men—not so able as used to belong twenty years ago, when some of the best lawyers in the State were counted among the members of the California Senate—but men who, at least by contrast with their associates, are able, and some of whom enjoy the advantage so inestimable from the point of view of effectiveness of having served a long time. Two very notable examples of this class are Senators E. I. Wolfe of San Francisco and Frank W. Leavitt of Oakland. Their influence is, in the main, a malign one; Wolfe is the maintainer of the race track machine, and Leavitt represents the race track interests; but Wolfe is the possessor of undoubted brains and Leavitt has a forcefulness which is often fairly overwhelming; both are such masters of tactics that it is difficult to get anything through the Senate which they oppose or to defeat anything which they support.

Leroy A. Wright of San Diego and Henry M. Willis of Redlands are two southern Senators who are different types from Wolfe and Leavitt, but who have up to this time followed close behind the machine; both should be capable of better things and probably are. In John B. Curtin of Tuolumne County, George W. Cartwright of Fresno, E. O. Miller of Tulare County, J. B. Sanford of Mendocino and A. Caminetti the Democrats have five members of more than average ability combined with considerable legislative experience. Caminetti is too partisan and makes the Republicans so angry that they cannot work with him; but Curtin gets along with them excellently—in fact, they almost forget that he is not a Republican, and Sanford, who was once a radical, has grown more tactful and therefore more efficient.

Of the newer men in the Senate there are several who should develop as leaders and should be on the right side of most things. Senator A. E. Boynton of Butte County made an excellent record two years ago, and with the aid of the experience he now has ought to come to the front at the coming session. The same may be said of Senator Marshall Black

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of Palo Alto. Mr. C. P. Cutten of Eureka, who served last time as an Assemblyman, and made one of the best records scored by any member, returns to Sacramento this winter as a Senator, having run against and defeated that paladin of Humboldt Republicanism, George T. Rolley. John W. Stetson of Oakland is in the same class: he was well to the front in the Assembly last time, and now he will occupy the former seat of G. Russell Lukens, whom he defeated easily in a primary election fight.

Senator N. W. Thompson of Los Angeles is another man who has received a well-earned promotion from the Assembly. In this roll of honor we should include E. S. Birdsall of Auburn, whom the railroad machine made such desperate and happily unavailing efforts to defeat for a Senatorial nomination. Mr. Birdsall's offense was that he was an Assemblyman two years ago and was not an obsequious follower of the machine. If he was independent then he should be ten times as much so this winter, after his remarkable victory over the machine. Another man of whose independence of thought and action there is no question is Charles W. Bell of Los Angeles County, who is classed in the official list of members as Non-Partisan and Democrat, because he was elected by a combination of that kind but who is in party politics just as much a Republican as anybody.

Coming to the Assembly, Grove L. Johnson of Sacramento illustrates what has been said of control of a Legislature. Feared by many, admired in a certain way by all, but esteemed by few and loved by none, Grove Johnson has controlled more California Legislatures than any other man unless it be Mr. Herrin. At the present time his influence is not large in the Senate, where some of the most influential Senators dislike him cordially, but in the Assembly he has ever been a dominating factor. As chairman of the Judiciary Committee his hand is on so many measures of so many members that few care to antagonize him, and on the floor of the Assembly chamber he always commands attention and oftentimes is able to overbear opposition. He is so adroit, so bold, so resourceful that he lacks only the confidence of the members to be all powerful. That he will be returned to his old post at the head of the Judiciary Committee, whoever may be elected Speaker, is not questioned. From that coign of vantage he will shoot his poisoned arrows at all reformers and at all reforms except the few he chooses to believe in.

A certain sort of deference is paid in the Assembly to men like Coghlan of San Francisco, the boy orator, Beardslee of Stockton, who was Speaker in 1907, and Stanton and Transue of Los Angeles, who possess the influence that goes with activity and persistence. Then there are a few solid lawyers, like Wyatt of Monterey, Hewitt of Sutter County and Drew of Fresno, who have come back to the Assembly to serve another term and who will contribute to whatever good legislation may be accompanied. Frank Otis of Alameda is another who has made a record and of whom much is expected this winter. It is believed he will have charge of the anti race track bill.

Of the many new members there are a number of whom good things are predicted, but it will be time enough to name them when they have won their spurs. In this as in most Legislatures, there will be a sufficient number of well-meaning men to control if only they can work together and if they have the courage of their convictions—two essentials which are usually lacking. It takes time to make leaders and the leaders already made in this Legislature are generally not those who want to lead it aright. If Leavitt and Wolfe are permitted to seize and keep the leadership in the Senate and Johnson in the Assembly, there cannot be a question of the sinister nature of the influences which will predominate.

Quaker Talk.

Sheriff Gildersleeve of Nassau County, New York, who recently seized near Cedarhurst a lot of roulette wheels with electrical cheating devices, said the other day, according to an exchange, of this fine feat:

"I am glad, I admit, that I succeeded in proving this cheat. The gambling crook is a more difficult problem than he looks. It seems easy to show him up, but try it once and see how hard it is—as hard as talking Quaker."

The sheriff laughed. "Visiting Philadelphia," he said, "a cousin of mine thought that, for a joke, he would do a little Quaker talk.

"Well, on a country walk one day, he saw, sitting on a fence near Conover, an old man who was, he felt sure, a Quaker, for this old man wore dove-gray garments and a dove-gray stove-pipe hat.

"I'll amuse him and myself with my skill at this talk," thought my cousin, and he began: "Good day. How do thee—I mean, how dost thee—do? Art—er—is thou well?"

"From his seat on the fence the old man frowned at my cousin.

"'Hey?' he said.

"And my cousin smiled, resolved this time to utter a swift, glib, graceful flow of Quaker.

"These fertile fields—they is thy's—that is, thee's—oh, hang it all, I mean, thou's? These fields are thou's?"

"The old farmer with feeble haste got down from the fence. He took a plug of tobacco from his hip pocket, bit off a piece and hurried away. He turned his head as he hastened, and snarled at my cousin:

"Go to Bedlam! I'm a farmer, but, thank goodness, I'm not a loonatic!"

Not Building Ships Against Us.

The liberal naval program in England, declared to be the maintenance of a navy with efficiency ten per cent in excess of that of any other two navies, has brought forth a declaration from the London Nation that the Liberal party will not include the United States in its calculations of that efficiency, for two reasons: That it is preposterous to tax 40,000,000 people (of Great Britain) to maintain a fleet able to cope with the fleets for which 140,000,000 people (of the United States and Germany) have been taxed; and furthermore, that the sentiment of the Liberal party toward America is so friendly that the thought

of building fleets against us is hateful to the party. The Nation's statement is unofficial, however.

Cuba's Republican Hopes.

The new republic of Cuba will be established on January 28, 1909, when General Jose Miguel Gomez will be inaugurated as president. The election at which General Gomez was chosen was the first truly representative and fair election that has ever been held in Cuba, and the orderliness with which it was conducted and the general acquiescence in the result seem to indicate a promise of more stability for the new republic than it has ever had.

The coalition of the two wings of the Liberal party, led by General Gomez and Dr. Alfredo Zayas, the vice-president-elect, was made possible by the pledge of Gomez not to be a candidate for re-election in 1912, but to work for the election of Doctor Zayas as president. This coalition was responsible for the sweeping Liberal victory, which included the election of a Liberal majority in both houses of the Cuban Congress. The chief danger that threatens its post-election existence is the greed of the office-seekers of the two factions, to both of whom the offices had been promised by Gomez and Zayas. The scramble for offices may disrupt the alliance, but there is reason to believe that it will not.

The Conservatives have accepted their defeat with good grace, but there is a widespread fear that they may secretly encourage disgruntled politicians to stir up another revolution, in the hope of forcing American intervention again, in the belief that if such intervention takes place it will be permanent. The Conservatives generally would be glad to have the stability of American rule, as it would restore confidence in business circles with reference to Cuban investment.

Cuba, of all the Latin republics, has been given the most auspicious entrance into political independence, and the success or failure of its experiment in self-government will have a determining influence upon the attitude of America toward similar experiments in Central America. With the completion of the Panama Canal, the United States will have an increasing interest in preserving the peace in Central America, and Cuba's failure would discourage American statesmen in trusting the ability of Latin races to maintain that peace.

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THE UNIVERSITY AND THE COLLEGE

By DAVID STARR JORDAN.

The next forward step in higher education in America must be the separation of the university from the college. The college is English in origin, the university German. The one is generalized and elementary, the other is specialized and technical. Both exist in America, but they are unhappily telescoped together to their mutual disadvantage. In common language the two words have virtually the same meaning.

We have in America some twenty institutions fairly deserving the name of university. Those bear the reproach that their contribution to advanced knowledge is far less than it should be. Their professors are not scholars in the creative sense—at least very many of them are—not their students are treated like school boys, without either personal or intellectual freedom, and the standards of advancement fall short of the best ideals of the universities of Germany.

On the other hand and in equal degree, we hear this complaint of the colleges: Their professors are not teachers, but rather young men of intense special training and narrow sympathies, men who hope to be investigators, or at least who have scanty patience with research, and who have scanty patience with the elementary drill which the college assigns to them as their work. It is further urged that the freedom of the universities is granted to immature boys, not ready to receive it. The freedom of study and freedom of action is used for snap-hunting, for hysterical athletics, and for the many beginnings of vice within the reach of the "gregarious mediocrity" which is the chief component of the college.

The college students are taught in droves, thousands in a yard, with no incentive to the development of personal individuality, and with teachers too intent on other things to be able or willing to call it out.

Without insisting that these extreme statements are everywhere and at all times, or even anywhere at any time, justified, the fact remains that the university suffers from its fusion with the college and that the college suffers equally from its confusion with the university. That the relative deficiency of America in advanced research (a deficiency by no means so great as is currently believed—but real nevertheless) is due to this confusion, no one can doubt, and we cannot doubt that to the same cause we must attribute in large degree the lack of pedagogic enthusiasm, the inadequate discipline, the want of purpose and the spread of contagious vices within the college.

A university in the proper sense is a place for life-training of the highest order. It should embrace technical, professional, and research work, and each part of it should be intensely specialized and under direction of men of the highest personal fitness and personal achievement in their particular line of work. The university demands enormous libraries, highly developed laboratories, and a general concentration of all materials for work, each part giving strength to the others. Each professor should be a great teacher, but the greatness of his teaching should lie in example and in the contagion of personality, rather than in skill in class-room pedagogy. The salary of the professor should correspond to the demands made on him by way of preparation for his work, and of maintenance of leadership in his field.

The college is a place for general culture, for the acquisition of basal conceptions and for the development of personal manners and manliness. Its students are lost in great libraries and their presence embarrasses the

administration of the libraries. The need of books in a college is primarily for the teachers. The college students do not need highly specialized apparatus in science, and their teachers should be those whose primary interest lies in making boys into men. To this end, accumulation of resources beyond a certain reasonable point is a doubtful advantage. The college reaches its most effective limit when it can do its work well with less than two hundred thousand dollars of income. Larger numbers impair effectiveness, and this disadvantage is not made good by the presence of great libraries and great laboratories which the college student cannot use. The weakness of the small college to-day lies in the starvation of its faculty. If it could pay better salaries and demand better teachers, it would find its opportunity at once. Colorado and Knox, Amherst and Trinity, Wabash and Oberlin, lack only this to do better collegiate work than is possible at Harvard or Stanford or Cornell. But this again is the vital point and not much can be said for the small college while it is weak in its pay-roll, low in its ambitions, narrow in its sympathies, and vacillating in its standards of scholarship. Much of this weakness is due to the struggle of the colleges to be universities, to be rivals of the great schools, rather than to be their feeders.

If we separate the college from the university it is the college that needs most help; it now falls short of the best ideals farther than the university does. The university in Germany meets the definition given above. It is devoted solely to the professional and research training. But in England the word university has a meaning quite different. In Oxford and Cambridge, the university is merely the alliance of the various colleges, joined to form an agency for granting degrees. It is the examining board of the colleges. A college is a place of residence and instruction, the value of the instruction being tested by professors, not collegiate teachers, selected for the purpose by the university. Hence university becomes primarily synonymous with the system of examinations. From this, in England arises the anomalous distinction of "teaching universities" and "examining universities."

The university of London, though now controlling various detached schools, is primarily an examining board. It is a device for standardizing education, but at the same time it conventionalizes it and tends to destroy originality and spontaneity in teacher and student alike. Very lately the modern university of Cambridge has become organized on the German plan as an agent of advanced training. It has become, in a high sense, a teaching as well as an examining university, and the chief obstacle in the way of its success lies in the conservatism and the inertia of the colleges represented in its board of control. For these colleges of Cambridge, as a whole, are only remotely in sympathy with professional training or independent research, which is the most distinctive attribute of the true university. At Oxford, the university as a body of teachers scarcely exists, although in Oxford there are many professors who possess university ambitions and the university spirit. Yet many of the ablest of these professors have never had a student, and others have sought for them in vain. For the first duty of a great investigator is to leave his impress upon a group of disciples. Research without students is a species of race suicide.

When the first little colleges were established in the American colonies, Harvard, Yale, William and Mary, and Kings College, they

were isolated, and could not be grouped in universities. Hence the professors perforce did their own examining, granted their own degrees. From this fact arose our confusion of terms, college and university, these meaning in America practically the same thing. And to this day, the "college course" is the chief business of most of our universities. For various reasons—mostly bad ones—the professional school in America has grown up as the rival of the college. Only relatively lately, under the lead of Harvard and Johns Hopkins, has the entrance to a profession been based systematically and consistently on a college education.

The English college requires a three-year course for the degree of A. B. In America, this course has required four years. In the last twenty or thirty years the entrance requirements of our colleges have been steadily pushed upward, so that the bachelor's degree now implies two years more work than was required in the seventies. It is generally admitted that it has been pushed up too far for the advantage of the student who is to add to it a university course in professional training. It is pushed too far, if the university is to begin where the college leaves off. It is not too far if the main purpose is general education, broad training, as an end, with reference to the special demands of professional life.

To remedy this condition two changes are proposed. At Harvard and in some other colleges the course required for the degree of A. B. is shortened so that a good student can complete it in three years. The fourth year then becomes a graduate year, and with it the university begins. No suggestion as to a physical separation of the university from the college has been made in this connection, except in Clark University, which stands unique in its method of organization.

The other proposal is that the first two years of the present collegiate course be relegated to the college alone and that the university begin its instruction with the present junior year. In this case, the junior year should be given to preparation for research or professional work, the latter beginning properly with the fourth or senior year. In this arrangement, after entrance to the university, two years would be required for the degree of A. B. (which degree would probably, as in Germany, become obsolete as a university degree); four years would lead to the degree in law (Juris Doctor, or J. D.); five years to the degree in Medicine (M. D.); three or four years to the degree of Engineer, and four or five years to that of Doctor of Philosophy, the badge of the professional investigator or teacher. The value of these degrees would not be materially changed from that now recognized. The essential feature is that the university would confine itself to the costly work in education, the work it can do best, while to the college or to the supplementary high school the freshman and sophomore work, the work in elementary language, science and mathematics, would be relegated. The term "junior college" was some years ago framed by President Harper for this work, and the junior colleges affiliated with the University of Chicago now grant at the end of the sophomore year the degree or title of Associate in Arts. This title serves for admission to the university college of the University.

The work of these two higher years, or of the university college, the small college in general can not do well. These years involve libraries, laboratories, the beginnings of research, the beginnings of professional training. To postpone all these until the degree of A. B.

is attained is for many students a loss of time, a waste of strength. The German university begins virtually with our junior year. It would be a mistake for the American university to set its entrance standards any higher. The college may retain for four years those of its number who want not a university course, but rather what the college can give. It might advantageously lower its entrance requirements to cover not two, but three or even four years below the entrance to the university. If it took the four years it would be on the plane of the college of thirty to forty years ago. If three years, it would be on the general level of the British college. If A. B. were to be lowered to the level of "A. A." (Associate in Arts) a collegiate degree from an approved college would admit to the university. But these adjustments will come in one form or another, when the essential, the inevitable change takes place. This is the separation in place, in organization and the method of the university in America from the American college.

This separation of the first two college years from the university would be in every way to the advantage of the few well-equipped institutions fit to bear the university name. It must come sooner or later, and there is no large or insuperable reason why Harvard or Yale or Cornell or Chicago or Stanford, or the State university of Wisconsin, Michigan, California or Illinois, could not accomplish it at once. There are many advantages in leading in an inevitable movement, as there has been several times shown in the history of Harvard, Johns Hopkins, and Cornell.

But for the college the advantage of the sur-render of the junior and senior years would be less clear. To the well-equipped college, the change would be unwelcome, and it would not be accepted. There are many students whose wants are adequately met by the college course of to-day. These do not expect to become engineers or professional men. Their purpose is personal culture, and if they find in the small college, as thousands now find and have found in the past, conditions adequate to their ends, they do well to remain in college for the degree of A. B., or longer for similar work if conditions are favorable. If the small college wishes to maintain the continuity of its alumni roll, it has only to grant two years leave of absence to the members of its junior class, enabling them to attend the university for two years, to be certified back for graduation at home, these students thus, if desirable, receiving at once the degree of the college and the Bachelor's degree of the university. But the granting of the Bachelor's degree of America or of England is not really a university function.

In this case, the institutions worthy of permanent place in our system of higher education will be these: the university, the college, and the junior college, with its equivalent, the supplemental high school. Each of these for a time may duplicate part of the work of another. The need of specialization with growth will tend finally to give the university a definite stamp and character of its own, and it is just as well to have a variety of intermediate schools or feeders leading up to it.

The general aim and purpose of the real university everywhere must be the same, and it is for us to follow the best models possible in extricating ourselves from the present confusion.

In Germany at present, the local high school or gymnasium leads directly to the university. It carries the student through about two years more work than is required in our American high schools. There is a proposal in Germany at present to establish the college between the gymnasium and the university by cutting off the last three or four years of the gymnasium for that purpose. It is also suggested that these colleges be made co-educational.

In the interest of these propositions, a commission of German professors has lately visited the United States. If this should be carried into effect, the conditions in higher education would be very similar in the two countries. In all which concerns universities Germany, the home of the university, offers us much better models than England on the one hand or Latin Europe on the other. The organization of universities must, in any event, and in our country, have much to learn by the experience and the success of Germany.

Let us imagine a German university with two thousand students and three hundred professors. Let us suppose that as many more students from the last two years of the gymnasium were added to this number, with an equal number of teachers drawn from the same source, all in the same building, under the same discipline. It will be at once seen that Leipzig as we know it, the German university as we know it, would be at once rendered impossible. But exactly this condition holds to-day in Harvard, in Cornell, in Wisconsin, in Michigan, in California. To escape from it, to take up its own special function, and to leave the college to develop its own, is the next duty of the American university.

The Magic of Optimism.

Optimism is being coined into good money; it supports thousands of people industrially; it is employed as a therapeutic agency for which thousands of wonderful cures are claimed with apparent justice; it creates great religious sects; it has only recently stilled with its magic oil the troubled waters of one of our greatest financial panics; and, in short, it has become the principle of conscious or subconscious action for millions of human beings.

It is used as every other force, from steam to piety, has been used in America; it is put to work; it is made to be useful; it plays a part in the everyday life from—well, from the dining table to the church.

Scientists set themselves to demonstrate the value of cheerfulness, hope, courage, joy in such a material and matter-of-habit thing as eating and drinking for instance. Horace Fletcher, preaching the gospel of optimism in eating, secured hundreds of thousands of readers, and tens of thousands of devoted followers, from army generals and college professors and captains of industry and clergymen to laboring men and women.

Elmer Gates of Washington and Dr. Cannon of Harvard and Chittenden of Yale and Kellogg of Battle Creek prove by scores of experiments that worry interferes with digestion; fever-thoughts produce actual, tangible, analyzable poisons in the human system. The stomach will not execute or secrete the necessary digestive juices if your mind is worried, angry or gloomy.

During the financial panic—and at last checking it—far-sighted business men and newspaper editors, touched by the new spirit of optimism, set themselves against the tide of depression by determined efforts to make people in general see the strengthening and recuperative power of optimism—of faith and of courage. "Look on the bright side" became a text of many sermons, of editorials, of letters to the press, of button hole badges, of printed cards that hung by the thousands behind the desks of business men.

In other words, this new optimism, when tested by a condition, not by a mere theory, "made good"—the acid of reality showed it to be true metal and not pinchback. To use a helpful and forceful phrase of the vernacular, "it delivered the goods." It worked, in the pragmatic sense. And it is working right along among us everywhere in America to-day.

A more general recognition of the power of thought exists to-day than ever before. To think right means largely to live right. It is

coming to be generally recognized by expert and layman alike, says Michael Williams in October Van Norden Magazine, that man has power within himself to govern his conditions and plane in life; that every person can develop this power by his own will; that optimism—the power of courageous, hopeful belief, as opposed to fear, anger or worry—is the instrument by use of which the will of any person can develop the power to govern his conditions.

A Child's Etiquette.

Shortly after the removal to the suburbs of the household in which Claire, aged four, is the controlling spirit, she was taken ill, says the New York Times. The nearest physician was called in. After her mother had explained what she thought was wrong, questions were directed to the little lady herself. In contrast to her usual display of volubility, Claire became extremely noncommittal.

"Does your head ache, little one?"

"No-o."

"Is the pain there?" asked the doctor, softly, pointing to the patient's stomach.

"No," very emphatic.

"Are you cold?" and the professional hand sought the pulse.

No answer, simply a tolerance of conditions that gave him the right to touch her.

"Now, please tell me just where you don't feel quite right," coaxed the doctor.

Dead silence.

"Precious, tell the doctor where you feel sick," coaxed the mother.

"I don't feel sick anywhere—not now."

The man of medicine gave directions, wrote prescriptions, and went his way.

"Why, Claire!" the mother reproached. "You've acted very badly. Mother never knew her little girl to be so rude. The doctor came to help you get strong so you can run and play. Aren't you sorry to displease mother? You always told Dr. Regan how you felt."

"Mother, I'm sorry, but not much. It's this way: Dr. Regan always comes in his carriage and his horse stands at the door. This doctor—with a note of contempt—"just sneaks in with a little black bag—and all the other children will think we've got just a common doctor."

A Religious Difficulty.

A Scotchman who is a prominent member of a church in Glasgow one Sunday recently put by mistake into the collection plate a piece of silver instead of a penny, says the New York Tribune.

On returning home he discovered the serious blunder. He spent the afternoon in considering the matter and talking it over with his wife.

"Ye see," he said to her in explanation of his loss, "I might stay awa' for twenty-nine Sabwaths to mak' it up, but then I wad be payin' seat rent an' gettin' nawthin' for't. I'm thinkin, lassie, this maun be w'at the meenister ca's a religious defecuity."

Rich and Foolish Father.

Arthur Stringer, the well-known poet and novelist, was talking at a dinner in New York about the poor sale that modern verse has.

"Yes," said Mr. Stringer, "there is very little demand for poetry in the twentieth century. I recall a conversation about a friend of mine.

"My friend is a minor poet. Two men were discussing him. The first said:

"By the way, I understand that his wife helped him to get out 'Pale Hands,' his volume of verse. I didn't know she was literary, did you?"

"She isn't literary," said the second man. "What she did was to persuade her father to stand the expense of publication."—Exchange.

POLITICAL TABLE : : : : TALK : : : :

Whether or not the "organization," which it is assumed will dominate the coming Legislature, will permit the enactment in good faith of direct primary legislation is a subject which has been the occasion of not a little quiet discussion among politicians. That direct primaries are not good for organizations is the universal belief, and experience in Minnesota, Kansas, Oregon and Washington tends to confirm it. Why, then, it is asked, should the organization which has prospered so much in California under the old order of things tempt its fate by enacting a law likely to prove its undoing? Is it not more probable that, on some pretense, the direct primary bill will be smothered to death, or perhaps passed in such form that it will be useless for the purpose for which desired?

This might raise the other question why the organization ever permitted the Republican party to be so strongly pledged on the subject that it cannot ignore or violate the pledge without being guilty of one of the worst stultifications which a party ever committed. The latter is, indeed, the harder question of the two and cannot be answered except by saying (and it is true) that it is characteristic of politicians of the machine order to look forward only to the one election which is nearest and to be willing to promise anything that will help to win that one for them. This habit of mind sufficiently explains why the "organization" was so careless at Santa Cruz as to allow a direct primary plank to be inserted in the party platform, for certain it is that there was not a politician there who had the smallest use for a direct nominating law or anything akin to it.

This brings to mind a bit of convention history not generally known. It is that Abe Ruef was the man who took the direct primary plank in to the resolutions committee at Santa Cruz and secured its adoption, and he did it because his bluff was called by a friend to the direct primary idea who forced the issue upon him. Although the Herrin forces had financed Ruef's campaign in San Francisco in the sum of \$14,000, and fully expected him to throw his following to Mr. Harriman's candidate for governor at the critical moment, Ruef was looked upon as of so slippery a character that nothing could be depended upon for certain until his delegations had been counted. Therefore the Herrin combination was paying all sorts of court to Ruef and his following. Knowing this, Ruef declared to an outside friend, one of the best in the political life of the State, that he (Ruef) could get anything he wanted into the party platform. The person addressed said: "We'll just see whether you can or not. I'll call that bluff." Taking a scrap of paper from his notebook he hastily wrote the direct primary plank as it appeared in the platform of the party, handed it to Ruef, and bantered him to go into the committee rooms and offer it for adoption. Ruef took the resolution to the committee, made a short argument for it, secured its adoption with little difficulty and came back triumphant. This shows by what a simple process a party

of great moral ideas may be started on the right track.

Notwithstanding the fact that no "organization" politician can have any use for a direct primary law it does not seem probable that the organization managers will dare to go against the enactment of a direct primary law of some sort. All that they say in public is that they consider it necessary to make the concession. Two courses are open to them: One is to pass a law that will be so full of faults as to be inoperative and lead to a revulsion of public feeling against any direct nominating law at all. The other is to make a virtue of the necessity and enact as good a direct primary law as possible and then claim all credit for it. If the "organization" will adopt the second policy they may wrap themselves in the robes of self-praise until they are as snug as the traditional bug-in-a-rug and no one will seek to disturb them in their serenity. But when that time comes luscious rags will no longer be the dearest find in the markets of California. The thistles of the San Joaquin will yield figs in such abundance that they will be cheaper than carrots.

The Ruef Case, and Others.

On the 25th of November Andrew M. Wilson, formerly State Railroad Commissioner and one of the San Francisco supervisors at the time of the boodling operations, took the stand as a witness for the prosecution in the Ruef case. He swore that Ruef and the supervisors-elect held various caucuses before the latter were installed in office, Ruef acting as advisor and counsellor. Later he (Wilson) was paid \$500 by Supervisor Gallagher as his share of the right-trust bribe, Gallagher assuring him at the time that the money came from Ruef. Still later, according to his testimony, Ruef endeavored to get him to act as his "go-between" with the board, but Wilson was after the railroad commissioners and refused to accept the proposition. He told of seeing Henry Ach in Ruef's office, while Judge Conlan was awaiting an audience with Ruef. He swore that after Ruef was indicted he (Ruef) asked the financial assistance of the supervisors, but they denied it. Wilson also testified that he had received \$5,000 from Theodore V. Halsey as a bribe in behalf of the Pacific States Telephone Company. He left the stand on December first.

As a link in the chain of evidence, Frank A. Leach, director of the United States Mint, swore that he received instructions from the United States Treasurer to credit Patrick Calhoun, president of the United Railways Company, with \$200,000, which he paid, under instructions, to Tiry L. Ford.

The imposition of a sentence on E. A. S. Blake for attempting to bribe a prospective juror in the Ruef case was continued last Friday.

Castro, Enigma.

President Castro, of Venezuela, en route to France, has strewn his path with political pardons and amnesty to political refugees after the manner of barbaric kings. Ostensibly he is in search of a surgical specialist to treat an obscure malady from which he claims to be suffering, but it has been suggested that he has reaped a rich harvest from his years of tumultuous labor in the field of Venezuela politics, and that, in common with many other ephemeral Latin-American dictators, he will retire to an old age of ease and magnificence on the continent. Of obscure origin, every chapter of Castro's career has been veiled in equal obscurity, and no surmise about him seems too strange to be credible. As the New York Sun inquires, who knows anything about Castro, anyway? We should be glad to hear the question answered.

THE PLAY OF THE : : : : WEEK : : : :

"Paid In Full."

An audience expectant of great things greeted the performance in San Francisco of this work by the new American writer, Mr. Eugene Walter. The play comes to us by means of a road-company, one of many, I understand, that are gathering profit in the wider field from the proclaimed success of the play in New York and Chicago.

The first performance at the Van Ness Theatre on Monday night, was awaited with some eagerness by those who hope for an assurance that the stage is to become, once more, a vital element in American culture.

"Paid in Full" is an interesting play; of that there is no question.

Mr. Walter has studied his Ibsen and applied the methods to a recurrent problem of American life. That problem is the relation of a wife to her husband, under the stress of poverty; under the heavier stress of an illegitimately obtained prosperity; and in the face of the moral disintegration of the man.

The story is briefly this: Joseph Brooks, married to Emma Harris, is the collector for the Latin-American Steamship Co., whose president, Captain Williams, has been the partner of Emma's father, as he is now the employer of Emma's husband. Brooks' hatred of Williams is bred of his intolerance of capitalistic injustice and is fostered in the irritation that follows upon the palpable inadequacy of \$18.00 per week to maintain two

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human beings of decent ideals and tastes, in selfrespecting independence. Emma's dislike and distrust of Williams goes back to that earlier period when she believes that Williams crushed her father into failure.

The first act is capital. The stuffy flat in Harlem after a sweltering July day in New York. The husband, worn to the last shred of nervous endurance, is doing his share in the tidying up after a dinner the close odors of which seem to reach one across the footlights. It is a merciless picture—the open door showing the disorder of the little parlor, which the janitor has been persuaded to repair; the efforts at taste in the furniture, that one knows was purchased on the installment plan; and in and out of the confusion moves the tired young man in the gingham apron, venting his rage upon an imbecile patent carpet-sweeper that gets back at him as only the patented sweeper with a reversible handle can get back at the novice.

From the clatter of dish-washing issues the voice of Emma in gentle admonition to the raucous complainings of her husband. Now these principal actors—the impersonators of the man and woman—in the play, are so of the low average of our players that it is difficult to properly judge the values of this act which yet are solid enough to survive and convince one.

Enter, to these two, with the ruin of their happiness imminent above them—"Jimsie," the cheerful friend, and later Captain Williams and the superfluous female relations of Emma—mother and sister. To all of these Brooks makes display of his bad temper, even coming to threaten Williams. Brooks flings out of the room and Williams, for the sake of Emma, magnanimously puts by the offense and consents that Brooks shall still continue his service to the corporation at \$18 per week, and under his own immediate and personal oppression.

The act closes with Jimsie's invitation to the unhappy pair to accompany him to the theatre; whereupon Joseph turns upon him and defines the fact that Emma is his wife and that he can take her to the theatre himself. Brooks proceeds to appropriate certain monies which he has with him, belonging to his employer, in order to afford Emma an evening of gaiety, and, prudently turning off the lights in the red-tissue shades, they go out together—to what gaiety we can, oh so pitifully! picture.

The next act shows Emma established in a New York hotel—"the limit of elegance"—her superfluous mother would name it, and Emma is beautifully gowned and says: "This is living again."

From this moment the truthfulness of the first act is steadily diminished.

Joe has told her that this opulence is justified by a raise of salary and six months' back pay, and on so slim a justification they have splurged. There never was such a woman as Emma! After years of a punctilious attention to household accounts, she now dresses in white satin and doesn't think of expense but just "lives again." Having mothered a disagreeable husband for the long term of marriage, she now only perceives that he is still somewhat nervous, while the least observant in the audience must see him doing his best to show that he is a physical and moral wreck. Emma, you see, who was a cheerful, practical American woman, in the flat in Harlem in July, has become by mid-September in the New York hotel, a beautiful lie (which is surely a slander upon the consecutive good sense of the American type she is meant to portray). "Jimsie" comes back from South America and tells Joe that the Captain has discovered his defalcations and has already stationed detectives in the hotel, for his arrest in the morning. Joe communicates this fact to Emma and appeals to her protective care for him; urges her to go alone

to Williams' apartment (though it is close upon midnight) and "fix it up with him," and while he telephones to Williams, she gathers the full influence of such an appointment—and—she goes!

The third opens with Williams at the telephone, his barbaric room hung with the trophies of his unspeakable adventures in his earlier career as a trader upon the seas. When Emma comes (very pale, still in white satin), it is of that same career that he speaks. He doesn't for a moment spare her his jovial compassion, and he puts her womanhood to the full test by a frankness of speech and intention distinctly unpleasant. She stands that test, and a tense situation is concluded by his handing her the paper which he had written before her coming and, with honorable words, releases her husband and receipts the sum of his defalcation as "Paid in Full." "Jimsie" comes in to witness the establishment of a friendship, based upon the purity of a woman and the triumph of the nobler part of a coarse man; than which nothing is finer to bear witness to as the audience attested.

The fourth act is frankly "Cats victuals." Enough to say that Emma, quite unnecessarily goes back, and sitting gracefully under the light of a piano lamp, very languidly, very nobly, tells Joe what she really thinks of him and then, in her beautiful clothes, goes home to Mamma.

This is an unfair synopsis of a play that is powerful in effect and yet sums up as disagreeably as any performance I can recall having sat through.

What brings in the element of discomfort in this play? I believe it is the result of the admixture of truth and falsity.

The first act is as beautiful as Ibsen; as is Howells' "Modern Instance." But it is also the first time that we have seen American life disclosed under the Ibsen method. The unhappiness of middle-class lives so exposed; comes close enough to touch the quick of our memories; for most of us have suffered the irritation of just this same struggle with poverty, and yet we know that there were mitigations, rewards, at every turn, that took the poison out of poverty. Emma, in the author's conception, was to have embodied these mitigations and rewards, and he was not beyond his right in showing, in her husband, a special instance of the breakdown of nerves, of courage, of moral fibre, under the strain. His choice of the flat in Harlem; of the stifling July night; these attest the clarity of his first intention, since they are true.

With the second act, enters the untruth. I suspect Mr. Walter is too clever to be wholly truthful. He knows too well the value of the accepted emotional conventions and contrasts that make a play commercially acceptable, and he sacrifices the integrity of his first

conception—sacrifices his Emma of the first act—to make of her a theatric puppet who will bring the play down to the unthoughtful audience of the commercial theatre.

He is too clever in construction to make a poor play, but his cleverness finally overwhelms his truth. Once, late in the play, he recovers it (and I hear the logical Ibsenist cry out against me). It is at that moment when Williams renounces his gross intention of beating down the last barrier of Emma's defense. That would have been, perhaps, illogical in a European dramatist, dealing with European society, but Mr. Walter perceived truthfully that what might seem illogical to people of an older civilization was true to the American sense of things; true to that rough American chivalry that is not yet spoiled by the march of materialism against our earlier, simpler ideals.

B. P.

The new constitution that has been proclaimed in Turkey grants equal political rights, including representation in the national parliament, to Moslems and Jews. What has become of our cherished tradition about the fanaticism and bigotry of the Mohammedan Turk?

If you like this number of THE CALIFORNIA WEEKLY and are in sympathy with the principles it stands for, fill out the blank on page 31 of this issue.

Harvard's Monument to the Living.

Harvard alumni are raising a fund to provide for President Eliot and his wife after the president's retirement next spring. This is a practical expression of a gratitude earned many times over, and loses none of its graciousness by being in the form of a gift of money. It is in pleasing contrast, too, with our American habit of compelling our best citizens to retire from self-sacrificing public service into a struggle for a livelihood, and of reserving our praise for their epitaphs.

President Eliot's position in American education is unique. To have raised Harvard College to be the ranking American university is glory enough for one man to be able to claim as his own. To this, however, President Eliot has added the distinction of being one of the most influential personalities in American life. His words have the authority of Scripture, almost, with a vast body of Harvard alumni upon whom his character has impressed itself, and this, too, in spite of a temperament that shudders at the thought of mere popularity. Altogether, he is one of America's great men, and his memory will bulk larger with the years. In the meantime, it is well that he shall not have cause to reflect upon public ingratitude. The Harvard alumni have set a worthy example.

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Supported on the shoulders of four stalwart men, swaying high above the heads of the anxious crowd, the little Virgin approached the church. From a distance, under the pale, light trees, in a tremble of pure color, her uplifted radiance seemed always the central point on which the sun shone in a blaze and sparkle of jewels and flowers. The dim flames of the candles, the white dresses of children and young girls, the encrusted gold in the chasubles of the priests—all were subordinate to the concentrated brilliance of that slender, moving, crowned figure, dominant in its air of triumph, of delicate gaiety.

Leading the procession came two old men grey, wrinkled and bent, clad in fantastic garments like Greek shepherds and blowing on their slender pipes weird strains, barbaric and melancholy. Distending their cheeks in a final effort they emerged from under the green twilight of the trees and passed across the square. Long before they had reached the Pardo, the summer-palace of the king, the wild music, shrill and penetrating, had stirred the dormant emotions of the crowd, made up in picturesque confusion, in the sombre, deep coloring of strong yellows and blacks and vivid whites—of peasants and bull-fighters, of tourists from Madrid, of soldiers and water-carriers. Women, too, were there in numbers—the young and the old—under black shawls, under gaudy kerchiefs, under the transparent shadow of lace mantillas.

Overhead the sky was swept with clouds, tattered banners of blue flying before the drifting splendor of blowing rose and grey. Against it the great church loomed dark, the wide doors open, and in the rich gloom of the interior the candles gleamed like yellow lilies among the altar, the windows shone in jeweled radiance.

Rosario Escobar stood close to the foot of the stone steps, a rigid figure of tense expectancy; his face set, his black eyes roving ceaselessly, his lips fixed in a grim smile. To ease his anguish of impatience he kept the fingers of one hand tight locked around the treasure in his belt. Stealthily searching the faces around him he tried to discover whether there existed a determination as fierce, a desire as passionate as his own. Who, rather than he, he brooded, should buy the right to carry into the church the precious burden that approached so rapidly, swaying lightly, all a-glitter? Had it not been for her—fervently he crossed himself—Blessed Virgin of Rosario, that with her last breath, his dying mother had named him—though a boy? Her day of triumph was also his own; who was more thrilled than he at the sense of her nearness, of her high intercession in his affairs? Was it not by the grace of her favor that he had prospered, unique in his good fortune, in his miraculous preservation from harm? And now that for one savage moment, in a blind lust for vengeance, he had crucified himself—who, more than he, needed absolution for his sins? A groan escaped him but instantly he covered it with a laugh and then a shout, grinning and nodding in reply to astonished glances and low murmurs of disapproval. He was furious at his own lack of caution, it was most necessary for him to go unnoticed and already he had attracted attention. A tourist from Madrid, spending an idle afternoon at the Pardo, turned his camera upon the scene and, to avoid its large, gleaming eye, Rosario ducked, his swarthy face suffused with color.

Nearer and nearer came the sound of the high, shrill piping and, like a winding wreath of roses, children and young girls carrying tall, lighted candles, passed between the massed crowds that parted as they approached. A thin haze of smoke hovered over them like a veil tossed back from the blowing flames.

Rosario held his place doggedly against the pressure around him. Three women in black had gained a similar position on the oppo-

THE FEAST OF ROSARIO

BY

CECIL CHARD

Written for The California Weekly.

site side but Rosario, blind with suspense, strained his eyes only for the first glimpse of the smiling Virgin, his lips moving in prayer, his glance one of despairing exhortation. The horror that had possessed his soul for days, sleeping or waking, had given place, for a moment, to a keen excitement. It was not for himself he had feared, he knew no dread, either of discovery or of the swift vengeance of the law. Alive, he had scorned his enemy—but dead—alas, he had himself armed him with invisible weapons, with a terrible, inscrutable power! His own strength, expressed in the last violence, had flattered his pride, barbaric, stern, invincible—but now the sinister spirits that brooded over the unmarked grave had cast their shadow upon him and from that huge, enveloping darkness he knew there was but this one hope of escape. It was absolution for his sin that he craved, through the intercession pledged to him with his first breath, by his Lady of Rosario. With the privilege of carrying her into the church this absolution would be granted, without further penance than he would suffer in the deprivations that the great cost of it would force upon him and upon his family.

Knowing full well that he had before him a long day's journey for man and beast he had wasted no time in repentance, vouchsafed no explanations for his absence. Before creeping out of his hut he had paused only for one instant, to make the sign of the cross over his sleeping wife and his little sons. Haggardly he had regarded their peaceful faces; could the angry spirits strike at him through their innocence? Bitterly now he regretted his refusal to share, even with his own children, his unique distinction. He had left them exposed, he had called them only Dagon and Florito in jealousy of that divine protection for which he knew his mother had so gladly surrendered her life.

In silence he had ridden forth, in the chill October twilight that precedes the dawn, erect, dark, compact, man and beast looming up in the mysterious shadowland of tall trunks and interlacing branches, like a monument in a dim church. He had emerged from the thick shelter of the trees into the deepening light of the morning—the towering Sierras dwarfing him to a mere grey spot, moving on the pine-covered precipitous mountain side. Quail and woodcock had risen before him, in the rough bridle-path, but he had heeded them no more than if they had been gnats. With his eyes fixed on the horizon he had ridden hard, straight into the blinding glare of the sunrise over the naked plains, that stretched endlessly before him, tawny, arid, treeless. The dust had risen in clouds and lay white and thick on his great saddle-bags, on his folded cape; now and then he had rubbed it with his elbows from his inflamed eyes.

His destination in sight, he had stopped at a wayside cantina, a mere hut of reeds, and, stabling his ass with his own hands, he had begged permission to change his begrimed clothes for the heavy sombrero, the em-

broidered shirt, and the short, braided coat of rest and feast days. Without breaking his fast, he had paid contemptuously for the glass of wine that he had not touched. The consciousness of the unusual distinction that had been his from his cradle had given him a superior bearing, an air of proud gravity that challenged attention. The woman who served him noted with dumb admiration the clear pallor of his face under the intense black of his hair. She was a handsome creature, of a rough, neglected beauty; the careless knot of her hair disguised its abundance. Her bare neck and arms were superb and the rags that covered her, faded red and brown, were like autumn leaves clinging to a gleaming statue in a deserted garden. She moved like an animal and her magnificent young cubs—half naked, wholly savage, showing shining eyes and teeth in faces of bronze—tumbled, playing and quarrelling around her.

Rosario had neither seen nor heard them. His imagination was peopled with strange figures—formless, impassioned images, that moved only to threaten, with the terrible simplicity of the antique.

Once arrived in the square, his rude, formidable purpose had forced him through the crowds, to the very foot of the stone steps, where he had not had long to wait for the supreme moment. As the bearers bent their backs before him and carefully set the poles of the baldachin on the ground, Rosario bent too, making the sign of the cross, daring only then to lift his glance to the delicately carved, slightly-begrimed face of the little Virgin. A ray of sunlight, falling into her eyes, glistened on a drop of varnish and gave the liquid semblance of a tear. Rosario felt his throat contract with uncontrollable emotion; he would have liked to fall upon his knees. She grieved for him, his sin had touched her pride in her child. Even at that moment he could not repent; he made mute protestations, it had not been his choice to kill, he had been but the grim instrument of justice. If she would but quench the fires that burned in his breast; still the voices that mocked in his ears; crush the winged, noiseless creatures of the grave to whom his deed had given life and power!

The crowd pressed closer; made way for a woman in a black shawl, her child at her breast, who rose two steps above him and leaned against the broad pillars. She seemed to Rosario of great size, of massive proportions, sharply defined against the stone wall of the church. In a flash of insight he wondered whether this might not be the living personification of the Madonna. In his mind she became confused with the little wooden figure, splendid in rich robes, scolding under her gold-bedecked crown. A loud, peremptory voice startled him to instant attention.

"How much is offered for the position in front to the right?" There was a moment's silence. Rosario held his breath, waiting. At last a woman's voice, high and plaintive, broke the stillness. "Three pesetas!" she sighed.

Another bearer raised the question: "How much is offered for the position in front to the left?"

After a pause a man stepped forward, nodding and smiling. "Two pesetas," he declared, with a pretense of jocular indifference. "How much is offered for this position behind to the right?" queried the old man who held it.

"—is offered for this position behind to the left," eagerly interpolated the fourth bearer before the reply to the previous question had been heard.

With set lips Rosario listened while the monotonous voices reiterated their calls. At the third round he could contain his impatience no longer. "Ten pesetas," he venturously and loudly, and then looked about him with an air of frowning defiance that he again covered with his uneasy grin, but the attention of the crowd was now absorbed in the contest. Rosario lay doggedly, his tones

harsh, but sometimes he failed to hear the voice that so gently, obstinately oppressed him. Once, in an agony of terror, he had even feared they would pronounce the competition closed and, shaking with passion, he no longer awaited the end of the long sentence but interrupted it with his cries: "Fifteen, sixteen, twenty puestas."

The paper flowers that adorned the little Madonna stirred in the light breeze, the lengthening shadows flickered across the round brow that shone in a kind of high serenity above the fixed appeal of the thin, pale smile. Rosario was pierced by its pathos, by its sharp accusation and reproach. He swallowed a sob in his throat and, his eyes unswerving, whispered: "Twenty-five puestas" in a voice so low that it almost escaped the ear of the vigilant bearer in front. For an instant the bid hung in the air, but "Twenty-six" came from somewhere, and "Thirty" groaned Rosario, trying with hot glances to discover the source of this soft, determined rivalry.

The priests stood silent as statues, in the white and gold of their robes; their faces fixed and immovable as that of the little Virgin above them.

The position in the back to the left was the first to be disposed of; a picador from the bull-ring, with a savage, dissipated face, took up his triumphant position, his strong fingers clenched around the pole of the baldachin. The position in front to the left was secured in the same instant as the one behind to the right, for the bidder for the more important place surrendered it for the certainty of the humbler one in the rear and both men sprang to claim their own, with loud exultant laughter.

Rosario now became the central figure in a knot of men, every eye fixed upon him; his own still seeking in anguish for the rival standing near the coveted position, screened from his sight by the burly form of the bearer.

Slowly, from thirty to forty puestas, the hotly-contested privilege rose in value. Rosario's face gleamed white, his brow was beaded with the sweat of fear. He knew, to the last copper, the sum in that hard lump one hand clutched in his belt. His imploring glance besought once more the painted face that showed so small under the flowers; the light was fading, there were no longer tears in the wide eyes, they stared dully, impassively.

"Forty-five puestas is offered for the position in front to the right," called the harsh voice of the bearer impatiently. "Fifty puestas" gasped Rosario with the desperation of a gambler who stakes his all on a final throw.

The old priest standing near him made a faint sign and instantly the end of the contest was proclaimed. With a suppressed shout Rosario sprang forward but the powerful hand of the bearer thrust him roughly aside, and a woman, her black veil thrown back from a countenance pale with ecstasy, slipped between them and clasped the pole with her arms, her cheek pressed against it.

"Signora," cried Rosario, "it is I who have won, it is I who offered the fifty puestas!"

"The Signora said fifty-two," growled the bearer. "Here, stand back, hombre. Out of the way in front!" A voice in the crowd laughed out that the women always have the best of it; this was a clear case of favor. Rosario, however, hurled himself forward as if he would acquire, by main force, the privilege denied him, but, as he glanced up, in an anguish of protest at the little Virgin, the dispassionate serenity of her smile had changed, he was transfixed by its mockery and disdain. His own face became distorted; the secret dread that so tormented him settled into the conviction that he was lost—lost absolutely; abandoned, without pity, to the

doom that lurked for him in the shadow or in the sunlight, in sound or in silence, behind every trembling leaf. He shivered with impotent rage and despair. As the procession moved he saw the little Madonna sway up the steps, following her with burning eyes, as she hovered over the heads of the crowd in the church, shining faintly with her back turned to him, till, finally, the last gleam of her jewels was lost in the radiance of the flaming altar. The deep notes of the organ broke upon the sombre silence and the great doors closed. Instantly the musicians struck up a gay refrain, dance music of the wildest, and, piping shrilly, marched down the street, followed by the singing, shouting populace, who, relieved from the strong tension, walking interlaced, by twos and threes, began to dance even before they had reached the marketplace, where already, in the waning light, a crowd of moving figures surged in blurred and indistinguishable masses of dark color against the dim white walls of the houses.

A young girl approached Rosario, still standing motionless before the church. Her bold, inquisitive glance regarded him with favor.

"Dance with me, dark my lord?" she ventured to urge, and put her laughing face close to his.

He thrust her aside with violence and strode away, his sombrero pulled over his eyes. Walking swiftly he soon gained the fields and the open road, at this hour silent and deserted. The flaming sun sank slowly behind the hills and the penetrating chilliness of evening lay over the vast, treeless plain. Before he had regained the cantina the short twilight had ended and the low building rose black against an ashen sky. The woman who had served him in the morning stood in the lamplight shadow of the overhanging roof. She greeted him with the persuasive softness of the Andalusian voice, but he shook his head for sole reply.

She watched his quick movements in silence, vaguely disturbed.

Having mounted at last, he threw her a coin.

"¡Vaya con Dios!" she called to him wistfully. Rosario turned upon her, for an instant, a wild and desperate face, then, striking his knees against the sides of his patient animal, with his long cudgel, like a lance, under his arm, he rode forward into the vast, enveloping gloom.

The woman remained for a long moment motionless at her open door, then, moving reluctantly, closed it with a sigh that the wind seemed to echo, filling the deep, moonless hollows of the hills with plaintive sounds like the sighs of all the lost creatures wandering in darkness.

The Test of a Failure.

Physical experts are not in favor with the top-floor girl. Recently she attended a lecture delivered by one of the red-turbaned variety, whose text was the unerring accuracy with which the truly emancipated could detect the approach of a person in whom the heart is centered. After the top-floor girl had had time to think that theory over she decided to put it to a test on Mr. Blakeslee. The top-floor girl was modest. She had never admitted outright, either to herself or to Mr. Blakeslee, that her heart was centered in him, but she was very fond of him, and she knew that if the plan would work with anybody it would with him.

She tried it last Wednesday. She had an engagement with Blakeslee for luncheon at a downtown restaurant. As usual, the meeting was St. Paul's. The top-floor girl was ahead of time, so she went into the church and sat down near the door.

"I shall not," she said, "keep bobbing my head around every few seconds this time as I usually do when looking for Fred. I shall depend upon psychic forces. I shall just sit

here with my head bowed devoutly, and then when he comes in, my soul, if I truly love him, will tell me he is here. If it doesn't tell me, then I shall know I don't love him, and that we might as well call the deal off."

For many minutes the girl dug ridges in her forehead against the back of the pew in front of her. Many a footstep passed down the aisle, but none awakened in her heart the expected sense of affinity. Finally the girl looked up dispiritedly.

"It is no use," she said. "Fred and I are not twin souls. I have waited more than two hours. He has certainly been here, yet my heart did not tell me when he was near, neither did it tell him in what pew to look for me. We had better part."

The top-floor girl went around to a restaurant in Park Row and ordered a cup of coffee and cocoanut pie. Thus fortified, she called on Blakeslee.

"Fred," she said sadly, "I will detain you only a minute. I think it best to tell you right now that all is over. We are not mated and—"

"Oh, let up on that, please," interrupted Blakeslee. "I don't blame you for being huffy, but I couldn't help it. I had an old codger here from Binghamton, and I couldn't get away from him to save my life."

"Oh, dear," said the girl faintly. "Weren't you there at all?"

"Why, no. I thought that was what you were raising all that row about."

"No," she said. "It was something else. I think I'll stay downtown and have dinner with you, if you don't mind."—Exchange.

"Well," finally remarked Mr. Staylate, "I must be thinking of going. What time is it?"

"Oh," replied Miss Patience Gonne, "I'm sure it's later than that."—Philadelphia Press.

It must be a great pleasure to a tramp to come across a scarecrow in the corn field and find a coat that fits.—Somerville Journal.

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America is a new Europe. Europe was a new Asia. From the earliest dawn of the history of the Aryan race, to which Europeans and Americans mainly belong, to the present day and this western coast of the continent of North America there is hardly a link missing in the chain of events which binds us all to one family and one never wholly forgotten aspiration. As a family we have loved liberty and have ever sought to possess it. That love has been bred in the bone.

But this was not so of that Orientalism which grew up south of the Himalaya Mountains. Our progenitors hailed from north of those mountains and fought their ways westward in successive streams until they reached the eastern shores of the Pacific Ocean. Indeed there are those who now place the frontier of Aryan activity only a few hundred miles to the eastward of the western shore of the Pacific and who believe that it will soon encircle the earth, but as we cannot now know about that we shall not take it into account. Suffice it to say that the Orientalism that grew south of the Himalaya Mountains gravitated toward a benevolent despotism and through all the intervening ages has remained satisfied with it. If it ceased to be benevolent, and became wholly oppressive and cruel, in obedience to a never-failing tendency, the sword or the dagger effected a change from one despotism to another, with or without improvement as to benevolent quality, and so the history of the world rolled on. It was accepted as the will of fate, and the only thing humanly possible was to school one's self to endure without flinching whatever unreserved autocracy might be fated fit to bestow.

The great plain of Europe, connecting the Aegean with the Baltic, has, in the main, been the never-ceasing battle ground between Aryan aspiration and Oriental resignation, and there the conflict is still waging. It has resulted in the absurd amalgamation of types of mind essentially Oriental with Occidental aspirations. It is only within smelling distance of the North Sea and the Atlantic that the innate Aryan love of liberty has been able to work itself into institutional form, and even there it has had to fight foot to foot and hand to hand for liberty to live. The twenty miles of storm-swept water between Britannia and the continent of Europe aided the spirit of liberty to found the Common Law and write into constitutions the rights of man.

These liberty-born institutions were transported in "hearts of oak" across 3,000 miles of storm-swept water and set up behind that barrier against Orientalism to work out its perfect purpose, a government of, by and for the whole people. Even here, as stated last week, the Oriental taint has endured to plague us. Love of liberty has still to do battle with that tendency toward inertia of effort that prefers a reasonably benevolent despotism to the bother of attending to the duties of citizenship. This tendency is toward giving us the shadow without the substance of liberty. Our dictator-governed republics to the south are examples of what is left the people when the substance has gone and only the shadow of liberty remains, but our own corporation-ridden Republic dares gibe at them little because of their short-comings.

This has been a short and superficial review of the course of free government from its inception in the fertile but snow-laden plains north of the Himalaya Mountains to our own wave-washed Pacific shores, a course that has eaten up thousands of years in point of time

and fed the thirsty earth more gallons of blood than the Sacramento, at a good stage of flow, pours gallons of water into San Francisco Bay in four-and-twenty-hours, but it may serve as a hint to the thoughtful youth of what has been the human cost of what he now enjoys much as a matter of course, even with more of the shadow and less of the substance of free liberty than should content our racial aspiration. Also this may supply a needful background for what is to follow.

Romantic Politics in France.

If promises are fulfilled and Mme. Steinheil is credibly connected with the death of President Faure of France, and with the agitation for revision of the Dreyfus case, there should be an appreciable decrease in the sale of Dumas' romances, for these entertaining fictions are no more replete with the elements of story—love, jealousy, intrigue, the treason of woman's beauty, and the tragic episodes of death—than this routine investigation by a police court in Paris. Fiction reads drab beside this flaming rainbow of fact. By comparison, American national politics are pale and commonplace. But unfortunately California—San Francisco, at least—alone of America, can rival the drama act by act, save that a sordid motive underlies the action here where possibly a chivalrous motive inspired the first of Mme. Steinheil's alleged crimes.

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I, a citizen of the United States of America, realizing that a free Republic is an impossibility unless the citizen performs his civic duty, hereby pledge myself upon my sacred honor never to fail to exercise my right of citizenship by voting at every election, primary or secondary, wherever it is possible and legal for me to render that service to my country, my health permitting me so to do.

In taking this pledge it is distinctly understood that I in no way obligate myself to vote for any particular party, any definite candidate or any certain measure. I am binding myself only to my Country, and pledging myself solely to the faithful performance of the duty I owe to her as a citizen.

Signed
Age

Address:

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Those taking the foregoing pledge, signing and sending it to this office, will be enrolled upon The California Weekly's "School for Citizenship," which will be a permanent feature of this paper. It will entitle the person sending in his name to have answered, either through the columns of the paper or by letter, any rational question he may ask concerning public affairs, and, generally, by the person best equipped to afford the desired information. It will also entitle the signer to such special literature bearing upon the obligations and opportunities of good citizenship as may from time to time be issued. While this pledge is open to persons of all ages it is especially desired that it be taken and sent in by young men lately become voters or who will cast their first votes two years hence. It will take but a moment to clip out the pledge, sign, enclose in an envelope, stamp and address to "School for Citizenship," office The California Weekly, 26 Montgomery Street, San Francisco, and it opens the way for a liberal education in citizenship.

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THE PRESIDENT'S MESSAGE.

Readers of The California Weekly will have seen (and we hope read) President Roosevelt's last annual message to Congress, printed in the daily newspapers. Space forbids a detailed synopsis of it, and the message is, moreover, unusually perfunctory in those concrete recommendations which lend themselves to synopsis. The importance of the message is in the general discussion, in which the most constructive statesman who has occupied the presidential chair in this generation delivers his valedictory to the judgment of history, and expounds his philosophy of government.

The significance of this philosophy is its recognition of the newness of modern conditions, and of the necessity of fundamentally reshaping our point of view to meet them. We have outgrown, economically, the individualism of our fathers. Therefore we must also outgrow it in our legal theories and personal prejudices. Production by associated effort has come to stay, on the sides both of capital and of labor. To ignore this fact, in anti-trust laws of labor decisions, is futile, and to attempt to undo it is foolish. But to allow the masters of this associated effort to control its powers in pure unregulated individualism would be fatal. Society, organized into government, has acquired a new duty to its fractions, organized into trusts and unions, just because they are organized, and because the organized force that must finally control is necessarily the organization that represents all the people and all interests—which is the government. So while individual liberty must be preserved the mere theoretical individualism, which preserves by legal decision the alleged liberty of the individual, for instance, to contract away his life and health in dangerous occupations implies simply a refusal to look modern facts in the face.

The President discusses separately the capitalist and the labor aspects of the problem. And, curiously, he emphasizes on the capital side the importance of National rather than State control, while on the labor side he explains the necessity of leaving much of the control to the States. The reason, of course, is obvious. Business is general; labor is local. Every big corporation does business in many States, and most railroads extend physically beyond State lines. Conflicting State regulations, under such conditions, mean confusion and injustice. Each laborer, on the other hand, lives in one place, and in only a few instances of railroad trainmen does his labor cover two States. The general government may, in these few

instances, and in the District of Columbia where it has jurisdiction, set a model for State legislation, but most practical cases come under State jurisdiction alone. The exact reverse is the case in the regulation of the capitalist side of business.

History will probably regard this message as crystallizing the executive movement in our National evolution quite as much as the decisions of John Marshall embody the judicial movement. The fathers, borrowing from England a theory which time has since overthrown even there, fondly imagined that they could make the three departments of government co-ordinate, independent and equal. Actually some one department has always dominated. For a time it was Congress. John Marshall, having the final say at a critical time, established the supremacy of the judiciary, and we have ever since been ruled by our courts as no other nation is or ever was. Below the courts, the power of the executive has been at times supreme, at times subordinate. Legislatively, power has centered at times in the speaker of the House, at times in a coterie of veteran Senators. Now comes Roosevelt, at the close of an administration in which he has made his principle a fact, to justify theoretically the dominance of the executive, as really the most directly representative of the people, as well as the most practically efficient, and to urge the subordination of the judicial department even to the legislative. And in solemn truth, President Roosevelt is right, both theoretically and practically.

The message is a bold one. It defies without discrimination the Van Cleave, Parry and the Gompers point of view. Courting unpopularity in all quarters, it will doubtless achieve popularity as well as inspire conviction. On what President Roosevelt himself calls its philosophic side, it will rank easily as one of the great State documents of American history. In other respects it is, doubtless by intent, of subordinate importance.

The article in this issue of The California Weekly upon the rebuilding of San Francisco, written as it is by an engineer of high standing and known sincerity, should help to reassure persons living here and elsewhere as to the permanent character of the new city. "The earth hath bubbles as the water hath," and if one of these earth bubbles chances to burst under San Francisco, or any other city on the globe, the work of the hands of man is not likely to fare better than the earth itself but, barring such a calamity, little more likely to happen here than in New York, the new San Francisco should be as enduring as the pyramids of Egypt.

Vol. I No. 3

THIS NUMBER CONTAINS
"The Rebuilding of San Francisco."
J. D. GALLOWAY.

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LET THE CHOICE BE FULL AND FREE.

It is announced that the persons who have committed to their charge the drafting of a bill to be presented to the coming legislature as a basis for a direct primary election law have taken the precaution to prevent the occurrence in California of such a condition of affairs as obtains in Oregon, where a Republican legislature stands pledged to elect a Democrat to the United States Senate.

To the mind of the politician no greater catastrophe could happen than that which has happened in Oregon, but is it so serious? The people of Oregon have found a man in whose integrity and intelligence they have confidence. They have honored him as far as they can without making the whole State Democratic, unless they can further honor him in this way. Is it good policy for the Republican politicians of Oregon to force the issue of making the men of Oregon choose between Chamberlain and the Republican party? The situation is unusual rather than critical.

In California many thousand Democrats recently voted for William H. Taft, a Republican, for president. In Oregon many thousand Republicans voted for Geo. E. Chamberlain, a Democrat, for United States Senator. What essential difference is there between the two situations? If the Constitution of the United States did not presuppose that the legislators of Oregon were to be so advised by their constituents how to vote for United States Senator neither did that constitution presuppose that the electoral college was to be instructed for whom to vote for President. In both cases the relation of the voter to the representative body is advisory, with the advantage that the advice is likely to be taken.

By what right does the Direct Primary League, in its primary bill, assume to make no provision whereby the men of California shall enjoy the same freedom of choice that the men of Oregon have enjoyed? If the men of California are to be permitted, under the law which our masters have promised to give us, to advise legislatures whom they prefer for Senators, why attach limitations to the advice that may be given? The case of Oregon does not warrant the placing of any such limitation upon manhood. No mistake has there been made. The men of Oregon knew whom they wanted for Senator and the only miscarriage possible is that of defeating the expressed purpose of the voters.

Let those who have the drafting of a direct primary law in hand be advised that nothing less than a full recognition of the right of direct nomination will suffice. Nothing short of a free field will comport with the dignity of free men. The convention system is to be discarded because it ceased to represent the wishes of the voters. A system of direct nomination, so devised as to fail in like manner and measure, is what is to be anticipated from "organization" sources. The people are afraid of it. They have reason to be, but from the Direct Primary League they have a right to expect better things. Yet any primary law that will

THE STAFF

A. J. PILLSBURY..... Editor and Manager
CHESTER H. ROWELL..... Associate Editor
A. J. WATERHOUSE..... Assistant Editor
E. FRENCH STROTHER..... Assistant Editor
O. BLACK..... Business Manager

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not permit voters of California to express a preference for a Democrat, a plutocrat or a proleaire for United States Senator, if minded so to do, will fall just that far short of deserving the suffrages of free men.

IMPENITENT AND OBDURATE.

A prison warden, who had been thirteen years in charge, stated that not once in all that time had he heard a word spoken by a prisoner who had taken life that gave evidence of contrition for having slain his adversary. Many had expressed the opinion that they had been punished enough, and all of them were sorry for themselves, but not one out of hundreds had expressed sorrow for the deed itself or remorse for the stains of blood upon his soul! Each still felt as he felt at the moment of the commission of the crime, that the other fellow "got no more than was coming to him," and his own act was justified by that fact.

Those under indictment in what is known as the San Francisco graft cases have generally held their peace so far as public utterances are concerned. The public has no direct means of ascertaining their state of mind, but if expressions employed by public journals known to be in sympathy with, or under control of, the accused men may be accepted as indicative of the state of mind of their principals then those gentlemen are not only impenitent but obdurate, and look upon themselves as victims of a persecution at once malevolent and gratuitous. If this be the true state of mind of the accused and their friends and sympathizers, then the most melancholy feature of the graft prosecution is not that so few persons have been found guilty of criminality by a jury of their peers, but that so few in their walk of life have been convinced of their own guilt and moved to penitential, not self-pitying, tears.

Somehow, through fire of criticism or strain of the powers of the law, these people must learn that which is right from that which is wrong. The man who feels that if, perchance, a public official stand in the way of his accomplishing an end he has much at heart, and cannot be gotten out of the way otherwise, then and in that case it is right and proper to buy him out of the way, has lost his moral bearings and only needs temptation to make him an enemy to social order.

There is evidence going to show that the attitude of the accused men and their friends toward the issue is that grafting has been a disagreeable necessity but a necessity of such pressing quality as to justify it. So long as men are in that frame of mind they have no claim upon clemency either from the law or from public opinion.

But how differently would the public feel toward the accused if it could know that they feel a genuine sorrow, not for themselves merely, but for their fault? What if the people could be made to know that these men, one and all, say in their hearts: We have sinned in the sight of heaven and before the faces of our fellow citizens, and from this day forth we will neither submit to blackmail nor seek to seduce any public official or private citizen from the path of rectitude in order that we may gain an end advantageous to ourselves or to those whom we represent!

Instead, if we are to judge from those persons and prints that assume to speak for them, the accused men are both impenitent and obdurate. They assume that the end they had in view—the making of money—justified the means employed in its acquisition. Their sorrow is for themselves. They are not ashamed for anything they have done, but only for the disgraceful position in which others have placed them, and toward those who have so placed them they entertain feelings of bitterest resentment. Impenitent and obdurate, the accused men are not claimants upon the magnanimity of the people of the State of California nor upon the leniency of the law.

RECLAIMING THE SACRAMENTO BASINS.

Eastern capital, furnished by a New York and Boston syndicate, has been enlisted to reclaim the American River basin. This means, in the first instance, the redemption from winter and spring floods, which now make cultivation impossible, of 55,000 fertile acres lying just north of the capital city of the State. But the undertaking means probably more than that, because, if it succeeds, other organizations of capital will be formed to attack the problem of reclaiming four other river basins—the Butte, the Sutter, the Colusa, and the Yolo—containing altogether half a million acres of land, which are capable of doubling the present agricultural production of the Sacramento Valley. Of the six basins bordering the chief river of the State,—four on the east side and two on the west—but one, the Sacramento, lying south of the city of that name, can be said to be reclaimed at this time, although the others are cultivable in spots.

Merely as an engineering problem the reclamation of these river basins is one of the greatest in the west and brings the powers of nature and man in combat face to face.

Heretofore reclamation has been attempted with the limited resources of the local land-owners, organized in levee districts, and it has succeeded only in exceptional instances and in rather small areas. In the last great river flood, that of 1907,

crops were destroyed on no less than 300,000 acres of land. For the first time reclamation is now to be tried on a large scale, backed by millions of ready capital and by the best engineering skill money can buy. Under these conditions it may be possible to construct earthen dykes so powerful that not even the continued floods of five rivers pouring down into the basins can overwhelm them.

The dykes of Holland have for centuries held in check the waters of the ocean, and in late years the government of the United States has practically reclaimed the basins of the Mississippi River by building bank levees. These are the classic examples which go to prove that our California river basins may be reclaimed when the right means are adapted to the end.

But the doing of it is going to make the river problem acute. Under natural conditions the basins are safety valves for the river; when the flood comes it pours into the basins, which have an aggregate capacity sufficient to store a week's overflow, thus giving relief to the channel. How the channel can be made to carry the flood waters when they are shut out of the basins is the great problem. One would be inclined to say it is impossible of solution if it were not for the success of the United States engineers in dealing with the floods of the Mississippi, as already mentioned.

In 1904 a distinguished commission composed of three of these same engineers studied the Sacramento River and sketched a plan according to which, by an expenditure of some \$25,000,000, the whole flood problem in the valley could be solved and all the basins reclaimed. But this commission, despite the eminence of its members, was working more or less in the dark, because of the inadequacy of the data it possessed. Since then the State of California and the United States have been working co-operatively to measure stream flows, so that when the flood of 1907 came along they were ready to take its dimensions. The result was a surprise. Where the commission of 1904 estimated a maximum flood discharge of 250,000 cubic feet per second, the gaugings of 1907 indicated a maximum of at least 500,000 cubic feet, showing the problem to be just twice as great as it was formerly supposed to be.

LOBBYING TO BE MADE REPUTABLE.

Lobbying bids fair to become respectable. The San Francisco Labor Council is to have a representative at Sacramento during the session, there is at least one movement under way for the establishment of a People's Lobby, in the general interest, the presidents of the normal schools have appointed one of their number to represent them in their necessary demands for exceptional appropriations this year, and other interests, including possibly the city of San Francisco and the State university, will be legitimately and publicly represented. The Commonwealth Club has pledged itself to promote certain legislation for the reform of criminal law, and is raising funds to maintain

a permanent paid executive officer, who will doubtless also act as legislative agent during the session. The Bar Association may have other representatives, also promoting reform in judicial procedure. The Islais Creek interests will doubtless have a lobby, at least for a time, and there may be private corporations properly represented. There is, in fact, no reason why even the Southern Pacific should not be represented by an attorney to present its side of the case before the proper committees, in the event of proposed railroad legislation. The sort of lobbying the Southern Pacific has been doing is scandalous and criminal, but there is a legitimate way of lobbying, even for the railroad, and lobbying may be made a legitimate and laudable function of legislation. But it should be legitimately done. The best way to bring that about would be, perhaps, to recognize lobbying by law, to compel the registration of lobbyists and define their functions, and effectively suppress all unauthorized and illegitimate lobbying. The distinction is easy. It is as plain as the difference between the legitimate argument of an attorney before the Supreme Court and the illegitimate approach of a judge through private motives. But the law can only prevent the one by recognizing and regulating the other.

Let us not be too harsh in thought and speech toward those who, charged with the commission of crime, do all in their power to escape punishment, no matter how richly deserved. They are only obeying an impulse akin to the first law of nature, but what shall we say of those hired Hessians who, having solemnly sworn as officers of the court to uphold the law and aid in establishing justice, nevertheless use every artifice, even to that of stuffing jury lists and bribing jurors, that justice may be defeated? A purging of the bar of all those who get admitted to it that they may the more successfully and safely practice rascality would do as much as any other one thing toward rendering the establishment of justice more expeditious, certain and even handed.

There are those, not too friendly to the President, who venture the hope that, as President, Judge Taft will do as much good as Theodore Roosevelt has done while contenting himself with talking very much less. Perhaps so, but President Roosevelt has done little that counted for more than his talks to the American people. They have listened.

Among the things which, in the late campaign, were "beaten to a frazzle," as Ambassador Reid pointed out, in London, on Thanksgiving Day, was the superstition that the party in power when a panic comes is certain to be driven out of power by an irrational but vindictive voting constituency. American voters are not as likely to be overmastered with blind rage as many have supposed. Any lack of the power of a fine discrimination that may be imputed to them does not imply tendencies distinctly bovine.

The Deeper Significance : : : : of Living : : : :

A WAY OPENED FOR GROWTH IN GRACE.

Bishop Williams of Omaha has been reading his women parishioners a lesson upon the irreligion of big hats and rustling silks in church. He has admonished them to wear small hats, hats that will not obscure the free vision of those sitting in the pew behind, frocks that do not too much rustle to the distraction of worshippers, and he has done these things, not to rebuke the vanity of women, but to deepen and enhance the spirit of worship during the service hour.

Heretofore this subject has been one for snarling criticism or press-humorous gibe, and these the women have resisted without the ruffling of a feather, but it is not impossible that Bishop Williams may have found the right avenue through which to usher in a much needed reform. The women are not to blame for the situation. It was not of their making. They do not set the styles any more than the men do. They follow the styles as the men do, but, however the fact came to be a fact, it is a fact that pastors in all our churches are forced, Sabbath after Sabbath, to preach to variegated pansy beds interspersed here and there with sullen, bald, protesting toadstools in no humor to listen to the still small voice. The whole situation is rebellious so far as a worshipful atmosphere is concerned. It is as impossible to bring one's offerings to the sanctuary in the right spirit while one is not reconciled with his sister as it is while estranged from his brother, and no man can sit in a spirit of reconciliation with a sister whose nodding plumes and broad expanse of straw shut off his vision of pulpit and choir.

Nor is an atmosphere of overdress, or dress unbefitting the environment, more conducive to a worshipful frame of mind among women than among men. It cannot be that any woman, not altogether lost in self, can sit through a religious service supporting a large hat without being conscious of trespassing upon the rights, or lessening the comfort, of whoever sits behind her, and no woman so sitting and so feeling can be in a frame of mind conducive to the act of worship.

With some women the feeling is of stolid defiance. Such a one knows full well what those behind her must be thinking, but she says to herself: Fashion decreed that I wear this and I will. She does, but no woman so sitting and thinking can say "Our Father," and not have the words sound hollow and hard even to her own ears. Others feel sorry for those behind them and out of patience with those ahead, rather impersonally it may be, but with sufficient definiteness to make theirs a perturbed spirit, and worshipping the Father in spirit and truth implies a calm mind and a soul at peace with all the world.

Whatever else may or may not be true with regard to communion of the individual soul with the Soul of the Universe, true of that closer walk with God for which many million lonely lives have longed, of this we may be certain, it is not possible with anything between, and who knows but the movement for modest dressing for church attendants inaugurated by Bishop Williams of Omaha may open a way for a genuine and general increase both in church attendance and in a profounder and more reverential spirit of worshipfulness in all the churches of America?

Caught in the Act.

The California Weekly has no desire to see the emoluments of its contemporaries ruthlessly curtailed. On the contrary it wishes them all godspeed when they do things that God would be justified in speeding them for, otherwise not. In another column we recite the bare facts relating to a sale of news space in the columns of the San Francisco Chronicle which should cause the blush of shame to mantle to the top of the Chronicle Building. The dereliction is self confessed and so unhesitatingly as to raise the presumption of its being a common practice in the Chronicle office. Mr. Heney has bitterly complained of the custom of selling news space in newspapers and has repeatedly charged the Chronicle with the pernicious practice, but it was hardly to be anticipated that the Chronicle would, of its own volition, thus plead guilty to the charge. Interested readers will find it worth while to procure copies of the Chronicle of November 24th and 25th that they may see for themselves just what was done and the way it was done. Than this there is no more pernicious practice in any newspaper office. The editorial columns of a paper are mainly filled with opinions, and whether opinions are purchased, hired or what not, is of secondary importance because they are only opinions after all, and likely to be of trifling importance, but news has the quality of evidence. As an intelligent jury finds its verdict from the testimony rather than from the arguments of attorneys, so an intelligent public makes up its mind from the news rather than from editorial expression. If the subject matter is primarily of private concern, then it has no place in news columns. If it be of public concern and is colorable for pay, it is on a parity with corrupting the fountains of justice by selling evidence to order. From whatever standpoint viewed the practice here complained of is indefensible and is to be remedied only by a public sentiment that will not tolerate a newspaper that resorts to it.

Punishment After Death.

West Virginia believes in punishment after death and is trying to make a practical application of that belief to the case of the late Senator Johnson N. Camden, who died after a long and successful career in tax-dodging. Like many another of his class the richer he grew the less he felt like paying his taxes ratably with his neighbors. To reach such cases the law-makers of West Virginia, apparently without the knowledge of Senator Elkins, possibly when the Senator was looking after the elusive d'Abruzzi, enacted that twenty per cent of the value of property not reported for assessment for five years preceding the death of the owner should be forfeited to the State. The State's attorney has figured out that, judged by this law, the Camden estate should forfeit to the commonwealth and common good \$1,770,452.98 and he is proceeding to claim the forfeit. For the Camdens who are living no compassion need be felt though the State win the suit and recover the money, principal and interest. They will have

left enough and to spare, but for the old Dives who has gone to the Dry Tortugas to learn that his soul-damning deceptions were as vain as unpatriotic, well, that does seem to be rubbing it in on the old man. If some multi-millionaire were sometime to manifest such a filling-full of the capacity for acquisition as would prompt him to give in all his property to be taxed, as the property of the middle-class man is taxed, we should hear less of social discontent than we now do. Even Carnegie is growing richer year by year despite his boasted benevolences.

Peanuts.

Governor Glenn of North Carolina has taken up the cudgel in defense of our sister States of the South once in rebellion. He declares that they must be given their just due for their many virtues and for the great service they perform for the common good. By way of sustaining his ultimatum to the American people he affirms that ninety-nine per cent of all the "goober peas" produced in this country are grown in the sandy bottoms of Old Dixie. Therefore when one hears the whistle of the peanut-stand on the corner let him reflect that were it not for the South there would be no such sound to cheer him on his way, no warm and rancid delicacy to munch while homeward bound, no way of preventing the olive growers of California becoming proudly opulent in their monopoly of salad oils. The position of Governor Glenn is impregnable. The South is worthy of being taken to the chill heart of the North to warm it into affection. The South does not, as many suppose, devote itself wholly to rearing Democrats and "pestering" the negro. It has given the world the peanut with all that the endearing term implies.

A Pitiful Instance of Imbecility.

The first State railroad commission was elected in November, 1879, and took office January 5, 1880, almost twenty-nine years ago, and now we are gravely informed that there is and has been, during all these years, no law in California for establishing justice between common carriers and those whom they serve. The public mind has dawdled over it, the press has driven upon it, legislatures have side-stepped the issue and only the political bureau of the Southern Pacific Company has had an intelligent idea in relation to it. That bureau has wanted no laws, has seen to it that no laws were enacted and that successive commissions were elected to draw their salaries, lay low and do nothing disagreeable.

Meantime the national government has asserted its power to control interstate commerce, to regulate common carriers, to insure reasonable rates of freights and fares and equality to shippers and passengers in services rendered them. It is worthy of note, too, that every forward step taken, whether in the direction of protecting the public or railroad operatives, has been taken at the cost of whipping the transportation companies out of their boots. They have conceded everything to superior force, nothing of consequence to justice or fairness.

So it will be in California. Discrimina-

tions will be practiced, the public safety disregarded and the powers of State government subverted to corporate ends just as long as they can be.

Roosevelt as a Socialist.

President Roosevelt is not a Socialist. He violently denies any such imputation himself, and has even threatened to write a book against Socialism. A cynical critic in a yellow journal has remarked that such a book might be almost as valuable as a primitive Patagonian treatise on wireless telegraphy, which may be more or less true. President Roosevelt, in the scholastic sense, is not a profound economic scholar, and he is perhaps the safer practical leader by reason of that fact. Even on the simpler matter of railway rate regulation, the author of the clause which President Roosevelt himself regards as the vital one in the whole law has been quoted as saying that he doubts if the president understands that clause yet. President Roosevelt is the type of man who gets practically right, without always mastering the theory. And President Roosevelt is doubtless right in regarding himself as an anti-Socialist, and in practically opposing Socialism, even though he might not shine in the academic disputation with the scholastic experts of Socialistic theory.

Nevertheless, on one side of his thought, President Roosevelt would be claimed by the school of Socialists as belonging to them. These are the Socialists who do not pretend to know what evolution is ultimately to bring forth, but believe in recognizing the progress of evolution away from the present economic system. They regard the wage system as a transition from the time when the laborer individually owned the tools of his own production, and personally sold or consumed the product of his labor, to the time when labor will collectively own the tools of production, and divide the product. President Roosevelt, taking his cue from Judge Grosscup's doctrine of the "peopleization" of industrial ownership, expressly recommends a step in just this direction in his message to Congress. He would not accomplish it by law, and he would probably not look forward to any ultimate identification of industry and government. He would, in fact, probably deny most of the conclusions of the very Socialists who would claim him. But he does accept, very positively, some of the positions on which they base those conclusions.

The League Will Hold the Balance.

It was possibly intentional good politics, and at any rate it is fortunate that the advisory committee of the Direct Primary League is composed of two Democrats and three "organization," or at least not radically anti-organization Republicans. The opposition to a thorough-going and genuine direct primary law will come, if anywhere, from the "organization." The effort to make the law radical and impractical will come, if anywhere, from the Democrats. The Lincoln-Roosevelt League Republicans can be trusted to support a good law, from any honest source.

A GLIMPSE OF THE WORLD AT LARGE

A meeting of British manufacturers was held December 2nd to take action to protect British commercial interests in connection with the revision of the tariff by the present American Congress.

Herr Richard Calwer, an authority on social questions, declares that there are nearly 500,000 workmen in Germany out of employment, and that working hours have been generally reduced.

Lau Sz Kiv, an imperial investigator appointed by the Chinese government, recently declared that "in ten years there will not be a Chinaman left in the United States or Canada." A syndicate of Chinese merchant princes has been formed to build railroads and steamships, to develop mines, to farm, and to engage in banking and general business, and this syndicate is persuading Chinamen trained by their experience in America to come back to China to enter its service.

Mutiny in India threatens the British with deepening blackness. Activities significant of unrest are everywhere, and especially pregnant is the growing spirit of insoulation upon the part of native servants toward English masters. Attempts at assassination and street mobs are more acute symptoms of the situation. The English are arming their wives and preparing places of refuge for their women and children. At this distance it appears that Britain, having educated the natives, has let in the light of progress upon them with the result that its few rays have bred a desire for the full sun of liberty.

The eleventh annual session of the American Mining Congress opened in Carnegie Music Hall in Pittsburgh, Pa., on December 2nd. Representatives of mining interests of practically every State in the Union were present.

An international monetary conference will be held in Holland in 1909, at which the feasibility of issuing coins current in many lands will be one of the subjects discussed. The convenience to travelers and the advantages to commerce of such a coinage seem obvious, but three efforts (dating back to 1867) to engage the governments of Europe and America in such an undertaking have failed.

The Porto Ricans are complaining somewhat of the conditions in the island under American rule. Though they are loyal to the United States and would vote against secession, they want the right to vote and to have some representation in their government. They are in the anomalous condition of being citizens of Porto Rico, which has no standing as a government, but not citizens of the United States which has taken the place of the Porto Rican government. Practically, this means that they cannot claim the protection of any recognized government in case they travel abroad and become involved in troubles with foreign officials. They claim also that the coeducational school system introduced by the Americans is a failure and should be changed.

The island is, however, in prosperous condition and the natives are hopeful of the future.

Richard Croker, ex-boss of Tammany, spent ten days in New York recently, revisiting old scenes and meeting old friends. He was urged repeatedly to re-enter politics in the city, but to all such appeals he replied that he was too old, and that he had full faith in Murphy's ability to swing New York's vote for the

Democratic candidate next fall. Many prominent Democrats do not share this confidence, and there is much talk of a possible Republican victory in the approaching majority contest.

On January 1st the two-cent postage rate goes into effect between Germany and the United States. In this connection, the postal authorities have called attention to the fact that though mail sent to England under this rate is delivered safely in England, it cannot be forwarded from England to France, Italy, or other continental countries without additional postage and a penalty besides being collected at the point of delivery. This should be borne in mind in mailing letters to Germany also.

The dogs of war are baying from their kennels still in the Near East, while all the resources of European diplomacy are being used to keep them chained. Francis Joseph, emperor of Austro-Hungary and the greatest apostle of peace in Europe, is compelled against his will to lend his name to a scheme for the extension of the empire's territory and its commercial advantage at the risk of provoking a general war. Russia refuses to recognize Austria's annexation of Bosnia and Herzegovina, and continues to insist that Austria shall pay Turkey for what she has taken. The Treaty of Berlin, which has been the main support of the "balance of power" in Europe, seems to have been thrown in the fire, and conference of the powers to replace it with some new understanding seems remote. War is unlikely before the winter breaks, but is entirely possible next spring.

In the meantime, the heir apparent of Austro-Hungary, the Archduke Francis Ferdinand, has become ruler in everything but name, as he would be in fact if the emperor were permitted to abdicate as he wishes to do.

WHAT HE REALLY DID SAY.

To rescue the truth from where it has been obscured in the daily newspapers is a part of the mission of The California Weekly. There are public characters who complain, with justice, that they can find no way to get the truth spread before their fellow countrymen, and to all such as these the weekly paper is the star of hope.

To illustrate: Professor Edward A. Ross, formerly of Stanford, now of the University of Wisconsin, made a speech in Chicago and of it there was made by the press one of those reports which are intended to work up the maximum of sensation without resorting to absolute falsehood. Here is the report of the Ross address as it was telegraphed to California:

"A gloomy future for American femininity was sketched for the benefit of the Chicago Association of Collegiate Alumnae yesterday by Professor E. A. Ross, of the sociology department of the University of Wisconsin. The situation seems to be this:

"Man wants woman to be helpless, cowardly, afraid of mice. Woman would like to be strong minded, but she also likes to be dependent on man.

"As we get farther away from the primitive conditions of civilization," Professor Ross said, "men comes to have less and less of a desire for a helpmate and insists more and more that woman shall present herself to him in the light of a luxury. There is a large proportion of American men who really prefer wives who

don't know too much. They want an over-sexed woman—one who will scream out when she sees a mouse and has to be helped down from a street car step."

The California Weekly has in its possession a letter from Professor Ross in which he explains what he really did say, as follows:

"The excerpt is not at all a satisfactory resume of my remarks. Being invited to discuss before the Chicago Association of Collegiate Alumnae the subject 'Is there a growing divergence between the interests of men and of women?' I first pointed out some evidence on the negative side, such as the admission of women to higher institutions of learning, their discussion of and participation in public affairs, their association into clubs and societies, their increasing participation in the government of mixed bodies such as churches, and their entrance into the learned professions.

"I then went on to say that this by no means guaranteed woman's emergence into her full moral and intellectual stature. I pointed out that so long as most women will marry and in marrying become economically dependent upon a husband, the type preferred by men exerts a very powerful influence in determining the kind of personality women try to develop. As we recede from the stern pioneer struggle it is found that a part of the men really prefer the ultrafeminine type. They like not the rational and stable woman, but the woman that is somewhat perverse, emotional, and unstable. Women in general, therefore, will not be able to develop the sort of personality they prefer to develop until this type of man has declined into a negligible minority. The uplift of women is, therefore, a part of an intellectual and moral movement that acts upon the men also."

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AS THE WORLD WAGS

By A. J. WATERHOUSE

Coming By and By.

When the earth is brown and dreary and the sea of sky is gray.
When the sun peeps out to whisper, "Guess I'd better go away."

When the chill of evening merges in the keener chill of morn,
And your breath floats out and upward like an exiled wreath of foam,
When the days are growing shorter, while the nights are black and long.

And you hear a doubtful cadence in the latest songster's song,
Then 'tis the time that hearts grow weary and for vanished graces sigh
But the springtime and the suntime, they are coming by and by.

Sometimes, when we've borne the burden through the heat and stress of day,
We are weary, oh, so weary of the struggle and the fray.

Then, as twilight shadows gather and the even' drops with dew,
Hearts turn back o'er dreamland meadows to the glory that we knew

When we played, with shuffling laughter, in the rose-red flush of dawn,
Ere we reached the land of specters and our fairyland was gone;

And the eyes have tears unbidden, and grim Doubt is standing high
But the bluest time of the rest time, it is coming by and by.

Oh, I hold this solace to me through the struggle and its pain,
Have the fairest flowers faded? Just as fair shall bud again.

Have the sweetest songsters flitted to the land where summers burn?
Summer soon shall turn her northward, and the songsters return.

Would the soul cry, "I am conquered, for the blackness and my heart to be lost,"
Lo, look outward and look eastward where the dawn-light tints the skies.

Look you, brother, if you weary, and for buried blisses sigh:
Just beyond the misty curtain, peace is coming by and by.

* * *

Girl Students and the Rules.

"An' I notice," said the man who talks on and on, shifting lightly to another subject, "that the dean of women students of Stanford University has been promulgating some rules for her fair charges. She means well, the dean, and I understand that she is a fine woman, but I'm fearin' that she's forgotten several things since the halcyon days when she didn't mention to everybody how she felt about John. Listen to this now. Says the dean:

"(Women students must not appear on the quad or about the university buildings wearing frou-frou skirts."

"When Eve first donned her figleaf, away back yonder in a forgotten garden, she looked her wardrobe over carefully, and finally selected leaves that were particularly dry."

"Why do you do that?" Adam inquired.
"Why, it sounds so musical when I move," Eve replied. "Don't you think it is perfectly lovely?"

"It's great!" Adam responded.

"I knew you'd like it, love," says Eve. "I'll order some of the very driest leaves from Paris this very day, and my garments shall be made of nothing else hereafter."

"Thus was recorded the primal feminine instinct in the heart of the woman whose ghost still blushes when it notices some of her descendants, and the instinct was approved and indorsed by man. And shall a dean come along and knock it over now? Not on your life! She would do better to try to remember John."

"'Tis written in the soul of woman to desire somebody, some day, to ask her to marry him. She doesn't necessarily want to be married, you understand, but how would you like to be the only peach on the tree that nobody thought it worth his while to pick? Well,

there is nothing that will work a man up to the proposing point so quickly and certainly as a frou-frou skirt. Many a young man has gone to visit a young lady, expecting nothing except to pass a few pleasant hours.

"I won't propose to marry Mabel, at present, anyway," he says to himself, "for I value my personal liberty too much, but—"

"Just then there's a musical swish and sough of silken skirts. Mabel's in the room with him, and it's all off. He might have stood off Mabel, but he can't withstand the allurements of the petticoat, that delicate, wierd music which costume of man never yet made. Ah, many a man is married and full of information to-day who would be a bachelor and care-free were there no frou-frou skirt in the world! And shall any dean denude the feminine wardrobe of that article of apparel? Well, hardly! No, girls, we cannot endure that it shall be so.

"And women students must not wear hosiery of light or pastel shades." I do not know what a pastel shade is, but I have it on good information that it is not inherently vicious, and so why should it be barred? No, vive pastel! say I, and I hope the girls will stay by me.

"All men students calling on women students in the evening must have said their good-bys and taken their departures prior to 10 o'clock."

"Oh, John, John, John, where are you? If she who has forgotten you had but said that all men students must begin to take their departures prior to 10 o'clock, how much better it would be. Why doesn't she recall, John, how he used to begin to say good-by prior to 10 o'clock, and that he sometimes then got home before two a. m.? Ah, those were happy days and happier evenings, John, but she has forgotten—alas, she has forgotten!

"I suppose that deans have to make their rules, and I am not protesting, but it is going to be a long, long time before the eternal feminine will be educated out of itself, and frou-frou skirts, peekaboo waists, pretty hosiery and evenings of 'linked sweetness long drawn out' are a part of that self. Don't you think so?"

"Er—ah—what were you saying?" said I.

* * *

A Tip on the Races.

I heard you say, William, that you made a nice little stake in playing the races! Fine thing to do. Shows great cleverness on your part. By the way, I knew another young man who made a nice little stake in playing the races. He is in "the jug" now. The jury decided that it was a clear case of embezzlement. You see, he happened to have some of his employer's money on hand, and he could see how to make money for himself by betting it on a horse that was sure to come in first, and the shameless creature failed to do so.

I heard you say, too, that luck was your way and you believed you could get rich by following the races. I knew another chap once on a time who held a similar belief. Perhaps he holds it yet, but his wife and two children are living with her mother, as they seemed to need sustenance and clothing.

Talk with any of your adult friends, William, and they can tell you of similar instances, and I think that all of them combined ought to lead you to a reasonable inference that the men who manage horse races are not in the business for their health. This inference ought

to impress you, I say, but it will not; at any rate, it will not if you have the race-track fever. Ephraim, who was joined to his idols, was a conservative when his idolatry is compared with that which the race-track victim gives to his tips or his system. The latter may lose his last dollar again and again, but always—if only he can make another "raise"—he returns to make another venture. Ah, the race-track managers know right well the bait to which the suckers rise. It is a shining bait, and many and many is the man whom it has lured from the bright waters of honesty and happiness to the foul atmosphere of crime and woe. And still the suckers bite, and—well, let's say it this way:

Oh, the race-mad fools, and the track-mad fools, and the fools whom the bookies skin.

Who bet, on a tip that is counted sure, on the horse that never comes in.

They are losers to-day, and they're losers always that is, in the long, long run.

And they drop their "wad" to their bridled goul, as they have since the game begun;

And sometimes they turn to a crime black way, and sometimes their babes in penury stray;

But the race still runs, while the wretched ones are there in a maddened pack,

And they leap and lunge at the bait in sight, for of fools there's never a lack.

* * *

The Patience of the Public.

Sometimes, in the hurry of life, I pause to wonder at the almost unwearied patience of man in the mass. Man, the individual, often is impatient and frequently is irascible. If Mary does not have his dinner ready at the appointed hour he is prone to tell her in language that burns what he thinks of women who delay the sacred hour of eating. If small Johnnie or Susie lift their voices unduly high in childish sport he is likely to order them to bed in words that are more vigorous than conciliatory. This is man, the individual, but man in the mass—well, the much-enduring sheep might learn patience of him.

Don't you believe it? Then you are not a commuter, and you don't, with commuters, stand (when you really should be sitting) in a mob the car has canned. If you are a gentle, sad-eyed commuter you know that you have your choice, at certain times of the day, whether you will stand near the bow of the boat several minutes before it reaches the pier or will stand in the car all the way to your home station. No other choice have you; stand somewhere you must, as hundreds of people do every afternoon in returning from San Francisco to their homes on the other side of the bay.

Of course this condition is due to the incompetency and inefficiency of the railway service. You have paid for a ride with the privilege of sitting down, and—you stand. The case is much like that of the lawyer and his client in the old story.

"The law won't permit you to be placed in jail," said the lawyer.

"But I'm in jail," the client responded.

Is not that about our case? We have paid for a seat, it is ours by right of purchase, and—we stand. We are not particularly in love with our situation, but—we stand, anyway.

Perhaps you don't commute. Then, as you go home at night, do you manage to get a strap, or do you merely stand on your neighbor's toes and listen to his language, while your other neighbor stands on your toes and listens to your language? Incompetency, inefficiency and disregard of the public again, this time on the part of the United Railways.

AS THE WORLD WAGS—Continued.

Suppose the cars were allowed to carry only as many as they could seat, as is the case in some parts of Europe, don't you imagine the railway companies, with fine regard for the condition of their exchequers, would manage to carry and seat us all? But, not the less, we stand.

And man in the mass—man, who, as an individual, often is irascible, fiery and spectacular—hangs to a ship, if he can get one, or apologizes to the young lady into whom he bumps while standing, and is patient—oh, infinitely patient. It is as if he said to himself, "Well, I am not getting that for which I am paying, but I guess I will have to grin and bear it;" and, thus saying, he bears, and as a grinner he is unapproachable.

Wherefore this tribute to the masterly patience of man in the mass, but it is freely conceded that it is less tribute to the management of railways.

Nothing for Sue.

There will be bright things on the Christmas tree
For Bessie and Willie and Ben,
And they'll laugh about it in their childish glee
When Santa Claus visits them.
And we will be glad, the mother and I,
As they shake their young heads.
But all of the time we will know, with a sigh,
There is never a gift for Sue.

Oh, the tree will be bright with its candlelight,
With its candles and nuts and gables,
And the laughter of children will tinkle its song,
Sweet as in days of yore,
And Santa will pass the stockings about
To all of the children young,
And happily he'll wonder, and move, with doubt,
There is nothing at all for Sue.

For dear little Sue of the baby eyes,
Who folded her hands long ago,
Just as the children was turning the skies,
And silently drifted away,
And even some time when Christmas comes,
The joy of the world to renew,
There are trumpets and dingles and marbles and drums,
But there's nothing at all for Sue.
And that's why they're weeping, the mother and I
We said it last night when the glow
Of sunset was painting the western sky,
That in where the stars go,
A Christmas tree stands in the light of the sun,
All perfect and wordless and true,
And there in its branches, oh, sweet little one,
Is something God means for our Sue.

He Didn't Read the Examiner.

Congratulations to William Randolph Hearst. Would you know wherefore? Then listen to a story which is guaranteed to be absolutely veracious.

It was during one of those frequently recurring periods when the Examiner stands in opposition to that which is for the welfare of San Francisco and the State, and it chanced that Mr. Hearst was in the city. Certain prominent business men who regretted the paper's course determined that they would, if possible, ascertain the cause of the Examiner's unfortunate attitude, so they approached Mr. Hearst at a club one day and began a conversation with him concerning the question in controversy. They told him that they were deeply concerned about the situation—so was Mr. Hearst. That they felt that certain things must be done for the public good—so did Mr. Hearst. That certain other things must not be done, or evil would result—Mr. Hearst looked at the matter in that way, too. In short, Mr. Hearst felt precisely as they did, only he felt it a little more keenly, as he indicated by fairly taking their sentiments out of their mouths before they had half expressed them.

"But why," inquired one of the gentlemen, "does the Examiner take a position in precise opposition to your views concerning the welfare of the community?"

"That—what?" said Mr. Hearst.
"The Examiner."

"Oh, the Examiner?" remarked its proprietor. "I never read the Examiner."

Wherefore these congratulations to Mr. Hearst? Whatever the trials he experiences in

life, he escapes one of considerable immensity. The people of San Francisco and of the State have not escaped it, but—congratulations again; this time to the people—they are doing so more and more, and very rapidly, as time passes.

Carry the News to Willie.

In the recent election, according to figures given out from Secretary of State Curry's office, Californians cast 385,597 votes. Of this number 214,398 were cast for Taft, 127,492 for Bryan, 28,939 for Debs, 11,770 for Chafin, and 4,278 for Higgen. That is, about 55 men out of an average hundred voted for the Republican, 33 for the Democratic, nearly seven and one-half for the Socialist, slightly more than three for the Prohibition, and a little more than one (or about one in ninety) for—S-S-S! Be still! Have you no respect for the dead?—for the Independence League candidate.

Carry the news to Willie, and break it to him mild,
That not one man in ninety here was good into his child.
Our hope, where summers linger to gladden winter's pain,
Our joy in ninety only, it really saddens me;
Wouldn't you little darling, his own sweet Bonnie dear,
Oh, age him now to batten here, let him trumpet
For one of ninety men was true—and he may get away!

Rain-Maker Re-employed.

Over on the west side of the San Joaquin Valley, last year, certain farmers united in employing a man named Hatfield to make rain for them. It was a business transaction throughout. The agriculturists wanted the rain, and so they bought it of Hatfield—three thousand dollars' worth of it—and if that is not business, what would you name it? Unfortunately, however, through some misarrangement of calculations, Mr. Hatfield did not furnish the contracted amount of rain (it being a dry year) and the farmers would have been dissatisfied had not the rain-maker immediately explained that he was not to blame; that his machinery worked better in wet than in dry seasons. Naturally the farmers were content with this explanation, and so they again have employed Hatfield to furnish three thousand dollars' worth of moisture for them, which he probably will do—if this is a rainy season.

All of which demonstrates—what? That the fools are not all dead yet? What's the use? None of us, after brief introspection, needs that sort of demonstration. That Hatfield is a faker? It proves nothing of the kind. In fact, I am inclined to think that Hatfield believes in his ability to compel the clouds to drip with moisture. Many a man has large faith in palpable absurdity; and if you doubt it look about you.

On the whole, I fancy that the case of Hatfield and the west side farmers indicates nothing save that this is a queer world, in which queer things are done by queer people; and perhaps we might have guessed that without the Hatfield instance to demonstrate it.

Thomas Dixon, Jr., whose play, "The Clansman," recently toured the Coast, is a Virginian. He is very tall, very lean, and very dark. He has been a preacher (in Boston), an actor, a lecturer, and a Socialist, and has abandoned all these.

Charles Branch Cabell, the romantic novelist, has the artistic temperament so highly developed that he cannot compose his works until the mysterious hours past midnight have put their spell upon him.

Edward Bok, the editor of The Ladies' Home Journal, has a weakness for red ties, and smokes Turkish cigarettes.

Personalia.

Authors and Artists.

Upton Sinclair, the author of the brutally rugged and powerful novel, "The Jungle," is a frail, undersized boy with a weak voice, who suggests in no particular the possession of the primitive passions depicted with such terrible realism in his book. Most of his profits from the sale of "The Jungle" went up in smoke soon after the book achieved its wide popularity when the dormitory of his communal settlement at Englewood, N. J., burned to the ground.

Maynard Dixon, the young San Francisco artist, has joined the art staff of Scribner's Magazine in New York City.

Eugene P. Lyle, Jr., the author of "The Missourian" and "The Lone Star," has joined the country life movement and is farming on the James River in Virginia. He married about two years ago, and recently became the proud father of E. P. Lyle, Jr., II.

Miss Miriam Michelson, of San Francisco, the author of "The Masqueraders" and other popular novels, devotes much of her time to work for civic reform. She is an active member of the woman's branch of the Citizens' League of Justice, and on December 1st made an eloquent address before the California Club of San Francisco in support of the graft prosecution.

The signature of the short-story writer, O. Henry, is a pseudonym, suggested, so one report has it, by the ecstatic exclamation, "O Henri!" of a Creole girl with whom the author was discussing his literary ambitions one evening at dinner in the Latin quarter of New Orleans.

Chas. G. Norris, of San Francisco, younger brother of the late Frank Norris, author of "The Octopus," "The Pit," etc., has gone to New York to re-enter the editorial field as an assistant editor of The American Magazine. Mr. Norris has been for several years circulation manager of Sunset Magazine. Before that he was one of the editors of Country Life in America.

S. S. McClure, publisher of McClure's Magazine, began his business career as a peddler of tin cups. He has many of the "eccentricities of genius," and on one occasion invited a half dozen of his highest salaried assistants up to his home on the Hudson, "to help him work out a difficult problem." When they arrived they found him in his shirt sleeves laying carpets, and they had to turn to and help.

Mr. Dunne, the creator of "Mr. Dooley," does not look like his photographs. He is short, stout, and has a very rugged complexion. York Harbor, Maine, is his favorite resort in summer.

Maude Adams' summer residence is near Lake Ronkonkoma, Long Island, forty miles from New York City. It is a Queen Anne cottage with a huge living room with rustic decorations, and a great fireplace of natural round boulders.

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A RESUME OF THE GRAFT CASES TO DATE

THE EVIDENCE AGAINST RUEF.

Now that, after long and wearisome waiting the case of the State against Abraham Ruef has at last dragged itself to its belated culmination, it will be of interest briefly to review the evidence. In doing this let us endeavor to place ourselves in the position of the jurymen, compelling ourselves, so far as is possible, to forget that out of his own mouth Ruef once condemned himself, and dispassionately reviewing only the evidence presented in the case, as a juror should do.

The direct evidence of Ruef's bribing operations was given by former Supervisors Gallagher, Wilson, and Furey. The first testified that, acting under Ruef's instructions, he paid bribe money—ranging from \$500 to \$5,000—to each one of the former supervisors in the night-trust, Parkside, Home Telephone, and overhead-trolley matters. Wilson and Furey testified that they received these moneys, that Gallagher told them they were from Ruef, and Wilson testified also that he went to Ruef in reference to the money he received to vote for the Home Telephone ordinance, and Ruef advised him to keep the money, and, further, that he (Ruef) would not discuss money matters with anybody but Gallagher.

This evidence was clear and explicit, and it should have been sufficient to convince a jury were it not that it was given by persons who were accomplices with Ruef in his operations. Hence, under the well-known rule of law, it became necessary to corroborate it in some degree by the evidence of those whose hands were clean of all guilt in the matter. Such corroborative evidence was found, and, it would seem, in sufficiency.

George B. Keane, former clerk of the Board of Supervisors, testified (as showing Ruef's relations with the board) that Ruef gave him that office. He testified further to caucuses of the board, Mayor Schmitz and Ruef (the latter lacking all official connection with the proceedings) both before and after the installation of the board.

Morris Levy wrote that, desiring to arrange a boxing contest, he went to Ruef to see about securing a license. Ruef told him to go ahead; that it would be all right. He went ahead, but the license was not forthcoming. Again he went to Ruef, and was advised that he had better see Eddie Graney about the matter. He saw Graney, and the latter asked him to join a corporation—the "fight trust," as it has come to be known—and subscribe \$5,000 to its capital stock. Acting on Ruef's advice, he did so, and shortly thereafter, according to the testimony of Gallagher, Wilson, and Furey, Ruef sent \$500 to each one of the supervisors, and the desired ordinance was passed.

G. B. Umben testified that he went to Ruef and asked him why the Parkside ordinance was being "held up." Ruef replied, informing Umben that if the Parkside people would employ him as their attorney he would see what he could do for them. After consultation with those he represented, Umben consented to this, although the \$50,000 Ruef first asked for his services finally was reduced to \$30,000, Ruef at the same time announcing that the Mayor's consent would have to be obtained. Umben got the money from Secretary Douglas Watson of the Parkside company, and it was paid to Ruef. Shortly thereafter, according to the testimony of Gallagher, Wilson and Furey, each one of the supervisors received \$750 in the matter.

William J. Dingee testified that about this time Ruef came to him (Dingee) at his office and told him that Mayor Schmitz objected to his (Ruef's) acting as attorney for the Parkside

people. "And," Ruef added, "there is no necessity for my employment, but the Parkside people seem to have money to throw at birds, and I should like to have them consider me a bird."

The Home Telephone Company ordinance was passed March 5, 1906. Before that, according to the testimony of George B. Keane, Ruef "lined up" the supervisors for that company. The Pacific States Telephone Company, according to the testimony of the supervisors sworn, then became interested, and, through Theodore V. Halsey, paid various sums of money to the supervisors, Wilson receiving \$5,000. (This was the money which Ruef advised him to keep.) Dr. Pohoim swore that he met Ruef in the Pup Restaurant about this time, and Ruef said to him: "They tried to take my supervisors from me, but I'll fix them—they won't get a one."

Patrick Calhoun came to San Francisco about the end of April, 1906—while the city still lay in ashes—and immediately thereafter activities began in behalf of the passage of an ordinance providing for an overhead trolley for some portions of the United Railways tracks. According to the evidence, Tiley L. Ford and Thornton Mullaly, representing the United Railroads, began to write to Ruef, and Ruef began to bring pressure to bear upon the supervisors in behalf of such an ordinance. The application for an ordinance and franchise was filed on May 14, 1906, on May 21st it was passed, and on May 24th it was signed by the mayor. Note these dates, for they are of interest in connection with the following facts sworn to in the evidence:

On May 21st the ordinance passed.
On May 22d \$200,000 was placed in the United States Mint in San Francisco subject to the order of Patrick Calhoun.

On May 23d or 24th Calhoun ordered the money paid to Ford.

On May 24th Mayor Schmitz signed the ordinance.

On the same day, May 24th, Ford asked of the mint officials that \$50,000 of this money be paid to him in currency.

On May 25th Ford, accompanied by William M. Abbott, conveyed the currency from the mint to his (Ford's) office, in the United Railways barns.

On the same day (May 25th) Ruef deposited a large box—contents unknown—in his bank. Aleck Lathan, Ruef's former chauffeur, who escaped and was brought back by process of law to testify in the case, was an unwilling witness, but he swore to taking Ruef to Ford's office and that a large box was there secured and taken to the bank.

Although this was a large financial transaction, the books of the United Railways carry no record of it.

W. W. Sanderson testified to a conversation between himself, Ruef and Calhoun, in which he was urged by Ruef to come before the board and address it in favor of the overhead trolley. When he expressed himself as indisposed to do so, Ruef said, "This thing will go through on Monday. It's all settled," and Calhoun said, "I don't think we need you, Mr. Sanderson."

THE MURPHY CASE.

The jury to try Frank J. Murphy, a former attorney for Abraham Ruef, on the charge of attempting to bribe John Martin Kelly, a prospective Ruef juror, was secured on the fourth day of this month, and on the following day the presentation of the case to the jurors began. The circumstances leading to the trial, as alleged, are as follows:

On the third of last September Kelly

charged E. A. S. Blake with an attempt to bribe him, a prospective juror in the Ruef case, and the next day Kelly implicated Murphy and Adolph Newburgh, both then attorneys for Ruef, in his charge. Blake was arrested, tried and, on October 10th, convicted. On October 29th he confessed his guilt before Judge Dunne, again implicating Murphy and Newburgh. The indictment followed.

Blake was placed upon the stand as the first important witness for the prosecution. He told how Newburgh introduced him to Murphy last July. Later Murphy asked him if Kelly was not a poor man, and, upon his replying that he was, Murphy told Blake that he would give Kelly \$1,000 if he would vote for Ruef's acquittal. This proposition, on Murphy's suggestion, he carried to Blake and later reported to Murphy that Blake agreed.

In the latter part of August, according to Blake's testimony, Newburgh called him into his (Newburgh's) office and told him that Kelly had betrayed them, at the same time telling him he must sign an affidavit that he had gone to Kelly only to ascertain the state of his mind, whereupon Kelly had demanded \$1,000, which Murphy had refused to pay. Such an affidavit was signed by him.

After he was arrested, he swore, Murphy gave him fifty dollars and promised to give him thirty dollars a week while his trial was in progress and \$5,000 at the end of the trial. After his conviction, Blake testified, Murphy agreed to give him \$10,000, and \$100 a month, for the support of his wife, while he was in prison. He announced that his testimony was given voluntarily and without promise or hope of immunity. He was subjected to a severe cross-examination, but without apparently affecting the testimony he had given. Other witnesses who appeared for the prosecution were John Martin Kelly and William H. Schooler. The former testified that Blake came to him with an offer of \$500 to be paid to him if he would vote for Ruef's acquittal; that he (Kelly) pretended to hold out for \$1,000 and at once reported the proposition to the prosecution. Kelly was but slightly cross-examined and the value of his testimony was in no way affected.

Schooler, who is an attorney, swore under

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protest that he went to Blake after his arrest (although he did not know Blake) and offered to act as his attorney at the solicitation of attorneys Murphy and Newburgh.

AND NOW LUTHER BROWN.

Now it is Luther Brown, head of the detective force of the United Railways, who is in trouble. He is charged with attempting to bribe John Lawlor, a member of detective Burns' staff, to betray the secrets of the prosecution in the graft cases. At this writing the matter is before the grand jury and it is expected that it will act upon it before long.

Games and Government.

Basketball is the only popular outdoor game that was made to order. Football and baseball are growths, and reached their present character through centuries of development and improvement. Basketball, on the contrary, was deliberately invented to fit a written set of specifications, and to fulfill a definite purpose. The rules have remained practically unchanged.

The father of this game is Dr. Luther H. Gulick, the physical director of the New York City schools. Dr. Gulick has devoted a great deal of time to a study of children's games, with some remarkable discoveries. For instance, children of the Anglo-Saxon races are the only children in the history of the world who have developed games requiring "team-work" and the subordination of the individual to the team. Dr. Gulick sees in this fact a suggestion of the reason why the Anglo-Saxon races excel in democratic government. The child who develops the spirit of team-work in his play has the best possible training for team-work in his mature relations with society.

But it must be noted that these team games are only played by boys. Girls, it seems, have developed no such spirit of co-operation in their play. Naturally they would not, for woman's interests are necessarily individual, being mainly directed toward achieving and maintaining desirable relations with her husband. Her work, also, is solitary. She needs no co-operation of other women in her task of raising her children. Naturally a girl's mental attitude is shaped by the inherited tendencies of her sex. Hence the individual character of girls' play. Here, also, there is a suggestion of the reason for the small part acted in governmental affairs by women.

Dr. Gulick believed, however, that the time had come for a team game for girls, and with this thought in mind he drew up a long list of desirable features for such a game, of things to be avoided—in short, a complete list of specifications for an entirely new game. He sent this plan to a friend who was a director of physical culture in a large gymnasium, and this friend drew up the rules of the present game of basketball. The immediate and universal popularity of the game is a matter of history. Whether through generations of team play with it, girls will develop the team spirit that will make them, as women, participants in government, is a speculation perhaps worth considering.

Thoroughly Qualified.

Honorable Herbert Putnam, says the Circle, when he first became Librarian of Congress, was thus approached one day by a representative from a far Western State: "Mr. Putnam, I wonder if you couldn't give a berth in the library to an old friend of mine out in my home town? He's a retired Methodist minister, and I believe he'd make you a good man. He ain't as young as he was, but what he ain't read in the line of a book ain't worth reading. Why, he's the greatest hand to read. I've known that nut to lay in a hammock and read a book all day long."

In the Drug Store.

"No, I can't say that we have a large number of incidents happening here daily," said the drug clerk, according to the New York Sun. "As a matter of fact, the drug business is inclined rather to the serious side of things naturally, but we do have funny things to happen occasionally, like this morning when a little girl came in with a prescription that she said she wanted put up in hatsules."

"Hatsules?" I says, sort of puzzled like, because for the moment I didn't fall to what the little girl meant.

"Yes, sir, hatsules," she says, just like that, and then it began to percolate through my brain just what the little girl did mean, and I says to her then:

"I guess you mean capsules, don't you?" and she says:

"Why, of course I do. Hatsules!" she said, and laughed right out as she said it. "Of course, I meant capsules! How could ever I get it twisted up like that?"

"And so we put the medicine up in capsules and the little girl took it and carried it away."

"And really that wasn't the most comic thing ever happened in the world; but, as I was saying, you can't exactly expect to have funny things happen in a drug store, and so that call for hatsules kept us cheerful here for three-quarters of an hour."

Tangled Up Again.

Mr. Makinbrakes was offering his sympathy to a neighbor whose house had been visited by the fire fiend, says the Chicago Tribune.

"I know just what an—an inconvenience it must be to you, Mr. Markley," he said. "I've never been burned out of house and home, but some boys were playing in my back yard once, and they set my dog kennel on fire. Singed all the hair off a Scotch collie I owned. I remember now, though, that he was just a worthless cur. Still, you feel kind of sorry when such a thing happens, even if you don't lose anything worth mentioning. I'd be sorry even for a dog that had been burnt out—I don't mean anything personal, of course, but—er—I can sympathize with you, you know, just as if it had been you that—or, rather—if it had been any worthless dog that—what I mean to say, of course, is that—don't you think the women's hats this spring are the blameworthy-looking things you ever saw, Mr. Markley?"

Still Searching.

He was young and debonaire, and was seen about the water front looking for an old sailor, says the Philadelphia Ledger. "Any old sailor will do," he remarked confidentially to a big man, to whom he stated the object of his quest, "because all I want is to have some tattoo marks taken out of my arm."

When the tugman informed him that those Indian ink punctures would stick closer to him than a blood relation, and would be on his arm when his death certificate was filed, the young fellow was aghast.

"What in the world am I going to do?" he asked in despair. "There's a heart and two arrows and a girl's initials on my arm and I want to get them off. I've got to get rid of these letters anyway. The girl ran away last week with another fellow, and they're enjoying their honeymoon now. I must get another girl, and I don't want to have a married woman's monogram just above my elbow!"

The case was truly a pitiable one, and the generous heart of the tugman was touched. "I'll tell you what you've got to do," he exclaimed, as a happy thought struck him. "You must find another girl to fit those initials."

When last seen the tattooed man was in search of a damsel who could answer to the initials "M. A. J."

Pronged.

"I have good reason," said the head of the establishment, addressing the cashier, according to the Chicago Record-Herald, "for believing that you are living beyond your means."

"You are mistaken, sir. I am willing to have a thorough inspection of my accounts at any time."

"How does it happen, then, that you are able to have a big automobile?"

"Oh! Ha, ha, ha! That comes of having a wife who can write poetry."

"Poetry! Bah! Who ever heard of anybody earning enough writing poetry to have an automobile?"

"That's all right. She won it in a Limerick contest."

Fred—"My dear Dora, let this thought console you for your lover's death. Remember that other and better men than he have gone the same way."

Bereaved One—"They haven't all gone, have they?"—London Tit-Bits.

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THE REBUILDING OF SAN FRANCISCO

By J. D. GALLOWAY.

At first thought it seems useless to attempt to say anything which will be of interest regarding the rebuilding of San Francisco. The stranger, coming for the first time since the fire, is impressed with the fresh and clean appearance of the buildings and he also notes the areas still remaining much as they looked after the fire. A pardonable comment on his part might be that the city was not yet rebuilt in spite of our repeated statements to the contrary. With these two exceptions it is doubtful if the visiting stranger does see much that is remarkable for cities are much alike and this one of ours, although it manages in one way or another to claim a reasonable share of the world's attention, is no exception to the general rule.

As for the citizen, he has been too busy with the work of rebuilding to think that there is anything which can be of interest regarding the tasks in which he has taken a part. Many whose bank account is smaller than it was, prefer not to mention the painful subject. Others look back upon the past two and one-half years of struggle and endeavor as an unpleasant period in which they have been deprived of many of their accustomed enjoyments.

To most of us, however, the period of reconstruction has not been all unpleasant, for as human efforts go, a great work has been accomplished, unconsciously, perhaps, by those most busily engaged. One has only to travel back in memory to that chaos of ruins which has been removed, to appreciate, as no one who did not witness the sight can appreciate, the magnitude of the task. Neither can anyone else who has not been engaged in the work of reconstruction form a very clear conception of the work done or the difficulties surmounted. Even to the actors in the drama it may be of interest to review the play, say from some Nob Hill of memory from which a clear view can be obtained.

When the army guard was finally withdrawn and one could visit the scenes once so familiar without being set to work tossing brick from the streets, it did seem a most hopeless task to rebuild a city in that place. To some it seemed as if it would be well to abandon the place and go somewhere else. The buildings were all destroyed or practically so. A few of them, those with steel frames, had some value in them, the rest were worse than useless. The street car systems were injured by the burning of cars and power houses and the wrecking of the trolley lines and destruction of tracks by the earthquake and fire. Water and gas mains were everywhere broken and sewers had shared the same fate. Streets paved with asphalt were burned and the basal blocks of others chipped and cracked. Practically everything which men held valuable had been destroyed. The standing brick walls were everywhere a menace and the dynamite gentlemen soon made a visit to the ruins one taken at the risk of one's life.

It was not long, however, before evidences were given that we were not to move over to Oakland or anywhere else. Men who had valued their property at thousands of dollars the front foot were not going to see the value obliterated by allowing that which gives land its value, the people, to move to some other town. Nor were they going to see the business district permanently moved to Fillmore Street or Van Ness Avenue. It was to go right back where it had been, and it did. So while some of us labored on a new building law and others on a plan of the city beautiful and still others to steal everything of any value, men were at work clearing the streets,

stringing trolley wires and generally trying to bring about the first requisite, a transportation system. The distances were long and a day of walking found one fagged out. One had to take his lunch and a bottle of water in order to be safe. After Market Street was open, a bicycle made a man independent of the hopelessly over-burdened street cars.

The donkey engine soon replaced the senseless and dangerous method of blowing down standing walls with dynamite. After safes had been taken from the ruins, numberless donkey engines were everywhere engaged in pulling down walls and many men soon became expert at the unusual trade. The walls of the old Palace Hotel, firm and rigid from being built in the form of rectangular cells were about the last to go and day after day huge sections one hundred feet high were dropped without accident.

The great immediate problem was to dispose of the refuse. It is certain that had one man of ability been offered the contract for cleaning the city it could have been done at a cost much less than the actual expense. This was impracticable on account of the multitude of men concerned, making concerted action impossible. Some attempt was made to remove refuse by trains and a considerable amount was taken away by that method. The principal amount was, however, removed by the ever faithful horse who conveyed it to low lands or to barges by which it was taken out into the bay and dumped. It was a considerable task but it did not consume the five to ten years time prophesied by certain authorities—mostly from other towns.

Meanwhile the engineers and the architects had been busy studying the effects of the fire in San Francisco and the earthquake in other places. They had formed the Structural Association as a forum where the various discoveries, ideas and conclusions of the members could be debated and tested as to accuracy of observation and truth of deductions. One fact stood out free from all question or date and was appreciated by the man in the street as well as the trained observer. This was that the building with a steel frame was able to resist the destructive forces of a severe earthquake and if properly protected could withstand the effects of not only an ordinary fire but of a great conflagration. Another fact was appreciated and that was the merit of concrete both plain and reinforced as a building material although but few examples were in a position to be tested by the earthquake and the fire. After these points were recognized, opinion varied. Some claimed that brick and stone were all sufficient and pointed to the Appraisers Building and others as an example. Their opponents had lost all faith in brick and cited many ruined buildings to prove their doubts. On this point the opinions of engineers are still at variance, but the majority incline to the opinion that brickwork, however well built, is not a good material for buildings in earthquake countries. It is heavy and inelastic and as every mortar joint is a plane of weakness it is liable to rupture at any point. The pre-eminence of brickwork as a fire resistant is undisputed and as the menace is ordinarily more from fire than from earthquake it is still of much value. Much discussion took place regarding the respective merits of concrete and terra cotta as a fire-proofing. It may be said that after a few major conclusions had been agreed upon regarding the lessons of the fire and earthquake, there was and is a divergence of opinion. If anything, concrete advanced in favor and terra cotta retrograded. Metal window frames with

wired glass came much into favor. This wired glass is simply plate glass in which is embedded a mesh of wire netting, the idea being that when attacked by fire the glass will crack, but not fall. There is no doubt but that the Kohl Building, a ten-story structure, was saved by its metal furnishings, all doors, window casings, base boards, etc., being of metal. Cost only has prevented a more general use of this admirable material.

Such were the general ideas upon which the rebuilding of the city was carried out. No one hesitated to build high buildings with a steel frame. Improvements were made in the frame in that the floor members were connected to columns in a more rigid manner than formerly. Steel is by all odds the most uniform, reliable and satisfactory material which men use. None of it is rolled on this coast but a number of factories fabricate the structures and they have all been busy. A building built with a frame of steel which carries all loads is elastic and yet strong. The forces of the shock are almost irresistible and this makes it necessary for the structure to bend a small amount and afterwards recover. The frame must be protected from fire which will tie it into a bow knot. So practice has been to imbed all parts of the frame in a fire-proofing. A few have used a casing of terra cotta blocks, but the great number of steel frames have been covered with concrete with from three to four inches of material outside the important members and two inches on those of less importance.

In a fire the protection will be destroyed but the steel will be preserved. After this is done the frame is provided with its skin of brick, stone or concrete. Here opinions vary, but the general conclusion is, that as the brick walls will stand a fire better than those of concrete it is better to use brick. Also in the present state of the art, brick and its assistant terra cotta is more adaptable as a decorative material. It is sufficient to say that anyone living in a building with a well-built steel frame is in no danger whatever from the effects of an earthquake of an intensity equal to the one of 1906.

Next in order is the building of reinforced concrete. All that exist in San Francisco have been built since the fire. The building laws and prejudice prevented their erection prior to that event. A few examples outside the city gave a good account of themselves in the earthquake and they were permitted, not without opposition, by the new building laws.

There is a distinction between ordinary concrete and the re-inforced material which must be borne in mind. Concrete is composed of Portland cement, sand and broken stone. Sometimes gravel is used in place of stone. The function of the sand is merely to fill the spaces between the rock. The Portland cement, sometimes called hydraulic cement, when moistened with water has the property of adhering to rock and thus in concrete it binds the sand and rock together in a compact mass. The resulting mass offers considerable resistance to a force tending to crush it; from two thousand to four thousand pounds per square inch. But to a force tending to tear it apart it offers little resistance and when cracked, none at all. So engineers in Europe and America have hit upon the expedient of placing steel rods in such position in the concrete that when a pull comes upon the member the tension will be borne by the steel and that where compression is exerted the concrete will resist that force. Certain other coincidences such as the same coefficient of expansion under a rise in temperature makes it a

valuable material. Concrete thus built is known as reinforced concrete, armored concrete, concrete-steel and by other names. Tests show that as a material it acts under known laws and thus is susceptible of mathematical analysis and of consistent design. The reinforcing rods are often twisted or roughened to make the adhesion to the concrete greater. Thus in a building of this form of construction the concrete is an active agent in bearing the loads in contradistinction to the steel frame structure where it is an inert mass protecting the steel frame from fire damage except in the floors.

Relatively the material is new and somewhat untried. It became popular in San Francisco after the fire on account of a cheapness more fancied than real. A host of so-called experts and of charlatan builders clamored loudly in its praise and many structures of doubtful merit were erected at a cost far exceeding the original estimate. Also many good buildings were put up and there is no question but that it is a most excellent material for some classes of structures. Were it animate it might pray to be rescued from its friends who claim everything for it. Reinforced concrete structures should never be built unless designed by a capable engineer and erected under most rigid supervision, as a single batch of faulty concrete may cause the fall of the structure. The lack of these precautions has resulted fatally in numbers of instances in other cities.

The type of buildings most numerous in the new city are those with brick walls and wooden interiors. This is but natural as the cost of the better structures would in many cases be prohibitive of any but such building. They stand exposed to almost certain destruction in a violent earthquake and to being destroyed by a fire. Yet owners cheerfully risk other people's lives in such buildings and will pay the high insurance rates in preference to putting up better structures.

Such, briefly, are the ideas which have governed in rebuilding the new city. In spite of those who find most merit in times gone by it is certain that we have now a city immeasurably superior in cleanliness, light and appearance to the old one. It is also most emphatically true that the forms of construction, the studied design and the workmanship are far better than that of past times. Unlimited means would have enabled us to have built all buildings earthquake and fire proof, to have made real the vision which the dreamers saw when they planned the city beautiful on the ruins of the old one destroyed, and to have finished the work that is as yet incomplete. Yet it was a practical question which presented itself to a city many of the men of which were nearly ruined. Business had to be started anew and within reasonable limits of cost and under this criterion we have done well.

One may to-day stand on Nob Hill and review the busy years that intervene between now and the memorable morning of April 18, 1906. If able to repeople the past he will see again the sudden disintegration of the work of a half century. He will see the people, like a disturbed ant hill, rushing back to their ruined city, toiling, laboring, striving and finally bringing out of the chaos that coherent heterogeneity which is order.

The disaster was of sufficient magnitude to affect the finances of the nation. The rebuilding has been accomplished in a relatively short time. The recovery has been as quick as the waters close in over a stone thrown into a pond. Almost immediately all traces of the event are lost. While not of much moment to the ages, the rebuilding of the city has been, as men's efforts go, a great enterprise. And those of us who have toiled in the dust of summer and the mud of winter when viewing as a whole the work done may proudly

say, as did he of old of the fall of Troy, "All of this have I seen and of much of it have I been."

The Latest Statistics of Divorce.

The Bureau of the Census has just completed a compilation of the statistics of marriage and divorce covering a period of twenty years, from 1887 to 1906, inclusive. This is the second statistical investigation of this character authorized by the Federal Government.

The total number of marriages recorded during the twenty years from 1887 to 1906, inclusive, was 12,832,044. The number annually reported increased from 483,069 in the year 1887 to 853,290 in the year 1903. The increase year by year was by no means uniform. The marriage rate is quickly responsive to changes in economic conditions.

The marriage rate in the United States in the year 1900 was 93 per 10,000 population. Based upon the adult unmarried (single, widowed or divorced) population, the rate becomes 321 per 10,000, indicating that in each year something over three per cent of the unmarried adult population marry. The marriage rate, based on the total population, is higher in the United States than in any other country for which reliable statistics are available.

The total number of divorces reported for the twenty years, 1887 to 1906, inclusive, was 945,625. For the earlier investigation, covering the twenty years, 1867 to 1886, inclusive, the number reported was 328,716, or hardly more than one-third of the number recorded in the second twenty years. At the beginning of the forty year period, covered by the two investigations, divorces occurred at the rate of 10,000 a year; at the end of that period the annual number was about 66,000. This increase, however, must be considered in connection with increase in population.

An increase of 30 per cent in population between the years 1870 to 1880 was accompanied by an increase of 79 per cent in the number of divorces granted. In the next decade, 1880 to 1890, the population increased 25 per cent and divorces 70 per cent, and in the following decade, 1890 to 1900, an increase of 21 per cent in population was accompanied by an increase of 66 per cent in the number of divorces. In the six years, from 1900 to 1906, population, as estimated, increased 10.5 per cent and divorces 29.3 per cent.

It thus appears that at the end of the forty-year period divorces were increasing about three times as fast as population, while in the first decade (1870 to 1880) they increased only about two and two-thirds as fast.

The divorce rate per 10,000 population increased from 29 in 1870 to 82 in 1905. In the former year there was one divorce for every 3,441 persons and in the latter year one for every 1,218. Since it is only married people who can become divorced, a more significant divorce rate is that which is based, not upon total population, but upon the total married population. The rate per 100,000 married population was 81 in the year 1870 and 200 in the year 1900. This comparison indicates that divorce is at present two and one-half times as common, compared with married population, as it was forty years ago.

Divorce rates appear to be much higher in the United States than in any of the foreign countries for which statistics relating to this subject have been obtained.

Two-thirds of the total number of divorces granted in the twenty-year period covered by the investigation were granted to the wife.

The most common single ground for divorce is desertion. This accounts for 38.9 per cent of all divorces (period 1887 to 1906); 49.4 per cent, or almost one-half of those granted to the husband, and 33.5 per cent, or one-third, of those granted to the wife.

The next most important ground of divorce is, for husbands, adultery, and for wives,

cruelty. Of the divorces granted to husbands (1887 to 1906) 28.8 per cent were for adultery, and of those granted to wives 27.5 per cent were for cruelty. Only ten per cent of the divorces granted to wives were for adultery of the husband and 10.5 per cent of divorces granted to husbands were for cruelty on the part of the wife.

Drunkenness was the ground for divorce in 5.3 per cent of the cases in which the wife brought suit and in 1.1 per cent of the cases in which the suit was brought by the husband.

The above percentages represent those cases in which the specified cause was the sole ground on which the divorce was granted. Very frequently, however, divorces are granted not upon one ground only but upon two or more in combination.

In many cases in which drunkenness or intemperance was not recognized in the decree of the court as a ground for divorce it appears to have been present as a contributory influence. Intemperance was in fact reported as an indirect or contributory cause of divorce in five per cent of the divorces granted to the husband and in 18 per cent of the divorces granted to the wife, and appeared as a direct or indirect cause in 19.5 per cent of all divorces and 26.3 per cent of those granted to wives and 6.1 per cent of those granted to husbands.

McClure Gives up Books.

Transfer has been made of the book publishing business of the McClure Company, which has been owned by S. S. McClure, to Doubleday, Page & Co. Mr. McClure will hereafter devote all his attention to his magazine.

Included in the stock and good will of the McClure Company which will pass into the hands of the firm whose head is Mr. McClure's friend and former business associate, Frank Doubleday, will be many books already printed, as well as contracts with authors for their next books. Joseph Conrad, O. Henry and Stewart Edward White are among the authors now under contract to write books for the McClure Company.

Eugene Walter, author of "Paid in Full," and Miss Charlotte W. Haden, an actress whose stage name is Charlotte Walker, were married at the Burnet House, in Cincinnati, December 1st. Mrs. Walter will continue on the stage for the present.

Miss Caroline Hazard, president of Wellesley College, has been granted a year's leave of absence on account of ill health. She will spend this winter in California to recuperate.

Richard Strauss's new opera, "Elektra," will be presented for the first time in Dresden next month. It will be produced in America in November, 1909.

Two sons of Sidney Lanier, the Southern poet, are publishers. Charles D. Lanier is the business manager of the Review of Reviews. H. W. Lanier is a member of the firm of Doubleday, Page & Co., is art editor of their publications, and is the author of several short stories and a novelette.

If you like this number of THE CALIFORNIA WEEKLY and are in sympathy with the principles it stands for, fill out the blank on page 47 of this issue.

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THE VOTE OF CALIFORNIA.

California's vote at the November election, only now tabulated and published in an authoritative form, is a surprise in several ways. But most of all by reason of its magnitude. It amounted to 386,597, which exceeds by more than 55,000 the total of the largest previous vote, which was in 1904. In the State election of 1906 the total vote was only 311,931, or nearly 75,000 less than the vote cast on the third of November, 1908. These and other figures here given include only the vote cast for regular party candidates, and would be increased slightly if scattering votes were counted.

California is growing in population and the election figures are as good a yardstick as any other to measure how fast it is growing. In 1900, when there was a census as well as a presidential election, the proportion of vote to population was as 1 to 4.91. If this rule still holds good, the population of the State is now almost exactly 1,900,000.

The growth has been rapid, in spots. Los Angeles County cast in the recent election no less than 73,077 votes, which exceeds by more than 24,000 its vote in the presidential election of 1904. This would indicate a gain in population in four years of not far from 120,000 in that one county. A large proportion of the Los Angeles County vote is outside of the city.

San Francisco's total vote was 60,124. Another of the surprises was the size of the vote cast for William H. Taft. When Roosevelt, in 1904 received 205,226 votes, it was thought that a mark had been set which would not be reached again for many years; but the Taft vote exceeded that for Roosevelt by more than 9,000, attaining the total of 214,398. President Roosevelt, who ran against a weaker Democratic candidate than did Taft, still holds the record for a California plurality; it being 115,932, as compared with 86,906 for the Ohioan.

The following figures show the party divisions of the vote in the last four elections in California, the 1902 and 1906 elections being for Governor and the other two for President:

Year	Rep.	Dem.	Soc.	Proh.	Ind. I.
1902	146,332	143,783	9,592	4,636	
1904	205,226	89,294	29,535	7,380	
1906	125,887	117,645	16,036	7,355	45,008
1908	214,398	127,492	28,659	11,770	4,278

It might be reckoned as one of the surprises that the Socialist party vote for President in 1908 shows a falling off as compared with 1904. On the other hand, the Prohibition vote reveals quite a percentage of increase.

Upon the whole, the presidential vote cast in California in 1908, as in other States, demonstrates that the people were really in earnest

notwithstanding the absence in the campaign of brass bands, red fire and large campaign funds. The "indifference" about which we heard so much before the polling was not reflected in the vote cast.

A Sale of News Space Confessed.

In the San Francisco Chronicle of November 24th, on the fifth page, third column, appeared an article of which the introduction is as follows:

"In sustaining the demurrer of Contractor Woodruff in the case of Barron vs. Woodruff Company, Judge Sewell found that Mrs. Barron had no cause of action for the alleged excessive cost of the Bellevue Hotel. Attorney Walter H. Linforth who defended the suit for Woodruff, succeeded in bringing out the true facts. It was clearly shown that young Woodruff, the architect, was acting in good faith for his client and that her financial embarrassment in erecting the Bellevue was due to the stupidity of her advisers. Woodruff's side of the case seems to be as follows:"

Then follows Woodruff's version of the facts in the case, as it "seems" to be. The first four columns on this page are, apparently, news columns. The head over the item is in different type in each column, but there is nothing to indicate that any of them are other than news heads. As a matter of fact, the long article in the third column (referred to above) is a paid communication that discusses a recent court ruling sustaining a demurrer in a case that is still undecided by the courts, and this discussion is wholly in support of one side of that case. But there is nothing in the physical appearance of the article to indicate that it is other than an impartial reporter's version of the facts.

On the following day (November 25th) after protest by the Barron Estate Company, the Chronicle, under the same style of heading, on page 3, printed the following bald admission of the sale of its news columns the day before:

"In yesterday's Chronicle an article appeared under the main heading, 'Woodruff Reveals Bellevue Facts.' This article was prepared by Woodruff, his agent or attorney, and was published at his expense.

"The Chronicle is in receipt of the following letter from the Barron Estate Company:"

Here follows a letter from the Barron Estate Company denying the assertions made in the Woodruff article of the day before.

San Jose, Arbiter of Autos.

The New York Star says: "Broadway's verdict used to settle the fate of a new automobile or a new model. Nowadays the manufacturer awaits the verdict of Des Moines, Ia.; Lincoln, Neb., and San Jose, Cal., says A. Leroy Pelletier.

"This may sound supercilious, but, seriously, the manufacturer who produces in large quantities, say 12,000 cars a year, could well afford to ignore Broadway and devote his attention to the immense demand of the Middle and Western States and the smaller cities. While the fact that our New York representative has contracted for 1,000 cars and could easily sell another 500 is a remarkable record in its way, it does not sound so formidable when we consider that the State of Iowa will take 2,000 of our cars, California 2,500 and the little city of San Jose, with a population of 24,000, has contracted for 100 cars—and the most of them are already sold at retail. Of course the big cities like Chicago, Philadelphia and San Francisco and a score of others are large users of cars, but the manufacturer could better afford to overlook the few places that take cars in hundreds than to ignore the thousand smaller cities that collectively consume a vastly larger quantity of automobiles and which demand high efficiency machines of moderate power rather than the speed monsters and faddish designs."

Asking.

Grant me each day the strength with which to labor.
Grant me each night the heart to take my rest.
Grant me to meet and gossip with a neighbor.
Discussion of the things we think are best.
For this our Country then I'll strive to scramble
Into the garden swing with all the kids.
To tuggle them up close and with them ramble
In Story Land to see if I can find their lids.

When they do wrong, or do better, a little.
Don't let me mope with such small offense.
Give me a sturdy temper and not brittle.
Grant me to be a clear and common sense;
Grant me to never suspect or to fumble.
Their small desires, or to eye them askance.
Grant me to soothe them when they feel a tumble,
To kiss their heads and dust their little pants.

To wait on them at table without fussing,
To hear their plates before I hear my own.
To bend my back upon their childish musing.
To answer always with the father tone;
And if they must to some small stretch or, other
Be what my little baby and child "fanned."
Grant me to leave them speaking to their mother,
Thus saving my heartstrings from being yanked.

Grant me to never be so busy reading
That I'll pass up their "Baby book" unreading.
Or pause to some of their childish musing.
The leaves, and, looking at them, grow, "What is it?"
Grant me to look and smiling say, "That's fine!"
Help me to grow old when they're a child,
To ask them in and to remain and dine.

I guess that that is all of my desiring.
Except that I am anxious to grow old;
I have to wish at all to be old or between
While I am young, with life's tale but half told;
To be with them while they are growing.
I long to lead them for a while I knew,
To help them up the ways they must be going.
Life's rocky way to wear and help them through.

Then at the last to go my way laughing,
With eyes aching while I bid them good-bye,
Glad to the last life's cup was mine for quaffing,
Even in my faith. It truly seems that I
Am asking much but just so we're together
We all of us can stand whatever may hap
In wind or rain, or any kind of weather.
If they are smothered in their daddy's lap.
Judd Mortimer Lewis in Houston Post.

Miss Arvey and I, as she can't but acknowledge,
Were, in years gone by, in the same class at college.
But she makes it quite plain to her still, chilly brow,
When we meet, that we're not in the same class now.
—Cleveland Leader.

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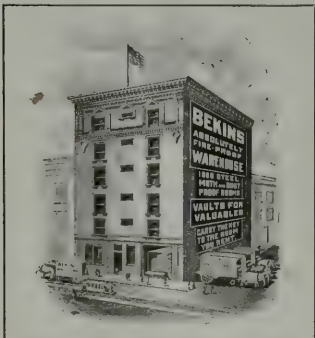
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The Theatre and the Modern Play.

The writer is one of that unhappy company who, having indulged in youth an inordinate enthusiasm for the theatre, finds now, in the chill, early forties, that the glamor has vanished; that the stage offers, on the occasion of infrequent visits, a paucity of reward.

I recall the moment when the last frayed veil of illusion was torn down and ruthlessly trampled upon. I had gone with an old friend to witness the performance of a highly successful young actress, a charming woman, who read the lines of Shakespeare quite as though they had been written by Mr. W. D. Howells; and this old friend, who had been my preceptor, who had nursed my passion for the stage; who had (illegitimately enough perhaps) planted the seed of that passion in the immature breast of a child of seven, filling my head with the glorious traditions of Macready, Forrest, and the elder Booth—well, she rose at that charged moment, and dragging me forth from the play-house, in her revolt at such decadence, cried, for the house to hear, "My dear, my dear, they're giving us cat's victuals!"

It has been pretty continuously "cats' victuals" ever since; and yet my old preceptor had voiced her protest against the mere misreading of a classic; she had but caught the buff of the first great wave of mediocrity, in the person of a popular star. She did not live to witness the relegation of the classic drama; nor to struggle in the full flood of mediocrities, who have swamped the American stage with their incapacity.

Yet in spite of all these pretty women, these unschooled, unintelligent young men, and in spite of a commercial management that has inflicted them upon us, there is a new hope for the stage. This hope forms itself in the effort of a small group of play-writers, who are now contributing, who are forcing their way to a public hearing and proving that a public is ready, is, in fact, eager, for a serious drama.

This revival in play-writing is due, of course, to the efforts of Hendrik Ibsen. He it was who burst the bonds of Berlin wool and embroidered garters that were strangling dramatic art and he it was who dragged her out (with the violence of the revolutionist) and turned upon her the searchlight of truth. I speak of Ibsen's conception of truth as a searchlight; it was a specialized form of truth that he handled. There was something hard and bitter in the old man, and the fruit of his labor was hard and bitter. He turned the light of what truth was in him, upon corruption—upon the pitiful tangles of human life. He did not see truth as broadly as does the sun, that throws its beams with equal justice upon corruption and upon innocent beauty; nor did he perceive how in the wide prospect the beauty overwhelms the corruption. That sanity, that balance of vision, is the genius of Shakespeare, of Moliere; and is, all unconsciously, the normal possession of the great mass of men and women in the world, who, without its grace, would find life to be an unbearable infliction.

Taking into full consideration the limitations of Ibsen, he remains the master-builder of the modern drama and our debt to him is consequently great. His disciples have, for the most part, taken over his astigmatism along with his methods, and having none of his genius have merely served to keep alive his zest in the problem of bringing contemporary life upon the stage and of stimulating the public mind to its truths.

The foremost of his disciples—Mr. Bernard Shaw—has substituted his own whimsical obliquity of vision for his master's tense outlook upon life, and Shaw has really contributed sanity to the modern drama, through the balance of his humor (even though that

humor has too often been merely the carrying of his tongue in his cheek). Interestingly enough, before Ibsen or Shaw were heard of in America, we had our own simple pioneer making a way for the truth. Had Hearn lived until to-day, the opportunity that he had tried so painfully to make for himself would have been freely offered his gifts, and we should have known the full measure of his truthfulness—so richly intimated in certain pictures of American domestic life, in his play of "Shore Acres." His world would have been a clean vision of the clean truth.

Lilian Albertson, who made a hit in the dramatic sensation of the year, "Paid in Full," is a California girl, educated in the public schools of Fresno.

Dream of Country Life Dispelled.

Charley Sellars used to be somewhat of a harvester, says the Indianapolis News. Fifteen years ago he went with thrashing machines and participated in the arduous toil and the accompanying jollity of the erstwhile happy harvest. He has two long scars on his hands to prove that he got too close to the band cutter.

A dream of the country life was dispelled recently when he telephoned to his brother-in-law, W. O. Latta, in Morgan County, near Mooresville, and expressed a desire to go and help thrash the ripened grain.

"I'll come down and hold scads, if I can't do anything else," he remarked over the telephone.

"That's all done by machinery, now," came the answer.

"Well, then, I can feel the machine," he said.

"We got a self-feeder," came back over the wire.

"Anyhow, I guess I can get busy with a pitch-fork on the strawstack," said Sellars.

There was a laugh and the information that the straw was stacked by a blowing machine.

"Well," answered Sellars, the last straw of his anticipation broken, "I guess I can get in on the big harvest-time dinner."

"No," came the reply, "the job is by contract; the men all bring their dinners. We don't have to cook for the help."

The city harvester who had been weaned away from the farm was nonplussed when this last illusion was dispelled.

"I'm coming down, anyhow," he said, defiantly. "I can sit back and smoke a cigar with you while your machinery gives an exhibition of what times used to be."

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An After-Dinner Thought.

Oh! my, sugar, how seek I feel
From somethink I have ate,
I had n't nought on my meal
Dat wassa catch' too late!
Oh! my, dat souka feetha thering
Could make me lassa change!
Dees morra I could dance an' seeng,
Dat now, I feel somethink strange.
I no can 'tand to beeziness,
Dat souka theroonk here;
An' w'at I theroonk you neeva guess
Bet ces so vera queer.
I noo go on my noddie, my noddie man
Dat ces da first to com.
For munda deesa granda lassa
Cafodato Quindoo.
Ees Dagoman like me, you know
Ees yes, yes, but w'at, Sugar,
I tal you somethink, melassa so,
You neeva hear bayfow.
I theroonk upon Colombia w'en
He beg hees Queen dat
Would jasta geeve hem sheeps an' men
For help hem cross da sea;
But could no gat da things hee need,
How much he coos an' beg,
Outeed she see da thering hee deed
Weeth jasta lettia eed.
Alas, my friend, so you have read
An' know da story, too?
I tal dat souka story, head,
Like no man else could do!
An' so da Queen she clap her ban's
An' tal Colombia, "You do!"
"Now you can go for mid dose lan's,
I geese you sheeps an' men!"
You know w'at happen after dat,
Ees, indolence me to say I
But here ces souka thought I gat
Eeside my head to-day.
Sugard, I ask you him suppose
You theroonk he bust was bad!
You theroonk he bust would had her nose
An' souka just as glad!
You theroonk she goin' tal Colombia!
She geese hem sheeps an' men, "Sough
An' exaltation he need to com!"
You had my life, not mouch!"
I tal you red dat egg was bad
As deesa taste I gat.
Colombia, munda, woulda had
Souka trouble after dat.
Dees lan' where now we are so glad
Would no be here, Sugar,
T. A. Daly in Catholic Standard and Times

The Wild West.

The Wild West is a tradition in the real West, but appealing enough to the popular imagination to keep the Wild West shows alive. This is called to mind by the report that Buffalo Bill and Pawnee Bill are about to combine their attractions and tour together next season. The joke is that this report comes from the Hoffman House, New York, where Colonel Cody sat by the metropolitan campfire and mused on a bloodthirsty past.

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JUSTIN BLAIR, JR., Judge of the Superior Court of Conifer County, on the mountainous periphery of a far western State, would have been the last man to suppose that his private journeying had been the cue for action by any other person, either natural or corporate. Enroute to "the city," the State's metropolis, for a visit over Sunday with his father, mother and sisters, he shared the smoking compartment of a Pullman with one other passenger, who sat opposite him.

The man's face repelled him. Essentially clod-like—large, smooth-shaven, insensate and resistant—its very lack of beneficent expression suggested malevolence. This suggestion, however, was partially overcome when the man spoke by a profusion of good-humored shrewdness. For Blair to have balked at the offer of conversation would have been to offend the western canon. Politics, corporate influence, the local omnipotence of the Transcontinental Railroad, these served in turn, Blair mildly acquiescing, the other cynically asserting.

"Take this Inter-Ocean suit, up in Pineville, Conifer County, for example," continued the latter. "There's nothing to it. The Transcontinental can't afford to let in competition."

Blair gasped at the inference, and his dark, sensitive face flushed, hotly. The case had been tried before him and submitted that very day, upon briefs, to be presented later. His impulse was to declare himself and stop the discussion. But he yielded to the temptation of a first-hand examination of public opinion in the raw, or, at least, of one phase of it. For interest in the case was general, the admission to the State of a competitive common carrier depending upon the result and determining the people in favor of the plaintiff, the Inter-Ocean system. And, in spite of skillful clouding of the issue in court, the judge knew that the law and the equity coincided with the popular desire.

"As I understand it," he said, deprecatingly, "the Transcontinental is controlling the Pineville and Mining Pass Railway by means of a secret agreement, in effect a lease for twenty years, secured by proxies, irrevocable during that period, empowering its agent to vote a majority of the stock. This stock, however, has come into the hands of the Inter-Ocean system, which is planning entrance into the State over the Pineville and Mining Pass line, and which consequently, is seeking to enjoin the voting of the Transcontinental proxies, claiming that the contract of which they are a part is void, as being what the lawyers call 'ultra vires,' that is, beyond the power of the corporations to perform."

The man laughed with sinister significance. "Beyond the power!" His leer added an ugly quality to his sarcasm. "That's a good one! Beyond the power of the Transcontinental!"

"Certainly; legally beyond its power."

"Oh, legally? Well, the matter never ends there with the Transcontinental. There are ways, you know."

"No; I don't know."

The man answered slowly and distinctly, looking with suggestive gaze and lids tensely drawn to mere slits, directly into Blair's eyes.

"Suppose," he said, "the judge in this case were offered a seat on the Supreme Bench—the Transcontinental makes some of the judges, you know." Evidently Blair's pallor escaped him. "Or, suppose he preferred, after a decent interval, a place on the legal staff of the company, with a high salary. But," with a shrug of his massive shoulders, "a cash transaction would be the least difficult."

Sorry he had let the matter go so far, Blair would not, now, divulge his identity. His silence permitted the man to continue.

"I guess that judge is no fool. He knows he'll be credited with graft, however he decides."

BEYOND THE POWER

BY
JACOB BROWN

Written for The California Weekly.

So that was the light in which some people saw him. No doubt they envied him his opportunities. The thought roused his anger, which, however, he dared not show.

"See here," he blurted out, finally, "I happen to know this Judge Blair and I want to tell you that he is above any such proposition. He wouldn't even listen to it."

The man smiled again, with an accession of the sinister. But he appeared to consider the matter a moment in a new light.

"Well, you may be right. But let me tell you something," Blair's attention focused sharply. "The father of this young judge is the wholesale grocer—Blair & Co.—who gets all the contracts, and has got 'em for years, for provisioning certain State institutions. He's a grafter if the boy isn't. And if they can't buy the judge, they'll soak it to the old man. The Legislature is now in session and I guess there's no doubt about Transcontinental influence there. A commission to investigate alleged graft in State institutions would be an easy and popular stunt. How would your friend, the Judge, like to see his father under indictment and on the way to eating some of the rotten grub he's got rich out of?"

Appalled at the devilry this man's mind could conceive, Blair remembered that his father did, indeed, supply the State institutions. Anger raged within him, it throbbed in his temples and assaulted the throne of his speech; but he could not afford to give it outlet. He attempted to end the conversation.

"I'm sorry for you," he said; "you have such a poor view of human nature."

"I know what I'm talking about. The final decision in this case rests entirely with Judge Blair; there's a conflict of evidence and the law is as plain as a pike-staff—no chance for a new trial or for reversal. You take it from me that it's up to your young friend to choose his alternative pretty quick." The suavity of his voice had given place to a sharp, metallic emphasis. "The Transcontinental doesn't stop at trifles."

Though surprised at the knowledge of legal technicalities, Blair did not reply. Not daring to trust himself to speech, he ground his jaws together and looked, unseeing, out of the window.

The train slowed down. The man rose to his feet, gazed at the obsequious attention of a porter who came unsummoned, indicated his grip, which was carried from the compartment, and produced a card which Blair accepted, mechanically.

"I get off here. Good day—Judge Blair!"

Blair sprang to his feet, his slender frame quivering with rage. The man had known to whom he was speaking! Blair would have struck him in the face, but he was gone.

A glance at the card read:

B. C. WRINGE.

Those letters burned themselves into the innermost tissues of Blair's brain. B. C. Wringe: the man notorious in half a dozen states as the Transcontinental agent, arch

lobbyist, briber, "fixer" of senates and assemblies, of judges and juries, a man who never hesitated at work cut out for him, but who had been known, once, to complain publicly at having three legislatures "on his hands" at the same time.

And Blair knew that, without intention on his part and in the only way possible, he had been made to listen to a proposition from the Transcontinental—a "proposition," an offer of a bribe to be named by himself, and a threat!

Had the latter concerned himself only, it would hardly have had effect, other than to have aroused his pugnacity. The implication of those dearest to him, however, the mere hinting of disgrace for the two whose heads had whitened while he had grown to the time of life at which they had first heard his childish voicing of their parentage, struck other and different chords. He reached home in a mental and physical fog.

In the evening he went to the theater with his sisters. The play—"The Lion and the Mouse"—presented the rending spectacle of the threatened wreck of an honorable career, with the sorrow and heartbreak of those whose love and dependence were not meant for struggle with the cruelty and power which struck at them. He wondered whether the two beside him could face such a situation with the courage of the girl in the play. The older, he knew, would rise on the wings of those alluring ideals with whose serious expression in big, soul-disclosing eyes, and voice vibrant with untold emotion, he had so often agreed, smiling a little, always, at her concern for his approval. The other, with the golden hair and dimpled mouth, whose undoubted joy of living had sometimes seemed to him tinged with a vague premonition of disaster, how would she sustain such a blow? The play, gripping the hearts of the people, held him brutally enthralled. He lay, an hour, awake, after he had gone to bed in the room of his boyhood, before his common sense returned and, with a gibe at himself for a trembling fool, he fell asleep.

The morning found him inclined to scoff at what he termed his idioy. He breakfasted with his parents and felt, again, the force that radiated from his father, physical, perhaps, in its origin, but, none the less, spiritually stimulating. Also, he welcomed the quiet, maternal solicitude which looked to his special wants of food and questioned his bachelor care for himself. To them, and to every soothing comfort and luxury of the home they had created, he yielded himself, and, as a child, felt secure, from every ill. Mammoth Sunday papers followed. He read and smoked with his father on a sheltered porch looking upon a smooth garden, sun-sprinkled through over-hanging leaves.

What nonsense had he been thinking over night, he asked himself. He was old enough to know an empty threat for what it was, a bluff based upon nothing but—but what? Appearances? Yes; there was that much to sustain it. Anything more than that? He stole a look at his father and appraised a deal of energy and shrewdness, of business acumen and success, a man capable of getting much of anything he desired. But as for getting it dishonestly? It could not be. He would tell him the whole story and witness his outburst of honest indignation.

"Father."

A lump rose suddenly in his throat. Was it for him to say that the father's alleged grafting was being held over the son's head as a threat? He was glad that the old man's interest in his paper was not disturbed by his negligent, "Yes?"

Still, he wanted his doubt, his little, gibbering, utterly shameful doubt cast out. How could he put the question?

His father finished what he had been reading and looked up.

"What did you want to say, son?"

"What should he say? He felt that he was slandering the source of all he had or was in life.

"People say, father, that you—that you get the State contracts by grafting."
"Do the folks think I've done politics for twenty years for my health?"

As if irritated at the silliness of the question, Blair, Sr., the man of affairs—Blair & Co.—gave his paper a slap and resumed his reading. Blair, Jr., trembled in his chair.

During the remainder of his stay, the beautiful home, the mother face, lined by a generation of goodness of thought and effort, the idealism and the sadly prescient gaiety of either of his sisters, his father's rugged pride of achievement, all seemed meant only to give point and emphasis to imminent ruin. For the first time in his life he was glad to leave his home.

In Pineville, he found himself limited to a perfunctory activity. Whether on the bench or in pursuit of purely private ends, waking or sleeping, hideous imaginings assailed him with all the vividness of actuality. Dreaming, he stared, terror-stricken, at flaring headlines in the public press—"Justin Blair Indicted!" Wakefully tossing upon his bed, he fore-saw himself, no longer clad in crime, pleading before a jury twelve great stone faces, for his father's liberty. His mother's photograph, presentment of maternal peace, seemed blotched with agony. Fear in its most insidious and crushing form was laying incessant siege to the ramparts of his courage, seeking to disorganize, to undermine, to beat down the fortifications of his manhood.

The Inter-Ocean points and authorities were promptly filed; but the allotted time for the presentation of defendant's brief was exceeded and thrice and thrice by argument of counsel, as the judge surmised. He wondered whether the delay was due to the hope that Wringe, widely known through the papers to be at the State capital, might hear from him. He conceived that Wringe was awaiting his move.

But one day he heard, he could not doubt the source, from Wringe. His evening mail brought him a copy of one of the city dailies containing a dispatch, scored with blue pencil, informing its readers that a certain assemblyman, whose name was new to Blair but whose allegiance he could safely guess, was preparing a resolution calling for an investigation into the conduct of the State institutions and hinting at an enormous waste of public funds to be uncovered. He recognized the sheet as the inspired organ of the Transcontinental.

Hitherto, Blair, tied to the post, had but known the upraised whip. Now he felt the first cut of the lash—and he winced. After all, he thought, were it not the manlier part to yield and leave the hearts at home from breaking? Was not a man's first duty—was this mere instinct persistent from the days of the clan—to his family, the fundamental unit of society? Had social evolution yet accomplished that shift of emphasis which glorifies the individual and the State? Blair's brain, dependent upon a sickening body, reeled under these conundrums.

A day later, the local attorney who attended to such matters for the defense came to him with a prepared order for an extension of time. He promptly declined to sign it; he would not answer for himself were the strain to continue much longer. His refusal necessitated the filing of the paper within three days, and he could confidently expect the reply thereto within a week thereafter. Devoutly he desired strength.

But, steadily, he was drawn to the idea of sacrificing himself, his hopes for a career, his own and his fellows' respect, upon the altar of his filial and fraternal love. Sacrifice, unsullied by any acceptance of favor, made strong appeal to his nature; and, finally, harassed as

he was and ailing, in body if not in mind, he came to feel that such a solution of his trouble would insure his peace of mind.

On a Friday afternoon he entered his courtroom a little later than the hour set for the continuance of an important criminal trial. The idle, the merely curious and many others crowded the benches. He hurried into his private chambers to divest himself of his hat and overcoat.

There, without warning, he was confronted again by B. C. Wringe. The man had the faculty and the resources for moving about unheralded and unsuspected. Blair cringed, inwardly, at sight of the calm but terrible countenance. The man answered his look of startled inquiry.

"Your bailiff admitted me here."

"How much did you pay him?"

Wringe laughed, heavily but silently. He did not waste time however.

"What you going to do about this Pineville and Mining Pass business?"

"What are you going to do?"

Blair's tone was cool and not defiant. Wringe took the cue to recount with greater specifications his offers and his threat; "The interests he represented"—a note of caution was perceptible—would be generous or they would be merciless, in the latter event the wires were already laid. Blair let him talk; the objectivity of the encounter was stimulating.

The situation had long ceased to be a mere legal test of corporate capacity. The very fate of the Republic trembled in the balance. Was it, or was it not beyond the power of wealth or influence or big business to override, to defy the law? Could favor or farther-reaching fear corrupt the guardians of the common good? Blair had enough strength remaining to enable him to see the true lineaments of the question, "the great interrogation" of democracy.

And, suddenly, he bethought him what day it was. Was not Friday the day for filing of defendants' brief? He called his clerk and asked whether the paper had been received. It had; the clerk brought it to him. It was not voluminous. Ignoring Wringe, the judge read it through carefully, his mind clearer than it had been for days. Then, he rose to his feet and, opening the door into the courtroom, motioned his visitor to precede him.

Outside, Wringe, vainly seeking obscurity, took a vacant chair among the lawyers. The judge ascended the bench, whence some subtle telepathy apprised the attentive crowd of the importance of the moment. He spoke in a voice that everyone could hear.

"Mr. Clerk, in the case of The Inter-Ocean Railroad Co. vs. The Transcontinental Railroad Co., et al., an injunction granted as prayed for. Kindly enter the order and notify counsel to prepare the requisite papers."

Vigorous approval buzzed suddenly from the crowd, and a tentative clapping was heard, ceasing, however, at the sharp rap of the bailiff's gavel. The judge nodded to the waiting attorneys.

"Proceed, gentlemen."

Wringe strode from the court-room.

Next morning, over many a cup of coffee, in town and country, it was noted, knowingly, that another apostle of the square deal had risen among the people.

But, though Blair had slept better than he had of late, he had no joy of the morning. He meant to go as soon as possible to his father to prepare for what was coming. He could at least fight for him with clean, unhampered hands.

Before noon he received a telegram:

"Take next train home.

"Justin Blair."

Trouble, he thought, was always an early guest. And then it occurred to him that, in all probability his father had, long since, been apprised of his danger, in the very hope, per-

haps, that he would influence the decision. "The grand old dad!" It had been square of him to await the announcement of the decree.

Father and son met at the city depot in the evening. The old man's face was aglow, pride mingled with affection in his glance, and fierce approval sounded in his voice. He slapped "his boy"—can a father ever forget the child in his own—on the back.

"Son, you're a brick! They couldn't reach you, though I know they must have tried."

"No, father, they couldn't reach me. But now they will turn on you. They mean to have a legislative commission to get evidence to—to indict you."

The father's face clouded, with puzzlement rather than with fear. Then a light broke on him.

"Oh, they do, do they? So that was the game? You didn't scare at that little bluff, my boy?"

"But, father,"—Blair, Jr., apprehending relief, at last, and weaker than he had realized, from his struggle, was near to collapse—"father, you practically admitted—"

Blair, Sr., remembered his irritation and his light reply. He saw, too, the physical condition of the younger man.

"Son, I contribute heavily to party funds, and I do personal favors for candidates. I stand in with the machine and have put friends in charge of State institutions. 'Other things equal,' as they often are, I get the plums. That's the kind of a grafter I am. But I never made a corrupt bargain with a public servant in my life. Let 'em investigate and be damned to them! Come along home. Your mother is waiting dinner for you."

"Ah waken ter announce befoh de collexshun am taken up," said Parson Snowball, "dat Ah has totally convalesced from de cold dat Ah had las' week. Derfoh hit will not be necessary for de congregation ter put no moh cough lozengus in de contribushun box dis mawmin'."—Chicago News.

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OUR SCHOOL FOR CITIZENSHIP

Rooted in the Past.

It is useless to quarrel with human nature: Its discriminations are not always founded in an abundance of reason, but with all its limitations it is the raw material out of which governments must be made. One thing upon which human nature insists is that institutions, in order to be worthy of respect, and laws, in order to be worthy of obedience, must be rooted in the past and the roots must sink deep. If they extend into the prehistoric, as the roots of most of our institutions do, so much the better. In the whole realm of law there is no higher sanction than this: "It was ever thus," or "The memory of man runneth not to the contrary."

Our civilization and institutions are essentially Anglo-Saxon. We have drawn into our national life elements from all over the world, peoples from every land under the sun, and yet our institutions have continued to be, and still are, essentially Anglo-Saxon in spirit and origin. They have had that quality of prepotency which stamps upon progeny the characteristics of the progenitor.

Then who were the Angles and the Saxons? They were Dutchmen. Not Germans, but Dutch. They lived in the fogs and exposures of the North Sea and they fought for their heritage, not alone against other tribes that would have entered into their land to possess it, but they fought the sea and the rivers, and they won out. The weak ones perished, the strong ones developed a dogged determination that nothing could daunt. Each man had his own land-holding and family to provide for. That was an individual problem and made him to the last degree an individualist. But there were common enemies to repel and common obstacles to overcome. That taught them team work and made them collectively efficient. When they passed over into England they swept all before them and impressed their dominant characteristics upon all who came within their sphere of influence, whether as conquerors or conquered. With their backs against the twenty miles of turbulent waters which cut them off from Oriental-Occidental conflict, described in the last chapter, they were able to work out a civilization, much modified from time to time, but essentially their own. It is in that past that our institutions take their root and, so rooted, human nature has accorded them that homage which it ungrudgingly yields to pedigree.

It is, therefore, to this source that the rudiments of our deliberative assemblies are to be traced. Our Dutch forebears held their congresses and conventions under the oaks around a campfire and fully armed. When they were pleased with what was said they sprang to their feet, brandished their weapons and gave voice to their approval from whence came our applauding with handclapping and stamping of feet and canes. When displeased they growled hoarsely or sat in sullen silence, as we hiss or manifest our disapproval by "sitting tight," as "Fingy" Correns would express it.

It took hundreds of years to evolve out of these rude beginnings anything bearing a semblance to our courts, congresses, our jury system and executive mechanism for making laws and enforcing them, but at least the suggestion of every institution we have can be traced to the customs of a people as primitive in their mode of living as were our Indians at the discovery of America.

In the customs which grew up among our far-clad and rough-visaged Dutch progenitors the Common Law of England had its foundation. Justice was more stern than discrimination, more rigorous than merciful, and through

it all there ran a strain of pagan superstition by and by softened into reasonableness by the Christian religion, and cultivated into humaneness by William of Normandy and those who followed in his train.

William and his Normans were not, as many suppose, Franks or Frenchmen. They also were "Northmen," of an origin similar to that of the Norsemen who so often invaded Great Britain and so completely amalgamated with the earlier Saxons and Angles. Minnesota and the Dakotas, replenished from Norway, Sweden, and Denmark, are the first among our Western States to throw off the yoke of corporation domination and reassert the governing function of the middle-class man. The history of the centuries preceding 1066, in England, is being repeated on a grander, broader, more enlightened scale in the great Northwest in this twentieth century, and it had been better for California had that Norse tide swept to the southwest as well as to the northwest. California would have become a freer State than it now is.

This retrospect, as well as that of last week, has been deemed needful as a background for investigating the origin of our constitutions, State and National, and it will have been justified, if for no other reason, then because it is written in human nature itself that institutions and laws, to be worthy of obedience, must root in the past and the more slow the growth the longer their life.

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THE RUEF VERDICT.

The true significance of the verdict of guilty in the Ruef case should not escape the attention of any thoughtful person. It was a dearly bought triumph. It was obtained only by marshaling upon the side of justice every element of righteousness in the community life, and it involved the defeat of every element making for the subversion of orderly government which predatory wealth, cowardly cunning and stupid indifference to the public welfare could bring into opposition, whereas justice should have been meted out in a few days and with the certainty of the precession of the equinoxes. The battle is not yet won. We are yet to see whether cloistered devotees of an abstract and unrealizable philosophy of the law are to potter over the crossing of t's and dotting of i's while the foundation platform of social order breaks up under their feet and the planks go swirling away in a flood tide of disorder. This city and State could scarcely withstand a second appellate reversal of the Ruef verdict. Such reversal might not result in overt act, as it probably would not, but it would induce that hopelessness of being able to execute the law against an organized and predatory plutocracy that must disintegrate and cause to degenerate the fibre of our social constitution and tend to make every man his own avenger, each citizen the redresser of his own wrong. Compared with such a degradation of the moral fibre a season of mob violence and summary vindication of popular ideals of justice would be as a whirlwind compared to a pestilence. Let us not too much exult over the conviction of Abe Ruef. Of itself it is not much. It is a successful skirmish in advance of a main battle that may decide the fate of a civilization. The most that is to be hoped for is that the skirmish result in seizing and holding the key to the strategic situation. This is not, in very essence, a case of ascertaining the guilt or innocence of accused persons. With two or three exceptions, where indicted persons claim constructive rather than absolute innocence, there is no pretense that any indicted person did not pay money for the votes of the Ruef board of supervisors. The issue is that of being able to establish under the artificial and intricate rules of a moribund judicial system the legal guilt of men who do not, extra-judicially, deny their guilt, but who unite with every untoward human element to break down the law and escape punishment in spite of guilt. The one element of sound encouragement in the Ruef verdict is this: At every crucial

struggle between the forces of righteousness and the hosts of corruption civic righteousness has gained the day. It will win in the end or it will so overthrow the existing rules of the legal game as to leave not a wrack behind.

VOTERS LEAD ADVANCE.

While theoretical discussions progress regarding the ways and means of securing a non-partisan judiciary, the voters of California have been acting, and already they have achieved a creditable degree of success in that direction. They came within measurable distance of electing a Democratic candidate for justice of the supreme court over a popular Republican, and they would have elected him but for the overwhelming character of the Taft landslide.

Our supreme court is now made up of seven Republicans, and it is no disrespect to these eminent gentlemen to say that it would be a good thing to have upon it once more a Democratic Temple, McKinstry or McKee.

In Republican counties the choice of Democrats for superior judges is no new thing, but in the election of last November it was carried further than ever before, and it is notable that even the "organization" has so far overcome its squeamishness as to recognize and accept the situation. For example, in San Bernardino County, where party politics is not child's play, they have long had one Republican and one Democratic judge. Two years ago the Republicans indorsed Judge Bledsoe, Democrat, and he was chosen without opposition. This year the Democrats returned the compliment by indorsing Judge F. F. Oster, Republican. Thus two excellent judges are retained on the bench by general consent.

San Joaquin is another county in which politics can be as bitter as anywhere, but the party conventions this year agreed to re-nominate Judge Frank H. Smith, a Republican, and Judge W. B. Nutter, a Democrat, who were consequently re-elected without dissent of any of the voters. Sacramento County, which is usually strongly Republican, has for years had upon the bench two highly esteemed Democratic lawyers, Judge P. J. Shields and Judge J. W. Hughes.

The only instance noticed in which the non-partisan principle has been markedly departed from is in Santa Clara County, where Judge M. H. Hyland has just been displaced by a Republican, Mr. P. F. Gosbey. Whenever public sentiment universally demands a non-political and non-partisan judiciary that demand will be universally obeyed. The people, not the politicians, must lead the advance.

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THE MOST IMPORTANT RESULTS OBTAINED.

The most permanent and important result to flow from the great struggle with the graft cases in San Francisco is likely to be such a reconstruction of criminal procedure in California as will make justice speedily and certainly administered hereafter. The efforts here made to resist the power of the law seem likely to arm the law with the best instruments for upholding the law that the minds of our best men can devise. Henry Ach has done more than any other man to show the public to what lengths willingness to use the law for the overthrow of the law may be carried, and in doing this he has performed a public service, for which service he is, however, entitled to not the smallest credit. He has wrought the worst he knew and has thus wrought, as have thousands of others beside him, because of a perverted conception of the duty an attorney may come to owe a client who is able to pay for the best, and worst, ability there is in an attorney. As a result of this exhibition of the worst that may be done under our criminal procedure, that procedure is likely to be revised and renovated if not made over. The public has been awakened to the bald, hard, cruel fact that, in the name of justice, justice may, except in the face of the most stern, determined, unflinching and long-enduring warfare to establish it, be overthrown and left to lie unsecured in the gutter.

Justice is going to triumph, at least substantially, in these graft cases, but our blind goddess has small reason to take flattering unction to her soul when it has taken 106 days to convict a person of a crime to the commission of which he has made, in advance, what amounted to a public confession of guilt.

The reader's attention is called to the recommendations of the Commonwealth Club, set forth almost in their entirety, elsewhere in this paper. To the ultra conservative these recommendations may seem far reaching, but it may be doubted if they go far enough. It is of little use to apply the knife to a cancer if all its roots are not to be taken out. The Commonwealth Club does not propose to assail any of those constitutional rights, which we are told so often, and with so much gravity, "have borne the test of time," which is exactly what they have not done. This is the opinion of Attorney-General Bonaparte, who is free to say that it is time to curtail some of these rights to the end that justice may be the more certainly established and for the reason that their effect has been to place society, rather than the accused, in need of protection.

It is true enough that our laws and procedure serve well enough, with the added and extra-legal aid of the sweating process as applied by police and detectives, to cause the conviction of fat-witted, blundering criminals who climb porches, break in through unfastened windows and knock belated pedestrians on the head. It is when society has to deal with the millionaire or the mob that the machinery of justice either breaks down or

THE STAFF

A. J. PILLSBURY.....Editor and Manager
CHESTER H. ROWELL.....Associate
A. J. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
O. BLACK.....Business Manager

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grinds its grist so slowly and expensively as to wear public patience out.

The case of society against the mob can wait a while longer, but sooner or later that issue must be taken up, too, fully heard and effectually dealt with. The pressing need is for equipping society for dealing with millionaires with predatory tendencies. Stripped of all generalities calculated to disguise the ugly fact from public view, that is the problem to which the League of Justice, the Commonwealth Club, the reputable members of the San Francisco Bar Association, all other agencies for the betterment of existing criminal conditions, are addressing themselves. Supported by an awakened State consciousness of need for a thorough-going reform of our criminal procedure, and sustained by an awakened public conscience that will tolerate nothing less than what the common good demands, the next two years in California should witness the establishment of justice on so firm a foundation that the hosts of Dives shall neither throw it down nor seriously hinder its processes.

STATE AND BANKS OF THE STATE.

There has been much pleasant talk about how the conservatism and cool-headedness of the managers of the banks of America tided the people of America in safety over a most critical period in our financial history. That cart was placed before the horse. As a blunt fact the banking system of this nation broke down one year ago and it was the conservatism and cool-headedness of the depositing public that tided the banks over a critical period in their financial history, but for which almost the last one of them would have gone to smash, and it would have required half a century to re-establish the business of banking in the confidence of the public. The bankers were in panic because they knew better than their depositors could know the desperate situation they were in, and the depositors were not in panic because they did not know. We are now far enough from the fact to be able to face it in frankness with safety. Our financial pyramid was caught standing upon its apex instead of upon its base, and that must not happen again.

It is the State's business to see to it that such a thing does not happen again in California, but it is more the business of the banks of the State than it is of

the State to see to it that it does not happen, and the banks are more likely to attend to the business than is the State. The banks are in business. The State is in politics. The banks are in earnest. The State trifles with nearly every public concern. The banks know how. Our State will, without a moment's hesitation, displace a man who knows how to make room for a political worker who knows nothing but the game of politics. It is to the banks that the public must look for protection from bad banking and, fortunately, the banks of California are exerting themselves to afford that protection.

The doctrine of responsibility of all the banks for the conduct of each of the banks is taking firm hold both upon bankers and depositors. Oklahoma has been the object of much ridicule because of an effort bravely made to apply the principle of bankers' responsibility for banking in the enactment of laws for guaranteeing bank deposits. It seems unlikely that the law will work out well, but there is a sound principle underlying it, and the bankers of Kansas, perceiving this, are asking the legislators to co-operate with them in the enactment of such laws as will permit all the banks of Kansas to guarantee the safety of each of the banks of Kansas and, that this may be done, to give all the banks power to supervise each of the banks.

Why may not something of like nature be done in California? Our banks, acting co-operatively, have devised and are putting into operation a system of extra legal bank inspection. The banks have done this because the State system has broken down, and the State system of bank inspection has broken down because positions were filled with political odd-jobs men instead of bankers. Until California shall have emancipated itself from corporate control any system of bank inspection the State may devise will break down as often as strain is put upon it.

Is it too much to hope that a united public sentiment may get behind the bankers' system of bank inspection and make it a legalized State system? The political powers-that-be place political control of California above every other consideration, above the safety of banking, the establishment of justice, the preservation of order and all other purposes for which governments are established among men. As long as this is so nothing is to be hoped from a State system of bank inspection. Per contra, everything is to be hoped from a united bankers' inspection of banks, for the reason that the experiences of 1907 taught bankers that the future of banking depended upon a co-operation of banks for the protection of banking. Any system that will safeguard banking will safeguard depositors in banks. Why not give the bankers' system of bank inspection the sanction of lawful authority and thereby make that system the State system? In no other way, until California is emancipated, can a State system of bank inspection be relied upon to do anything except spend money and furnish jobs for political gentlemen who cannot furnish jobs for themselves.

THE MIDDLE CLASS MAN.

In a land that patriotically resents even a hypothetical resolving of society into classes it may be taken as invasions to refer to any "middle class" man, and yet there is such a man. Speaking broadly he is the man who has to earn his living. His father did not earn it for him. He has not, by organizing great industrial or commercial agencies, taken to himself the earnings of others. That implies the possession of a high degree of initiative and of executive ability, attributes which the middle class man possesses only in middle-class degree. Above the middle-class man is the exceptional man, the man with exceptional powers of initiation and execution; the man with inherited wealth and the man who has given his life to a professional study and pursuit of art, science or literature. Below the middle-class man are all those who fail to pull their own weight in the world. Their name is legion.

Nearly all the problems which vex society have their sources above or below the middle-class man. From above come the problems of predatory wealth, of a scholastic predilection for getting out of touch with the world that is, of the ambitions of men intoxicated with love of power. From below come the problems of poverty and of a pig-headed and brutish criminality. Problems of this class are the more easily dealt with and yet so difficult are they that if 10 per cent. of the population were paupers or criminals chaos would reign. Those social problems of a more common quality which keep us all so busy are propounded to us by far less than two persons out of the hundred, almost by the hundredth man.

The middle class-man can, of himself, despite his numbers, do little toward solving social problems. He lacks initiative and executive effectiveness. He can grumble and bear burdens like the camel, but he can no more lighten his load than can the camel although, like the camel, he is capable upon occasion of turning upon his persecutor and reducing him to a pulp. On the other hand, nothing in the way of solving social problems can be accomplished without the middle-class man or until he gets ready to act. He has the ballot and he is the repository of that public sentiment without which nothing can be done. Once get the middle-class man into action and nothing can stand before him, but to get him into action is the problem of all social problems.

In dealing with social problems that come up from below, the middle-class man has the aid of the upper-class or exceptional man and the two together hold the lower stratum in wholesome check if nothing more; but in dealing with problems handed down to him from above, the most that the middle-class man can hope for is the aid of a portion of the upper-class on an issue of right and, so reinforced, overthrow the portion that is wrong. There is open to him no other hope. A united upper, or power-holding, class may pile the burden on until the pulp-making mania lays hold on the burden bearer. After which, chaos. The

one need of the middle-class man is leadership, and leadership must, in the main, come down from above. Its sources are in the greater initiative, executive capacity and special knowledge which characterize those above the middle-class line.

Now The California Weekly was especially designed to reach and help the middle-class man. It is furnished at a price that he can afford to pay. It will deal with problems of vital interest to him and, if the aid of specially equipped men can be obtained, as hoped for, it will put him in possession of the best thought of the best leadership our coast affords. The middle-class man is judge and jury. His opinion is public opinion. Before this court The California Weekly hopes to bring many witnesses to testify regarding those things of which they do know to the end that this high court may be moved to take affirmative and remedial action. And to this end The California Weekly will ever strive. It is only by this method that things can be made better than they are.

B. F. Youakim affirms that the Middle West alone needs 100,000 miles of railroad. No doubt of it, and just as soon as the investing public can be assured that the money advanced for building railroads will be used for building railroads instead of baronial castles on the Hudson, the cash will be forthcoming.

* * *

There are signs of rebellion in the United States Senate and it is declared that the "Young Turks" have risen against the "Gray Wolves" and are giving them no little concern. There are vested wrongs in the upper house of which it needs to be divested.

* * *

Kansas cities' can have government by commission if they want it simply by petitioning for it this winter and voting for it next spring. There is no need for waiting for a State legislature to give its solemn sanction to the revised charter, as in California, where it is done in a jiffy without a single legislator knowing a thing that is in any charter or caring what is in it. The requirement of legislative sanction for city charter changes has no other effect than to interpose two years of delay between the citizens of a city and home rule in that city. Cut it out.

* * *

The straightest tip yet indicates that Senator Philander C. Knox will succeed Elihu Root as Secretary of State when the Taft administration comes in. Knox is an attorney who will stick to his client as long as his client remains a client and Uncle Sam will do well to close a four-year contract with him.

Let no citizen solace himself with the thought that the grafters have "thrown up the sponge" and concluded to "take their medicine." The inside of a prison has no greater charms for them than it had from the first, and they will fight for liberty as fiercely as ever patriots fought for it. They will surrender to superior force and to nothing else.

The Deeper Significance : : : : of Living : : : :

The park concert was closing as the passer-by stopped to listen to the music and watch the crowd. "America," the hand-struck, up, and the people, by the impulse of custom, rose to their feet. The observer felt an instinctive thrill of realization of the glory of the nation and the history to which this custom is a tribute. He looked up, and there was Sirius, glowing in the southern sky. Instantly the impulse of mere patriotism seemed small. What is patriotism, or the emotion that inspires it, in the far perspective of the Universe? Our very sun is but a spark, and the life of the human race is less than one expiring flicker of the least mote cast from that spark. Patriotism is a microscopic recognition of membership in one microscopic colony of bacteria on that mote, in the brief moment of its transition from lifeless heat to lifeless cold. There is nothing so minute as the infinite littleness of man—except the infinite greatness of the standard by which he measures that littleness.

Who am I, an atom on a mote, that I should presume to gaze on the face of God? But who am I, sitting in spirit on the throne of the universe, that from an infinite view I should look down on my infinitesimal nothingness? The journey of a ray of light may be twenty thousand years, but the mind and the vision of man can sweep the circle of the galaxy in an instant. The very light, by which we now see that misty globe, started on its journey before the dawn of human history, and the spark our sun sends back may not reach the outer circle before the tale of man is blotted out. But in all its journey that light does not encounter one thought, one aspiration, one right or wrong, except it enter the eye that leads to a human soul. In all the universe the only things that can grasp that galaxy as one structure are the force of gravitation, the mind of man and the spirit of God. If each thing is as great as the greatest thing it can contain, then the human soul, which grasps the universe and its meaning, is greater than that universe and as great as its Meaning—God.

Quite literally all things are infinite. The very course of the raindrop is determined by the nexus of all the cosmic forces. Each atom is the resultant of the infinite sum of all atoms, divided by the infinite number of those atoms. It is more than an abstract mathematical formula that "infinity divided by infinity equals one." It is the actual physical law of each thing in the universe, the cause and determinant of its unity. But in the case of all individual things save one, the infinity of the two factors is lost in the unity of the result. By the law of gravitation, each atom attracts all the other atoms, and is attracted by them. But the net result is just one atom. As each point, mathematically, is the focus of an infinite number of lines, so each atom, physically, is the impingement of an infinite nexus of forces; that is, what is the unity and unity constitutes its existence. Infinite forces, infinitely divided, make the physical unit.

But in the unity of the human soul, both factors retain their infinity. When man places himself in spirit like a seraph on the heights of the universe, and looks down on himself as a microbe, crawling on a mote, he is expressly conscious of both factors. The infiniteness of the seraph, multiplied by the nothingness of the microbe, makes the individuality of the man. And the humility of his nothingness is reached by measuring himself by infinity. The mountain is not proud and the worm is not humble, but man is both; and in the pride of lordship and the humility of wormship he is alike conscious of his unique place, made in the image of God, and of his unique duty, to aspire to the likeness of God.

The music stopped; the crowd scattered; a little child tugged at the observer's finger. "Come home to Mamma." From the spectacle sweep of the universe back to the common things of life, the seraph found himself suddenly only a man. But the love of the Child and the Mother were infinite still—the very embodied mystery of Creation.

"Not Guilty" Not a Vindication.

Ordinarily a verdict of "not guilty" entitles the recipient of it to be received into society as though no charge had ever been preferred against him. This is merciful and magnanimous, but circumstances alter cases. Under the rules of the judicial game juries are sometimes forced to return a verdict of "not guilty" when "not proven" would come nearer to stating the truth. The burden of proof is properly put upon the State, but there are cases where the facts are so in the possession of the defendant that the inability of the State to make out its case cannot rightfully entitle the accused to a vindication, though it may entitle him to an acquittal. We may instance the trolley cases. In those cases the accused may settle themselves upon their haunches and say to the prosecution: "Go ahead with your condemned uttermost. We sit tight and say nothing," and so receive an acquittal, but so long as the auditor of the company remains with the cash book outside the jurisdiction of the court, and so long as the accused, who could go upon the stand and clear up the whole mystery of the \$250,000 in five minutes, do not do so, they can lay no claim to a vindication no matter how many times they are acquitted. So long as they refuse to make a clean breast of the whole business the public has the right to infer that making a clean breast of it would be tantamount to a plea of guilty.

A Kick That Arrived.

When, last year, the gray wolves of Congress forbade the Treasury Department detailing any of its secret service men to aid the work of any other department of government, Theodore, "he just lay low and say nothing" until the time came to make a kick that would be felt along the legislative spinal column from coccyx to medulla oblongata, and then he let drive. It hurt. He meant that it should, but Congress will not dare to say ouch. His suggestion that if members of Congress are fearful of being shadowed they may except themselves from espionage without excepting all the predatory rascals in the land from a much needed surveillance turned the laugh on the members of Congress. It put them hors de combat to start with. No one supposes that all members of Congress knew the effect and purpose of the amendment to the secret service appropriation item, but the gray wolves know. Joe Cannon knew and so did Foraker and the steering committees of both houses, and no better thing could have been done than to put the responsibility where it belongs and put it hard. Neither house will make the incident cause for a stand-up fight against the President. The country will laugh them out of court, and yet it is no laughing matter, this tying the hands of executive departments that the public domain may be robbed and the laws violated. No such limitation will be put upon the secret service hereafter. Every rascal will have to look out for himself without congressional interference. As for the men responsible for the outrage they have got their'n.

The Mystery Cleared Up.

California has had a State Railroad Commission ever since 1880. This is almost news. The last heard of it affirmatively was when the late Billy Foote adorned it with his presence. He made a noise like an avalanche, but since then the commission has been an oyster, whose oyster we'll not say. But it has been busy. All these years it has been extremely busy, as lately divulged, busy trying to find the true import, significance and potential value of the term, "conform." The commission has desired to safeguard the people of California from extortionate railroad charges, rebates and preferential perquisites, but whichever way they turned they were confronted by the word "conform" with a huge question mark after it. The State constitution affirms that, "Any railroad which shall refuse to 'conform' to such rates as shall be established by the commission," shall be visited with penalties dire, but how can the commission know whether the railroads conform or do not conform unless they know what it is to conform or not to conform? That is the question. From Cone and Beerstetcher to the "corking good" Colonel Loveland the commission has been stumped by its inability to find a satisfactory definition of the term "conform." The supreme court has declared that it does not mean "identical." The commission is sure that it cannot mean "perform," or "reform." Not knowing, the commission has marked time for twenty-nine years, at \$16,000 a year. What else could the good men do? The nearest they could come to it was "take program," and they have taken it. What possibilities sometimes hang upon a word?

Will Keep Hands Off.

It has been given out so many times that the Southern Pacific's political bureau will keep hands off the impending contest against the race-track evil that one may be justified in accepting it as that bureau's present intention. Suffer not the moral significance of the statement to escape attention. The declaration is not that this puissant bureau, convinced of the iniquity of a sure-thing gambling that is filling prisons with thieves and graves with suicides, will throw its influence against the evil and lend its aid to making it an outlaw. Oh! no, not that. It will merely turn its legislative bondmen free on that issue, stand to one side and view the fight, "go it Betsy, go it bear." While this lacks much of being an exemplary championship of the right against the wrong it may properly be accepted as the highest manifestation of public morality yet afforded by the political bureau of the Southern Pacific Company. In fact the stand thus taken is exalted to such an unwonted degree as to make it reasonably safe to venture dollars against doughnuts that before the legislative session is half over the influence of the Herrin push will be found marshaled on the race-track side of the race-track issue. But, accepted at its best, with full faith and credit, how is this promise to keep hands off to be viewed as a standard of civic morality?

Men Who Adorn the Bar.

At a time when the whole judicial system is being weighed and found wanting, when the conviction is forced upon the public mind that many attorneys have sought admission to the bar that they might the more safely practice rascality rather than law, it is a relief to the mind and a relaxation to the feelings to turn about and face the fact that the profession of the law has men who practice law that they may establish, not defeat, justice. Such a man was John Garber. When he stood at the bar to advise the court as to what was the law he gave the soundest advice he had to give, and he acknowledged no duty to a client that obliged him to mislead the court, the jury, or the public beyond both court and jury. There are other attorneys in San Francisco and throughout the State, less gifted perchance than John Garber, who throw the measure of the ability they have in the scale for the establishment of justice, equally and speedily. It is the exceptional attorney, perhaps the one Judas out of every twelve, who seeks to use the law to break down the law and, verily, these are known for what they are almost to the school children they pass upon the street. They have their reward, but it is not such as most men covet.

The Case of George D. Collins.

George D. Collins is an obstructor of justice and little else. He has rarely been successful in getting guilty clients out of the clutches of the law but he has the record of keeping them in the county jail, preparatory to their going to state prison, longer than the clients of any other attorney. In fact he has made a purgatory out of the county jail preparatory to the Hades at Folsom, and is himself now getting the full acclimatization benefit of the way-station. But his career serves to show what a mere cunning obstructionist, without wealth or friends, may do to block the wheels of justice. A brief review of the case against him, to be found in another column, will repay careful reading for this reason alone. It is probable that he will ultimately land in prison to serve his allotted term, but the delays he has forced in getting him there have proven exasperating to the community at large. They ought not to be possible but, add to this possibility the possession of great wealth and the backing of influential friends, and the law would be almost certain to be defeated of its vindication. Our procedures have advanced from the simple to the complex with entirely too much complexity.

Railroads entering large cities are investigating the possibilities of electrifying their plants inside city limits out of deference to the growing sentiment against belching smokestacks and bellowing whistles. The anti-smoke movement will reach this coast sooner or later, and the sooner the better. Coal costs money here and to paint the landscape with it as lavishly as we do is an economic extravagance as well as an invasion of private rights.

KEYS TO THE CHARACTER OF ROOSEVELT

By JACOB BROWN.

One signing himself "K," who has had both official and social opportunity for observing Theodore Roosevelt, "relieves his mind" on the subject in the American Magazine, for April, 1908, using the "psychological key" provided by Professor James of Harvard, for unlocking the—to him—hitherto unpickable character of our strenuous President. The "key" is the proposition that most men suffer from a habit of unnecessary inferiority, due to their failure to "energize" to the full extent of their capacities; the door of explanation opening upon a man "just like one of us," a man whose "command of his capacities is even more remarkable than the capacities themselves," one who, "in no one of his varied faculties, except in this faculty of 'energizing,' is . . . a remarkable man." Roosevelt, announces "K," does not give one "a peculiar feeling of greatness," as do many men of "far less fame;" he does not suggest "genius which is above and beyond the reach of mere human capacity."

This is, undoubtedly, comforting—as far as it goes. The Roosevelt result, however, "K" admits, is dependent upon "the supreme development of the human will," and he justly lauds the "perseverance and practice" by which "the most interesting personality before the American people" has "killed all kinds of game" and brought himself to the White House. The thesis explains much of Roosevelt's greatness, and "K" is to be thanked for a most entertaining application of a valuable formula to a conspicuous and eminent example.

In assuming, however, that he has explained the entire phenomenon—the word may be permitted—he has failed to bear in mind the limitations of a single point of view. The telescope and camera reveal the form and lineaments of a planet; the spectroscope is required for the discovery of its component elements. Thus, the "energizing" hypothesis discloses the method by which Theodore Roosevelt has been enabled to express his personality in action to the limit of his powers, and as circumstances have required. In attributing the full effect achieved, however, solely to this cause, "K" has been led into error. Something more, other points of view, are requisite in order to a complete understanding of the matter.

"K" denies "vision" to Roosevelt, refuses to classify him as "a thinker," calls him "a reporter" rather than "a prophet," and attributes his success to "energized commonness," to a strenuous following of popular opinion, and instinctive rather than reasoned articulation of popular desires. But does this thoroughly explain our President and his achievements?

It is a wise generation which knows its own geniuses—instances of military glory to the contrary notwithstanding. It required the suddenness of tragedy to awaken the world and even his official intimates to the real greatness of Lincoln. And, yet, it would seem that the "vision" which sees and follows the narrow path of justice and wisdom between time-serving palliation of corporate abuses and radical violence, thereby justifying and upholding the democratic ideal, is comparable to that "vision" which saw that a house divided against itself could not stand. The modern instance is not more in advance of popular understanding than was that of half a century ago. Neither, perhaps, is the Roosevelt political principle of less fundamental value to a people struggling toward a complete realization of government of, for, and by the people, than was the other. "K," him-

self, says: "Roosevelt has been an instrument in letting off a Revolution quietly in the form of evolution. Through publicity and new laws the people see that the evils from which the country has suffered, and still suffers, can be cured by orderly processes. And Roosevelt's services in this regard have been notable." Notable!

No genius that ever lived, acting in a political arena, ever accomplished anything without the support of the people; and "the people" has generally regarded "the genius" as nothing more than its chosen mouthpiece, the fortunate puppet whose circumstance and merely moderate personal capacity have brought obediently to heel in the determined chase for reform. It has remained, usually, for the succeeding generation to really sit up and proclaim "the genius." All our heroes come to us in the cold storage of history; it is small wonder that we belittle the statue of warm flesh and blood.

The great test of "sacrifice," declares "K," has not been met by Roosevelt, and the capacity of a mere "moralist," of one who acts impulsively but is no seer, to meet that test, seems doubtful to him. It has already been remarked that the character of Theodore Roosevelt, and the extension of his powers, has been adequate to every demand thus far made upon them. No test can absolutely measure the future, of either a man or a nation; yet no judgment of the future can approximate in accuracy that which is based upon the past. Considered thus, Roosevelt's chances seem good. When not yet twenty-five years of age, a youthful member of the New York State Legislature, battling strenuously for the impeachment of a corrupt judge, who was supported by all the strength of the machine of Roosevelt's own party, he faced without flinching, what his friends told him was political death. And that was before "machine smashing" had become popular or had proven of benefit to ambitious politicians. As Police Commissioner of New York, he deliberately enforced the most unpopular law on the books, a statute which long had been, because of potent "influence," a dead letter. At San Juan Hill—well, the record is long and needs no repetition. But the latest and crowning refutation must not be omitted. Rightly interpreted, what greater "test of sacrifice" has been offered to, or met by, any one in our history than the palpable certainty of a third term in the presidency, had he chosen it, held out to Roosevelt? The sacrifice forever silenced the sarcastic use of the phrase "my policies," dissociating the movement Roosevelt has led from the fortunes or personality of any one man, and, thereby, insuring the tidal force of popular revolution to the reformation in progress.

No; Roosevelt will not fail, having already given ample evidence of what manner of man he is. "K," pertinently, if naively, states that the President is not "a genius in the art" of politics, being "restrained (to his own advantage) by another common quality, a sort of literal honesty!"

A "key" to unlock this character, so mystifying to some complex souls, a "key" which opens a door throwing quite as interesting and a somewhat more illuminating light, will be found in Robert Louis Stevenson's "Ars Triplex":

"As courage and intelligence are the two qualities best worth a good man's cultivation, so it is the first part of intelligence to recognize our precarious estate in life and the first part of courage to be not at all abashed before the fact. A frank and somewhat headlong

carriage, not looking too anxiously before, and not dallying in maudlin regret over the past, stamps the man who is well armored for this world. And not only well armored for this world but a good friend and a good citizen to boot. We do not go to cowards for tender dealing, nothing is so cruel as panic; and the man who has least fear for his own carcass has most time to consider others."

Then, after satirizing the life of the man afraid of to-morrow, his own shadow, or death, the Scot continues:

"Now the man who wears his heart upon his sleeve, and has a good, whirling, weathercock of a brain, makes a very different acquaintance with the world, keeps all his pulses going true and fast and gathers impetus as he runs; until, if he be running toward anything better than wild-fire, he may shoot up and become a constellation in the end!"

How Robert Louis Stevenson would have understood, how he would have proclaimed Theodore Roosevelt!

"The names of those constituting the staff of The California Weekly are an assurance of the ability and integrity of purpose with which the paper will be conducted. It will be an important factor in shaping public opinion in this State."—Oakland Enquirer.

"The sincerity of the men behind The California Weekly is not for a moment to be questioned."—Napa Register.

"All the men connected with The California Weekly are strong and if they will all stick to their several departments and so keep out of each others' way they should put out a paper that will be a distinct gain to California journalism."—Redland Facts.

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AS THE WORLD WAGS

By A. J. WATERHOUSE

The Pioneer Mother.

(The women of California are endeavoring to secure the erection of a statue to the Pioneer Mothers, on Market Street, San Francisco.)

Men came to the West when the West was young
For gold he had loved since the world began,
But the woman came, he her praises sung
For love of her children and love of the man.
He bailed high as the clouds above,
A tower of state which the world might con,
But the woman guarded with tender love
The home which was rock that he built upon.

Ah, stern was the struggle our fathers knew,
Yet the man was strong to do and dare,
But all that the weaknes of woman knew
Was, just for love's sake, to hope and to bear:
So she scarcely journeyed the long, long trail
O'er the prairies wide to the mountains' rim,
And her soul was strong as her body frail
For she said, " 'Tis for love of the babes and him."

The man dug deep in the canyon's fold
For gold that the ages had hidden away,
But all that the heart of the woman would hold
Was her dream of love that gladdens the day.
Man builded an empire the world to amaze,
For "Dare" was his motto and "Do" his creed,
But the woman built for her children's praise,
And this was the finer and nobler deed.

Be mighty memories lifted to her,
This woman who came in the days of old;
Let bronzes and granite their glory confer,
But after it all, when all is told,
Here is a monument long to live
Than all that the hand of sculptor may make;
'Tis found in the honor her children give
For all that she bore for her sweet love's sake.

Attending a Trumpet Seance.

I attended a trumpet seance the other evening. A trumpet seance is one at which trumpets are provided through which the spirits speak in order that their voices may not be recognized—I mean, of course, in order that their voices—may be recognizable. In other respects it is much like other seances. The medium sits in the middle of the room holding the hands of a woman whom we do not know, and the rest of us sit around him in a circle, holding hands and trying not to look foolish.

Just before the medium turned out the lights he explained that he would prefer to have light, but the spirits insisted that the room should be dark. Very well; he is in the business of handling spirits and should understand their desires, but what I wish to know is why they choose darkness when they cannot see without a light. I fancy that the fact that they cannot see in darkness is a discovery of my own, but I shall take pleasure in convincing you that such is the case.

I sat between a tall, voluble woman and a short, reticent woman, neither of whom had I seen before, and held their hands, not tenderly but as a matter of business, while they clasped mine. One thing that I like about seances is that they are so conducive to friendship and perfect trust. After a while something hit me on the head, and I judged that the spirit of a pugilist had arrived. However, I did not know what to do about it, and so I did nothing. Then it hit me again, and I did the same as before. Immediately it passed to the tall woman and hit her on the head.

"It thinks it's hitting you," said she; "it is you that it wants."

"The pugilist must be weak-minded," said I. "What shall I do about it?"

"Talk to the dear one," said she. "It wants to talk to you."

I have rarely attended spirit conversations, and so I was somewhat doubtful what to say, but finally I said: "Would you just as soon knock a little more lightly the next time?"

It does not matter about the conversation that followed, and I dislike to dwell upon it,

for it was my father's father who talked to me, and I could see that the old gentleman, who had a rather bright mind in life, had mentally retrograded to a shocking degree. No; we will not dwell upon the conversation, and I will carry my load of bitter grief as best I may.

But that to which I wish to call attention is the fact that the medi—I mean the spirit—was not sure whether it was hitting me or the woman next to me; it could see no more in the darkness than I could. This is my discovery, and I gladly give it to the world. Now if some gentleman who is both scientific and acquainted with the habits of spirits will explain why they love darkness when they cannot see therein, it will be quite a relief to some of us.

Ah, yes, "there are more things in heaven and earth, Horatio, than are dreamt of in your philosophy"—and then, too, there are commercial mediums.

The Opinions of Rufus.

"Praps we needn't b'lieve in an eternal hell, but han't it ever occurred to you that one that was half-eternal wouldn't give some men you've known any more'n time 'nough to 'cclude to be decent?"

Course it's reddie'ous fer a peacock to 'hist his tail just to show it, but I dunno es fokes that write the editor to publish that they're stoppin' at the Hotel DeSwellé this winter should laff at the fool fowl on that account.

Oft'n an' oft'n when I look at a Merry Widder that an' its wearer I can't help wishin' they was somewhere nigh es much inside the head es they is outside of it.

If Nero was such a fiddler es some I've heered, I dunno es the burnin' of Rome could have added much to the misery of them that listened to him.

Seems to me that the cheapest kind of honor in this world is the kind that's given a man 'cause his pa made money, an' it's mighty common, too.

I b'lieve the happiest man is him that never marries his first love. He keeps a mighty sweet mem'ry, without havin' to pay the price fer it.

It's a good thing to be sympathetic, but you want to apply it right or it's wasted. Frinstance, I knew a girl once that cried 'bout the man in the moon. She said it seemed to her that he must be awful lonely.

Truth crushed to earth 'll rise again," but you're out of your wits to try to crush it on that account. It looks jest es well uncrushed.

Paid in Honor.

"I don't care for myself. I am paid in honor."—Governor Gillett, concerning the proposed increase in salaries of State officials under the constitutional amendment adopted at the recent election.

Here would I sum that honor high,
And note it so the passer-by,
Rejoice, may we see its glory shine
Round that ennobled head of thine.
I have no power to name it all,
Such is your deeds for tribute call,
And so here's honor, somewhat blured,
Not sum'd in one mortal word.

Tragedy in a Nutshell.

The tragedy of life which is revealed in newspapers may drag its way through some common place or it may be condensed in the four or five line item nearly hidden in some obscure corner of the paper; and frequently, I have thought, the pathos which finds scant expression in the brief statement may infinitely exceed that which is por-

trayed day after day for the delectation, amusement or sympathy of the world. It was an item covering an inch or two of space in a recent issue of a local paper that set me to ruminating along this line, and perhaps you might care to consider the facts it details, too. If so, here they are:

Mrs. Helen McGorey has passed her three score and ten years, and the record of them is written in the frailty and decrepitude which come with old age. She is without money or property, unable to work, and, in order that she may live, has been compelled to sue her two sons for support. These sons are men in growth and age, one of them earns \$125, the other \$70 a month, and neither has anyone dependent upon him. Thus are set forth, hardly more baldly than in the paper in which they first were told, the facts of this case. But how these facts drip with the bitter waters of human misery!

I do not know this old woman, Mrs. Helen McGorey. She may have been a good, bad or indifferent mother, but one or two things I know of her, as I know them of other mothers, and these are the things that I know:

With cruel pain and suffering she brought these two sons into the world of hurrying humanity.

Through all the days, months and years of their helpless babyhood she watched over and guarded them, making herself their bondswoman by day and night when such servitude was the price of their living.

She may, or may not, have cared for them adequately through their youth, but, at any rate, some greater or less part of the credit that they have attained vigorous and self-supporting manhood must be given to her.

And if that she did not do this, this old woman a claim for support against her sons, will you name facts that would? And if here is not tragedy, although compressed into a nutshell, on what picture-blurred and scare-headed page of the daily paper which gives you such delicious horrors over your morning cup of coffee would you find it?

But what think you of sons whose deeds compel their mother to sue them for support? Think as you will, and sooner or later your thought will betray itself in your living and in your treatment of an aging woman somewhere, but for my part I conceive that men cannot be much baser and more unworthy than they have become when they turn from the mother who bore them and leave her in helplessness and want in her old age. Such are the viler fellows of mankind, and, whatever Mrs. McGorey may be, she is to be commiserated in her sons.

Yes, it is tragedy; not of the "high life" or "Smart Set" variety, but I suppose the tears that drip in a towel are as salt as those that flow in a palace.

Mr. Crane's Incandescent Foot-Warmer.

Nobody, I think, justly could condemn Mr. Delbert R. Crane, leader of the State university band, for desiring to sleep with warm feet. Most of us, indeed, have experienced a similar desire ere now, for it is unpleasant to sleep with cold feet, particularly when they are one's own.

Nevertheless, Mr. Crane should have hesitated long and thoughtfully, as he probably will in future, before he decided to use an electric-light bulb as his bed-warmer. Such a bulb is a pleasant, cheery companion of an evening, but as a foot-warmer it is likely to become too heated and ardent in argument. Say what one may for the incandescent light as a foot-warmer, there is an element of discouragement in arousing from sweet slumber in the dead of night to find the bedclothes, in-

AS THE WORLD WAGS—Continued.

cluding the nightdress of which one is fond, going up in fire and smoke, all because the incontinent is taking advantage of a logical situation in its argument. To be fondly dreaming that you and the bull together have routed bitter cold, and then to waken to learn that you have routed it too much, is a blistering experience, as Mr. Crane now admits. I suppose. Probably he will warm the bed hereafter with a flatiron or a hot-water bag. Anyway—

Electric bulbs, though beams they shed,
And light on many a spot,
He'll be a shirder, to a trim a bed,
There argument's too hot.

Always Bank the Nickel.

John D. Rockefeller, according to a late newspaper report, recently gave a waiter a five-cent tip, at the same time advising him to put it in a savings bank. "That's what I did with my spare cash when I was your age," said Mr. Rockefeller, "and it earned money for me." Thus, my children, it will be seen that economy is its own best reward, and it is hoped that you will bank your nickels until the accumulation of them makes you worth, like the good Mr. Rockefeller, a half-billion dollars or so.

Ho, weary brother on life's way,
To whom the race seem hock,
I hear with awe and sad dismay
You shout for lack of luck,
Fall recklessly you wear your woe,
Suzed, flustered, cup and drunk it,
Received a nick, just as you do,
But, oh, you didn't bank it!

If you had banked, oh, foolish one,
With cash and with relief,
Five hundred thousand thanks my son,
As much as Rockefeller,
You might be worth that is, of course,
Each day you'd have to thank me,
Alas, alas! You did much worse,
Let, oh, you didn't bank a tin.

"Is this state so bank-
Has extensive success?
Five hundred thousand thanks a day
Are all that should be needed,
Get out your state, no foolish one,
And figure what I state here,
And when with banking nicks you're done,
You, too, might bank the state, dear.

The Latest Indignation Meetings.

"Did you hear about the latest indignation meetings?" the first citizen inquired.

"No, how was that?" said the second citizen.

"Why, the prisoners in the State penitentiaries held meetings of indignant protest."

"On what ground?"

"Why, because of the probability that Abe Ruef might be immured with them. They said that, unfortunate though they were, and criminal though they had been, the State had no right to expose them to further moral corruption and undesired disgrace."

"Poor fellows! Something in it, don't you think?"

"Yes, poor fellows!"

"Vertical in Her Dress."

Here man, who looks upon gentle woman with that respect, esteem and admiration which she cannot help deserving, will note with a reverence approaching awe, and pained awe perhaps, the fact which has gone forth from the national tailors' convention that henceforth she must be "vertical in her dress." There is not a doubt, I fancy, that she will obey the dictum, although in some instances it may puzzle her some. However, it is not for you, brother, nor for me, to interfere; only, do you not sympathize with me in the following?

Oh, she may be quite vertical,
Strictly lamellar,
All tailor-made, chemical,
We would not lose or traile 'er,
But I'd prefer her, now, the less,
And so would you, I dare to guess -
In all her pose and business,
Somewhat as nature made 'er.

Let Me Believe.

(A very good woman said to me that she would not teach her children to believe in Santa Claus, because to do so would be to lie to them.)

She said, "Santa Claus, can't he be so
That scrooges are found to deny
That you come to me off in the long, long ago,
Boaring your gifts for the girl and the boy—
But the scrooge were dead?
Adding your much to their gladness and joy,
Making the baby lives sweet
And thus a lie? Ah, then, if you will,
Let me have faith to believe in it still.

Let me have faith that just for that day
The Christ is the king of the earth,
The God man of kindness and loving his way,
Let me have faith in the Spirit of Good,
Let me have faith in the Spirit of Good,
Inducing the leaders of laws,
Who bearth sweet gifts to the holiday broad -
And thus is our dear Santa Claus?
Ah, term it a fiction, a myth, if you will,
But let me have faith to believe in it still!

My dear little maiden, whom I love so well,
So better a scrooge I ask
Than that you be held by the old legend's spell,
Now look for the truth 'neath the mask
I am old, you are young, believe as I did,
With baby heart willy athill,
In a world of roses and love, 'twas hid,
Your Christmas with blessing to fill,
Ah, little one, little one, see of Time's shift
Would give half our world to believe in it still.

A COMMUNICATION.

More Judges or More Justice, Which?

The Editor of The California Weekly:

The people of Alameda County are much concerned over the probability of the Legislature making them a present of two new superior court judges. In an article printed about three weeks ago the Enquirer analysed the situation and insisted that more vigorous methods in court procedure are the crying need of the hour, and not more judges.

The campaign in this connection was opened February 28th last when Judge Ogden made a comparison of the population of this county with that of San Francisco County where there are twelve superior judges, as against five here, whereupon, according to the Oakland Tribune: "Mr. Churchill then stated that he believed, as a practitioner in this court, that it was absolutely essential that there should be at least two additional departments to the superior court of this county established at the next legislative session, and that the present congested condition of the court dockets was such as to work great harm to litigants and the public generally."

In the Oakland correspondence of the San Francisco Call of January 25th last was an article headed: "Judge Baker's Usual Gait in Handling Criminal Cases Destroy Court-house Leisure." Then follows an interview with this judge (whose habitat is in Modoc County), in which he said:

"The impression seems to have gone abroad that I am unduly rushing court affairs, but I haven't changed my methods of working since I came down here to take Judge Ogden's place temporarily. I hardly think I should be asked to change myself about in every new place I happen to be, so when I came here I worked at my old gait. Most of the astonishment seems to have arisen among attorneys over refusals to grant continuances in cases. I have never refused a continuance where I thought injustice would be done either side by an immediate hearing, but in numerous cases where one side would be injured by delays granted the other side I have insisted on taking up the matters at once. It is easily possible to win a case in court by delaying business in trial until the opening party is worn out, but that doesn't seem right to me."

In one of the middle-west States is a judge who for years held ten in ten counties without assistance. He read recently a pamphlet report of a libel suit tried before him and it was pleasing to note the rapidity, the smoothness, of the proceedings. When objections to the evidence were made he ruled upon them without hesitation and without long arguments by counsel. It was an unusual thing for any case coming before him to take more than three days. It was his custom to begin court at 9 a. m. and he took only an hour intermission at noon. And at 9 a. m. and 9 p. m. meant 9 a. m. and 1 o'clock, respectively, and not any old hour. Executive ability, as well as legal ability, is a desirable quality in

a judge, as was illustrated by the success and the popularity of this man.

It was on September 27th that the trial of Isabella Martin on a criminal charge was begun in this county. It is still under way—two months and a half from the date of commencement. One of the witnesses, a boy, was under cross-examination for seven and a half days. Contrast with this a case which has just been tried in Omaha—that of Charles E. Davis, indicted for the murder of Dr. Fred Rustin, the "famous triple suicide pact" which has attracted so much attention. Only nine days were required to dispose of this case though additional interest was given it by the fact that a nephew of the accused is president of the First National Bank of Omaha and a brother is cashier of the same institution, and every effort possible has been made to prevent his conviction. In justice to the local case it should be stated that the presiding judge was called in from Contra Costa County and that a recess was taken for a few days at one time on account of the illness of a jurymen, but no comment has been made in regard to the dragging of the trial; it is taken as a matter of course.

Several years ago a bill was introduced giving this county two additional judges but the active opposition of the Enquirer resulted in reducing the number to one—and many good lawyers said that even one was not needed. This appointment necessitated securing new quarters for the board of supervisors in order to find a place for the new court. The result was that \$30,000 was expended in building an annex to the Hall of Records to house the supervisors. There is no room in either the court house or Hall of Records for additional courts and if they are forced upon this county it is probable that a large expenditure will be made to provide quarters for them. As we are endeavoring to secure a division of the county it would appear to be ordinary business prudence to make no more additions to the present county buildings.

Many of the leading lawyers of Oakland are opposed to an increase of judges, they will tell you in confidence, but more free to make known their opposition for fear of offending themselves with the new judges, if additional judges are appointed this winter.

John F. Bell.
Oakland, Cal., December 14th.

If you like this number of THE CALIFORNIA WEEKLY and are in sympathy with the principles it stands for, fill out the blank on page 63 of this issue.

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POLITICAL TABLE TALK

By ALL-OF-US

Knight's Exploded Cabinet Boom.

How far wrong a newspaper can get when it wants to arouse interest in an imaginary political situation is well illustrated by the recent efforts of the Examiner to make George A. Knight a candidate for Secretary of the Navy in Taft's cabinet. The Examiner printed a series of local articles and alleged special dispatches from Washington depicting the activity of Senators Perkins and Flint, Governor Gillett and the entire California delegation in Congress in behalf of Knight, and of the leaders of the Lincoln-Roosevelt League against him. Those articles of alleged news were alternated with interviews with Knight himself, in which he ostentatiously put away the crown, but left the impression that he would accept it, and expected to get it. The general impression given was that there was an active campaign on, in California, in Washington and at Hot Springs, of which George Knight was the center.

Now, the sober truth is that the entire incident existed only in the imagination of George Knight and in the columns of his friend the Examiner. During the time that the war of ink was raging, it was not even true that the Lincoln-Roosevelt leaders were sending any protests to the president or to Judge Taft. They had assumed, quite correctly, that there was nothing to protest against. Subsequently, as a matter of caution, letters were sent to Washington and to Hot Springs, by personal friends of the President and President-elect, so that in case the newspaper noise should reach that far, some definite statement of the situation might be at hand to meet it. But the trouble even of writing the letters was superfluous, except as a matter of excess of caution.

Information from entirely reliable and well-informed sources at Washington is to the effect that neither the senators nor representatives from California, nor in fact anyone else, so far as anyone in Washington ever heard, has so much as spoken to the President in Knight's behalf. There is no reason to suppose that his name has ever been even considered by President-elect Taft. The idea of his being appointed to the cabinet is simply out of the question. It was a pure newspaper invention in the beginning, and never progressed beyond that stage.

Gubernatorial Booms.

The next State election is still a long way off, but not so far as to prevent some anticipatory gazing into the political mirror on the part of those who think (or whose friends think) that they would grace the higher offices of State. Among the mentioned and mentionables for governor, a few names have already bobbed into vision.

Southern California, like Alameda County, is never lacking in statesmen, and while the traditional rule that Senator Flint's successor shall come from the South will undoubtedly be a handicap to any effort to secure the governorship from the South also, that fact would not be conclusive against a distinctly strong candidate. Besides, these geographic distributions may not be quite so uniform and mechanical under the direct primary.

One of those mentioned in Southern California is W. H. Flint, postmaster at Los Angeles and brother of Senator Frank Flint. Postmaster Flint is a genial man, with many of the attractive qualities that have made his brother Senator Flint personally popular, and he has made a good record in the postoffice. Politically, his affiliations probably do not differ much from those of his brother, who was a Southern Pacific attorney, and was elected

Senator by orders from Herrin, transmitted by Abe Ruef.

A whisper was put out recently to try out the popularity of Captain J. D. Fredericks, District Attorney of Los Angeles County, but it appears that he is tied to the wrist of George Black, Walter Parker's "sub" in the State Executive Committee.

Former State Senator Robert N. Bulla, of Los Angeles, has not been taking an active part in politics recently, though he has continued as one of the leaders of the Union League Club. He was one of the leaders of the fight against Dan Burns in the contest that ended in the selection of Senator Thomas A. Bard, and was himself prominently in the field as a senatorial possibility at that time. His sympathies are still positively with the anti-machine movement, and he is deservedly popular in Southern California. Southern California could not put up a stronger candidate, nor one who would make a better governor. Tom Hughes, the wealthy lumberman of Los Angeles, would be one of Bulla's strongest supporters.

Lee C. Gates is one of the popular men of Southern California, and one of the best public speakers in California. He was the reform candidate for mayor of Los Angeles, and was barely beaten by the vicissitudes of a three-cornered fight. Gates is an anti-machine Republican, and a leader in the movement for good government in his own community and the State. He did effective work for Taft on the stump in the last campaign.

In Northern and Central California, the name of Charles M. Belshaw of Contra Costa County looms in the foreground of possibilities. Belshaw has a good record in the legislature and on the stump, is a clean man personally, and an able one, and is extraordinarily popular in Southern California, as well as in his own section.

Mayor Clinton L. White of Sacramento is one of the best men in California. He is absolutely square, has one of the soundest legal minds in the State, and has made a splendid record as an executive. His election as mayor was a triumph for good government in Sacramento, and if it should be in the cards that he should be called higher up, it would be a piece of remarkable good fortune for the State.

Another mayor is Mayor Frank Mott of Oakland. The only thing against Mayor Mott is that he is a bachelor, and if he were to be elected governor the prompt services of a matrimonial bureau would be in order, lest the executive mansion be reduced to the cold cheer of bachelors' hall. In all other respects Mayor Mott would make an excellent State executive. He is capable and honest, and well equipped for larger things.

Probably no one would be more surprised than Charles Bentley, late president of the San Francisco Chamber of Commerce, to hear his name mentioned for governor. Yet the State could go much farther and find much difficulty in doing better. By that same token San Francisco should not overlook the possibility of Bentley for mayor. He is a fine representative of that lamentably rare type, the business man of courage and public spirit enough to take an active part in public affairs—and always on the right side.

The name of former Mayor Wm. R. Davis of Oakland is also frequently mentioned in reform circles as an ideal candidate for governor, but never by Mr. Davis himself. He has consistently refused to be considered a candidate for any office. But stranger things have happened, and may happen, than to find Mr. Davis in the unthought-of limelight. He has a splendid record as Mayor of Oakland, and as leader of the Oakland water-front litigation, and is a man of fine ability and spotless integrity.

Mention ought not to be omitted of A. B.

Nye, State Controller. Mr. Nye probably knows more about State affairs than any other man in California, and would make an absolutely ideal governor. But he is in no sense an aspirant to the office, and would probably not care to be made a candidate for it.

Former Governor George C. Pardee is another man who would make an excellent governor, but probably does not care to be considered as in the field for it. Dr. Pardee was a good executive before. His mistakes were in his capacity as a political leader, and were of a sort which, in the light of experience, he would hardly make again. Whether he ever holds office again or not, Dr. Pardee will continue to be one of the most valuable public servants of the State.

Judiciary Booms.

Southern California will insist upon naming one of the two judges of the Supreme Court two years hence.

At present Lucien Shaw is the only member of the court from south of Tehachapi. The south believes that it is entitled to at least two of the seven judges, and produces impressive figures to show the amount of court work coming from the southern end of the State. Then, too, the legal business of that section deals in a large measure with matters that require special knowledge—the rapidly growing oil industry, for instance—and that is urged as a special reason why more members of the Supreme Court should come from the south.

The two judges whose terms end in 1910 are Judge M. C. Sloss and Henry Melvin. Sloss was appointed by Governor Pardee in February of 1906 to succeed Judge Van Dyke, deceased. Judge Melvin was a candidate before the people at the recent election, and ran 50,000 votes behind his ticket. In an ordinary year that would have defeated him. Personally Melvin is exceptionally popular, his ability is conceded, and there has never been a suspicion of his personal integrity. His only element of weakness, then, was nomination by a convention notoriously controlled by the railroad

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machine, and his known political affiliations with the "organization." If that fact cost him 50,000 votes in a Taft year, it will not be overlooked by those who figure on the possibilities of politics next time.

Southern California will make the claim that either Judge Sloss or Melvin shall step aside in the interest of a southern candidate.

Of the Southern California judges the names most frequently mentioned in connection with the supreme bench are those of Judge Curtis, D. Wilbur and N. P. Conrey. Both were up for re-election to the superior court of Los Angeles County at the November election, and each received a decidedly flattering vote of confidence. Both are clean, wholesome men, with trained minds, and are equipped in every way for judicial positions.

Judge W. P. James, also of the superior court in Los Angeles, was the Southern California candidate before the convention at the time Melvin was nominated, but withdrew in favor of Melvin when it became evident that the latter had the votes. He has a good personal reputation, but is accused of political affiliation with Walter Parker, the Southern Pacific boss.

Judge Wheaton A. Gray, formerly of Tulare but now of Los Angeles County, is also mentioned. Judge Gray was defeated for the nomination to the appellate bench at the famous Santa Cruz convention, in 1906, because he refused to deliver Tulare County. Judge Taggart, of Santa Barbara, got the nomination. His delegation was "good." Judge Gray's record was that of an able jurist. He had many friends in the convention that nominated Melvin who would have liked to vote for him, but he declined at that time to be a candidate.

Unquestionably one of the most formidable candidates that Southern California could possibly present was William J. Hunsaker, whose name is also frequently mentioned. No member of the bar in the south has had wider experience or more active practice before the courts than has Mr. Hunsaker, and he undoubtedly would add great weight to the supreme bench.

Daguerreotypes Extinct.

The daguerotype, which the picture produced by the first-invented process of photography, has many advantages over the best photographs made to-day. It reproduces the exact texture of fabrics, for instance, as no photograph can do. It also reproduces the contour of the human face, with the fullest possible suggestion of its curves and of the texture of the skin, far better than photography has ever done.

But, curiously, the making of daguerreotypes is a lost art, though it was at its height just forty years ago. There are still living some of the most successful practitioners of the art, but without exception they have forgotten the formulas that made their fame. These formulas were trade secrets. Nearly every one of them was published, but every one of them was published omitted some element essential to successful use.

These curious facts were discovered by investigators who recently became interested in reviving the popularity of the daguerreotype. One man has spent several years in experiments to rediscover the formula, but so far he has not been successful.

Thus the original, and one of the most desirable forms of photography, has been completely lost as a practical art in the lifetime of one generation.

Longfellow's Harmless Vanity.

In his old age the poet Longfellow developed a childlike delight in the admiration of his countrymen. Sitting one day on his porch with a friend he pointed to a group of tourists who were pulling flowers from the hedge at his front gate, and said: "Do you know, those people are taking those flowers away as souvenirs to show that they have seen me? Hundreds of people come here every year this way, many of them from distant places. They have read my poems and want to see me."

The Case of George D. Collins.

It was just about three and one-half years ago, or in May, 1905, that George D. Collins, a notorious attorney of San Francisco, was arrested for bigamy alleged to have been committed in marrying Clarice McCurdy and his trial on this charge began in the latter part of the succeeding June. Bigamy was not an extraditable offense, and Collins, who knew every hook and crook by which the processes of the law may be obstructed, doubtless bore this fact in mind when he fled to British Columbia on the fourth or fifth of July, 1905. Thereupon the grand jury indicted him for perjury alleged to have been committed in swearing, in his answer in a maintenance suit brought by Agnes Newman Collins, that he never had married her, and perjury being an extraditable offense, proceedings for his extradition were at once begun. Collins fought hard to defeat this effort, but it finally was successful, and he was brought back to San Francisco in the latter part of October, 1905.

Just about a month later he was put on trial on the perjury charge, and shortly before Christmas the jury disagreed.

On the following December 29th the grand jury again indicted him, this time for perjury alleged to have been committed in the course of the trial which had just terminated. About a month later, on January 27, 1906, he was brought into court, pleaded not guilty, and his trial began, resulting in a verdict of guilty on February 27th. The verdict was followed, on March 10th, by a sentence to fourteen years in San Quentin prison, and from this sentence Collins appealed.

On April 18, 1906, occurred the big fire, and all of the records in the case were destroyed. Through the efforts of the District Attorney's office, the records were restored by August 29th of that year, after a necessary delay of but four months and eleven days. The County Clerk, however, did not have the records printed until some time in January, 1907.

The next step in the case was taken in May, 1907 (the appeal still being pending), when Collins applied to the Supreme Court for a writ of habeas corpus, contending that the Superior Court had no right to try him on the second perjury charge until he had been tried on the first and either convicted or returned to British Columbia. This writ was argued on May 21st, and on that day his application was denied.

On June 12, 1907, Chief Justice Beatty allowed him a writ of error to the United States Supreme Court, and, under the rules of that court, he had a year in which to take out the writ. He took out the writ, however, on November 8, 1907, in order to escape going to prison, the appellate court having in September confirmed the San Quentin sentence of the Superior Court, and the Supreme Court, to which he applied for a rehearing in October, having denied his application. The judgment of the Superior Court rendered in March, 1906, thus became final in November, 1907, and prison immediately confronted Collins, save for the writ of error.

On December 23, 1907, Collins filed an application in the United States Circuit Court before Judge Van Fleet for another writ of habeas corpus on practically the same grounds as before. This came on for hearing on January 6, 1908, and on that day the writ was denied by the court. As soon as this writ was denied Collins asked for an appeal to the United States Supreme Court, and Judge Van Fleet allowed his application on January 9th. The records connected with the writ of error and with the appeal have been printed, and both are on the United States Supreme Court October calendar. A motion has been made by William Hoff Cook of the District Attorney's office to consolidate the two cases (the point involved being practically the same in each case) and advance them on the calendar, and this motion probably will be argued about next January or February. If the motion is granted the prosecution hopes that Collins will go to prison about next June, more than four years after his first arrest. If the motion is not granted guesses concerning when the end will come probably would be futile.

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Holiday Greetings

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THE REFORM OF CRIMINAL PROCEDURE

RECOMMENDATIONS MADE BY THE COMMONWEALTH CLUB OF SAN FRANCISCO

[The Commonwealth Club of San Francisco contains a membership of several hundred as intelligent and capable men as may be found in the bay cities. They meet to listen to a carefully prepared paper on some subject of pressing public importance and then refer the subject to a special section of the whole body for a careful review and for the formulation of such recommendations as seem profitable for public policy. At the general meeting a month later this section of the club makes its report and this report is discussed and explained and voted upon by all. Following are the recommendations of the section to which the subject of a reform of our criminal procedure was referred, all of which were formally endorsed by a show of hands of the membership, in most cases unanimously. It is expected that these declarations will now be put in the form of bills and presented to the legislature for action. As they are therefore to be before the people of California for discussion and approval, The California Weekly takes the first opportunity to present these recommendations to its readers and to the press of the State.]

It is not the purpose of this Section of the Commonwealth Club to complain of the decisions of the courts or to propose changes in the law so radical as to deprive an accused person of any substantial right which he now enjoys. Formerly it was the defendant who demanded a speedy trial, and that right is still guaranteed to him by law. If, by some reform in our procedure, the same right of speedy trial be given the State, it cannot be said that such legislation is radical or that defendant will be deprived of any right, for we but give to him what the Constitution guarantees. The ideal system of criminal procedure would be that one which puts the accused person upon his trial without unreasonable delay, to the end that if innocent he be given a prompt deliverance, but, if guilty, he be speedily punished as a deterrent to others.

FINDINGS:

1.—That crime is increasing in California, not only in actual number of offenses but also in proportion to population.

2.—That fewer offenders are punished in proportion to number of crimes in the last four-year period than in the preceding four-year period. Punishment for crime is becoming less certain and longer delayed.

3.—That the time between the commission of the offense and the punishment thereof is unreasonably great.

4.—That trials are unduly prolonged, and jury duty made highly burdensome to citizens.

5.—That we believe the increase of crime to be due in large part to the failure or delay of the State in punishing criminals.

Therefore this Section of the Commonwealth Club offers the following

RECOMMENDATIONS:

1.—That the Legislature pass such laws and propose such changes in the Constitution as will make the administration of justice more speedy and certain; and

2.—We pledge the assistance of the Commonwealth Club to promote legislation to that end.

In suggesting to the Legislature specific remedies to meet this condition it is the opinion of the Section that we should not undertake at this session to cover too wide a field of reform but should confine our recommendations to changes in criminal procedure that seem to be most essential, and these will be directed toward the removal of the causes of delay, the chief weakness of our system.

Remedies Suggested.

The remedies for the evil described above may be analyzed and indicated under the headings as follows: Venue, the trial jury, charge to the jury, and the appeal.

The Accusation.

Indictment by a grand jury is made the occasion of a trial of the grand jurors to discover their motive in bringing the charge. Trivial errors or omissions in the indictment are made the ground of setting aside the whole

proceeding, without regard to the substantial merits of the case. Instead of permitting a defective indictment to be corrected the entire proceedings are set aside and the labor lost. One court in San Francisco was occupied for sixty days in the present year in the effort to determine the motives of the grand jurors in finding indictments, wasting the time of the court, and harassing the citizens who had given their labors to the public service on the grand jury. We therefore recommend that:—

Indictment should not be set aside for bias on the part of the grand jurors, and grand jurors should not be harassed by examination to discover the motives on which they find true bills.

If A shoots B, and B swears out a warrant for A's arrest, nobody thinks of dismissing the charge on the ground that B is prejudiced. The point to be decided should be the guilt or innocence of the person charged, and not the motive of the one bringing the charge.

Amendments we recommend cover the following points:

First: The repeal of Sections 894 to 901 of the Penal Code, which relate to the causes of challenge to the grand jury panel and to individual grand jurors, and substitute in their place the provision that before the grand jury is sworn it shall be the duty of the court to make strict examination of the manner of the drawing and summoning of the grand jury and at that time to hear all objections made against the grand jury or any individual grand juror, and to satisfy himself that the jurors are qualified and unbiased. The determination of the superior court as to the qualifications and fairness of the respective grand jurors shall be a final judgment not subject to review in that or any other court. This may require some amendment to the Constitution.

Second: The grand jury at the present time has the right to indict two or more defendants jointly for the commission of the same felony, but each defendant has the right to demand a separate trial. This is unjust to the State as it compels the State to go through as many trials as there are defendants, though the evidence in each trial may be exactly the same. We recommend an amendment to this section which, to conform to the Federal practice, would provide that in all cases the defendants jointly charged may be tried separately or jointly at the discretion of the court.

Third: There should also be some modification of the present law which prohibits the State from compelling persons to testify if the witness claims that his evidence might incriminate him. We believe this should be relaxed in cases of crimes against public justice, such as bribery, perjury, conspiracy to commit a crime, and similar offenses. This can probably be accomplished without constitutional amendments by providing that no prosecution of witnesses shall follow for any crime which his evidence may reveal he has committed. This is now the provision with reference to crimes against the election laws of the State, as found in Statutes of 1905.

Trial Jury.

Prospective jurors are now subject to useless examinations which are prolonged to unreasonable length. This is one prolific cause of delay in trial. In some recent cases single jurors have been questioned by attorneys for more than a day in the effort to establish grounds of challenge for bias. Trial judges feel compelled to allow prolonged examinations for fear that, if they do not, errors may arise.

Jury service is made so burdensome by the

length of trials that many citizens who have other occupations feel compelled, in self-defense, to adopt questionable methods of disqualifying themselves in order to escape this public duty. To be kept weeks or months from business and family is an unreasonable hardship on jurors, and in many cases would lead to business ruin. The practice, therefore, deprives the State of the service of the men best qualified to hear and judge of the evidence. In some cases, by the present system, it has taken more than two months to secure a jury.

Grounds for challenges against the panel and against the individual juror are so many and so highly technical that qualified citizens are excused from service. The law should therefore be so amended as to modify the grounds of challenge against individual trial jurors and the panel, and also to make it the duty of the judge to conduct all examinations of jurors as to their qualifications, and that counsel shall have no right to examine jurors unless permitted to do so by the court.

Section 1076 of the Penal Code relating to the disqualification of jurors for actual bias should be so amended as to make it unnecessary for it to appear affirmatively that a juror's opinion, if any, was based exclusively upon public rumor, statements in public journals or common notoriety, provided it be made to appear he can and will act fairly and impartially.

The Section was at first of the opinion that the number of peremptory challenges allowed the defendants by the present Statutes should be reduced. The reason for this was that under the present system it is a matter of great time and expense to fill the jury box with men declared by the court to be qualified and unbiased; but subsequently we concluded to recommend the system above provided for the examination of trial jurors by the court. The system proposed, we believe will reduce the difficulty and shorten the time in securing the jury. As it will take away from the defendant the privilege of minute examination of individual jurors to discover possible grounds of challenge, we considered it advisable to balance this loss to the defendant by a more liberal allowance of peremptory challenges. It is the opinion of the Section that even with the greater number of peremptory challenges, it will result in a large saving of time and expense. We believe, however, that the State is placed at a great disadvantage in having but half the number of challenges allowed to the defendant. There is no reason for this, and we recommend an equal number in all cases. We propose, therefore, an amendment to Section 1070 of the Penal Code, allowing the defendant twenty-four peremptory challenges in capital cases and twelve in all other felonies, and the people the same number. The number twelve is adopted instead of ten because it is the number which constitutes the jury, and if defendant is dissatisfied with one jury he is given the right to select an entirely new jury, and when his life is at stake he is entitled to excuse two complete juries. This seems a sufficient protection to the defendant under any circumstances.

Charge to the Jury.

The provision that the judges may not charge jurors with respect to the matters of fact deprives the jurors of the advice of one best qualified to show the relevancy of testimony to the issue.

The English practice, the Federal practice, and the practice of the majority of the States of this Union permit the court to advise the

jury as to the application of the evidence to the matters to be determined. We believe this to be the better practice but the jury must be instructed that they are the final judges of the facts in all cases. We therefore recommend an amendment to the Constitution which will secure this end.

The provision of the code that permits attorneys to demand instructions to the jury has been grossly abused and has been so broadly construed against the people that the charge of the court is now largely prepared by the attorneys for defense.

Instructions to the jury have grown to such length and gone into such refinements of technical law that even the appellate courts have great difficulty in determining their meaning, and they are often beyond the understanding of jurors. They have become a trap to the court instead of an assistance to the jury. This abuse we believe can be remedied by making it duty of the court to prepare all instructions with such aid and assistance from the counsel as the court in its discretion may permit.

The Appeal.

Statutory forms intended to hasten the hearing of appeals from the judgment of a trial court have worked out in practice as a hindrance to a speedy determination of the points at issue.

The bill of exceptions, intended to present briefly to the higher court the assignments of error committed on the trial, has become exceedingly voluminous, and the settlement of the bill of exceptions has become the greatest single cause of delay. The average time taken in this city, as shown by Professor McMurray's figures, to prepare the transcript on appeal, is now nine months and nine days, while in one case it took six years, two months and twenty-eight days to prepare the record.

Frivolous and dilatory appeals should be made difficult by making appeal a privilege depending on the issue of a certificate of probable cause by trial court, or one of the appellate judges. We therefore recommend that the formal procedure now fixed by statute for bringing a case before the appellate court for review on bill of exception should be repealed and a shorter and more flexible and expeditious system adopted either by statute or by rule to get the record before the appellate court as is now permitted in civil cases.

The Section considers it desirable for the statute or the Constitution to define with greater precision the matters of law which shall be reviewable upon appeal.

Some of the members of the Section are of the opinion that the people should have the same right of a new trial and appeal as is given the defendant in a criminal case. The full Section has not had an opportunity to discuss this question but its obvious advantage is that it would tend to shorten the trial by inducing greater caution in the conduct of the defendant's case as well as to preserve an equality between the rights of the parties to the proceeding. At present the court can commit no reviewable error against the State. The English Criminal Appeal Act of August, 1907, gives the people the right of appeal.

Constitutional Amendments.

Besides this main line along which the reform of the criminal procedure should be directed, the following changes in the Constitution are advisable: Revision of the sections providing for trial by jury so that the formation and powers of the jury should be governed solely by the Constitution and the laws of this State. The full meaning of the term, trial by jury, secured to all persons by the Constitution is not determined by the Constitution and the statutes of this State, but by the meaning of the term as known at common law at the time of the separation of the Colonies from Great Britain, and many incidents are attached thereto which embarrass

our system of procedure. We believe that the right of trial by jury should be such as is secured to all persons by the Constitution and laws of the State of California, as modified from time to time as the Legislature or people may see fit, and should not be made to depend upon the unwritten law of England.

We also recommend the modification of the constitutional provision relating to the "twice in jeopardy," so that it may not apply to a mistrial or a re-trial of a charge. The defendant is entitled to his liberty if tried and a verdict of acquittal is rendered. He should not be permitted to plead a former jeopardy when he has never been actually in danger of conviction.

We also recommend a revision of Section 13, Article I, of the Constitution so as to provide that any person accused of crime, though he cannot be compelled to give testimony against himself, yet if he does offer himself as a witness, may be examined by the State as any other witness.

It is also recommended that if a defendant does not testify, the State may be permitted to comment upon his failure to take the stand to maintain his innocence.

CORRESPONDENCE.

The Stanford Project.

The proposal of President Jordan, looking toward a surrender by our universities of the work now being done by them during the first two of the four years of student attendance, is of deep sociological import. It has long been recognized by our leading educators that a four-year university course, followed by a three or four-year technical training, say in law or medicine, which, in turn, must be succeeded, in most cases, by a long and arduous struggle for such meager professional success as will result in self-support, to say nothing of marriage, are factors in a system which can only be thought of as cumbersome and inefficient. The movement begun at Stanford will cut two years from the period of pre-technical training and will, undoubtedly, encourage the limitation of mere collegiate, as opposed to university, education to such as can be accomplished within two years added to the period now required by our secondary schools.

Indeed, it is probable that the ground now covered by our freshman and sophomore university classes will come to be included in the curricula of our high schools, and this without bringing the graduate therefrom to a more advanced age than at present. Any apparent impossibility in this suggestion must yield to the results actually obtained in foreign countries, particularly in Germany and England, and in certain of our own Eastern institutions. President Jordan cites the standard of the German universities as a desired objective; and this standard is predicated upon a secondary system (the gymnasias) which fits the student for entrance into the university at practically the same age as that of our high school graduate. To reach the same result,

here, may require an overhauling of our grammar and high school courses of study, an improvement in our pedagogic methods or in their application, or a discovery of some defect in our present system as yet unguessed. Whatever may prove to be the means of the necessary progress, the advance is sure to come. If our public schools fail to accomplish it, competitive private institutions will prove its possibility.

The sequel in this direction may turn out to be a rejuvenation of the small college, an institution which, during the first century of our national existence, and before the stupendous recent growth of our universities, performed an inestimable service in the direction of co-ordinated character and brain culture; a service which, perhaps, has not been so well performed by our heavily endowed aggregations of laboratories, machine shops, libraries, lecture rooms, athletic fields, gymnasiums and annual deficits, and of from three to four thousand youthful egoists.

But whatever the effects immediate to our educational system, the deeper import of the projected change, once it is brought about, can hardly be other than good. It will manifest itself in the character and performance of those who will profit by it. No one has yet speculated, in print, concerning the effects, upon both the individual and society, consequent upon the selection, because of mental qualifications, of candidates for the higher moral and intellectual responsibilities of life and the accompanying denial to such candidates, during the period of early and vigorous maturity, of economic independence. And yet, such are often the processes of our present system, entailing disappointment, embitterment, and even, in some cases, a fatal lowering of ideals—the ruin of promised brilliancy and usefulness. A material reduction of the period of preparation for the "learned" and technical professions will tend, strongly, to prevent such results. And in the case of the non-technical worker, particularly of the business man, a mental equipment consisting of a great deal more than is now provided by the high school, though falling short of that offered by a university course, will prove amply sufficient, especially in view of the time saved, of the earlier age at which he will be permitted to tackle the concrete conditions which he must conquer, conditions which, in themselves, are highly educative. The product will be an admirably efficient man of business, possessed of all of the essentials of culture, yet not handicapped and made ridiculous by an overtrained and, for his purpose, visionary habit of mind.

—Albert J. Brown.

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THE MURPHY CASE AND OTHERS.

Since The California Weekly last went to press the evidence for the defense in the case of the State against Frank J. Murphy has been introduced, and, after twenty-four hours of deliberation and twelve ballots, the jury brought in its verdict of not guilty. In order to understand the facts on which the jury based its verdict let us briefly review the testimony for the defendant, first glancing again at the evidence for the prosecution which was summarized in last week's paper.

For the prosecution E. A. S. Blake, who had been convicted of an attempt to bribe John Martin Kelly, a prospective juror in the Ruef case, and who later confessed his guilt, testified that he offered a bribe of \$1,000 to Kelly, and that in so doing he acted under the instructions of attorneys Frank J. Murphy and Adolph Newburgh. He testified further that he had signed an affidavit in which he swore that he had gone to Kelly only to ascertain the state of Kelly's mind with reference to Ruef, but that this affidavit was signed at the request of Newburgh, and was not in accord with the facts. Murphy, he testified, had paid him \$50 after he was arrested, and had promised him more.

John Martin Kelly testified that Blake had come to him and had offered to pay him \$500 if he would vote for the acquittal of Ruef, that he had pretended to hold out for \$1,000 and had at once reported the attempt to the prosecuting attorney. William H. Schooler, an attorney, testified, with manifest reluctance, that he had been employed to defend Blake, whom he did not know, by Murphy and Newburgh. This constituted the more important evidence for the prosecution.

Frank J. Murphy testified in his own behalf that it had been the custom of the attorneys for Ruef to inquire closely into the qualifications and prejudices of prospective jurors in his case, and that, acting in accordance with this custom, Blake had been urged to sound Kelly and ascertain just how he stood in the matter, but that this was done without any thought of bribery, nor was any bribe offered. The testimony of Adolph Newburgh was practically to the same effect, and both of them swore that they believed the affidavit signed by Blake to be in exact accord with the facts.

In addition to these two some forty or fifty witnesses took the stand and testified that Blake's reputation for truth and veracity was bad, while that of Murphy was good.

Thus, briefly, is given a synopsis of the evidence for the defense. Manifestly it was a case wherein the jury that believed one side perforce disbelieved the other, and the jury evidently chose to believe the witnesses for the defense, consisting mainly of the defendant and the man who still is to be tried on a charge of bribery involving the same facts.

Newburgh's trial, it is expected, will take place in the near future, and so will that of Alexander S. Lathan, Ruef's former chauffeur, who is charged with perjuring himself in the evidence he gave in the Ruef trial in reference to conveying Ruef and his box of money from the office of the United Railroads to the bank, it being contended that this evidence and that which he gave before the grand jury were contradictory.

The trial of Peter Claudianes, charged with dynamiting the residence occupied by former Supervisor James L. Gallagher, in Oakland, was to have begun before Judge Waste, in that city, last Wednesday. His trial will be followed by that of John Claudianes, his brother.

The trial of Patrick Calhoun for bribery in connection with the over-head-trolley franchise is set for January 5, 1909.

Golden Rule in Cleveland.

After more than eight months' trial of the new golden rule policy of making arrests in Cleveland Chief of Police Kohler has pronounced it unqualifiedly a success, and accordingly in the last month has given the police the still greater power of discretion. The number of arrests in Cleveland in eight months of this year has shown a decrease of more than sixty-five per cent over the same period last year.

The golden rule policy, which Chief Kohler put into effect last January, provided that policemen should use judgment and common sense in dealing with offenses which are merely a violation of city ordinances and punishable by a small fine. They were told to take into consideration the intent to violate a law or an ordinance, and also the question of maliciousness on the part of the offender. They were instructed to warn a drunken man and send him home rather than drag him to jail on his first offense, and that two men fighting, if for the first time, should be separated, reasoned with, and not arrested.

The object of the new plan was to dispose of trivial misdemeanors without arrest and prevent the humiliation and disgrace of persons who through thoughtlessness, passion, or temper or in a spirit of frolic or mischievousness violated the law.

How well the plan has succeeded in reducing the number of arrests is shown in the following table, which covers the period from the time it was put into effect to September 1st:

Arrests in 1907.		Arrests in 1908.	
January	2,158	January	911
February	2,257	February	820
March	2,711	March	939
April	2,434	April	907
May	2,731	May	888
June	2,503	June	882
July	2,900	July	1,010
August	2,898	August	1,015

Of the arrests made in the months of June, July, and August this year more than forty per cent were made on warrants obtained by persons not members of the police department on information furnished the police prosecutors. Of those in the month of August 183, or sixty-two per cent. (not considering cases continued), were allowed to go free by the police judges; in July seventy-six per cent. and June forty-three per cent. Chief Kohler has now instructed the police not to request people to get warrants for petty offenses. Instead of advising parties involved in small differences to get out warrants, the police are expected to make diligent inquiry into them and try to adjust them without recourse to the courts.—Chicago Tribune.

Mark Twain's Favorite Humorist.

A story of Mark Twain, hitherto unpublished, runs as follows:

"One Sunday afternoon my wife and I were sitting in the library, reading. I had casually picked up a book, opened it without noticing the title, and was soon absorbed. It was a humor book, and very funny, I thought. It kept me chuckling, and every few minutes I would laugh out loud. This annoyed my wife and she finally called out:

"If you intend to keep up that laughing you'll have to go somewhere else where you won't disturb me. What on earth is that book that strikes you so funny, anyway?"

"I don't know," said I. "Lemme see." Well sir, I looked, and blest if it wasn't one of my own books! I was reading."

Seventy Dollars a Word.

Perhaps the highest price ever paid for a newspaper editorial was at the rate of a little more than seventy dollars a word. Disclosures have been made of the great extent of the private fortune of Richard Croker, then boss of Tammany Hall. The New York World the next morning printed this editorial:

"Mr. Croker, where did you get it?" The editorial (that was the whole of it) had a profound effect on public sentiment. When Mr. Pulitzer, the proprietor of the World, saw it a few days later in Europe, he cabled to the management of the paper to pay \$500 with his compliments to the man who wrote it.

Rest.

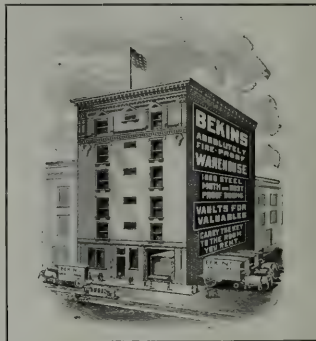
When God at first made man,
Placing a glass of blessing standing by,
"Let Us," said He, "pour on him all We can;
Let the world's riches which I've dispensed lie
Contract into a span."

So strength first made a way,
The beauty flowed; then wisdom, honor, pleasure.
When almost all were out, God made a stay,
Perceiving that alone of all His treasure
Rest in the bottom lay.

"For if I should," said He,
"Bestow this jewel also on My creature
He would adore My gifts instead of Me,
And rest is Nature, not the God of Nature."
So both would losers be.

"Yet let him keep the gifts,
But keep them with repining restlessness;
Let him be rich and weary, that at least,
If goodness lead him not, yet weakness will,
May toss him to My breast."

—George Herbert.



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Personalia.

Maurice V. Samuels of San Francisco, brother of the proprietors of the D. Samuels Lace House, is established in New York, where he is writing plays.

Geo. W. Cable, whose "Grandissimes" made classic the romance of Creole life, is deeply interested in home improvement clubs whose work centers at Northampton, Mass. His latest novel, "Kincaid the Battery," has just been published.

George Frederick Kunz, whose articles on "Gems" recently appeared in The Saturday Evening Post, is the gem expert of Tiffany's, in New York. He is joint author with Charles Hugh Stevenson of "The Book of the Pearl," published by the Scribners. Mr. Kunz is the discoverer of a new California gem, now known as kunzite.

Professor Barrett Wendell, of Harvard, belongs to the fifth generation of a Massachusetts family, but in dress, manner, and accent he is conspicuously English. He is aware, however, of the humor of his pose, and once remarked of a distinguished visitor from London that "he is almost as English as I am."

Leroy Scott, author of "To Him That Hath," is another literary product of Indiana. His wife is a Russian, and both he and she are ardent Socialists.

Miss Nellie Boyd, under whose management Maude Adams, when a young girl, made her first appearance on the stage, retired from the theatrical profession some years ago and is now ranching in California near Fresno.

David Wardfield uses no makeup in "The Music Master" except some powder to whiten his hair. He is a young man in the early thirties, and grew the head of long hair purposely to represent the loveable Herr von Barwig.

Lincoln Steffens, the magazine writer, is a native of Sacramento, California. His father, who still lives in Sacramento, made a comfortable fortune as a banker, and has retired from active business.

Press Comments on the Weekly.

"The California Weekly should receive the financial support of every friend of good government in this State. If the initial number is to be regarded as an index of future issues the paper will deserve unqualified approval and generous encouragement."—Pacific Outlook, Los Angeles.

"It is decidedly refreshing to note that San Francisco is to have a decent weekly publication. So long as the present management of The California Weekly remains in control the paper will prove a powerful factor for good government in the State."—Ventura Free Press.

"The California Weekly should find a place in every home in the State. It is the people's own paper and as such should command the active support of all."—Los Angeles Express.

"The California Weekly will have ideas and ideals and it will be a vehicle for the conveyance of the better thought of California."—Stockton Record.

"The purpose of The California Weekly, if lived up to, and there is every reason to believe that it will be, will give it a leading place in the best journalism of California."—Madera Tribune.

"The Cause extends to The California Weekly a cordial welcome, particularly because of its announced policy of maintaining good faith with the public, the one thing desired in newspapers nowadays."—People's Cause, Marysville.

"Men who will jump into the weekly field in San Francisco with motives as high as those which we are sure actuate the founders of The California Weekly deserve success and we hope they will find it."—Santa Cruz News.

"The first issue of The California Weekly is full of evidence that it is going to be an important and much quoted factor in State affairs hereafter. It has a broad field and we know of no men in the State better able to undertake the work than those in charge of its management."—Inyo Register.

"The first number of The California Weekly reached us this week. We are pleased to note that its staff is composed of such able, fearless and reliable journalists. Its editorials are brilliant."—Del Norte Record.

"There are none too many journals of this class in California and the Argonaut gives the new venture its cordial wishes for success and usefulness."—Argonaut.

"It is a pleasure to note the cordial reception given to The California Weekly by the press of the State. Its sincerity and honesty of purpose deserve substantial recognition by all Californians who are tired of political rottenness. Since it is not such a paper as will attract the support of the Associated Villainies it should have the hearty support of the clean men of the State."—San Francisco Star.

Announcement.

The committee in charge of the effort to erect a statue to "The Pioneer Mother," on Market Street, to stand for elemental law and order for the sake of the moral effect upon the children, has an announcement to make. The members have decided to offer prizes for the best three photos of the tableau of this subject, as follows: thirty, twenty-five, and twenty dollars.

The conditions are to be found at the Camera Club in this city or in the Grizzly Bear Magazine of the January issue. The statue is to be presented to the city as a gift by the counties of the entire State. The Native Sons and Daughters of the Golden West are furthering the efforts of the committee and it will be a labor of love for all concerned.

The spirit of the movement is expressed by the following incident: A poor widow in Haywards, named Annie Donnelly, saw mention in one of the papers regarding the idea and she asked, "And is it true now that you're going to put up a statue to the Pioneer Mother?" "Yes," was the reply, "and we have found that in many instances she crossed the Atlantic from the old country before she crossed the plains, or came around the Horn or by the way of Panama."

"Ve don't say now! And can a body do anythin' to help?"

"Oh, yes, they can give a quarter if they want to," was the answer. Mrs. Donnelly fumbled at her gown, produced a handkerchief

tied in a knot, undid it and took from the small sum there a coin. "There," she exclaimed triumphantly, "there's me quarter—an' may I live to put me hand on it."

That serves as the slogan of the committee. Anyone who wishes to do likewise can leave his or her donation with Miss O'Hara at 1366 Sutter Street, at the studio of O'Hara & Livermore.

A NEW DISCOVERY

What appears to be a very important discovery has been made by a chemist in San Francisco. The proximate principles of a vegetable drug have been found which seem to act as if by magic in curing catarrh in all its forms. This new compound is sold under the name of Membro-tone. A number of cases have been absolutely cured by one or two applications. More malignant or chronic cases are usually cured in from one to three weeks. This new discovery for catarrh is especially recommended for chronic inflammation and thick mucus discharge from the nasal organs. By stopping this discharge it seems to cure coryza, catarrh of the head and stomach, frontal headache, and in many instances has restored the hearing and sense of smell.

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THERE was once a King in Ireland, and he had three daughters, and very nice princesses they were. And one day that their father and themselves were walking on the lawn, the king began to joke on them, and to ask them who they would like to be married to. "I'll have the King of Ulster for a husband," says one; and "I'll have the King of Munster," says another; and, "I'll have the youngest, I'll have no husband but the Brown Bear of Norway." For a nurse of hers used to be telling her of an enchanted prince that she called by that name, and she fell in love with him, and his name was the first name on her lips, for the very night before she was dreaming of him. Well, one laughed, and another laughed, and they joked on the princess all the rest of the evening. But that very night she woke up out of her sleep in a great hall that was lighted up with a thousand lamps; the richest carpets were on the floor, and the walls were covered with cloth of gold and silver, and the place was full of grand company, and the very beautiful prince that she saw in her dreams was there, and it wasn't a moment till he was on one knee before her, and telling her that he loved her, and asking her wouldn't she be his queen? Well, she hadn't the heart to refuse him, and married they were the same evening.

"Now, my darling," says he, when they were left by themselves, "you must know that I am under enchantment. A sorcerer, that had a beautiful daughter, wished me for her son-in-law; and because I didn't keep the young girl at the distance I ought, the mother got power over me, and when I refused to marry her daughter, she made me take the form of a bear by day, and I was to continue so till a lady would marry me of her own free will, and endure five years of great trials after."

Well, when the princess awoke in the morning, she missed her husband from her side, and spent the day very sorrowful. But as soon as the lamps were lighted in the grand hall, where she was sitting on a sofa covered with silk, the folding doors flew open, and he was sitting by her side the next minute. So they spent another evening so happy, and he took an opportunity of warning her that whenever she began to tire of him, or not to have any confidence in him, they would be parted forever, and he'd be obliged to marry the witch's daughter.

So she got used to finding him absent by day, and they spent a happy twelvemonth together, and at last a beautiful little boy was born; and as happy as she was before, she was twice as happy now, for she had her child to keep her company in the day when she couldn't see her husband.

At last, one evening, when herself and himself and her child were sitting with the windows open, because it was a sultry night, in flew an eagle, took the infant's sash in his beak, and flew up in the air with him. She screamed and was going to throw herself out through the window after him, but the prince caught her, and looked at her very seriously. She bethought of what he said soon after their marriage, and she stopped her cries and complaints that were on her lips. She spent her days very lonely for another twelvemonth, when a beautiful little girl was sent to her. Then she thought to herself she'd have a sharp eye about her this time; so she never would allow a window to be more than a few inches open.

But all her care was in vain. Another evening, when they were all so happy, and the prince dandling the baby, a beautiful greyhound stood before them, took the child out of the father's hand, and was out of the door before you could wink. This time she shouted, and ran out of the room, but there were some of the servants in the next room, and all declared that neither child nor dog passed out. She felt, she could not tell how, to her hus-

THE BROWN BEAR OF NORWAY

AN IRISH LEGEND

band, but still she kept command over herself, and didn't once reproach him.

When the third child was born, she would hardly allow a window or a door to be left open for a moment, but she wasn't the nearer to keep the child to herself. They were sitting one evening by the fire, when a lady appeared standing by them. She opened her eyes in a great fright, and stared at her, and while she was doing so, the appearance wrapped a shawl round the baby that was sitting in its father's lap, and either sunk through the ground with it, or went up through the wide chimney. This time the mother kept her bed for a month.

"My dear," said she to her husband, when she was beginning to recover, "I think I'd feel better if I was after seeing my father, and mother, and sisters once more. If you give me leave to go home for a few days, I'd be glad." "Very well," said he, "I will do that; and whenever you feel inclined to return, only mention your wish, when you lie down at night." The next morning when she awoke, she found herself in her own old chamber in her father's palace. She rang the bell, and in a short time she had her mother, and her father, and married sisters about her, and they laughed till they cried for joy at finding her safe back again.

So in time she told them all that happened to her, and they didn't know what to advise her to do. She was as fond of her husband as ever, and said she was sure that he couldn't help letting the children go; but still she was afraid beyond the world to have another child to be torn from her. Well, the mother and sisters consulted a wise woman that used to bring eggs to the castle, for they had great confidence in her wisdom. She said the only plan was to secure the bear's skin that the prince was obliged to put on every morning, and get it burned, and then he couldn't help being a man night and day, and then the enchantment would be at an end.

So they all persuaded her to do that, and she promised she would; and after eight days she felt so great a longing to see her husband again that she made the wish the same night, and when she woke three hours after, she was in her husband's palace and himself was watching over her. There was great joy on both sides, and they were happy for many days.

Now she began to reflect how she never felt her husband leaving her of a morning, and how she never found him neglecting to give her a sweet drink out of a gold cup just as she was going to bed. So one night she contrived not to drink any of it, though she pretended to do so; and she was wakeful enough in the morning and saw her husband passing out through a panel in the wainscot, though she kept her eyelids nearly closed. The next night she got a few drops of the sleepy posset that she saved the evening before, put it into her husband's night drink, and that made him sleep sound enough. She got up after midnight, passed through the panel, and found a beautiful brown bear's hide hanging in an

alcove. She stole back, and went down to the parlor fire, and put the hide into the middle of it, and never took eyes off it till it was all fine ashes. She then lay down by her husband, gave him a kiss on the cheek, and fell asleep.

If she was to live a hundred years, she'd never forget how she wakened next morning and found her husband looking down on her with misery and anger in his face. "Unhappy woman," said he, "you have separated us forever! Why hadn't you patience for five years? I am now obliged, whether I like or no, to go a three days' journey to the witch's castle, and live with her daughter. The skin that was my guard you have burned it, and the egg wife that gave you the counsel was the witch herself. I won't reproach you; your punishment will be severe enough without it. Farewell forever!"

He kissed her for the last time, and was off the next minute walking as fast as he could. She shouted after him, and seeing there was no use, she dressed herself and pursued him. He never stopped, nor stayed, nor looked back, and still she kept him in sight; and when he was on the hill she was in the hollow, and when he was in the hollow she was on the hill. Her life was almost leaving her, when just as the sun was setting, he turned up a byehyem (lane), and went into a little house. She crawled up after him, and when she got inside there was a beautiful little boy on his knees, and he kissing and hugging him. "Here, my poor darling," says he, "is your eldest child, and there," said he, pointing to a nice middle aged woman that was looking on with a smile on her face, "is the eagle that carried him away." She forgot all her sorrows in a moment, hugging her child, and laughing and crying over him. The Vantithe washed their feet, and rubbed them with an ointment that took all the soreness out of their bones and made them as fresh as a daisy. Next morning, just before sunrise, he was up, and prepared to be off. "Here," said he to her, "is a thing which may be of use to you, it's a scissors, and whatever stuff you cut with it will be turned into rich silk. The moment the sun rises, I'll lose all memory of yourself and the children, but I'll get it at sunset again; farewell!" But he wasn't far gone till he was in sight of him again, leaving her boy behind. It was the same to-day as yesterday; their shadows went before them in the morning, and followed them in the evening. He never stopped, and she never stopped, and as the sun was setting, he turned up another lane, and there they found their little daughter. It was all joy and comfort again till morning, and then the third day's journey commenced.

But before he started, he gave her a comb and told her that whenever she used it, pearls and diamonds would fall from her hair. So from sunrise to sunset he traveled on under the charm, and never threw his eye behind. This night they came to where the youngest baby was, and the next morning, just before sunrise, the prince spoke to her for the last time. "Here, my poor wife," said he, is a little hair-reel, with gold thread that has no end, and the half of our marriage ring. If you can ever get to my bed, and put your half ring to mine I will recollect you. There is a wood yonder, and the moment I enter it I will forget everything that ever happened between us, just as if I was born yesterday. Farewell, dear wife and child, forever."

Just then the sun rose, and away he walked towards the wood. She saw it open before him, and close after him, and when she came up, she could no more get in than she could break through a stone wall. She wrung her hands, and shed tears, but then she recollected herself, and cried out, "Wood, I charge you by my three magic gifts—the scissors, the comb, and the reel—to let me through; and it opened, and she went along a walk till she came in sight of a palace, and a lawn and a

woodman's cottage in the edge of the wood where it came nearest the palace.

She went into this lodge and asked the woodman and his wife to take her into their service. They were not willing at first, but she told them she would ask no wages, and would give them diamonds and pearls, and silk stuffs, and gold thread whenever they wished for them. So they agreed to let her stay.

It was not long till she learned how a young prince, that had just arrived, was living in the palace as the husband of the young mistress. Herself and her mother said that they were married fifteen years before, and that he was charmed away from them ever since. He seldom stirred abroad, and every one that saw him remarked how silent and sorrowful he went about, like a person that was searching for some lost thing.

The servants and conceited folk at the palace began to take notice of the beautiful young woman at the lodge, and to annoy her with their impudent addresses. The head footman was the most troublesome, and at last she invited him to come take tea with her. Oh, how rejoiced he was, and how he bragged of it in the servants' hall! Well, the evening came, and the footman walked into the lodge and was shown to her sitting room; for the lodge-keeper and his wife stood in great awe of her, and gave her two nice rooms to herself. Well, he sat down as stiff as a ramrod and was talking in a grand style about the great doings at the castle, while she was getting the tea and toast ready. "Oh," says she to him, "would you put your hand out at the window, and cut off a sprig or two of honey-suckle?" He got up in great glee, and put out his hand and head, and said she, "by the virtue of my magic gifts, let a pair of horns spring out of your head, and surround the lodge." Just as she wished so it was. They sprang from the front of each ear, and tore round the walls till they met at the back. Oh, the poor wretch! and how he howled and roared! and the servants that he used to be boasting to were soon flocking from the castle, and grinning, and huzzing, and beating tunes on tongs and shovels and pans; and he cursing and swearing and the eyes ready to start out of his head, and he so black in the face, and kicking his legs like mad.

At last she pitied his case, and removed the charm, and the horns dropped down on the ground, and he would have killed her on the spot, only he was as weak as water, and his fellow-servants came in and carried him up to the big house.

Well, some way or other, the story came to the ears of the prince, and he strolled down that way. She had only the dress of a country-woman on her as she sat sewing at the window, but that did not hide her beauty, and he was greatly puzzled and disturbed, after he had a good look at her features, just as a body is perplexed to know whether something happened to him when he was young, or if he only dreamed it. Well, the witch's daughter heard about it, too, and she came to see the strange girl; and what did she find her doing but cutting out a pattern of a gown from brown paper; and as she cut away the paper became the richest silk she ever saw. The lady looked on with very covetous eyes, and says she, "What would you be satisfied to take for that scissors?" "I'll take nothing," says she, "but leave to spend one night in the prince's chamber, and I'll swear we'll be as innocent of any crime next morning as we were in the evening." Well, the proud lady fired up, and was going to say something dreadful; but the scissors kept on cutting, and the silk growing richer and richer every inch. So she agreed, and made her take a great oath to keep her promise.

When night came on she was let into her husband's chamber, and the door was locked, but, when she came in a tremble, and sat by

the bed-side, the prince was in such a deep sleep that all she could not awake him. She sung this verse to him, sighing and sobbing, and kept singing it the night long, and it was all in vain:—

"Four long years I was married to thee;
Three sweet babes I bore to thee;
Brown bear of Norway, must you turn to me?"

At the first dawn, the proud lady was in the chamber and led her away, and the footman of the horns put out his tongue at her as she was quitting the palace.

So there was no luck so far; but the next day the prince passed by again, and looked at her, and saluted her kindly, as a prince might a farmer's daughter, and passed on; and soon the witch's daughter came by and found her combing her hair, and pearls and diamonds dropping from it.

Well, another bargain was made, and the prince spent another night of sorrow, and she left the castle at daybreak, and the footman was at his post and enjoyed his revenge.

The third day the prince went by, and stopped to talk with the strange woman. He asked her could he do anything to serve her, and she said he might. She asked him did he ever wake at night. He said he was rather wakeful than otherwise, but that during the last two nights he was listening to a sweet song in his dreams, and could not wake, and that the voice was one that he must have known and loved in some other world long ago. Says she,

"Did you drink any sleepy posset either of these evenings before you went to bed?"

"I did," said he. "The two evenings my wife gave me something to drink, but I don't know whether it was a sleepy posset or not."

"Well, prince," said she, "as you say you would wish to oblige me, you can do it by not tasting any drink this afternoon."

"I will not," says he, and then he went on his walk.

Well, the great lady was soon after the prince, and found the stranger using her hand-reel and winding threads of gold off it. The third bargain was made.

That evening the prince was lying on his bed at twilight, and his mind much disturbed; and the door opened, and in his princess walked, and down she sat by his bedside, and sung:—

"Four long years I was married to thee;
Three sweet babes I bore to thee;
Brown bear of Norway, must you turn to me?"

"Brown bear of Norway!" said he; "I don't understand you."

"Don't you remember, prince, that I was your wedded wife for four years?"

"I do not," said he, "but I am sure I wish it was so."

"Don't you remember our three babes, that are still alive?"

"Show me them. My mind is all a heap of confusion."

"Look for the half of our marriage ring that hangs at your neck, and fit it to this."

He did so, and the same moment the charm was broken. His full memory came back to him, and he flung his arms round his wife's neck, and both burst into tears.

Well, there was a great cry outside, and the castle walls were hear spitting and cracking. Every one in the castle was alarmed, and made their way out.

The prince and princess went with the rest, and by the time all were safe on the lawn, down came the building, and made the ground tremble for miles round. No one ever saw the witch and her daughter afterwards. It was not long till the prince and princess had their children with them, and then they set out for their own palace. The Kings of Ireland, and of Munster and Ulster, and their wives, soon came to visit them; and may every one that deserves it be as happy as the Brown bear of Norway and his family.

MUSIC.

By ROBERT G. INGERSOLL.

(In response to the toast, "Music, rosette of arts," at the Independent Stanton Social League, New York, April 2, 1891.)

Knowing nothing of the science of music, I am not always looking for defects, or listening for discords. As the young robin cheerfully swallows whatever comes, I hear with gladness all that is played.

Music may be divided into three kinds: First, the music of simple time, without any particular emphasis—and this may be called the music of the heels; second, music in which time is varied, in which there is the eager haste and the delicious delay, that is, the fast and slow, in accordance with our feelings, with our emotions—and this may be called the music of the heart; third, the music that includes time and emphasis, the hastening and the delay, and something in addition, that produces not only states of feeling, but states of thought. This may be called the music of the head—the music of the brain.

Music expresses feeling and thought, without language. It is below and before speech, and it is above and beyond all words. Beneath the waves is the sea—above the clouds is the sky.

Before man found a name for any thought, or thing, he had hopes and fears and passions, and these were rudely expressed in tones.

Of one thing, however, I am certain, and that is, that music was born of love. Had there never been any human affection there never could have been uttered a strain of music. Possibly some mother, looking in the eyes of her babe, gave the first melody to the enraptured air.

Language is not subtle enough, tender enough, to express all that we feel; and when language fails, the highest and deepest longings are translated into music. Music is the sunshine—the climate—of the soul, and it floods the heart with a perfect June.

I am also satisfied that the greatest music is the most marvelous mingling of love and death. Love is the greatest of all passions, and death is its shadow. Death gets all its terror from love, and love gets its intensity, its radiance, its glory, and its rapture, from the darkness of death. Love is a flower that grows on the edge of the grave.

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OUR SCHOOL FOR CITIZENSHIP

Beginnings of Our National Constitution.

It has been carelessly said, and often repeated, that the framers of the Constitution of the United States made the document out of new cloth, that they assembled and, after four months, and out of the plenitude of their aggregated wisdom, gave the world a form of government new to human history.

They did nothing of the kind. They merely adapted to new conditions, and an enlarged sphere of action, principles of government with which they had been familiar all their lives and which they had inherited from their ancestors both on this side of the Atlantic and across that sea.

The whole of the Teutonic races, from which the framers of the constitution sprung, had, from remotest history, been characterized by the legislative habit. This habit survived in the formation of the British constitution and it was from that source, mainly, that the framers of our constitution got their inspiration. If the debt was not properly acknowledged at the time it was because relations with the Britons had been somewhat strained and a too palpable copying after the institutions of the mother country might have jeopardized the acceptance of the constitution.

Just at that time Americans were looking to France—to Rousseau and Montesquieu and other French doctrinaires, but especially to Montesquieu, for sound doctrine in relation to governments and the rights of man. Continental Europe was at that time almost oriental in its acceptance of absolutism and Montesquieu had made the study of the British constitution and laws the basis of his philosophy.

A third chain of incidents leads to the same source for our national constitution. The Atlantic coast colonies were all settled from the mother country and generally under chartered companies which guaranteed to the colonists the rights of Englishmen. These charters were committed to writing which accustomed the colonists to formal statement and to the drafting of public instruments, as Englishmen had not been, yet the free cities of England existed under written charters so that the idea of a written constitution has never been wholly unknown to the Teutonic peoples since they learned how to write. What was Magna Charta but a written constitution?

When Independence was declared there was no marked change in the lives and laws of the people in the colonies. All but two of the colonies drafted and adopted state constitutions and these two continued under their old British charters as serving the same purpose well enough. The Articles of Confederation were an experiment and that experiment did not work. In a full knowledge of that fact the constitutional convention cast the experimental articles aside and returned to principles and usages with which they had been familiar and under which they had been, and were then, living. What these familiar principles and usages did not cover they borrowed either from the British constitution directly or indirectly through Montesquieu.

Let us, as good Americans, proud of our mother country, from whom we have long since ceased to be estranged, frankly admit that, whether we trace the origin of the Constitution of the United States back through the constitutions of the colonies and the royal charters, by virtue of which those colonies were founded, or whether we trace the essential features of our constitution to the same source through Rousseau and Montesquieu or whether we admit that the framers of the immortal document went directly to the British Constitution for their example and inspiration, we built on the same foundation that English

men built on, and have only modified our common Teutonic heritage to meet our special needs, as Englishmen have modified the same heritage to meet their special needs. We are grounded in the same past that Englishmen are and as well and safely grounded as are they.

From the British king, lords and commons we got our president, senate and house of representatives. The Common Law of England is the common law of America. Theoretically we have separated our functions of government into three co-ordinate, yet independent departments, the legislative, executive and judicial. Practically they are not very independent and not very thoroughly co-ordinated. We have never been able, and probably never shall be able, fully to realize that Montesquieuian ideal. He found it in the British constitution, notwithstanding the fact that it wasn't there, and we got the idea from him.

This harking back to original sources is not unprofitable. It shows that ours is no wild-eyed experiment in government. Our republic grew and is still growing on lines essentially parallel to the growth of the British Empire.

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This is to remind you that EDGAR C. HUMPHREY is the pioneer specialist in property from San Mateo to Menlo Park and about the Stanford University. Homes for sale and

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In taking this pledge it is distinctly understood that I in no way obligate myself to vote for any particular party, any definite candidate or any certain measure. I am binding myself only to my Country, and pledging myself solely to the faithful performance of the duty I owe to her as a citizen.

Signed

Age

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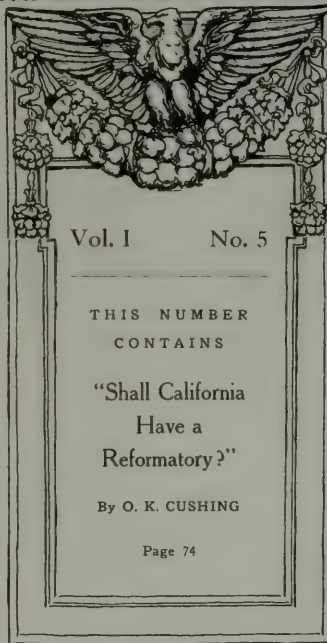
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THE SPIRIT OF CHRISTMAS.

The spirit of Christmas changes with the times. Once it was a pure seasonal festival, the rejoicing of a Northern people, imprisoned in dark and cold, at the turning of the sun and the promise of coming spring. Then the heathen feast and the Christian anniversary of the Nativity were combined, and both elements have persisted until now in the traditional observances of the day, Santa Claus, with all his Christianized name is a heathen troll, and the Christmas tree, the yule log and the ceremonial feasting all breathe the atmosphere of the ancient North, before the long-forecasted catastrophe of Ragnarok, when the old gods died and the new religion of light came in. But all the explicit teachings of the day, the religious services, and the veneration of the Christ-child hark back to the Manger of Bethlehem. It is perhaps natural that the consciously Christian part of the customs should be more predominant in Catholic Southern Europe, where Christianity is older, and the Roman paganism was more completely abolished than in Protestant Northern Europe, where the minor gods of the old religions linger to this day in the elves and gnomes and trolls of popular myth. The partial paganization of American Christmas customs is a tribute to the German influence. Our Puritan forefathers, in New England, scorned Christmas, while their more conformist compatriots in the South celebrated it in English fashion. But now we all celebrate both Christmas and Easter after the more picturesque customs of the fatherland. The spirit of the German forests, from which our free civilization emerged, has come to its own.

In the modern spirit Christmas has become the children's day. The Christ-child embodies the divinity of childhood. Santa Claus is the children's friend, and this is the children's season. On this day the children are granted their due place, as the chief citizens of their generation. All other days, in truth, are lived for them, but this one day is devoted to the express recognition of that fact. It is the happiest time in the year, because it is the truest time. On this day the Child rules, and unselfish love is universal. On this day we practice the divine doctrine of that Child of Nazareth, which the rest of the year we empty profess. Because, for one day, the hates and greeds and jealousies of mankind are suspended, the spark of divinity in human nature is annually rekindled, and never quite goes out. In very truth, "a little child shall lead them," for it is the love of children and the unspoiled spirit of childhood that keeps alive everything else worth while in the world. It is only as men desire better things for their children than they have attained for themselves that human progress is possible. If the spirit of Christmas could extend over the year, this gloomy old world would be glorified.



IT LOOKS GOOD TO US.

The synopsis of a draft for a direct primary law, submitted by the Direct Primary League for public information and criticism, preparatory to being submitted to the legislature, looks good on the surface, but nothing short of a careful scrutiny of the bill itself will warrant unstinted advocacy. The lameness of this bill is that it will permit nominations by a small minority of the whole vote cast and herein lies the advantage of the "push." By drawing into the general scramble as many good candidates as possible to divide the conscientious vote, and then plumping the solidified "push" vote of the principal cities, indifferent men may be placed in nomination. We shall probably, in time, resort to pre-primary caucuses and conventions for placing candidates before primaries to have the defects of such caucuses and conventions cured. Or we shall turn to the principles embodied in the Stetson bill of two years ago which provided that where forty per cent. of the party votes were cast for a candidate he should become the party nominee. Failing in this the nominations must go to a convention of delegates individually instructed at the primaries and relieved from instructions only as nominations are successively made by dropping the lowest candidates at each ballot for the same office.

THE OLD YEAR OUT.

With the going out of the old year San Francisco is getting back to its own. Its downtown streets are thronged as they used to be in the good old, care-free days when the greater portion of the population lived that life might be enjoyed rather than that results might be accomplished. Prior to April 18, 1906, San Francisco was a pleasure-loving city. No other American city so sustained the opera in proportion to population. No other city of its size was so good a "show town" and in no other American city could the gastronome find life so well worth the living at the price.

The great catastrophe sobered San Francisco without daunting it. It gave it something imperative to do and it has been doing it. It has so far accomplished its task as to invite its neighbors to a house-warming, and a right jolly time those will have who accept the New Year invitation. There will be no lack of color or of light, of music or of merriment, of viands for the inner man or of spectacular effects for the outer. In short, with the going out of the old year San Francisco is to put off the habiliments of a long-continued Lent to become herself again, the light-hearted city of America.

And yet it is inconceivable that the lessons of the last two and three-fourths years have been lost on San Francisco. Rebuilding the city has not been a harder struggle than rebuilding civic rectitude. No problems in engineering take precedence over problems of civil government and no architectural ideals, no matter how well worked out, can add more to the attractiveness of San Francisco than the establishment of even-handed justice and the vindication of fundamental laws. The earthquake and fire taught San Francisco much. The struggle with predatory wealth entrenched in graft, or graft entrenched in predatory wealth, whichever way the case is stated, should teach San Francisco more, and the memory of the one should be as lasting as the memory of the other.

San Francisco is only partly Saxon. It is the happier, gayer city for that. The Saxon was wont to take his hardships grumblingly and live sourly with his poverty and discontent. Not so the Latin. Poverty and oppression could not so weigh upon his soul as to deprive it of the right to happiness, and San Francisco has a dash of Latin in its constitution. Therefore San Francisco has borne its burden with Saxon sturdiness and Latin buoyancy. It has met grave dangers gallily and has achieved splendid results as though they had been everyday occurrences.

The new San Francisco will neither shake down nor burn up. May we not hope that the new civic superstructure may prove as enduring? If so we may bid the old year adieu with satisfaction, otherwise our firm building will prove vain. Neither structural steel nor concrete re-enforced can make a city. It takes men.

TELL THE STORY.

When the trial of Patrick Calhoun comes on, let us hope for at least a square defense, not a sneak and a wriggle. The law does not compel a defendant to take the stand, but all principles of gentlemanly honor do, and Patrick Calhoun prates much of honor. There are ways of wriggling out of jail, through the back-door keyhole, but they are not the ways of dignity and honor. Whoever uses them thereby announces that his sufficient aspiration is to keep out of jail. If that is Calhoun's ambition, there is no law to prevent him from seeking it. But if he aspires again to hold up his head among gentlemen, and to look honest men in the face, he must make his defense before the court of honor, by its rules, as well as before the court of law by its quibbles.

What the defense will be, if it is squarely made, nobody is authorized to say. But it has been whispered these two years that the money was paid to Ruef ostensibly as a "fee," but actually under the duress of moral extortion. That the money was not paid, no one has even suggested. That Calhoun had any doubt that he was buying Ruef is scarcely thinkable; but there was no law against bribing Ruef. That he was expressly informed that the money was to be divided with the supervisors is improbable. Such deals are not made that way. But that he understood what would be done admits of no intelligent doubt. The question is whether that understanding can be shown to constitute a legal crime. And the question of public honor will be whether Calhoun can show that he was submitting to what amounted in morals to extortion.

If Calhoun can get an acquittal by telling his story, that is his privilege. If he thinks he can gain any restoration of public honor by telling it, that is his risk. We will not forestall the probabilities of it. But the people have a right to expect of Calhoun, even if the law does not, that whatever his story is, he tell it like a man, and stand cross-examination on it.

"FACTIONS."

Evidently the new Globe is to be no more inspiring a specimen than was the old. Listen to this, anent the Ruef and Murphy trials: "The civic atmosphere in San Francisco has cleared perceptibly since the Ruef and Murphy trials are ended. Each faction can now claim a victory, and both should be willing to bury the hatchet, at least until the holiday season is over."

"Each faction!" Bah! Whoever calls honesty and dishonesty two "factions" thereby allies himself with the dishonest faction. If Murphy was not guilty, there is no faction indecent enough to want him punished. If Ruef was not guilty, there is nobody fenshish enough to regard his conviction as a "victory." But if there is any honest doubt of Ruef's guilt, no organ of graft, for hire or for love, has had the courage or the impudence to say so. Then, if Ruef is guilty, and there is any "faction" that did not want him found guilty, that faction is a criminal faction, and has no right which honest men should respect. It is not a fine aloofness, that regards this struggle of law against crime as a game, in which the victory belongs to whoever plays it best. It is contemptible dishonesty. Here was a case in which the issue was to determine, not who was guilty, but whether the forces of law or lawlessness are the stronger. It was a "victory," indeed, but not for a "faction"—unless the suppression of public stealing is a factional cause; and whoever says that is both a thief and an anarchist at heart.

It is the common cry, whenever Right and Wrong are at issue, "Get together"; "harmony"—but Wrong shall be the harmonizer. Grafters and law-breakers will not object to honest men remaining honest; pro-

THE STAFF

A. J. PILLSBURY, Editor and Manager
CHESTER H. ROWELL, Associate
A. J. WATERHOUSE, Assistant
FRENCH STROTHER, Assistant
O. BLACK, Business Manager

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vided the honest men do not interfere with their equal right to graft and break the laws. Party "harmony" means that those who oppose the corrupt machine shall cease from opposing, while those who favor it shall continue in control. The only object is to "win" anyway, and whoever risks losing, in the effort to win right, is a disharmonizer.

There is no discussing such arguments with patience or respect. They may be some sympathy for thieves. They had their temptations and their motives. But there can be none for the preachers of thievery. Whether they bespeak an evil mind or a hired hypocrisy, the alternatives are equally contemptible.

PAYABLE ON DEMAND.

The dollar has been said to be an order drawn by society upon society, payable on demand without any if's or and's about it. That is why people like the dollar so well and why they struggle so hard to get it. All of the demand orders which society draws are good for their face if drawn with a determination that they shall be honored upon the instant, but, in most cases, society has fallen into the way of drawing drafts payable any old time and such drafts are paid any old time if at all.

It is so with the establishment of justice, with efficiency in municipal and State government, in compulsory education, public sanitation in keeping the streets and highways clean and in repair. The obligations exacted by society from those who serve it are all extensions of credit and, as long as they are so, payment will be long deferred or repudiated.

Had public sentiment in San Francisco, with unanimity, demanded convictions in the graft cases, where guilt has virtually been confessed time and again, convictions and punishment would have followed. Had public sentiment demanded the elimination from the bar of all those who obtained admission to it that they might the safer practice rascality instead of law those attorneys who have devoted their cunning powers to the lawful nullifying of the law would long since have been eliminated. Had the men of California demanded that the political bureau of the Southern Pacific Company go out of business it would have gone out and California would not have been for almost a full generation a political dependency of that company. Had our social order demanded that the millionaire, haled before the bar of justice, should stand there the equal and only the equal of the middle-class man, divested of special privileges and immunities, it would have been so from the start. Every demand order which society draws will be honored at sight if backed with a firmness that lets every delinquent know that society means it.

Here is the whole trouble with California and with San Francisco and her sister cities. The people have not really cared. They have not really and affirmatively cared to have

justice administered promptly and impartially, to have taxes expended wisely and economically, to have transportation conducted as impartially as tariff taxation and made as reasonable in charges as the cost of service should require. There may have been in the public mind a moral assent to efficiency and justice, but nothing akin to a demand to make good, as society has demanded that the dollar be made good.

If we are to have good government, a speedy and efficient establishment of justice and a dollar's worth of service for a dollar's worth of pay, public sentiment must shake itself together and get ready to act. It must make all of its drafts payable on demand, without days, weeks, months, and years of grace. There is no other way. If British justice is more certain than American, it is because John Bull will have it so while Brother Jonathan is easy going and not very particular. Such laxness implies a decay in moral fibre, and a decay in moral fibre implies a need for a moral regeneration. It is time for each individual citizen to go into executive session with himself as to the quality of his citizenship. Only such social orders as are emphasized, are worth the paper they are written on.

THE LEGISLATURE.

Now come the holidays, and then the legislature. The legislature, this time, will start out with many advantages—and one fatal handicap. Its members will be adequately paid, and will have time to do their work. The constitution itself has restricted their patronage loot, so they will not begin their career by the public spectacle of petty larceny. The personnel of the new legislature is better than the average, and there are very few downright hoodlums in its membership, even from San Francisco. The legislature will be more intelligently watched than any California legislature ever was before, and there will be a disposition, on the part even of the daily press, to make criticism effectively discriminating. If things go wrong, the State will know it, but it will know just what is wrong, who did it, and why. There is important constructive legislating to do, with intelligent information on which to base it. The legislature can make a good record if it will.

The one obstacle is the known fact that a majority of the members of the legislature were nominated by conventions under the control of the railroad "organization"; that the State executive committee of the party is notoriously and unanimously under that control; that the presiding officers of both houses will be men who went to the railroad bosses for their places, and made terms, and that it will be a known fact that every man who stands against the "organization" will have his local bills discriminated against. To stand against such a condition requires courage—more courage than the average legislature possesses. Possibly it can be made more unsafe, though, to stand against the people than to stand against the machine.

There are prospects of at least two pieces of reform legislation—the anti-race-gambling bill and the direct primary. But it will take watching to prevent even these reforms from being juggled. Fortunately the watching will be done.

WHO WILL MAKE THE WHEELS GO ROUND?

No one doubts that we are living in an age of exasperating materialism. The dollar looms large and in the pursuit of it men with the money hunger upon them, slave early and late, take little time for recreation and none at all for self culture. All the saps within them are forced into fruiting dollars out on the ends of the twigs, leaving little or nothing for leasure, but they feel that at whatever cost they must

get on. This is truer of smallish men with great ambitions than of bigger men with whom great enterprises come easy, but it is measurably true of every man in business, of every man with an ambition to get on.

There are those who grumble because of the disinclination of organized labor to work long hours, but where else shall we look for so sane and wholesome a standard for working as the eight-hour day with Saturday half holidays? Given steady employment at wages so good that one may support himself and family in wholesome, common sense comfort with forty-four hours of labor in the week—just enough to keep the blood tingling and the body healthy—what more can anything but slothfulness ask of Providence or of any industrial system?

Let us give organized labor credit for knowing what it wants, for taking the contrast to ask for it, away from it. Suppose that it has worked out a philosophy of life it proceeds to put it into concrete form. It is not satisfied with contemplating it in the abstract and with yearning for it as for the unattainable. Besides, old age pensions and employers' liability for accidents are upon the threshold of realization. What a splendid example has organized labor set for employers, our big and little captains of industry, to follow! What an example set for men who slave all day seven days in the week and then take their business cares to bed with them at night to worry over them in their troubled dreams! Suppose that they were to follow that example, then what? Suppose that, having filled their barns with much store, they were to withdraw from their self-appointed tasks and proceed to feed their starved souls, eat, drink and be merry, who would make the wheels of industry go round?

Our ideal labor system, including a living wage, eight hours of work a day, except on Saturday when there is a half holiday, old-age pensions and employers' liability, all rest upon the presumption that there shall be work for all to do. What guaranty is there that there will be? How can there be if, as prophesied, our age of materialism is succeeded by an age of idealism as intense, an idealism that shall replace money hunger with hunger for culture and comfort, an idealism that will make fashionable families content to furnish their homes with oak instead of mahogany? We have seen a slowing up of industrial enterprise during the last year and what hardship has it caused! Suppose that the mad rush for dollars should give place to a moderate wish to be merely well off, thus making the slowing-up permanent?

There runs a vague notion through the industrial mind that Society owes it to every man willing to work that there shall be work whenever he wants work, but Society has so far found no way of making the wheels of general industry go round. Individuals with the money hunger upon them have devised ways and means for making wheels fairly spin, but that has heretofore been an individual, not a social, problem.

These things are not said to disparage the eight-hour day or any of the good things that organized labor has achieved for itself. They are not said by way of justifying our present day mad rush for wealth. Great evils flow from it. They are said merely that thoughtful persons may give heed to the query: If there comes a slowing up in our national haste to get on who is to make the wheels of industry go round?

It is only from the newer-settled States of the Union that complaint of soil deterioration is heard. The older States have learned that no one can check against a bank account with never a deposit made to the credit side and not have the credit exhausted, but the younger States are just awakening to the idea. California is, in this respect, a younger State.

PUTTING UP A GOOD FIGHT.

One of the most cheering incidents of the holiday season is the bold front being made to prevent the trans-continental railroads raising their traffic rates merely because they want to. In times gone by our merchants would hardly have dared so to beard that lion in his den. They would have expected from some source punishment for their contumacy. There has been great gain when business men have come to dare to question the right of railroads to do as they will with the business of our country and coast.

Railroad rate fixing is a phase of taxation and the power to tax is one of the highest functions of government. If rates were made up of terminal charges, and per ton per mile uniform rates for hauling commodities of whatever kind, the element of taxation might be wanting, but as soon as commodities are classified for rate making with regard to value, to what the traffic will bear, and other similar considerations that enter into making freight rates, the power that adjusts these rates is, no matter who exercises it, as much a power of taxation as the making of a schedule of custom house duties. It is a function of government and should be at least supervised by government.

Our commercial bodies have done well, too, to make representations regarding the capitalization upon which the business of country and coast is to be asked to pay dividends. There is no more obligation upon the patrons of a road to maintain its securities at high-pressure valuations than there is upon patrons of farms to maintain their valuations at top-notch prices through good seasons and bad seasons, high prices and low. These valuations must go up and down as conditions vary, and commercial conditions do vary about as the water in a steam gauge varies from instant to instant.

There is no disguising the fact that railroad rate making is a complicated affair and, under a plenary governmental supervision, the railroads should have liberal powers of initiative in making up their tariffs. Under such supervision they may be justified in taxing one industry what it can stand in order that the common good may be subserved by saving another industry from destruction. The power of taxation may thus, but only thus, be invoked.

We are moving steadily toward a plenary control of transportation by government and State. Every overt act makes for progress along that line. The refusal of Mr. Harriman to answer questions propounded by the Interstate Commerce Commission, as to what use he had made of millions belonging to the Union Pacific Company, and the sustaining of his contention by a bare majority of the Supreme Court of the United States, will make for a further extension of the powers of the Interstate Commerce Commission. The resistance our commercial bodies are making to a self-determined advance of rates by the railroads and for the railroads, will help along that forward movement. In short the autocratic policy of railroad managers will put an end to the autocratic powers of those managers. The common good of all, expressed through the common voice of all, must fix these schedules of freight and fares which involve the prosperity of all and, in the performance of this function, government must be as just to the railroads as to shippers and travelers.

It is a hopeful sign that the direct primary idea has reached the stage where alleged molders of public opinion quarrel over which of them was first to suggest it. By the way, has the date of Mr. Herrin's advocacy of the direct primary been definitely fixed?

The Deeper Significance : : : : of Living : : : :

No matter what any intelligent person's attitude toward Jesus of Nazareth may be he will not question that there has been no other personality comparable to His in its effect upon the race. Claiming nothing for Him not to be found in some measure in other great characters, rating Him merely as a man for comparison with other men, nevertheless His pre-eminence among all men of all times and races will not be questioned.

And yet there have come down to us only about forty thousand words that He is said to have said, and these things were said in the morning of a younger manhood cut off from that maturity and fuller development vouchsafed most of the world's sages, with whom some might venture to compare Him. Take this character and this day and the ramifications of this influence at this time and strip it of all claims to the supernatural or preternatural, yet what a marvel it becomes in our eyes!

Then think of the volumes that have been written about this man and His work, this life and the teachings of His life, and the millions of sermons preached in all lands and all tongues during the fifty-seven generations that have passed since He was born, without exhausting the subject, still leaving dips and angles in character and teachings for new generations of writers and speakers to explore! Is it not the surpassing wonder of all wonders?

The California Weekly is not sectarian. It abhors denominational controversy, but there is nothing in the policy that has been marked out for it that binds it to the importance of the greatest fact in human history. It even essays to contribute, from a borrowed source, a somewhat unusual though significant comment upon one facet of that marvelous personality. Reference is made to the unfinishing moral courage of Jesus.

Not that others have not discovered this also, though we seldom hear it commented upon, but, asked what in the character of Jesus most strongly appealed to him, Kang Yu Wei, the banished Chinese reformer and scholar, declared that it was His unfinishing moral courage. His calm, resolute, unflinching and unimpassioned willingness to endure all things and suffer all things for the sake of the work for which He felt He had come into the world. Jesus was no secker after notoriety, no inflated devotee courting martyrdom. With a prescience given to few He foresaw that, quite apart from any doctrinal idea of a vicarious atonement for the sins of a world, He would, if he were left, inevitably make a martyr of men to Him. Who, reflecting upon the course of human history from His day to ours, can doubt that the concept of Christ upon the cross has touched more dead hearts into life than any other influence flowing from that unrivaled source? With a purely human desire He would have preferred that the cup pass from Him, but it was not possible if His mission were to be filled full. Who He quaffed the cup to his dregs. With what a quiet steadfastness of purpose did He set His face toward Jerusalem when He knew that it meant death to go up at that time, but it meant the culmination of His work, the emancipation of the race and the price was not too great to pay.

This lesson of steadfast moral courage is especially physical at this time. Physical bravery is a cheap thing by comparison. Men may be hired to display it at \$13 per month, yet San Francisco has opulent citizens who have not the courage of their convictions. It has been said that "politics makes cowards of us all," but business makes a hundred cowards where politics makes one. Let it be remembered to the credit of organized labor that it has the courage of its convictions and dare suffer hardship for what it feels to be its duty. Is this why its followers are mainly among workday people? Must prosperous men always love their possessions more than justice, more than human rights, more than duty or country?

General Webb to the Rescue.

It was announced some little time ago that Attorney General U. S. Webb had set himself to the task of drafting a railroad regulation law that will not be a dead letter on the statute books, that will give our State railroad commission something to do and the railroads of the State a law that they may be made answerable to. Good! General Webb is a man of ability. If he sets himself to such a task he can make good. It is in him to draft a law that will commend itself to the intelligence and sound judgment of the best men of California, but is he likely to do it? He is an "organization" man. Whatever of political preference has come to him has come through the benign influence of the head of the political bureau of the Southern Pacific Company. This does not close the door of opportunity to U. S. Webb. He has only to declare his freedom to be made free. There are signs that he may have done this. The pressure to thrust him into the graft cases as representing the paramount power of the State must have suggested the squeezing of a cotton compress, but he withstood it. Men of California are warranted in watching General Webb with open minds. Barring the item of expense the State Railroad Commission has been as though it had not been. To the people who elected it it has been a corky turnip, a ripe cucumber. To the railroad company that has owned it it has been three stacks of rust worth owning only that it might be kept out of opposition hands. If General Webb will draft a bill that, enacted into law, will make the State Railroad Commission serviceable, and the transportation companies amenable to it, he will become the greatest man in California and we shall all low-kow before him. But the bill must be enacted into law and that, too, will be mainly up to General Webb. He can have the manhood of California at his back in this task if he will let it be known just what he proposes to do and how he proposes to do it. To this end The California Weekly heartily tenders its good offices.

The Sheriffs and Their Petty Graft.

The sheriffs of California are reported to have resolved to resist the efforts to be made by the State Lunacy Commission, and the State Board of Examiners, to relieve their offices from the task of taking patients from the counties where adjudged insane to the asylums where committed. Report also has it that if the reform is persisted in the State Lunacy Commission itself may be abolished. Herebefore the sheriffs of the State, or those who speak in their name, have put up a stiff bluff in defense of their petty graft and a stiff bluff has served the purpose. The reformers have been too timid to put an end to a system that is a disgrace to California. The present system is indefensible except on the ground that there is a petty graft in it. This graft does not so much go to the sheriffs as to the political odd-jobs men who hang around sheriff's offices waiting for a chance to turn a little easy money now and again and if, in doing so, they can contrive to get pay for a carriage they do not hire, or work in a charge of a dollar for a meal that cost them two-bits, they are doubly elated. To them it is of no consequence that they know nothing of how to handle insane persons, that they treat them like wild animals when they are merely sick people, sick with the most pathetic of all forms of illness, and needing to be handled with tenderest care by persons especially trained to that work. There is scarcely a self-respecting State in the Union that has not put an end to this iniquity and if the Lunacy Commission does not fight the sheriffs like killing snakes it is because its moral courage is overmastered by its political cowardice. That has been the trouble heretofore.

A Splendid Purpose In Life.

Mr. Rudolph Spreckels was recently called to Honolulu. While there he is reported by cable to have declared that his one purpose in life shall be to compel common honesty in public affairs. Than this no higher purpose can inspire the mind of any man. There is no other need comparable with this. The tide of our everyday patriotism has ebbed low. We have, as citizens, loved our country as expressed in hills and valleys, in rivers and bays and broad sweeps of plain, but we have been willing enough to rob its government. We have loved our several States and have been jealously boastful of their material resources, but we have dodged taxation at every step and have loaded down official service with dead timber. We have so loved our cities and towns that no man of us has been known to understate the population of the community in which we live, but we have given grudgingly of our time to public service and have not hesitated to press the claims of unfit friends for political jobs they were incompetent to fill. Commonly honest in private affairs, we have been uncommonly dishonest in dealing with our country, State and city. If Mr. Spreckels shall devote the remainder of his years to rectifying this unwholesome condition he will, though a patriot of peace, deserve as well of posterity as any patriot that wartime may have produced. The evil is deep-seated and has been capitalized for hundreds of millions. Mr. Spreckels is unlikely to prove a second Alexander signing for more worlds to conquer. The task he has cut out for himself will last him to the end.

Reform and a Reformatory.

Persons interested in public affairs will feel indebted to Mr. Oscar K. Cushing for his thoughtful article to be found elsewhere in this paper, in advocacy of a State reformatory. Mr. Cushing has given much attention to the subject and the special knowledge he has gained gives him a right to be heard upon the subject. But a State Reformatory will amount to little without a reforming of political standards in the State. Elmira Reformatory had to fight as for its life to keep out of the hands of so-called practical politicians and, for a season, it made a losing fight and its influence for good became almost nil, but the conscience of the citizenry of New York revolted, the politicians were routed and the institution released to a valued service. Public sentiment in California has been lax in this regard. Our prisons and reform schools have been made merchandise of, with the result that not one institution of the kind is what it should be. If a State reformatory could be made a probationary repository for practical politicians until they learn that State institutions have a higher purpose than furnishing places for political odd-jobs men it would pay for itself in a year. California needs a reformatory for first offenders and with it is needed an aroused public sentiment that will not tolerate the subjugation of the spirit of reform to the exigencies of political place-hunting. A State reformatory with an aroused and sustained public conscience back of it can work wonders for delinquent citizens of California.

When Ruef Passed the Word.

In the light of recent events what must be the emotions that thrill gentlemen of San Francisco who, during past years, have sat in conventions not knowing how they were to vote until Ruef passed the word? There are hundreds of them, men of character and station, who went to convention after convention and never once dared to venture an opinion as to how they would vote until Ruef had passed the word along the line. About how small ought a full-grown man to feel after

having served obediently under such a boss? The recollection of it should make a man feel that he belonged to the vermin family. Is it not about time to have done with that kind of politics? It is one thing for adult men to go into convention and, having thoroughly threshed out issues pending, agree upon a line of policy and follow it, even though individuals have to subordinate their preference to the common will, but it is quite another to wait unknowingly and then vote obediently as some boss may give the order. This subordination of manhood to boss dictation is a good thing to put a stop to and the spectacle which Ruef makes in the eyes of the world should help to stop it. No man is likely to brag to posterity of having marched behind his banner.

An Apologist For Divorce.

Rabbi Joseph Krauskopf of Chicago has taken up the cudgel in support of our American custom of granting divorces to those who want them merely because they want them, claiming that the final result is going to prove most beneficial. As he sees it the result will be that women will demand, and receive, the same consideration from husbands that husbands demand, and receive, from wives, and that there will not continue to be one standard of virtue for women and another for men, but that both will come to woman's standard. He is of the opinion that Europe would be much the better, less licentious and more domestic, if as liberal divorce laws prevailed there as here. That is one point of view. There is another, that of the children. If the contracting parties were the only ones involved divorce might be liberally allowed, but if Rabbi Krauskopf will make a study of the problems of delinquent and dependent childhood in America he will find the all sufficient explanation in broken homes, broken by death it may be, but more often by separation, desertion and divorce. The need in this country is to hold families together, for the sake of childhood, to impress upon those about to contract marriage the permanency of the obligations assumed, to force delinquent husbands and wives to carry out their marriage contracts. There are cases where divorces are proper enough, but not to the extent of one out of every twelve marriages. Two divorces out of the hundred marriages would come nearer the mark.

Few instances of predatory perversity exceed in rawness the refusal of street railroads to protect pedestrians with rationally devised fenders for their cars. Other cities have solved the problem; and why not our own? Los Angeles has done so in a substantial if inartistic way. Basket arrangements projecting beyond the front of the car are artistically unattractive but, neatly housed under the car, their only office is to prevent the desecration of the remains after the steel-shod battering ram of a car front has knocked the framework of the victim into an inextricable tangle. It is such cold-blooded disregard for human life as this that incites the public mind to hatred of public service corporations.

Not much is to be expected from a legislator who frankly admits, in private conversation, that he does not expect to represent the constituents who voted for him except as he may do so without being disobedient to the man who furnished the means for making his campaign. It will not be otherwise until the State devises a method of meeting the necessary expenses of every candidate for office out of a common fund and rigorously prohibits all expenditures not strictly necessary. The man who pays the freight will get the goods every time.

POLITICAL TABLE TALK

By ALL-OF-US.

Among politicians the belief stands ground that Governor Gillett regards himself as a promising candidate for re-election, and the question is being asked how many other persons take the same view of his availability? There has not been, and there could not be expected at this time, any declaration of opinion or intention on the part of the "organization," for although without its powerful aid the Governor could have no hope of succeeding himself, and probably would not try; it is contrary to organization traditions in politics to commit itself by making untimely pledges. It will be for the Governor first to show that he has some elements of personal strength with the voters before the power which nominated and elected him will undertake the task a second time. Re-election of governors in California is something which so far, has proved too much even for an almost invincible combination of railroad and professional politicians. Up to this time the opinion that the Governor could be re-elected is the personal possession of himself and a few of his immediate friends. Of course the events of the coming winter, when the Legislature will be in session for two months or more, will determine the fate of the second Gillett boom. Within certain limitations the Governor's destiny is in his own hands, and the way in which he will dispose of a number of marked measures which are coming up will now or make him. And a legislative session is much more likely to mar than to make a governor. The mass of voters obtained a pretty clear idea of the Governor's attitude toward Southern Pacific politics during the session of 1907, and they are not so greatly deceived next time, although it is well understood that this time the railroad policy will be to "protect" the governor and all other friends, so far as possible, by not putting them in a position in which they would be compelled to do anything for a corporation which would look especially bad.

The Governor is said to be relying largely on his good roads bond proposition to reinstall him in popular favor. He has a scheme for the issue of \$18,000,000 of State bonds to build highways all over California, and he believes that a majority of voters will be so glad to get good roads that they will not particularly count the cost and that in all the counties the people will hail with delight the proposal to issue bonds, so long as the State agrees to bear on its back the heavier part of the burden of interest and redemption. It may be so, and yet the fate of the seawall and India Basin bonds voted on at the recent election shows that the people of California are not indiscriminate bonders.

In the offices of all the State boards and commissions in San Francisco the commissioners are discussing their chances of securing salary increases, and the report comes from Sacramento that the Capitol building is humming like a beehive with discussions of the same interesting topic. For it is assumed that the amendment raising the salaries of the eight principal officers of the State becomes effective at once, and also that the Legislature will proceed to increase the pay of all clerks from \$133 per month to \$150, as permitted by the amendment. This would alone call for a considerable amount of the taxpayers' money, but it would be only a beginning, because the higher-paid deputies and the heads of a long list of departments and commissions would claim the right to share in the increase. In short, something like a horizontal raise of salaries will be attempted, if the Legislators, whose own compensation has been more than doubled, do not object strenuously. The raising of the pay of the elected officers from \$3,000 to \$5,000 per year met with more than a lukewarm reception. It did not seem at the time when the people voted on it. Heretofore the sight of the high dignitaries of the State getting only \$3,000 per year (and the Governor, the highest dignitary of all, \$6,000) has repressed a deal of energy which

would otherwise have been expended in working for higher salaries up and down the line.

The pillow of the President-elect has some thorns in it, and it may be suspected that the sharpest thorn of all is the untimely ambition of his brother, Charles P. Taft, to be United States Senator from Ohio. It is an unfortunate incident, and although the public's information on the subject is and will continue to be inference rather than knowledge, it is a case where inferences are bound to be drawn and will doubtless strike somewhere near the truth. Everything in his record tends to show that Mr. Taft has a keen sense of political proprieties, and we do not suppose that anyone thinks he will relish the present situation. Charles P. Taft has but two things to distinguish him, one being his wealth and the other his relationship to a President-elect, and neither constitutes a good platform on which to run for Senator. Quite probably William H. Taft has intimated as much to his brother, but he is not a man to be dissuaded by an intimation, and to do more than to intimate would, under the circumstances, be embarrassing. For Charles P. Taft contributed \$600,000 to the Republican campaign fund, and before the nomination he spent other sums of money which are generally believed to have been large. The embarrassment of the situation may be easily perceived. The Burton incident was unusual, and although conjectural interpretation of it may go astray, it is perfectly natural to assume that it has something to do with Charles P. Taft's candidacy. Congressman Burton had an ambition to be Senator, and this was quite generally understood. But the President-elect offered him the appointment of Secretary of the Treasury. This seems to have been done before the candidacy of Charles P. Taft for the Senate was regarded as a fixed fact. Mr. Burton was the right man for Secretary of the Treasury and the best selection the new President could have made from his own State for member of his cabinet. Mr. Burton went down to talk it over with Mr. Taft, and for a time it was believed the appointment was a certainty. But a hitch occurred somewhere, and presently it was announced that the cabinet offer had been withdrawn. So Mr. Burton is again a candidate for the Senate and against the brother of the President.

Suppose the offer of a cabinet position had not been withdrawn and that Mr. Burton had accepted it. Would it not have been said that the President-elect had purposely taken out of the way of Charles P. Taft his strongest rival for the Senatorship, and that he (the President-elect) was covertly working for his brother's election? And would not a great many foolish people have believed it? Again, if Burton had been retired from the list of Senatorial candidates, the chances of Foraker, an undesirable, would have been notably improved, because as between Charles P. Taft and Foraker public sentiment might have turned once more toward the latter.

Mr. Taft has worked for the political redemption of Ohio, and when Foraker was practically eliminated through exposures of his relations to the Standard Oil Company, the redemption appeared near at hand. No one looked for another Mark Hanna to arise and complicate matters. It is regrettable that Charles P. Taft should have adopted the notion that greatness runs in the family, but all will come out right if Congressman Burton wins the election.

As one result of the late election the menace or the promise of socialism, whichever way one may choose to regard it, seems considerably further off than it did before. For although there was an increase in the vote of the Socialist party, as compared with four years ago, it was so small an increase, when taken in connection with the growth of population and the improved organization and in-

cessant agitation kept up by the Socialists, as to appear more like a loss than a gain. In some States, as in California, for instance, there was an actual falling off in the party vote. Manifestly, the rise of a great Socialist party in the United States is not coming so soon as the late Mark Hanna supposed that it would.

Yet the subject can be looked at in more than one light. In 1904 Debs no doubt received many votes which were not those of convinced Socialists; dissatisfied Democrats of radical tendencies voted for him in preference to Parker; but this year that vote went to Bryan. Nevertheless, after making due allowance on this score, the Socialist party has not prospered as its leaders and many of its opponents expected that it would, and the question why is of some interest. It is probable that the Socialists injured their cause by the extreme violence with which they took up the cause of Haywood and Moyer, and the action of the smaller of the two factions in nominating for President a man who was in prison on a murder charge was another indiscretion which reacted. But above and beyond these temporary incidents is the fact that Socialism and the American spirit do not go well together. The old traditions of individualism and personal initiative among all classes of people have not yet lost their hold, and, fortunately, it will be many a day before they do so.

Amelia Barr says that no woman has a right to begin the search for a career until she has raised a family. Mrs. Barr was nearly fifty years old, and the mother of fifteen children, when she wrote her first book.

Madame Gertrude Kasebier, a New York exponent of photography as a fine art, refused \$1,500 for the price of a photograph art study entitled "The Crucifixion."

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

At Christmas Time.

On Christmas Eve wee bairnies know
That the long night will never go,
For oh, it is so long, so long,
Its hours a never-ending throng.
Good Santa waiteth for the day,
As wait his gifts in bright array,
So dragging hours the bairnies grieve
On Christmas Eve.

On Christmas morn, with shrilling shout,
King Slumber's popped host they rout,
And, oh, the laughter and the noise,
The gifts for girls, the gifts for boys,
That Santa Claus has left behind
As swift he traveled down the wind.
Ho, tiny toddler, blow your horn—
'Tis Christmas morn.

On Christmas night the day of cheer
Has vanished for another year.
Then by their cots the bairnies kneel,
Each lisping words that upward steal,
And mothers—ah, the mother-grace!—
Leave kisses on each baby face.
And whisper, "Lead them by Thy might!"—
On Christmas night.

* * *

Grass Valley's Christmas.

Up in Grass Valley, this blessed Christmas day,
There will be not one child—neither wee
toddler nor maturer youth—who will not receive
a gift of some sort. There will be not one home
so cluttered in the grip of penury that the babes
therein shall not be gladdened by the precious
freight which Santa Claus brings from his far-
away home, wherever that home may be. The fact
thus recorded regards to the fine credit of Grass Valley,
does it not? But listen to the rest of the tale:

Not only will no child be unforgotten and
ungladdened in this mountain town on the
world's day of good cheer, but not a single one of
the bairns there has been unremembered and
unblessed on any Christmas Day for twenty-five
beautiful years. Tiny babes have grown to manhood
or womanhood, and now hold little ones of their
own in their keeping, and not one in the long
procession has been overlooked by the good
saint of the frosty beard. And I think that the
story of how this condition came to pass is of the
sweetest tales that are told of our fair California.
Here it is:

A certain Mrs. Hanson—be her name remembered
in gratitude—was an invalid, and, sitting by the
window of the cottage where her illness confined
her, she saw the children passing on their way to
school. There was mother-love in this lonely woman's
heart, and, because of the longed-for sight of each and every one of
the bairns might be happy in the glad Christmas
season. Then the good thought came to her: Why
should not those who had provided for those who
had not? She told her thought to others, and it
developed into blessed action, and now, on the last
cool day before Christmas, you might see every child
who has something to spare taking it to school, thence
to be distributed to those who need by a committee.
One carries a vegetable, another a chicken, another
a toy perhaps; and the merchants and business men
and others, join in with a will, and so comes to
Grass Valley the most blessed Christmas Day known
on this round earth, a day truly worthy of Him
whose birth it commemorates, the One who said,
"Suffer little children to come unto me, and forbid
them not." For there is no home in Grass Valley
forgotten by Santa Claus, no home which the
blessed Christmas sunning does not brighten and
gladden.

Long years ago this humble woman, Mrs. Hanson, folded her tired hands and went unto
her reward, but her deed of love still lives, and
who shall doubt that her reward is greater—
ah, infinitely greater—than will be received by
some who dwell in palaces and receive the
plaudits of their world?

Sons of the Heroes.

We are the sons of the heroes, of those whom
the grim years tried,
Of men who were strong 'gainst militant wrong
and ever its might defied;
Tucton, Celt or Roman, Angle or Saxon or Hun,

We are the sons of the mighty ones by whom
was our liberty won.

The stern old Pilgrim Fathers
Loving their somber God;
The Huguenots, flame-enveloped,
Divinity in the clod;
Socrates in his prison,

Huss at the stake of flame,
All of the martyred army
Suffering in His name,

These are our mighty fathers, these are the
ones we own.

Greater than victor chieftain, king on his
golden throne
Blood of their blood is in us, thrilling us as it
runs,

And so we proclaim in Liberty's name that we
will be worthy sons.

We are the sons of the heroes. The standard
of right they bore
Through struggle and strife of the battle of life
till days of their struggle were o'er,
But the battle is yet unended, Wrong beareth
his scepter high.

And Duty has need of the ones who heed her
voice, though it seem a sigh,
And so we have sworn—we swore it by the
God whom our father knew—
That we will give heed to her summons and
e'er to her best be true.

And, oh, if in us there runneth
A strain of a craven blood
From far-off shirker of duty,
Congealing the good, red flood,
We have sworn that we will do better
Than ever this craven knew,
Holding our country's danger
Prove our duty, too.

For we are the sons of the heroes, of those
who have died in His name,
And all they have dared and suffered is yet on
their sons a claim,
Calling us still to the battle 'gainst Wrong
and his armored crew,
And we, as the sons of the peerless ones, must
aye to that call be true.

We are the sons of the heroes who battled
in Liberty's name
When the timorous clod, at the tyrant's nod,
cringed in his sullen shame,
And the battle still is upon us, still would the
briber and knave,

For lust of red gold see honor be sold, and
that people yet enslave.
Then stand to your purpose steady,
You who would yet be true,
For children unborn await your deed,
Grateful or loathing you.

Let the prisons yawn for bribers
And all of their bountied brood,
Knowing your duty shall not be done
Till Freedom whispers, "Tis good!"
For how can sons of the heroes rest till the
sun shines bright?

On the horns of the Wrong down-ridden and
hosts of the conquering Right?
Still is the battle upon us, for knave and his
victim have met—
But we are the sons of the heroes, and this
we will not forget.

Considering the Ruef Appeal.

The judges of the higher court were un-
officially assembled with the purpose of con-
sidering, informally, the appeal in the Ruef
case. It was a grave and reverend body of
men, looking on its individual members,
one could not fail to appreciate how entirely
they deserved the high esteem and regard in
which they are held by the great non-judicial
and groping public.

"I suppose we are agreed, my brothers,"
said the first judge, speaking slowly and im-
pressively, "that there can be no question
concerning the guilt of this defendant, Ruef.
The evidence in the case, as I have hastily
glanced through it, is conclusive as to his
criminality. All that remains—but I need not
tell you what remains, I am sure."

"Certainly not," remarked another judge,
speaking still more slowly and impressively
than the one who had preceded him. "The
defendant is guilty as a very field; there is no
doubt of that. While our city lay in ruins,
and the voice of sorrow was heard on every
hand, he proceeded to rob and loot it in the
hour of its extremity. The high duty that re-
mains to us, then, is carefully, and with judi-
cial propriety, to investigate the indictment
and the lower judge's rulings, and discover
whether or not there is a technical flaw which
would justify us in turning the black scound-
rel loose, again to prey upon the city which,
in very travail of shame, gave him to the
world. Of course, we should deeply depre-
cate having to do this again, but our high
duty, gentlemen, our high duty to the sacred
technicalities of the law! Our learned brother
in the corner has examined the indictment,
the rulings, and the proceedings more
closely than any other of us, and I should be
pleased to hear from him."

The learned brother in the corner slowly
arose, and the informal assemblage awaited
his utterance with hushed attention.

"Deeply realizing, as I do," said he, in
words whose weight and wisdom, echoing
throughout the room, made it seem a judicial
holy of holies—"Deeply realizing, as I do, the
damning guilt of this man, it is with profound
regret that I am compelled to announce that
I have found in the indictment flaws which I
believe to be fatal to its validity."

Even on those stern judicial countenances
one might see passing consternation, hastily
draped in official repose, and the learned
brother in the corner continued:

"In the eighth line from the top, in the
word which should be 'bribe,' the second 'b'
is so carelessly written that it might readily
be taken for 'd.' At once you realize how
serious is this defect?"

"Alas! we do," the others sadly, but pro-
foundly, groaned.

"Nor is this all," the learned brother in the
corner continued. "In the next to the last
line, you will regretfully notice upon inspec-
tion, in the words 'Grand jury,' the 'G' is
capitalized, while the 'J' is not. What re-
mains for us save to perform our high duty
by overturning the proceedings in the lower
court?"

"What, indeed?" cried most of the others,
influenza-stimulated, staring upon their
stern and thoughtful countenances.

"I knew you would feel thus," the learned
one admitted, proud gratification in the judi-
cial brotherhood gleaming in his eye, "but
how will you feel when I assure you that the
record shows that one of the grand jurors ex-
pressed a prejudice against bosses who are in
the business for revenue only. Is not our
duty clear?"

"All too clear," cried the others almost as
one man.

"And, again, it is shown that one of the ju-
rors in the case raised his left hand in taking
his oath. Alas and alas! How these left-
handed men do get in the way of the triumph-
ant march of the Majestic Law!"

"Alas, they do," moaned the others.

"Shall these disastrous snags at sacred tech-
nicity be disregarded by us in this case?
No! Nay! Never!"

"Nay! Never!" most of the others repeated.
"But I understood you to say, and I agree
with you, that Ruef is guilty," remarked a
quiet judge who thus far had said nothing.

"Let us remember our high duty," said the
judge who first spoke, reproachfully.

AS THE WORLD WAGS—Continued.

"And maintain inviolate the temple and altar of technicality," said another.
"Yes, let us—"

I awoke with a moan and a terrible cry, and was unutterably glad to know that I had but dreamed. Yes, it was but a terrible dream, seeming, indeed, like frightful reality. And now I was awake, and rejoicing to know that the higher court still is to act in Ruef's case.

And yet—and yet—will you believe me when I inform you that this dream of horror doubtless was based upon a conversation I had heard the evening before, in which the participants—and fairly intelligent men they were, too—prophesied that matters would go about as they went in my dream, basing their prophecy on previous actions of the higher courts? The forecast had disturbed me, and the disturbance had woven itself into my dreams.

But, of course, such a prophecy is absurdly unbelievable—is it not?

The Blessed Christmas Spirit.

'Twas the blessed Christmas Spirit, and it hovered o'er a world
Where banners of grim Penury forever were unfurled.

It looked on want and sorrow and the whirlpool depths of sin,
Saw those who turned to ways of woe who might to heaven win.

But still it winged its cheering way, and would not pause to sigh,
But left a deed of kindness here, and there a purpose high.

And many a heart was touched by love, and hopes were given birth,
'Twas the blessed Christmas Spirit, and it the earth.

And still it winged its cheering way. "I may not stay," it said,
"Tis mine to bless the weary world, whence hope too oft has fled.

Of 'Peace on earth, good will to men,' I bear the message yet,
The message from far Bethlehem that man may ne'er forget."

And so the world grew strangely glad, and turned it from its strife,
From selfish greed, and cruel hate, and darker ways of life.

And on one day, one day of days, Self's banners all were furled,
Because the blessed Christmas Sprite went flying o'er the world.

The Opinions of Rufus.

Relegation an' med'cine is some alike in one way, I've noticed; lots of folks take 'em only when they're sick.

They see a thing as takin' yourself too seriously. Look at an owl, Frinstance.

Feel that your clay is better quality than that of most folks if you like to, but if you want to keep up the pleasin' theory, I reckon you'd better not have the clay submitted to scientific analysis.

Sometimes I mos' feel as if I orto hope they won't be too much laffin' an' jokin' in Heaven, fer if there is I know some reel good people that's goin' to be both shocked an' pained.

Gently speakin' critters is fokes that can't do things, but can tell you how you orto do 'em.

They was a man that invented spectacles through which you could see other people's faults, but couldn't notice your own, but they wasn't much demand fer 'em, fer he found out too late that lots of us didn't need any glasses to see in that way.

I've knowed fellers to put stuff in their mouths to steal away their brains when the closes' inspection never convinced me that they had any to spare.

I've heard men brag of bein' self-made when I couldn't help feelin' that it relieved the Almighty of a dreadful responsibility.

The Jelly-fish and the Man.

There was once a jelly-fish in the era pliocene Which was really quite ambitious and of most superior mien,

For it said, "I've been evolving since my race on earth began,
And I'll keep on evolving till at last I'll be a man."

So he died, and he died,
And he passed, and he passed,
Through the mollusk and the ape,
Till at last, quite at last,

He reached the destined goal
In the rolling ages' span,
And he cried: "Upon my soul
I'm a man, I'm a man!"

And if you my story doubt, as I somewhat fear you do,
Here's the proof beyond a doubt, which I now present to you:

For the spinnless jelly-fish shaped as man,
Upon your way
Look about you as you go—you will find him
any day.

The Old Year and the New.

There is a moment, and but one, in which the Old Year and the New Year meet, and in that brief moment they exchange confidences and hopes, and promises and the record of their non-fulfillment, the high-leaping ambition of youth and the dreary wisdom of age.

The Old Year, worn and weary, staggered up the path of the days to the brink of the eternal precipice, and there the New Year, fresh and fair from the womb of the unknown future, met him.

"I am weary," sighed the Old Year, "weary of hopes which have died ere they were fulfilled, of bright visions which have whispered their lying promises unto me, of evil which I have done and good which I have left undone. I promised so much, and I have performed so little!"

"I don't wonder," trilled the Baby Year, "that you are disgusted with yourself. I should be if I were compelled to look back on such a record as the one you mention. As for myself, my record will be quite different, and vastly better, I can assure you. Why, I really wonder at myself when I think of all the supine promises I have made."

"I made such promises, too," sighed the Old Year.

"Yes, but they were different," the New Year chattered in light-hearted response; "they were different, for you didn't keep your promises."

"Little one, little one," the tottering Old Year responded gravely, yet kindly, "I would, as I leave you, believe, as one final, sweetest dream, that none of your vows will be broken, none of your promises unkept, but you will learn, and sadly learn, as you wander along the misty pathway of the days, that promises are but brittle stuff, that hopes die and ambitions perish; you will learn that good too often is unattained, and that the forces of evil are mighty; you will regretfully realize that Selfishness often is triumphant while the message of the wonderful Nazarene is forgotten. And yet—and yet—"

The Old Year hesitated.

"Well, what is it?" the New Year inquired. "Our time is limited, you know."

"Yet I would not discourage you. Sore disappointment you will know; your record will not be what you anticipate, but when you stand on the brink of another precipice like to this o'er which I now totter, one ray of sweet assurance will gleam through the clouds of regret or remorse, gladdening your time-worn heart ere you take your place among the things that were. There will be good deeds to be remembered, kindly actions which shall brighten your dimming eyes as you recall them from memory's maze of folly and error, and, best of all, you shall know that, on the whole, the world is a little better because you have trodden its weary way, for it is written in the Divine Will that, day by day and year by year, as the long record is made, little man surely creeps upward unto that which his Creator intended him to be. And this assurance comforts and—"

The moment was gone, the Old Year toppled over the precipice, and the Baby Year went his joyous way, but he did not understand that which he had heard.

Yet when, wise with the experience of the days, he stands on the verge of the precipice that awaits him, he will know and understand.

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PROPOSED LAW ON RACE-TRACK GAMBLING

By EARL H. WEBB.

The conditions in New York and in this State on the subject of race-track gambling differ in several particulars, although the effect of the evil upon their respective communities is the same. In New York where successful legislation correcting the evil has lately been passed, the initiative for this legislation came from the governor of the State, who, through his power and influence and in the exercise of his right to suggest legislation, was able at once to bring the matter to public attention and make of it a vital and absorbing issue.

California the initiative must first come from the people and unless they are fully aroused to the necessity of the proposed law, are well organized and make their demand for this legislation in plain and unmistakable language, nothing can be accomplished.

In a reform movement of this kind, that strikes at the root of a well established social evil upon which large financial interests fatten, it is impossible to pass a law through the legislature in furtherance of the reform when the initiative comes from a member of the legislature unsupported by an aroused public opinion, no matter how honest, earnest and courageous he may be; as witness the splendid but futile efforts of Assemblymen R. H. E. Espey in 1904 and 1905 and of John Eshelman in 1906 and 1907.

Such large financial interests as the race-track associations, operating at Emeryville and Arcadia, make it their business to have special representatives constantly on hand in one or both branches of the State legislature so that they can be ready at all times to block any legislation inimical to their interests. They also have in their pay or under their influence certain newspapers through which they are able to publish racing charts, tips upon races and other like allurements and, at the same time, stifle public knowledge of the attendant evils, as accounts of suicides, thefts, embezzlements and other crimes which could be directly traced to the race-track. For these services said newspapers receive large financial benefit in the form of payment for space in the newspaper columns. In addition to that those proprietors who govern the policy of their papers purely for practical considerations hesitate, for political reasons, to take hold of a moral issue which attacks alleged vested interests. They know that if they should come out frankly and unreservedly for certain reform legislation they would array against themselves the political organization which is under the control of the affected special interest, as in the present fight in which we are now engaged, the Republican morning dailies of San Francisco refuse to openly endorse our fight because their managers fear it may interfere with the political combinations they have formed or are now forming on matters to come before the Legislature and in which matters they are relying upon the facile legislative tools of the special interests. Most of these corrupt tools of legislation are to be found on the side of the controlling political party; as they are spoolmen pure and simple and politics is a business and not a principle with them. The great majority of the voting population do not realize the ramifications of political organizations throughout business and social life nor how often the public good is sacrificed to private interests through the manipulation of our representatives in such a way as to protect crime instead of prohibiting it.

To illustrate:

Section 337 of the Penal Code is evidently so worded as not only to legalize race-track gambling but to protect and license it; for in that section it is provided that any officer or officers who shall vote for the passage of an ordinance or by-law granting or pretending to grant a privilege to open, carry on or conduct or cause to be opened, carried on or conducted any game or games prohibited by Section 330 of the Penal Code is guilty of a felony, so the race-track advocates assume that any game or games not prohibited by said section can be licensed and protected by our law. As

pool selling and book making on races is not mentioned in the list of gambling games there is prohibited it is lawful to license them. Our crafty legislative politicians, instead of passing a general law prohibiting gambling have pretended to be exact and explicit by reciting a long list of comparatively harmless games and then (for a consideration) omitting from the list this particular one upon which their special interest waxes and grows fat at the rate of from \$7,000 to \$10,000 per day in actual profits known to the investigating public. At this writing thirty-one bookmakers alone are paying to the Jockey Club \$20 a race or \$120 per day each for the privilege of fleeing the public.

In furtherance of the plan thus suggested by the peculiar wording of the two sections above referred to the New California Jockey Club Association, operating at Arcadia, have organized their respective municipal corporations as cities of the sixth class under our general laws; elected their pliant tools as trustees of said municipal corporations and have had those trustees issue to the racing associations licenses for carrying on the business of gambling by pool selling and book making within the boundaries of said municipalities. On the same theory the pool rooms of Sausalito are being operated, against the protests of an outraged public, and at this writing the professional gamblers are endeavoring to create another crime factory at the little town of Ocean View which has just been organized and which lies at the north boundary of Berkeley, it being the avowed purpose of these emisaries from Emeryville to establish pool rooms at that place. What a splendid setting for the university of a great State! A sink hole of crime on either side; the sea before and the hills behind. How can the youth of the land pass to and from her gates without contamination?

Thus have the laws of the State been debauched and its citizens betrayed through the treachery of the people's representatives. Is it not time that we awake to a realization of this damning evil and in united voices, through press and pulpit, by word of mouth and by action demand from our legislators that they rescind the immediate and permanent sanction of this iniquitous institution which is destroying the morals of our youth, the business integrity of our men and the virtue of our women?

The California Anti Race Track League was organized for the purpose of arousing public interest on this issue by bringing to the attention of the voters throughout the State, first the evils directly resulting from the main-tenance of the Emeryville and Arcadia race tracks, the pool rooms in Sausalito, San Francisco and other places, and second, the inadequacy of our present laws to meet these evils and the imperative need for proper legislation. We believe that if the majority of the State were once possessed of this knowledge they would demand from their legislative representatives the passage of such a law.

Publicity.

We were not long in discovering that the only practical way by which we could bring this knowledge to the attention of the voter was through the public press and that unless we could enlist in our cause the proprietors and editors of the independent publications and could have access to their columns our efforts would be useless. And at this point I wish to express our sincere thanks for the disinterested, intelligent and valuable work which the independent papers throughout the State have performed in our behalf. At this writing 210 of our newspapers, including the San Francisco evening dailies, have openly declared for us. It is to be hoped that the morning dailies of San Francisco will realize the importance of this issue and the moral responsibility resting upon their editorial managements and do what they can to make cer-

tain the success of a reform movement which is almost won.

Proposed Law.

The contest in the State of New York and the success of Governor Hughes has brought us strength and valuable suggestion. After due deliberation our committee on legislation has decided to follow substantially what is known as the Hughes bill, only changing it in certain particulars where we think it necessary more fully to comply with the form and requirements of our new legislative enactments. Our proposed law is less sweeping than the New York statute and is directed solely to book making and pool selling on races. We have decided upon thus limiting it for two reasons; first, we consider that the main evil comes from pool selling, and second, it is for the purpose of silencing the argument heretofore made by the advocates of the race track that if a law of this kind were passed it would destroy the occupation of breeding fine horses and the access of county fairs in the State. Under the law here proposed, purses can be offered at the tracks and individuals may make their bets among themselves if they so desire, for that is a matter that no law can regulate.

The proposed law is herein set out. I earnestly ask each reader of this article to consider it carefully both from the practical and legal standpoint. First, Is it practical and sufficient? Second, Will it stand the test of an attack in the courts?

"An act to add a new section to the Penal Code to be known as section three hundred and thirty-seven 'a' thereof and relating to gambling by pool selling, book making, bets or wagers upon the result of any trial or contest of skill, speed or power of endurance of horse or other animal, or between horses or other animals and providing the punishment for the violation thereof."

"The People of the State of California, represented in senate and assembly, do enact as follows:

"Section 1. A new section is hereby added to the Penal Code to be known as section three hundred and thirty-seven 'a' thereof and to read as follows: 337a. Every person, who engages in pool-selling or book-making at any time or place; or who keeps or occupies any room, shed, tenement, tent, booth, or building, float or vessel, or any part thereof, or who occupies any place or stand of any kind, upon any public or private grounds within this State, with books, papers, apparatus or paraphernalia, for the purpose of recording or registering bets or wagers, or of selling pools, or who records or registers bets or wagers, or sells pools, upon the result of any trial or contest of skill, speed or power of endurance of horse or other animal or between horses or other animals, or who receives, registers, records or forwards, or purports or pretends to receive, register, record or forward, in any manner whatsoever, any money, or consideration of value, bet or wagered, or offered for the purpose of being bet or wagered, by or for any other person, or sells pools, upon any such result; or who, being the owner, lessee, or occupant of any room, shed, tenement, tent, booth or building, float or vessel, or part thereof, or of any grounds within this State, knowingly permits the same to be used or occupied for any of these purposes, or therein keeps, exhibits or employs any device or apparatus for the purpose of recording or registering such bets or wagers, or the selling of such pools, or becomes the custodian of depositary for gain, hire or reward of any money, property or thing of value, staked, wagered or pledged, or to be wagered or pledged upon any such result; or who aids, abets or assists in any manner in any of the said acts, which are hereby forbidden, is punishable by imprisonment in a county jail or State prison not exceeding one year."

I will not attempt in the limits of this article to detail any specific example of crime or

San Francisco, December 25, 1908.

THE CALIFORNIA WEEKLY:

Two Christmases.

misery, directly traceable to the race track. There is probably not one reader of this article who cannot call to mind an example that will point this moral.

The fact that no man or publication dares openly advocate race track gambling is proof and conclusive that it is an unmixt evil and a menace to society. Both the Republican and Democratic parties have gone on record as supporting this issue.

If this law does not pass let the people of the State put the seal of their disapproval upon the political party as well as upon its representatives in the legislature who fail to keep this pledge.

Do You Use U's?

Have you ever noticed that your newspaper and your magazine spell words like "harbor" with just an "o," while your books spell it with a "u" added, "harbour." And that the newspapers say "civilization" when the books say "civilisation"?

The reason is this: The American newspapers and magazines are printed for Americans only, and Americans prefer the simpler and more obvious spellings. But the books are printed for their publication in America, and the English have a profound prejudice in favor—no, favour—of the u's and the s's. The English editions of American books are printed in London to be bound there. To save extra cost of composition, they are printed to satisfy the English prejudice, which is deep-rooted, and simply ignore the American preference, which is tolerant. Hence the two spellings in American reading matter.

How Tiffany's Began.

The founder of the great house of Tiffany's, jewelers, began life as a clerk. In those days he roomed with a chum who clerked in the same store, and each of the pair saved all his spare cash to start a business of his own. At last they felt able to launch their own canoes, and his friend said:

"See here, Tiffany, I'm going into the grocery business. Everybody has to have groceries, and I'll always have customers. You'd better join me."

"Not I," replied young Tiffany, "I'm going into a business that supplies luxuries. I won't have so many customers, but they will be people who don't have to count the pennies and they will be surer pay."

His friend died clerking in a grocery store, having failed in his own ventures. Tiffany left behind him a monumental business. He had one inflexible rule in business, never to misrepresent the quality or value of anything he sold.

An Uncrushable Toad.

An experiment was recently made in the clay testing department of a machinery company at Bucyrus, Ohio, in which a toad was placed in a twenty-ton brick press and was four times subjected to a pressure of 1,000 pounds without injury.

The question at issue was whether such a pressure would kill the toad or whether its ability to compress itself was sufficient to allow it to come out of the ordeal alive. The toad was first placed in a lump of granular clay and the whole pressed into a brick. After the huge press had done its work the solid brick was lifted from the machine and the toad winked its eyes contentedly, stretched its legs and hopped away.—Popular Magazine.

Glimpse of the Future.

Ages had passed, and the national debt had been paid at last, the uttermost farthing.

At once a novel condition arose.

The country was threatened with a surplus.

"What shall we do with it?" anxiously asked the financiers.

For a time nobody seemed able to suggest anything feasible.

Then a wild, reckless radical boldly asked:

"Why not put the government clerks living salaries?"

A fierce controversy instantly ensued.

But nothing came of it. The proposition was too revolutionary.—Chicago Tribune.

The New World of Air.

The Hon. C. S. Rolls, probably the most distinguished of English aviators and well known in America, has returned to England from Le Mans, where he watched the flights of Wilbur Wright and was made supremely happy by himself being a passenger on one of the flights. He thus describes his sensations:

"When all was at last ready I took my seat on the flyer, taking care to fasten my cap well and to get the motor working well and we expected to attain some high speeds. The roar of the engine commenced, the starting weights were released, and off we went with a bound, butchback. Before reaching the end of the rail we had left it and were in the air. We were flying.

"Once clear the ground the feeling of security was perfect, and I was able to watch with great interest the movements of the operating levers. We tore along at forty miles an hour, and soon came to the first corner. Here a point of interest to motorists was demonstrated—viz., the matter at what speed a curve is taken the machine adjusts itself, so to speak, and at the will of the operator it tilts up gracefully when taking a turn, and is therefore equivalent to a motor car tilting up to the road in front of it so that it is always 'banked' to just the correct angle to suit the speed at which a curve is taken, all liability to skid upwards being thus avoided. Those accustomed to motor racing on road or track will appreciate the effect of this, which is that taking a curve on a flying machine will, instead of being more dangerous, be actually safer than on an automobile.

"The prevalence of 'undulations' of the atmosphere renders close attention necessary to the two levers controlling the equilibrium and altitude. I noticed that both of these were kept constantly on the 'joggle' with slight movement.

"One has been accustomed to consider the atmosphere as a mass of air decreasing in density with its altitude, but otherwise uniform; experience on a power given flyer, however, shows that far from this being the case, the atmosphere near the earth's surface is made even in what we call calm weather, is made up of spiral movements of air of varying diameter, sometimes vertical and sometimes horizontal, undulations of all sorts—little hills and valleys, and 'streams' of air—in fact, one might call it a new 'world' conquered by man. A world with 'scenery' of great variation, which, though invisible to the eye, is none the less felt by the operator of a flying machine.

"To maintain equilibrium and steering control, while battling with these complex movements of the air, has been the great problem for centuries has baffled human ingenuity, and which is now solved by the Wright brothers after years of systematic study and experiment.

"Sometimes we flew above the trees, sometimes we flew three feet off the ground, entirely at the will of the operator, who thus exercised the most perfect control over his machine that any one could imagine. The side gusts and varying currents which were encountered at times caused gentle dipping motions, not unlike a witchback, but always under complete control.

"Our speed in the early morning caused tears to roll down our cheeks, but with goggles on one would have no opportunity in reading a map, making notes, or taking photographs, etc.

"After a flight of several miles a descent was begun for landing. At the right moment the engine was stopped, and we came to ground so gently that the runners first touched the surface. On landing, we skimmed along the surface rather like a toboggan, coming to a standstill a few yards from our starting point. The sensation of flight was great and delightful, and the fact of accomplishing what several eminent scientists have 'proved' impossible gave also an added satisfaction."

"The California Weekly is certain to shine as one of the brightest publications in the newspaper field."—Grass Valley Union.

The day dawned clear and beautiful. "Christmas" chimed from a thousand church bells through the land; "Christmas" sang from a myriad host of children's voices; "Christmas," the sea and sky called back beneath the benignant sun.

In two homes two women sat, grown old and near to their end as the year to its close. One leaned in an ebony chair among rich works of art, and opened her morning mail to read the flood of formal notes it brought, the other, elegantly wishing her a joyous Yuletide. Her fingers were jewelled, on her breast a glittering pageantry of gems. She read the notes, tossed them wearily aside, rang for her maid, and rolled in furs, rolled luxuriously to the choral praise and, to the mumbled prayer, and rolled home again to a long afternoon and evening unbroken by a call.

The other woman, in a humble home, rose with the dawn, busied herself with the last trimmings of the Christmas tree, and stepped aside to dodge the screaming avalanche of children that descended with the rising of the sun to find that Santa Claus had brought them. Shouts of joy, ecstasies of wonderment, tempests of delight. And at the noise she smiled benignly, joining in every phrase and sharing in all the happiness. She was in her native clime, and with loving tenderness upon the frolics of these youngsters, her eyes grew misty with the recollection of dead days, of the years she had spent in the nursery, of the cruel pains she had endured and then forgotten, for just that a man was born into the world. "The little hands that had crept trustfully to her face as the little eyes committed themselves to sleep, of the yearning hours that she had spent in caring for the little souls committed to her charge, of the emptiness that had struck her heart when one of the little went out, of the fulness that had filled it out of the inexhaustible riches of her children's love—and, as these recollections surged through her mind and passed, she joined, with a new eagerness and new intensity, in the joys of these, her children's childhood, and experienced a new thrill of happiness in realizing that through her these glad hearts were in the world and making merry."

As the day wore on her other children came, bringing their little gifts, not with constraint and distrust, but with respectfulness, but with the love that always glows upon the altar of a mother's presence. Hour by hour she added to the riches of her dear possession, until her heart seemed able to contain no more. And at night, when all the fun was over and the last romp was done, the children gathered at her knee to offer up their lisping praise to Him who said, "Suffer the little children to come unto me, and forbid them not, for of such is the kingdom of Heaven."

As they prayed, His other words came to her, "Whosoever ye be born again, and become as a little child, ye shall in no wise enter into the kingdom of Heaven." And upon her heart there settled the deep abiding peace of God, upon her who had done her life's work as He willed, and beat back in meekness the burden of great reward. A glory seemed to shine about her, as she joined in their chant, "Thy will be done."

Which, think you, of these women understood the meaning of the Christmas Day? Mortal woman, who was the mother of our God, which woman of these two had more joy of her religious worship—she who in self-chosen childlessness beguiled the day by sports, or who worshipped through the joyous spirit beget of her own body in sufferings that are symbols both of the Crucifixion and of the Resurrection?

In ten thousand homes to-day, Christmas has come in name at least, but to how many has it come in fact? "Unto." In every home where children's voices lead the Christmas carols, there is the spirit of the Sacred Birth. Symbols are they of the Christ Child, and every heart touched by them thereby worships God.

SHALL CALIFORNIA HAVE A REFORMATORY?

By O. K. CUSHING.

California has, and for a long time to come will have, more than her share of criminals. A rapidly increasing population brings its proportion and with it the ocean on one side and the desert on the other, it is easier for them to stay here than to get away. The climatic attractions render the State a paradise for tramps, among whose ranks are found many of the worst of law breakers, and ships from all the seas bring in their quota of these undesirable adventurers.

This State has more inmates in its prisons in proportion to its population than any of its sister States, with but four exceptions. This does not necessarily mean that California is, with the exceptions noted, the worst State in the Union; but it should warn us to look carefully into our methods of dealing with crime.

The juvenile court law is designed to repress and remedy delinquency and dependency and is supplemented by the laws regarding truancy and child labor, all having among their objects the prevention of crime. When a crime is committed it often happens that the reaction following its commission is itself enough of a shock to readjust the point of view of the offender so that he will not transgress again. For such as these and others who, having broken the law, show a genuine disposition to reform, the probation law opens the way to right living without the stigma of imprisonment. It is to be hoped that these laws will ultimately result in materially reducing our criminal population. In the meantime, however, there are many in the prisons and many more on the way there whom such laws cannot reach; but who should be restored to society if possible. These can be reformed only by a course of discipline that cannot be administered under the probation laws and they must go to prison; but they cannot be reformed in any prison now existing in California.

Our prison population may be divided into two great classes—the habitual or confirmed and the accidental criminal. The first class embraces in its number all those who have been convicted more than once and those who, while apparently not having offended before, are of such a malignant and abandoned nature as to make reformation doubtful if not impossible. Accidental criminals include those who without any criminal intent become law breakers, such, for instance, as persons who commit crime in the heat of passion or who are led into crime without premeditation or evil intent. The younger men are mainly of this class and most of them can be reformed. A majority of those committed to our State prisons are under thirty years of age when convicted and a large minority are less than twenty-one. Ten per cent. are illiterate and most of them are deficient in education.

We have two State prisons and in these institutions are now confined 2,700 prisoners. At San Quentin there are about 500 separate cells or rooms for prisoners, and at Folsom less than 400. So, the inmates of the State must be confined two or more in one cell or room. There are one or two rooms at San Quentin occupied by as many as forty prisoners. All students of penology agree that the first essential for any prison is a separate cell for every inmate. The prison industries are manufacturing grain bags, at San Quentin, and quarrying and crushing rock at Folsom. No educational work worthy of the name is done at either prison. It is not possible to keep all the men busy all the time and they have many idle hours. The enclosed grounds at San Quentin are very small and there is no wall around the Folsom prison, so at both places the men must be herded together without regard to their criminal tendencies. Usually a prisoner is kept in custody only a few days of his term, being released on parole, and when discharged he is given a suit of clothes, five dollars in money and his fare to the place from which he came. Thus equipped he is expected to lead the life of a law-abiding citizen, though crime is the only sub-

ject with which he has had abundant opportunity to acquaint himself while in prison.

The prison directors said, in a recent report, "Both of our prisons are practically only large county jails for the keeping of prisoners." Experience has shown that they fail as a deterrent of crime. This view is confirmed by the fact that over 25 per cent. of our State prison population is serving a second or subsequent term and nearly 10 per cent. has been sentenced more than twice. These figures are most conservative for there are many second-term prisoners in the prisons who are not shown by the records to be such.

Appropriations have been made to increase the cell room at both prisons; but the contemplated improvements will not bring the system up to the proper standard. Something more must be done. The proper protection of society demands that criminals be subjected to such treatment as will prevent them from again breaking the law. In the past it was the accepted view that retributive punishment was the means best adapted to afford the desired protection. It is because of this that our penal code to-day measures off different periods of imprisonment for what are considered lighter or heavier degrees of crime. It is obvious, however, that, as far as the individual culprit is concerned, the protection of society can best be worked out by so treating him that he will not offend again. Experience has shown that reformatory influences can be effectively applied to prisoners so that they may come out of prison better men than when they entered and it may be said incidentally, for the benefit of those who would still insist upon punishment as such, that retribution is not wholly adequate for such treatment. If anyone thinks otherwise let him set about changing some fixed habit of his own that he may discover what a disagreeable process it is. And reformatory treatment is directed solely to the end of changing a man's habit of being bad to a habit of being good. It is frequently argued that retributive punishment is necessary to deter others by the example upon the culprit. This offers no objection to reformatory treatment which is much more irksome and distasteful to the prisoner than the ordinary degree of prison discipline under the merely punitive system.

In 1876 there was opened at Elmira, New York, an institution known as the New York State Reformatory which was destined to exercise a marked influence upon the treatment of criminals throughout the civilized world. The sole aim of this institution is the reformation of the prisoner. The limits of this article will not permit a detailed account of its methods; but, if we bear in mind the situation at our State prisons, enough may be said to show that a need exists in California. The inmates of the reformatory are divided into three classes, marked by different dress, those entering being placed in the second grade. From this they rise to the first or fall to the third as their deportment and success in their studies and trade-school work merit. The first class prisoners have more privileges than the others, can correspond with their friends oftener, have some special conveniences in their cells, more liberal library privileges and somewhat better quality of food, with other advantages. To the third class all of these privileges are denied and prisoners in that grade are clad in stripes while in the other grades a gray or blue uniform is worn. The prisoner finds immediately that it depends entirely on himself what grade he shall occupy and naturally he will bend every effort to reach the higher grades.

But there is another incentive to good conduct much more powerful than any advantage in mere prison privileges. The men committed to the reformatory are not sentenced to a fixed term but for an indeterminate period, the duration of which depends upon the prisoner himself. Every prisoner must reach the first grade and maintain himself there for a given period, say six months, before he can hope for discharge. In our prisons the lapse of time

brings about the prisoner's discharge irrespective of his fitness to be free. In the reformatory he must show his fitness. He must gain his freedom. The indeterminate sentence is the essential factor in the operation of the reformatory but it is not all. Instruction in trades is given, with regular grammar and academic school work, gymnastic exercise, military drill and, in short, training of all kinds designed to make the prisoner fit and able to take care of himself in some honest occupation upon his discharge.

The discharge is itself converted into perhaps the most effective of all the reformatory agencies. As already noted most of the prisoners are discharged from our State prisons at the end of a fixed term, illly equipped to care for themselves and little, if any, better fitted to earn a living than when they were convicted. Besides, they are subject to blackmail by other discharged convicts who, unless given hush money, will expose their history, so that it is most difficult to hold a position if one is obtained. The reformatory prisoner, on the other hand, is at first released on parole after he has shown himself worthy of confidence. A position must be found for him before he leaves the institution and he must make satisfactory reports periodically while he remains on parole.

The treatment of those committed to a reformatory may aptly be compared to hospital treatment for the sick. One is not committed to either institution for a definite period; but until he recovers—in other words, until the physicians in the one case and the prison officers in the other, think the patient fit to leave the institution. When a sick man leaves the hospital it is recognized that he is only convalescent and no one thinks of him as entirely recovered. So, when a prisoner leaves the reformatory he is, in a sense, to be regarded in the same way and is treated as a convalescent while on parole. When a given time in this situation, he has shown his ability to withstand the temptations of ordinary life, he gets his final discharge. The reformatory prisoner is not likely to be blackmailed on discharge. Usually a position is given him on account of the fact that he is a paroled prisoner and any suggestion of blackmail can be met with the reply, "My employer knows all about it, that is why I am here."

In the reformatory, mental and moral training are regarded as of the utmost importance though the physical condition of the inmates is by no means neglected. The object is to so train the prisoner as to enable him to obey the laws of the land—in other words, to reform him. It should not be forgotten, however, that while this system is not retributive, neither is it sentimental. Its aim is the protection of society and one of its underlying principles is that criminals shall not be released until it is reasonably certain that such release will not harm society. Can we doubt which of these systems would be preferred by the law-breaker; that where he can associate with kindred spirits, assured of his discharge in a given time regardless of his conduct, or that which compels him to earn his way to liberty by showing his fitness to be free?

The reformatory is not an experiment. Institutions similar to that at Elmira have been established and are successfully conducted in Massachusetts, Ohio, Indiana and several other States. Over 70 per cent. of those treated by such institutions reform, while a majority of those discharged from the Nevada State Prison return to crime. The indeterminate sentence, indispensable in a reformatory, is not unknown in this State. One form of it is now effective in the Whittier and Preston State schools.

But it may be asked, why cannot the system be introduced into our State prisons now? There are several reasons. The prisoners are too crowded to admit of proper classification and the hardened offenders who could never be committed to a reformatory would make reformatory work impossible. The State Prison at Folsom, and especially in California, should have a large farm for outdoor work and train-

ing and neither State prison has the proper kind of land. The jute mill at San Quentin will not lend itself to reformatory work and the quarries at Folsom are not desirable in that respect. If one of the present prisons were converted into a reformatory, the other would be totally inadequate to accommodate that part of the prison population that is not suitable for reformatory treatment. Probably from six to eight hundred of the present inmates of Folsom and San Quentin could with advantage to themselves and the State, be transferred to a reformatory. This would leave about two thousand prisoners in the two prisons which will be about the number they can properly accommodate when the contemplated additions are completed. As more prison accommodations must be provided, it will certainly be better to build a new prison, where the younger men can be treated on modern lines, than to add to the present prisons where young and old are herded together to their mutual disadvantage. Much of the work of building the new prison can be done by the prisoners, for work of that character affords excellent training of the kind most needed by such men, and this will also reduce the cost of construction.

The establishment of a reformatory will not only enable us to treat properly the first offenders and younger men; but as the State prison population will thereby be reduced to about the proper capacity of the prisons when the additions now in process of construction are completed many of the same reformatory measures can then be introduced into the State prisons. When these changes are accomplished California will have a complete and harmonious system for treating the criminal classes along the most approved lines and at every stage there will be the opportunity to reform. First there will be the juvenile court law with its provisions for probation for erring youths; then the White and Folsom Industrial schools for those the juvenile court law does not reach; then the adult probation law and the reformatory for older law-breakers, still holding out the opportunity for reformation to those who have failed elsewhere.

It must not be forgotten, however, that the most important factor in any penal institution is the men who control it. Politics must be kept out of the management. The warden and his subordinates must be chosen solely on account of fitness and ability. If our reformatory be permitted to become part of a partisan political machine it will be a failure, but established and maintained solely with the object of effecting the purposes for which it is designed, it will save men and money for the State and redound to our honor and credit.

Literary Economy.

In the "golden age" of New England literature a lion-hunting society of matrons invited a number of the famous authors of the day to a function at her home, anticipating an unrivaled display of wit and eloquence from their presence. The lions all came, but to her great chagrin they proved to be the most close-mouthed of her guests, and her tea fell flat. She afterwards asked one of the number, a distinguished author still famous in American literature, why none of the celebrities had talked on that occasion.

"My dear madam," he exclaimed, "you don't suppose I would speak my thoughts out in such company, do you? Why, some of the other guests would surely have made use of them as literary material before a week was over."

They had all been husbanding their literary resources. In the future, the madame invited only one author at a time.

"The California Weekly should prove a great power for good in California and that it will be fearless and faithful in the interests of honest government is assured from the men affiliated with it."—Palo Alto Times.

"The Register is well acquainted with the ability and integrity of the editors of The California Weekly and believes that the paper will be of great service to the State."—Santa Ana Register.



PRESIDENT TAFT'S SECRETARY.

By E. French Strother.

One morning in the spring of 1899, a letter of introduction was brought into the private office of Mr. Charles S. Wheeler, the attorney, of San Francisco. The letter was signed by a cousin of Mr. Wheeler's, a young rancher in Lake County, California, and introduced Fred W. Carpenter as a young friend from a neighboring ranch who wished to enter some law office in the city. Mr. Carpenter would be found to be an expert stenographer and a graduate of the law school of the University of Minnesota.

Mr. Wheeler had no opening in his office at the time, and told his clerk to tell Mr. Carpenter so, with his regrets. But as the clerk was leaving the room, it occurred to him that he had better see the young man and ask after his cousin at least. Recalling the clerk, he had Mr. Carpenter brought in.

A few minutes' conversation was enough to reveal to Mr. Wheeler that the young man was out of the ordinary—a "find," in fact. A mind of exceptional capacity and a character of unusual winsomeness were quickly disclosed, and Mr. Wheeler unhesitatingly made a place for him in his office. At first Mr. Carpenter acted as confidential stenographer to Mr. Wheeler, and later as his private secretary. And in Mr. Wheeler's own enthusiastic words, "No man ever had a better: discreet, discerning, and always a gentleman of the finest quality."

Mr. Carpenter roomed at this time with one of Mr. Wheeler's law clerks, Mr. Daniel R. Williams, now a practicing attorney in San Francisco. Walking downtown together one morning, Mr. Carpenter suggested to Mr. Williams that the latter's familiarity with Spanish, acquired by several years' residence in Mexico, should make him available as a secretary to some member of the Philippine commission and pointed out that such a position might lead to considerable advancement.

Mr. Williams was so taken with the idea that he discussed it with Mr. Wheeler, through whose co-operation he soon received the appointment as private secretary to Professor Bernard Moses, then a member of the commission.

Before Mr. Williams sailed for Manila, Mr. Wheeler suggested that he try to get some similar position for Mr. Carpenter, pointing out that Mr. Carpenter was too able a man to deserve no better fate than to grow old as a law clerk in San Francisco. As a result of this conversation, about six months later Mr. Williams persuaded Governor General Taft to cable for Mr. Carpenter, and he sailed for the Philippines in 1900 to become Mr. Taft's confidential stenographer. From this position he rose quickly to be assistant private secretary, and later to be private secretary.

Since that time Mr. Carpenter has been continuously in Mr. Taft's employ. He made two trips around the world with him, including the trip during which Mr. Taft conducted the negotiations with the Vatican at Rome for the purchase of the friars' lands in the Philippines. He was Mr. Taft's secretary during his cabinet days as Secretary of War, and to his Cuban experience, gaining invaluable training for the delicate duties of private secretary to the President of the United States. It may be stated here with authority that Mr. Carpenter will be Mr. Taft's successor in what is one of the most important positions in American public life.

The train of incidents leading to Mr. Carpenter's present position of trust and high responsibility is a curious example of the directing power of trifles upon the course of a man's life. But for a flash of compunction across Mr. Wheeler's mind, Mr. Carpenter would probably never have met Mr. Williams. A casual remark by Mr. Carpenter sent Mr. Williams to the Philippines, and a suggestion by Mr. Wheeler, acted upon by Mr. Williams, sent Mr. Carpenter after him and put him in the way of attaining his present distinction.

Mr. Carpenter was born in Minnesota, but his parents removed to Lake County, California, when he was very young, so that he grew up by residence being trained a Californian. His collegiate education was completed at the University of Minnesota, and was supplemented by a few months' work in a lawyer's office in Minneapolis. Immediately after returning to California in 1899 he came to San Francisco as described above.

Mr. Carpenter's face, as one sees it when meeting him, remarkably resembles the familiar portrait of Dante, the great Italian poet, and curiously enough, Mr. Carpenter is one of the foremost American scholars in Dante's works.

For a man still little beyond his thirtieth year, Mr. Carpenter has achieved an enviable position. In his intimate relation with the next President of the United States he will be peculiarly well placed for further advancement, and Californians may well keep their eyes on the career of this one of their fellow citizens.

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The Case of Peter Claudianes.

Compared with the tremendously slow process of securing a jury in the recent Ruef trial, that of obtaining a jury in the case of the State against Peter Claudianes was rapid. This work began, in the latter case, on the 16th inst., and it was concluded on the 21st, a Sunday and one day in which the attention of the court was devoted to other matters intervening, so that the Claudianes jury was selected in little more than three days, while the selection of Ruef's jury required something like as many months.

The facts leading to the prosecution of Peter Claudianes, who was indicted jointly with his brother John and Felix Pauduvers, the latter now a fugitive from justice, follow. At any rate, they are such facts as District Attorney W. H. Donahue of Alameda County contended, in the opening speech for the prosecution, that he could substantiate.

On April 22, 1908, the residence of W. H. Schenck at 1370 Nineteenth Avenue, Oakland, was occupied by the Schenck family and former Supervisor James L. Gallagher, the chief witness against Aue Ruef in the recent trial, lived with the family. About half past seven o'clock in the evening of that day the house was blown up by dynamite. The mystery first enveloping the case has gradually been cleared until the prosecution, in its opening statement, contended that it could prove:

That Felix Pauduvers, the active promoter of the crime, so far as that promoter has yet been found, wrote to Peter Claudianes, then in Chico, in the fore part of last March, telling him that a "job" was awaiting him here in which there would be \$2,000, which they would divide equally between them.

That Pauduvers then sent Peter Claudianes \$7 to pay his fare from Chico to San Francisco.

That after Claudianes arrived here Pauduvers took him out to see the Schenck home in which Gallagher lived;

That Pauduvers tried to persuade Claudianes to poison Gallagher, but Peter preferred dynamite as the means unto death;

That the dynamite presumably employed in the perpetration of the crime was purchased by Peter in Reno, Nevada.

In confessions made at the time of their arrest, but since retracted, the Claudianes brothers admitted that they were employed by Pauduvers to murder Gallagher to prevent him from testifying in the San Francisco graft cases.

So stand the facts in the case, as the prosecution hopes and expects to be able to demonstrate them to exist.

Dr. Guy Brown, a dentist, was the first witness called for the prosecution. He testified that he was in the Schenck home at the time it was dynamited, and described how it was broken and shattered by the force of the explosion, also giving the details of the narrow escape of the inmates from destruction. He carefully examined the gas connections after the explosion, and found the meter and mains intact, so the upheaval could not have been attributed to this cause.

Detective William J. Burns testified that Peter Claudianes confessed to him that he dynamited the Schenck house under promise of pay from Pauduvers, the object being to kill Gallagher, the chief witness against Ruef. In his confession, Burns swore, Claudianes entered fully into particulars concerning how he laid the dynamite and the precautions he took to escape being injured by the explosion.

At this writing it is expected that the case will go to the jury before Christmas.

There have been few and slight changes in the status of other graft cases during the past week. It is expected that the case against Alexander S. Lathan, Ruef's ex-chauffeur, will be tried before the trial of Patrick Calhoun, but both are set for the near future. The board of police commissioners, last Monday, adjudged Captain of Police Thomas S. Duke to have been guilty of neglect of duty in the manner in which he searched Morris Haas, the shooter of Francis J. Heney, at the time when Haas, as the board believed, had on his person the Derringer with which he killed himself. The penalty under this finding will be fixed next Wednesday.

The Coast's New Cabinet Hope.

Richard Achilles Ballinger of the State of Washington, who is mentioned as Pacific Coast member of President Taft's cabinet, is by birth an Iowan and just fifty years of age. He was born in Boonesboro; went to Kansas in early life, studied in the University of Kansas, but received his degree from Williams College, in Massachusetts. After he had been admitted to the bar he went to Washington, where he was made court commissioner and later judge of the superior court. He edited the codes and statutes, Ballinger's Annotated Codes and Statutes of Washington being a well-known law book in the northwest. He is also the author of a textbook on community property. When practicing law he was the head of the firm of Ballinger, Ronald & Battle. Judge Ballinger finally got into politics, and in 1904 was elected mayor of Seattle. In March, 1907, he was appointed Commissioner of the General Land Office in Washington. Although in California he is little known, in his own State he stands high, and his selection as a cabinet officer would be very generally applauded.

Death's Meaning.

(From "Trail Dust," by Daniel S. Richardson. Published at San Francisco by M. Robertson. Copyright A. M. Robertson, 1908.)

If she were dead, and I should stand
Some night alone within the fields
Where we were wont to stray—
And from the hills should come a breath
Of far-weed with the dew—if she
Were dead, and I should see the moon
Come o'er the mountain top and hear
The call of crickets in the grass—if
Ah! me! if she were dead, methinks
That I could throw myself alone
The sod and call to her, and she
Would come, though dead, to comfort me.
But if some night, all desolate,
I stood beneath the stars we loved,
And from the south a wind should blow
Against my cheek, and to my ear
Should whisper Love is dead—
Then should I know the chilling breath,
The darkness and the sting of death.

Mr. Richardson's little Christmas book of Western verse, from which this exquisite bit of sentiment is reprinted, came to The California Weekly office like a fresh breeze from the pines. The wholesomeness of outdoor California is reflected from every page of its well-turned verses. The technical workmanship is sound and the poetical spirit is sincere. A better gift book would be hard to name.

What the Sphinx says: "Some successes consist of ten per cent push and ninety per cent pull."—Boston Post.

Queer, isn't it, that nobody ever hugs the stove, excepting in cold weather, when it is too hot to touch.—Somerville Journal.

"Who is the most conspicuous woman in the smart set?" "Mrs. Jinx." "What has she done?" "She has never been divorced."—Houston Post.

Beauty doctor—"Madam, let me give you a wrinkle."

Customer—"Excuse me, doctor, but I came to you to get rid of those I have."—Baltimore American.

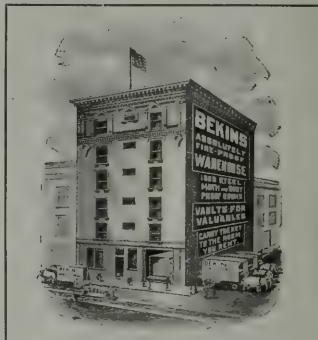
"Well," said Finnegan, "there's only wan time when life ain't worth livin'." "An' when is that?" asked Flannery. "When you think it ain't."—Catholic Standard and Times.

"The mound builders reared enormous structures for which it is difficult to see any use." "Perhaps," commented the man from Harrisburg, "there were grafters in those days."—Washington Star.

A Large Salary.

Mr. X—, a prominent lawyer of Philadelphia, was much addicted to the habit of lecturing his office staff, and the office boy came in for an unusual share of admonition whenever occasion demanded and sometimes when it did not. That his words were appreciated was made quite evident to Mr. X— one day last spring when a conversation, overheard on the elevator, between Tommy and another office boy on the same floor was repeated to him. "Watcher wages?" asked the other boy. "I get ten thousand a year," said Tommy. "Aw g'wan!" ejaculated the other boy, derisively. "Quitcher kiddin'!"

"Honest I do," said Tommy; "four dollars a week in cash and the rest in legal advice."—Harpers Weekly.



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Personalia.

Many people think of Mark Twain as being of a tall, angular build. He is lean, but he is below average height.

Colonel Henry Watterston, the veteran editor of the *Louisiana Journal*, shares with Victor Hugo the characteristic of having an almost limitless capacity for food and drink.

Miss Miriam Michelson, the novelist, has advanced a step further in her active support of civic reform by becoming associate editor of *The Liberator*, the new weekly issued by the Citizens' League of Justice of San Francisco. The first number of *The Liberator* appeared December 12th.

Henry James, the novelist and essayist, is of an exceedingly retiring disposition. He is especially sensitive of the criticism of his American critics who declare that his style is intentionally obscure and involved. His purpose is to be mildly precise in drawing distinction of meaning, and he feels keenly what he regards as an injustice to a conscientious effort to write correctly.

Rowland Thomas, the writer of Philippine stories, is now a member of the editorial staff of *The Youth's Companion*. Mr. Thomas is a dog-fancier in his leisure hours.

Madame Nordica is a native of Maine, and her stage name is adapted from her family name which is Norton.

One of the unfortunates who suffered in the burning of Upton Sinclair's Utopia settlement at Englewood, N. J., was Grace McGowan Cooke, the authoress, whose leg was broken by a leap from a second-story window. In the haste of preparing an extra edition, the *New York Telegram's* compositor headed the list of injured with "Grace McGowan, cook."

Thomas Nelson Page married the widow of a millionaire several years ago, and since that date has produced nothing worthy of the author of "Meh Lady" and "Mahse Chan." His latest book is "Robert E. Lee, the Southerner," published recently by Charles Scribner's Sons.

Ellis Parker Butler has just added "That Pup" to the laughable zoo he founded with "Pigs Is Pigs." In private life Mr. Butler is the sober-minded editor of a trade journal in New York.

Julian Hawthorne, only son of Nathaniel Hawthorne, is the father of seventeen children—all girls. One of them, Hildegard, has inherited much of the father's talent for writing. Accompanied by a friend, Julian Hawthorne went into a bookstore in New Orleans and asked for one of his father's books. In the conversation that ensued, the dealer, who had got the relation of the father and the son turned around, remarked that "the young fellow (Nathaniel) is a fine writer, but the old man couldn't write for a whoop."

Maynard Dixon has supplied the eight pictures that are reproduced in color to illustrate a new book, "Lentala of the South Seas," by W. C. Morrow.

Miss Agnes C. Laut, author of the newly published "Conquest of the Great Northwest," has been resisting a conquest of another sort, having lately appealed to the police to protect her from the too ardent wooing of a wealthy Mexican. The caballero escaped arrest by flight to England, but declares he will yet win his suit.

Mrs. Hugh Fraser, whose "The Heart of a Geisha" has just been published by Putnam's, is an American, the daughter of the late British ambassador at Tokyo, where she was a favorite in the social life of the ruling classes of Japan.

Richard Jose, the concert singer, worked as a young man in the mines at Gold Hill, Nevada, where his voice had a local fame years before it attracted the notice of managers.

Father Junipero Serra.

There have been, for the past two years, so many engrossing problems for San Francisco it has been impossible to fix public attention upon anything less primitively necessary than street-cleaning and sewer pipes, fire protection and prosecutions. More fortunate cities may dream of purely ideal embellishments.

In the exhibition, at present being held at The Studio Building, 147 Presidio Avenue, the colossal bronze statue of Father Junipero Serra, done by Arthur Putnam for Mr. E. W. Scripps of San Diego, is the most important contribution. In spite of the fact that it is intended to stand on a high base, under the free sky, and so may possibly lose something of its ultimate effect, it nevertheless looms up impressively as an achievement of surprising force and originality. The tall, forceful figure is represented walking forward, the head bent in contemplation, the hands held loosely behind the back. It is an attitude of unaffected simplicity, but its case is hardly less great than its dignity. The head is both massive and fine, gentle and austere, the head of a scholar, with lofty brow and deep brooding eyes—eyes that have seen, with infinite pity and yearning—the sins and the suffering of the world. In strong contrast with this sensitive face are the large, toil-worn hands—here we have no mere theorist but the real priest, the man of the people, working for them and with them body and soul.

San Diego is to be congratulated on the possession of one of the finest pieces of sculpture ever done by a California sculptor, and perhaps is even more to be envied the possession of a citizen with a public-spirit not purely utilitarian.

The painter exhibitors are dwarfed by this great figure, but we find everywhere interesting work of convincing sincerity. It is pleasant to note that the magic word "Sold" ornaments several of the pictures. The exhibition will be open till the end of December.

Mrs. Fiske has made the most artistic impersonation of her career, as well as a great popular success, in her new play, "Salvation Nell," recently produced in New York. The author of the play is only twenty-three years old.

The author of the column published weekly in the *Outlook* under the heading, "The Speculator," is Charles Gilmer Speed, formerly of Kentucky. Mr. Speed is also an authority on thoroughbred horses, and was recommended by the United States government to select the stock used by the government to improve the strain of horses in the Philippines.

Robert Davis, who edits the bewildering cycle of minor magazines published by the Frank A. Munsey company, was one of the earliest reporters on the San Francisco Examiner.

Thomas Ybarra, whose humorous verse appears in many of the magazines, is a graduate of Harvard. His father was a former Venezuelan cabinet officer, and his mother was a Bostonian.

Vance's Financial Knowledge.

During the debate in the Senate on the Aldrich bill, Senator Lodge, deploring the apparently limited knowledge of the present membership of the Senate regarding financial problems, told of a story the late Senator Vance used to tell of his speech in North Carolina during a financial crisis, when he faced his audience and modestly admitted that, in fact, he knew very little about finance. "About the only financial principle with which I am entirely familiar," Senator Vance added, "is that it takes two names to float my note."—Exchange.

A NEW DISCOVERY

What appears to be a very important discovery has been made by a chemist in San Francisco. The proximate principles of a vegetable drug have been found which seem to act as if by magic in curing catarrh in all its forms. This new compound is sold under the name of Mem-bro-tone. A number of cases have been absolutely cured by one or two applications. More malignant or chronic cases are usually cured in from one to three weeks. This new discovery for catarrh is especially recommended for chronic inflammation and thick mucus discharge from the nasal organs. By stopping this discharge it seems to cure coryza, catarrh of the head and stomach, frontal headache, and in many instances has restored the hearing and sense of smell.

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LOUIE TOY stood in the doorway of his curio-shop on Dupont Street and languidly surveyed, with half-closed eyes, the iron-workers across the way who were erecting the frame of Sang Chong's new building. Since the great fire Chinatown had been rebuilt on modern lines, though many of the structures, topped by cupolas, towers and miniature pagodas, serve to maintain the Oriental flavor for which San Francisco's Celestial quarter has become world-famous.

Louie Toy, sunning himself on his April day, was at peace with the whole world. With the insurance money he had received, and with the backing of numerous "cousins" in China, he had been enabled to resume business on a larger scale than ever before, and the great influx of Eastern tourists and sight-seers had proved liberal with their patronage. Besides, he had been one of a committee of Chinese dignitaries to receive Minister Wu when he arrived in port, en route to Washington, the week before. And the wily ambassador, who had acted as Louie's sponsor in bygone days when he was a student at Harvard, halted for a moment and uttered a low-voiced sentence of commendation and assurance that caused him to kow-tow reverently and his eyes to glisten with pride as Wu passed between the elegantly brocaded line of Orientals that stretched across the pier.

Though Louie was college-bred and spoke our language, when he was minded to, with purer diction than many of the grand ladies from the hostelry of Nob Hill who purchased his wares and who often caused his lip to curl in scorn at their "pigeon-English," yet he was a true son of Cathay, for he hated all things American except the coin, and, as Officer Carroll, of the Chinatown squad, swaggered insolently past his door, he paid no attention to his cheery salutation of "Hello, pong yow," but the delicate fingers thrust deep in the folds of his capacious sleeves twitched in anger, though he continued to gaze vacantly across the street.

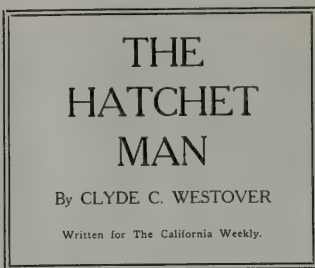
He knew Carroll's failing and loathed him accordingly. He was accumulating wealth honestly, but this policeman, who considered himself the Chinaman's superior, was rapidly getting rich by levying tribute on the numerous lotteries, the games of pig-wow and fan tan, the dope-joints and various other shady enterprises that flourished in the underworld.

The officer strutted on. Busy Celestials flitted up and down the sidewalks in single file. A guttural monosyllable now and then brought a curt response as some friend of his hurried by. Little Sen Chee, Louie's only daughter, sat on an ebony stool behind a counter and carefully sorted a pile of filmy silk kimonos, while Bo Sing and Hop Wo, her father's clerks, lazily replaced an assortment of cloisonné vases and Satsuma ware that had been taken down from their shelves for inspection the night before.

Sen Chee was her father's pride. Her mother had been dead for many years, and he loved his little "Lily Flower" so dearly that she had been woefully spoiled. He had never taken another wife, but he denied a son, all his hopes and ambitions had centered in this child whom his fashionable customers petted and called "so cute" and who, through her artful ways, brought many of their shekels into his coffers.

But Sen Chee had reached the mature age of sixteen summers when Louie Toy, receiving a call from Toy King, the wealthy Jackson Street merchant and president of the Canton Society—also a widower—suddenly realized that it was time for her to have a husband, and, overjoyed by King's offer, gave an unqualified consent to his proposal for her hand.

Filial duty is one of the traditional attributes of the Oriental nature, so when Louie informed his "Lily Flower" of her forthcoming marriage, she made no comment; but her eyelids drooped suddenly, and the customers soon noticed an unwelcome change in her demeanor. She pattered languidly about the aisles in her soft slippers; she picked daintily at her food; she drank feverishly many tiny cups of scented tea, and sighed so languorously from time to time that her father, becoming alarmed and calling in a famous Chinese doctor who pressed his thumbs firmly upon her wrists, nodded sagely,



and prescribed some mysterious and evil-tasting powders that Sen Chee tossed over the balcony rail into the alley at the rear of the store when Louie's back was turned.

As Louie sunned himself in the figure of a young Chinese with hat pulled low down on his forehead slouched rapidly along the street and darted a furtive glance into his store. Sen Chee, impelled by some unknown attraction, raised her eyes suddenly from the silken kimonos and smiled slightly as she saw the bold orbs that for an instant searched her own, and her heart pit-a-patted joyously, while one of the garments slid unnoticed to the floor, for she recognized Ming Tai, a companion of her school days at the Mission House where they had together learned the English tongue and where her whole being had thrilled with admiration for the handsome Chinese.

Though he was far below her in their rating of the Oriental social scale, each felt the subtle tie of affection that bound them, and, realizing that his case was hopeless, Ming dared only to look the love that he knew his tongue might never utter.

Louie Toy, too, noticed the passing of Ming. Not a muscle of his imperturbable face twitched, but the pupils of his penetrating eyes narrowed to pin-points and a great fear took root in his wily brain, for he knew what the little Sen Chee had never in her wildest flights of fancy imagined, that Ming Tai was a hatchet-man, a hired murderer of the malodorous Hip Sing Tong that levied blackmail so ruthlessly upon the wealthy inhabitants of Chinatown.

Only the day after Minister Wu's arrival Louie Toy had received a communication from the Hip Sings requesting the payment of one thousand dollars to their agent, under penalty of bodily harm for his refusal. But he had acquired a certain American obscurity and had dismissed the messenger with scorn.

He had almost forgotten the incident when the sudden appearance of Ming Tai foretold his doom.

He realized that the hatchet-man who passed his store so insolently did so as a warning, and that, if the price of his security was not forthcoming, he would, within a week, be shot down at some unguarded moment as he stood in front of his door or as he walked to or from the Chinese club to which he belonged. He might have laid the matter before the Consul, but he knew, from the experience of previous victims, that such action would only assure, though it might postpone, his fate; and as to confiding his fears to Officer Carroll, that proceeding was far beneath his dignity.

This obstinate Celestial, however, had a mind of his own, and as he shut the door and a daring plan suddenly took shadowy outline in his brain.

Why not precipitate a Tong war?

The Hip Sing Tong and the Bow Chung Tong had been bitter enemies in the past, though the hatchet had been buried for over a year.

Fir Ely, a weakened member of the Bow Chungs, had received sundry favors from Louie in bygone days and owed him a debt of gratitude.

Tin Ely would sell his soul for five hundred dollars.

He would send for Tin Ely.

If hostilities might be renewed he would be forgotten in the fracas that ensued, and some

of his enemies would, no doubt, be wiped off the slate.

He straightened himself, yawned sleepily, and shuffled lazily into his store.

An hour later his clerk, Hop Wo, with a small bit of parchment concealed in the sleeve of his capacious blouse, might have been seen threading his way amongst the crowds of chattering Celestials in Spofford Alley or peering craftily into the filthy stores that filled Fish Alley with their noisome odors in a feverish search for Tin Ely, the highbinder of the Bow Chungs.

Late the same evening the restless Sen Chee stepped softly out on a little balcony that opened from the window of her sleeping-apartment above the rear of the store. In their quaint majolica pots the dainty narcissi nodded sleepily, and, as she bent over to inhale the heavy perfume of the lilies' golden hearts, a low murmur of voices fell upon her ear and she knew that her father had a visitor. She sighed plaintively as she thought of Ming, and shuddered as the realization of her future with the ancient Ton King struck her with a fear-some chill. She clasped her hands in her bosom and leaned dejectedly against the gaudy balcony rail, when suddenly something in the conversation that drifted through the open window below gripped her attention, and with a suppressed cry she dropped to her knees and clutched the posts as she strained her ears that she might catch every syllable that fell from the Oriental plotters' tongues.

"You have seen Ming Tai, my enemy?" questioned her father, his voice rising tremulously.

"Son of a dog! He would have slain me had not the great Consul, Ho Yow, compelled us to declare a truce. I was marked to die," was the answer in guttural tones, and Louie Toy drew in a quick breath of relief as he spoke again.

"Tin Ely, I have done you many kindnesses in the past. Have you forgotten?"

"Tin Ely's memory is long," in scornful tone. "Why have you sent for me?"

"Would you earn a thousand yen, Tin Ely?"

"Five hundred dollars of the American gold"—greedily—"How?"

"The Hip Sings would have my life, and Ming Tai has been drawn to do their work."

A gasp from the balcony above, and Sen Chee shrank closer to the rail.

"Impossible! The feud is ended."

"But 'tis not of the feud I speak. They have levied tribute, and I will not pay."

"Better to pay the yen, for your daughter's sake, Louie Toy," remonstrated the hatchet-man.

"No! Tin Ely. I would spend twice the sum to defeat them. But there is a simpler way. Kill Ming Tai."

Tin Ely cursed in satisfaction. "It would be sweet as the juice of scarlet poppies to me," he chuckled, "but they would choose another, and one unknown, whose pistol would soon remove you, Louie Toy," he protested.

The merchant hesitated for a space.

"You were not so stupid in years gone by," he muttered, at length.

"And your explanations were not so vague in those days, Louie Toy. You are growing old."

His temper bridled in wrath. "Can not you see, fool, that if Ming Tai is killed by a Bow Chung man the Tong war will be renewed, and I will be forgotten in the strife that follows? Then, when much blood has been spilled, the Consul will compel a truce, and to avoid his wrath, they will not dare to slay for years to come."

"But what of Tin Ely? The police of these American devils have no mercy."

"You have killed before for less than half the price."

"But the Consul's agents are determined to bring death to all who break the truce."

"One thousand yen, Tin Ely."

"My life, Louie Toy!"

"One thousand yen, Tin Ely."

"One thousand yen, Tin Ely."

"You are a fool! You can slay Ming in the dark on the eve of the sailing of the great ship for Canton. I will pay your passage and will buy witnesses who will hold their tongues until after you have gone. Then, by their testimony, they will fix the crime on you, and

them—then there will be a war of the Tonges such as there has never been before!" The merchant's tones rose exultantly, and his auditor's reply proved that his argument had won.

"You are a veritable sage, Louie Toy, and I will live in comfort to the end of my days," purred the highbinder contentedly.

There was a scraping of chairs, and their voices sank into an indistinguishable murmur as they put their heads closer together for an eager discussion of Louie's plans.

A wild-eyed Chinese maiden clutched the railing of the little balcony above, then, with a sob, she arose and groped her way toward the door, where she threw herself upon her couch in an abandonment of despair and passed the hideous, long-drawn night in tears.

Hers was a problem that would have sadly wrenched a stronger soul.

On the one hand her father's life. On the other that of the man she loved. Could she save either by informing the Consul, or would she thereby doom both to certain death? Her lover would, of a certainty, be turned over to those devils of the Americans, the police, and, no doubt, humiliated. Filial duty she owed to Louie Toy; and then—through some interference of the fates—Ming might be wounded only, and if she prayed to the Joss he might win back to life while her father would be forgotten in the long-drawn battle to ensue.

This was Thursday night, and the Korea was to sail Saturday at one.

Sen Chee kept silence.

On Friday evening a light rain fell, and by ten o'clock the few sight-seers who came to brave the paddles of Dupont Street had all gone to their temporary homes. Hop Wo and Bo Sing had carried some goods into the cellar where they stopped to extinguish the lights. Sen Chee was alone in the store, and Louie Toy stepped outside to put up his shutters, but just as he turned the screw, a shadowy form flitted past the door, and Sen Chee uttered a shrill cry as he beheld the face of Ming Tai. As Louie turned in alarm a shot rang out and the merchant fell prostrate across his own stall, a bullet through his brain. Then, as Sen Chee ran from behind the counter, another Chinese form sprang into view a dozen paces away and a pistol barked rapidly, but Ming Tai was in full flight and dove down California Street just as Policeman Carroll and two plain-clothed men, guns in hand, hove in sight around the corner of the alley.

Tin Ely, bewildered by this sudden turn of affairs, waited just a fraction of an instant too long, for, when he turned to flee, he ran plump into the arms of the sergeant who was hastening to join his men and who held him while Officer Carroll wrenched a smoking "automatic" from his hand.

Sen Chee, speechless with fear, pointed an accusing finger at the hatchet-man. "You poor little devil," said Officer Carroll pityingly. Then he snapped a pair of handcuffs on his prisoner's wrists. "You'll hang for this, you d—d highbinder," he muttered, turning away as the girl, with a shriek of anguish, threw herself upon the prostrate form.

Promptly at one o'clock on Saturday the Korea sailed, and in the center of a crowd of chattering Orientals in the steerage a sad-eyed Chinese maiden huddled close against the protecting arm of the hatchet-man, Ming Tai, as the good ship ploughed her way merrily through the Golden Gate.

"The California Weekly may fall short of the ideal but, just the same, we predict that it will head in the right direction and work mightily for the uplifting of political and other conditions in California."—San Luis Obispo Telegram.

"The California Weekly may be so straight that it will lean backward at times, but it will never be found inclining a hair's breadth toward corruption."—Chicago Enterprise.

"The combination in charge of The California Weekly is capable of putting out a splendid weekly."—Woodland Democrat.

MINUTE MEN OF TO-DAY.

By GEORGE WILLIAM CURTIS

(From a copyrighted lecture delivered at Concord, Mass., April 19, 1887.)

Citizens of a great, free and prosperous country, we come hither to honor the men, our fathers, who on this spot struck the first blow in the contest which made our country independent. Here, beneath the hills they trod, by the peaceful river on whose shores they dwelt, amidst the fields that they sowed and reaped, we come to tell their story, to know if we are their worthy children; and, standing reverently where they stood and fought and died, to swear before God and each other that "government of the people, by the people, for the people, shall not perish from the earth."

This ancient town has never failed fitly to commemorate this great day of its history. Fifty years ago, while some soldiers of the Concord fight were yet living, twenty-five years ago, while still a few venerable survivors lingered, you renewed the pious vow. But the last living link with the Revolution has long been broken; and we who stand here to-day have a sympathy with the men at the old North Bridge, which those who preceded us here at earlier celebrations could not know. With them war was a name and a tradition. When they assembled to celebrate this day, they saw a little group of tottering forms, whose pride was that, before living memory, they had been minute-men of American independence.

But with us, how changed! War is no longer a tradition, half romantic, and obscure. It has ravaged how many of our homes, it has wrung how many of the hearts before me! North and south, we know the war. We do not count around us a few feeble veterans of the contest, but we are girt with a cloud of witnesses. Behold them here to-day, sharing in these pious and peaceful rites, the honored citizens whose glory it is to remember the martyrdom of American liberty and union. These men of to-day interpret to us, with resistless eloquence, the men and the times we commemorate. Now, if never before, we understand the Revolution. Now we know the secrets of the old hearts and homes.

No royal governor sits in yon state's capital; no hostile fleet for many a year has vexed the waters of our coast; nor is any army but our own ever likely to tread our soil. Not such are our enemies to-day. They do not come proudly stepping to the drum-beat, with bayonets flashing in the morning sun. But wherever party spirit shall strain the ancient guaranties of freedom, or bigotry and ignorance shall lay their cruel hands upon equality, or the arrogance of caste shall strike at equal rights, or corruption shall poison the very springs of national life, there, minute-men of liberty, are your Lexington green and Concord bridge! And, as you love your country and your kind, and would have your children rise up and call you blessed, spare not the enemy! Over the hills, out of the earth, down from the clouds, pour in resistless might! Fire from every rock and tree, from door and window, from hearthstone and chimney, hang upon his flank and rear from morn to sunset, and so through a land blazing with holy indignation, hurl the hordes of ignorance and corruption and injustice back, back in utter defeat and ruin.

Human Express Package.

Ticketed in an express package, eleven-year-old Harlin Bouchurs, son of divorced parents, travels between his father and mother. He arrived in Denver recently with this placard tied to his coat label:

"Harlin Bouchurs, en route to Dolores, Col., via C. B. and Q. to Denver, D. and R. G. to Ridgeway, R. G. S. to Dolores."

The boy's parents were divorced about two years ago.

Loot From Peking.

A story of the looting following the siege of Peking, here written for the first time, for The California Weekly, relates to the direct service of a rich mandarin, which went the way of

darkness into foreign hands. Two English men, after looting had been made unsafe by the presence of the soldiery, set covetous eyes on this mandarin's silver, and plotted to steal it. They rented a native hotel near his palace, and dug a tunnel from within it to a point directly beneath his house. Six weeks were spent in making this subterranean bore, and infinite pains and ingenuity were expended in getting rid of the dirt, which they carried to the river nightly stuffed in their trousers' legs.

At last they were rewarded. They knew that the tunnel was complete, and so they bought a native boat with which to float down the Pei-Ho River with the loot. When everything was ready they opened the end of the tunnel at dead of night, secured a huge quantity of silver plates, returned to the hut, melted the silver into an unrecognizable mass, stole with it in sacks to their boat, and slipped away down the river in the darkness. For two weeks they emulated Huck Finn's adventures on the raft, and at last made the seacoast, and got to Manila with their booty. After carefully sounding silversmiths here they found one whom they dared to sell their treasure to, and brought it forth. He submitted it to tests of value while they looked on with glistening eyes.

"How much is it worth?" they whispered. "About ten dollars to the ton, I should say. That stuff is pewter."

And it was, too.

NOTICE

In the Superior Court of the City and County of San Francisco, State of California. In the matter of the Application of Leavitt Lumber Company, a corporation, to Change of Name.

Leavitt Lumber Company, a corporation, having filed its application praying for authority to change its name to Cash Lake Lumber Co.

It is ordered that all persons interested in said matter appear before the Court ten o'clock, a. m. on the 1st day of February, 1909, at the Courtroom of the above entitled Court, Department 4, and show cause why the application of said Leavitt Lumber Company should not be granted. Let a copy of this order be published in the newspapers published in the California Weekly, a newspaper of general circulation printed in the City and County of San Francisco, California.

Dated December 21, 1908.

GEORGE A. STURTEVANT, Judge.

J. B. Richardson, attorney for Applicant, Bacon Bldg., Oakland, Cal.

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If you like the first numbers of THE CALIFORNIA WEEKLY, and are in sympathy with the principles it stands for, fill out the appended blank and mail it to the Business Office of the paper, 26 Montgomery Street, San Francisco. To those subscribing now the paper will be mailed for thirteen months to January 1, 1910, for the regular subscription price of \$2.00 per year.

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OUR SCHOOL FOR CITIZENSHIP

The Constitution and the Nation.

It has not been finally settled whether the hen is the mother of the egg or the egg mother of the hen, and likewise, men have not ceased to dispute as to whether the nation of the United States made the Constitution of the United States or the constitution made the nation. If that dispute were once clearly out of the way the progress of the nation might be greatly accelerated.

This brings us to ask the question, "What is a nation anyhow?" Webster says: "The body of inhabitants of a country united under an independent government of their own." One view of the case is that the body of inhabitants make the government; the other side almost goes to the absurd length of affirming that the government constituted the body of inhabitants. A clear understanding of the issue is essential to a proper appreciation of the trend of our national life.

It is a matter of common knowledge that one community differs from another in spirit and in the way it looks at things, one city differs from another in its ideals and in what it stands for, strives to attain or stoutly opposes, and who needs to be told that there is a broad difference in the spirit of the people of Massachusetts and Kentucky, of California and New York, of Georgia and Kansas. These differences will find expression in the usages which obtain in the several communities, in the character of the cities, the constitutions and the laws of the States, but was it the usages, characters, laws and constitutions which made these differences?

The American nation, as already stated, is essentially Anglo-Saxon in its love of liberty, in its power for individual initiative and in its genius for co-operative effort founded upon deliberation and agreement. Has this love, this power and this genius expressed itself in the constitutions and institutions of the American nation, or was it the constitutions and institutions founded under the constitution that made this people what they are?

When confronting a new step on the part of the nation one school of statesmen get down the constitution that they may ascertain from it whether or not the nation has power to take any such step. The other school declares off-hand that the nation may take any step it wants to and only refers to the constitution to see how that step may be taken. So far a constitutional way has been found for taking any step that the nation has really wanted to take, although after much discussion and with many heart burnings over the controversy.

In time, it would appear almost as though the whole political history of the great republic had turned upon the point as to whether the hen or the egg came first, whether the constitution made the nation or the nation made the constitution. In an issue so much mooted as this one it would be out of place for The California Weekly to declare, without limitation, for the one theory or the other, and yet one or the other, not both, must dominate the politics of the nation.

Perhaps it will be sufficient to say that, in recent years, at any rate since the Civil War, the general trend has been to the conviction that the American nation is of itself, and apart from any and all constitutions, a living organism, that it has all the powers that appertain to any other nation no matter what its form of government may be or whether it have a constitution at all or not, and that the constitution merely sets forth in formal statements, not what powers the nation has, but how the powers it has shall be used.

When the reader shall have made such a study of this controversy over the constitution as the importance of the issue merits, and has determined which view of the case he will make his own, he will be rewarded by learning with what political party he will wish to affiliate, and every citizen should affiliate with the political party that comes nearest to expressing his views of government. The lone social unit is about as inconsequential as the lone cipher.

Have You a Son?

Persons of foreign birth often put themselves upon inquiry concerning their government by adoption, but native sons sometimes seem to expect that preparation for citizenship will come without conscious effort. As with every other good thing good citizenship must be achieved. If the son is to become a better citizen than the father he must be given a better opportunity to fit himself for citizenship. The California Weekly is the only paper in California that has undertaken a School for Citizenship. It will put before its readers sympathetic analyses of American and Californian institutions, the spirit as well as the form, for the form is a mere gridiron without the spirit and not very intelligible. Has the reader a son of suitable age? Put The California Weekly into his hands. He may not avail himself of the opportunity thus afforded, but his father will have done his duty by him. He will have put a liberal education in citizenship within his reach.

PLEASE NOTE.

This is to remind you that EDGAR C. HUMPHREY is the pioneer specialist in property from San Mateo to Menlo Park and about the Stanford University. Homes for sale and lease. Acres for sale. Offices Call Building, San Francisco, and Palo Alto. Residence, Menlo Park. Three phones.

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THE PLEDGE OF CITIZENSHIP

I, a citizen of the United States of America, realizing that a free Republic is an impossibility unless the citizen performs his civic duty, hereby pledge myself upon my sacred honor never to fail to exercise my right of citizenship by voting at every election, primary or secondary, wherever it is possible and legal for me to render that service to my country, my health permitting me so to do.

In taking this pledge it is distinctly understood that I in no way obligate myself to vote for any particular party, any definite candidate or any certain measure. I am binding myself only to my Country, and pledging myself solely to the faithful performance of the duty I owe to her as a citizen.

Signed

Age

Address:

WHY TAKE THE FOREGOING PLEDGE?

Those taking the foregoing pledge, signing and sending it to this office, will be enrolled upon The California Weekly's "School for Citizenship," which will be a permanent feature of this paper. It will entitle the person sending in his name to have answered, either through the columns of the paper or by letter, any rational question he may ask concerning public affairs, and, generally, by the person best equipped to afford the desired information. It will also entitle the signer to such special literature bearing upon the obligations and opportunities of good citizenship as may from time to time be issued. When a pledge is made in this way it is especially desired that it be taken and signed by young men lately become voters or who will cast their first votes two years hence. It will take but a moment to clip out the pledge, sign, enclose in an envelope, stamp and address to "School for Citizenship," office The California Weekly, 26 Montgomery Street, San Francisco, and it opens the way for a liberal education in citizenship.

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THE SENTENCING OF RUEF.

The sentence of Abe Ruef to fourteen years in prison is a subject of congratulation, not because the enemies of Ruef may gloat over his fall, nor because the enemies of the graft prosecution may hope for a rest, now that a scapegoat is found, but because this conviction is the longest single step yet taken in the long and rocky road to justice.

Abe Ruef is sentenced. "But he has not begun to serve his sentence," answers the pessimist. True; but, leaving that, consider how much is already accomplished. Contrast Abe Ruef, the convicted felon, actually in jail and under sentence to the penitentiary, with the Abe Ruef of only two years ago, the owner of a mayor, dictator of a city and accredited agent of the maker of governors and senators. To have deposed that power is already a complete victory for the cause of public honesty.

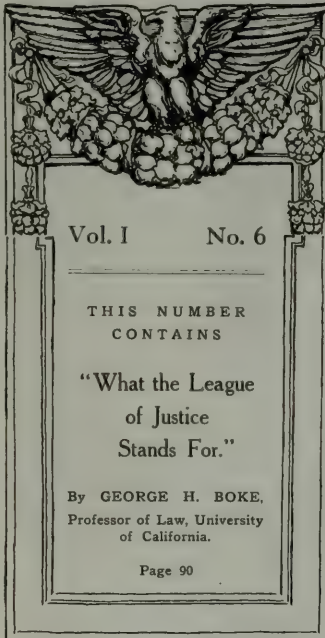
What remains is the vindication of our judicial system. And on that point, we see no cause for pessimism.

It is the judgment of good lawyers that no error requiring reversal was committed in this trial. No legal procedure is flawless, and a long series of precedents has developed a habit of hypercritical minuteness in the review of cases which gives exaggerated importance to those flaws, and has brought more censure than they probably deserve on the heads of the individual judges who last follow these precedents. But there is no reason to suppose that the law, even in its present state, will require the reversal of this case, nor to believe that it would be reversed except under imperative requirement of law. At least, this is the sanely hopeful view.

There is a disposition on the part of some tired people and some malicious ones to cry "hold; enough! Ruef is convicted; why seek further?" But Ruef is not the whole, nor even the foundation, of the system of graft. The boss is a product, not the creator. When government is for sale, and those who should be the chief citizens of the republic are ready corruptly to buy it, there must be an intermediary. That intermediary is a criminal, and must be punished. But they who corrupt and they who are corrupted are criminals, too. Not all of each class can usually be punished, but if any are omitted it should not be the bribe-givers, who cover their crimes with the cloak of social respectability. The conviction of Ruef would be a sorry triumph indeed if it were the excuse for relaxing vigilance against those whose agent he was. The graft prosecutions must continue and they should have the unflinching support of public sentiment, for another two years, if necessary.

THE DISASTER TO ITALY.

The sympathy of the world, and first of San Francisco, will go out to the sufferers from the earthquake which has devastated Southern Italy and Sicily. The fire which destroyed San Francisco, in the wake of what was really only a moderate earthquake, struck the commercial imagination of our time as the supreme disaster of history, simply by reason of the unprecedented destruction of property and the



mechanism of exchange. But the human disaster to San Francisco was insignificant. There were few deaths, and there was comparatively little physical suffering. Even the terror was absent, under the calm cheerfulness which disaster engendered in a self-reliant people. Contrasted with the human havoc and consternation caused by this explosion in the ancient forge of Vulcan, the San Francisco disaster was nothing. What we lost was money and buildings and a temporary deprivation of the modern conveniences of life. What Southern Italy has lost is a large share of its population, all its social organization, apparently all of its cities, and doubtless the present means of continuing even its agricultural life. At least the early reports, at this writing, indicate a chaos beyond all possible comparison with the disaster in San Francisco.

It is not a self-reliant people that has been thrown into confusion, and the problem of relief will be long and difficult. Southern Italy is beautiful and romantic, but the sons of Greek colonists, Roman slaves, and Moorish invaders, developed under many centuries of confusion and misgovernment, are a very different population from the energetic and prosperous people of Northern Italy. A certain religious fatalism will give them courage, but

the civic problem must be handled from the outside. Fortunately, the present Italian government is abundantly capable of administering the task. It may not be able to supply all the money. In that case, the generosity of the world should respond.

WHAT IS THE HOPE?

Pessimism is easy. The San Francisco graft is only partly punished and the Pittsburg graft shows that San Francisco's disgrace was not unique. The Senate still belongs to the predatory interests, and the House of Representatives is about to elect Cannon. Things may be looking better, but it is a dreadfully slow process.

So pessimism is easy. But optimism only calls for a little further view. The "interests" may control a national convention (and did) just as they control Congress, but they do not dare let that convention nominate one of their own kind for president. Public opinion controls presidential nominations, even through the imperfect medium of political conventions. We had Roosevelt, we are to have Taft, and no power on earth can prevent the nomination, after Taft, of himself or some one like him, representative of the people. So the presidency, at least, the people have, because they take the trouble to insist on getting it. The people's control of the Senate, last bulwark of privilege, is also in sight. The old oligarchy is already deposed or discouraged, and each election sends to the Senate an increasing proportion of people's men (alas! not from California). A senatorship can be made a State issue, and a State issue can be fought, and sometimes won, on public and moral ground. The presidency is won, and of the Senate there is hope.

The House of Representatives will remain longest misrepresentative of the people because, paradoxically, it is closest to the people. The people insist on regarding their representative in Congress as a local officer, and elect him to "get things." The way to get things is to stand in. So the lower house of Congress may long remain a stand-in body, because the people want it so. But, with the President as boss, we can already get a considerable degree of popular legislation, even with both branches of Congress hostile. With a friendly Senate, the people will be in control. Then, the people's side will be the one to stand on. And so we shall get the House of Representatives also. The cities we are getting, by putting grafters in jail or scaring them honest. Governors, in increasing numbers, are representing the people, and clubbing their legislatures into doing so. Legislatures themselves are getting better. There is visible progress, and good ground for hope.

If anybody thinks that President Taft is to be "easy," he will soon find out to the contrary. Watch his present swinging of the big stick over a stand-pat Congress. The Roosevelt maxim "speak softly, but carry a big stick," is a good one, but President Roosevelt is temperamentally capable of carrying out only one-half of it. President Taft will realize both.

WHO SHALL BOSS THE HOUSE?

The "insurgents" in the national House of Representatives will doubtless accomplish a much-needed clarification, whether they accomplish any immediate reform or not. The main thing is to get an honest reexamination of the legislative mechanism, to see how far it can be made more directly responsive to the will of Congress without making it responsive to so many separate wills that the result is deadlock.

Historically, the dictatorial power conferred on the Speaker by the House of Representatives has been the natural result of the helplessness of unorganized numbers. The lower house of Congress is a very numerous body, in which each member represents a separate district and nobody represents the United States. The most important things to each member are his local bills, while the most important thing to the body as a whole are the national bills. There has to be some sort of a steeringman or steering committee, to secure for the big things their right of way over the small things, and to hold the big things to some sort of a coherent legislative program. This is done in England by the ministry, or government, and in every parliamentary government except ours by some constitutional authority, responsible for initiating and organizing legislation. There is no other way to do it, and our national legislature, lacking a legal repository of this power, is forced to provide an extra-legal one. To go back only a quarter of a century, to the days of Samuel J. Randall, the power then resided in the Chairman of the Committee on Appropriations. By holding back the supply bills, and using them to obstruct or facilitate other legislation, Randall dominated Congress to his will. The "insurgents" of that day sought a remedy by dividing the appropriation bills among many committees, with the final result that such a thing as an American budget is made impossible. Not only does the committee which provides for raising money have nothing to do with the spending of it, but the expenditures are determined by many committees, without consultation or system. So budget chaos is the chief heritage left by the older insurgents. Finally, after the scattering of the power of the Appropriations dictator had left Congress in a permanent dead-lock, Speaker Reed centered the power in the presiding officer, where it has remained ever since. The chief objection to the system, even now, is that Speaker Cannon happens to be a reactionist, and therefore any power residing in the speakership will be used on the side of reaction, so long as he wields it. And the chief vice of such a dictatorship is that the incumbent is able to perpetuate himself in power. If the speaker were a progressive, there would be little complaint. Only the stand-patters object to the dictatorship of President Roosevelt. Nobody, in fact, much objects to dictatorship these days, if it is on his side. And Congress must be managed by somebody. Left to itself, it is, confessedly unmanageable.

A NEW WAY OF CARVING SUCCESS.

A controversy over conditions in the county hospital has been going on in Sacramento. It began with a report made by the city board of health, which complained that the hospital was deficient and unfit. This brought forth the reply from the superintendent that it was merely a question of money; that it was true the hospital did not give the care which the indigent sick should receive, but it was because the county supervisors stinted the appropriations, and that the hospital would be made as good as the means available would permit. This sounded plausible, and if the discussion had stopped there the public would have attributed the admitted deficiencies of the institution to the penuriousness of the supervisors.

THE STAFF

A. J. PILLSBURY, Editor and Manager
CHESTER H. ROWELL, Associate
A. J. WATERHOUSE, Assistant
E. FRENCH STROTHER, Assistant
O. BLACK, Business Manager

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But Dr. N. K. Foster, Secretary of the State Board of Health, entered the controversy, and his rejoinder to the superintendent was crushing. He showed that the need of the hospital was not so much for new buildings or a larger number of attendants as it was for the adoption of ordinary sanitary precautions; he showed that disease-breeding flies swarmed in all parts of the hospital and no screens were used to keep them out; that filth prevailed where cleanliness should rule, and that until recently there was no sewer system, the sewerage being permitted to run out on the ground and poison the air. There was no answer to Dr. Foster's statement, presumably because there could be none. A little later representatives of both the State and the city boards of health followed the matter up with another publication in which they said that the hospital was supplied with one of the finest surgical departments to be found anywhere, but that sanitation was almost ignored. This was a severe thrust, because the man who was superintendent of the Sacramento hospital for many years, and who was succeeded recently by his son, enjoys a high reputation for surgical skill, gained by operating on thousands of indigent patients. The intimation of the boards of health was that he had cut and carved and made himself a master of surgery while letting sanitation take care of itself. There are doubtless other county hospitals in California no better than the one in Sacramento has been.

THROW OFF THE YOKE.

California has been politically a satrapy of the Southern Pacific railroad for more years than anybody cares to remember. It has deprived us of our liberties, corrupted our government, packed our courts, and falsified our national representation. Patriotic men have grieved, idealists have preached, and pessimists have sneered, but liberty is cheap and we have been busy. It is really cheaper to submit to usurpation than to throw it off, provided it does not rob us individually, so, measuring right and liberty by their price, we have submitted. A busy people may submit to almost any government, provided it does not increase taxes, and we have been busy.

But now comes the tax, and even Business is aroused. Against the proposed increase of freight rates, which will take fully \$10,000,000 a year out of the pockets of the producers and consumers of California, there has been raised up probably the most effective organization, of business and people, that California ever saw. By mere agitation that organization has already stopped the increase of express rates and broken the steamboat combine. By all the resources of business and of law it will resist the increase of freight rates; and it will win. We may submit to the tyrant who usurps our government, but we will not yield to the robber who filches our purse. So we are organized for successful resistance.

Not to confuse the immediate issue, nor to mingle politics with business, does it not equally follow that California will never be free until it is aroused and organized to resist political as well as economic usurpation? The railroads do not rule us for amusement. They know that political control can be coined into business profit. When the people of California realize the corollary that foreign political control means domestic business loss, then they will be as urgent to govern themselves as the political bureau of the railroad has long been to rule them.

AN EXPANDING VISION.

Behold a vision, and a retrospect. Fifty years ago the renaissance of Japan began, but it was a decade or two before the world took more than a curious interest in it. Now we know that it was the most important thing that ever happened to the Pacific world. Ten years or more ago the renaissance of China began, but we have scarcely yet realized that it is so far under way. Yet the only critical period is already behind us. If China had been dismembered into European colonies, as threatened only a few years ago, the whole history of the world would have been started irrevocably in one direction. Because it was not dismembered then, it is never going to be dismembered, and the whole history of the world is now irrevocably started in the other direction. That crisis is past forever. The new China has begun, and the men who are to lead it are now studying, or recently graduated, in the universities of America, Europe and Japan. One stroke of an Emperor's vermilion pencil will change the educational system of China, whenever there are teachers ready for the new schools, and those teachers are now preparing. A university generation is four years; a school generation at most a dozen. Add the two, and you have sixteen years to spread Western knowledge to the uttermost confines of China. As Chinese government and institutions are all based on education, the ramifications of the transformation are incalculable. And as the Chinese are an industrial and commercial people, the first results will be industrial and commercial. Then, for us, comes the new and great expansion. Our ill-adjusted system of capital and labor prospers only in an expanding world. There must be new things to do with the surplus of the old, or capital becomes valueless. China will furnish the outlet, and can take up for generations all the expanding margins of the world's investment. It will make China rich and us rich. And California, at the front door of the white man's world, facing the front door of the yellow man's world, must guard the boundaries, but may also take the lead of both. It is a vision and a prospect which the imagination refuses to bound. The startling thing is that its realization appears immediately at hand.

THE PROPOSED DIRECT PRIMARY BILL.

A careful scrutiny of the direct primary bill, prepared by the Direct Primary League for submission to the coming legislature, warrants the opinion that it is a good measure, prepared in good faith by good men, and that if it were enacted into law just as it is it would prove reasonably satisfactory.

In saying this consideration is given to the state of the public mind at this time, which is not prepared for what it will be prepared for ten years hence. For instance, the bill proposes to do away with nominating conventions entirely, whereas, ten years later, nominating conventions are likely to be provided for to be held before or after primary elections in order to prevent nominations being made by insignificant minorities of the whole vote cast. This is the supreme danger of a direct primary nominating system, but that can not well be

provided against at this time. It were better also if nominations for judicial positions were made by petition only, and left entirely out of partisan controversy, but that is likely to be accomplished by another measure and this one made conformable to it.

The measure is founded upon the assumption that government shall be by political parties and that if there are to be non-partisan candidacies they must be presented to voters by petition and not by primary elections. The test of time has proven this, in the main, sound. In no other way can government be by a majority. Without political parties the voting constituencies inevitably split up into factions and whoever takes office must govern with a majority against him and, sometimes, with a small minority committed to his support. This makes government irresponsible and uncertain. It is better to fight differences out in contests within political organizations to the end that government may be by responsible parties, as in England and America, rather than by irresponsible and unstable coalitions as in France and Germany.

Now what of the campaign for this measure before the legislature? The Herrin organization holds a majority in the legislature, not as absolutely as last session, but sufficiently to serve the purposes of the Political Bureau of the Southern Pacific Company unless the whole State is set into action for the things it wants and will have. No person of sound mind supposes for a moment that the Herrin machine wants a direct primary law that will permit the people to direct. Mr. Herrin wants to do the directing. Back of Mr. Herrin stands Mr. Harriman and back of Mr. Harriman stands the whole Standard Oil confraternity who do not wish the Men of California to govern California. They want to govern it through Harriman, Herrin and the Southern Pacific Political Bureau. The existing system is adequate to that end. Herrin and his henchmen will find some way of defeating this or any other sincere measure—unless the Men of California make it plain that they will not be trifled with. In the senate is E. I. Wolfe and in the assembly Grove L. Johnson, able, artful lieutenants of Herrin. They will "quer" this bill if they can.

Therefore the only thing for the Men of California to do is to make a wedge of themselves behind the bill submitted by the Direct Primary League and with it break the Southern Pacific's legislative line. The bill is not perfect, but it is infinitely nearer perfect as it is than it will be after the Herrin forces shall have amended it into an unspeakable hodgepodge and so out of court. Those who believe with the California Weekly that the ultimate direct primary law will differ from this bill in essential particulars can afford to wait for time to justify their opinion, but they can not afford to put themselves in an attitude of hostility to this measure. Herrin has dugged a pit for such friends of a direct primary to fall into. Therefore get in behind this bill and push it along.

COMPERS, MITCHELL AND MORRISON.

The sentencing of Gompers, Mitchell and Morrison to jail for contempt of court startled the nation. That, of itself, will not hurt. It requires a jolt to set eighty-five millions of people to thinking and it is time for them to be thinking hard and to this point. There is an issue involved that must be worked out before we can have industrial peace in this country and the sooner it is worked out the sooner we shall have industrial peace.

Two years ago last August a group of metal polishers working for the Buck Stove and Range Company of St. Louis went out on strike. The American Federation of Labor espoused the side of the men and notified its great membership that the stove company was

"unfair" and that "we don't patronize it." The stove company brought suit in a court in the District of Columbia to enjoin the federation from continuing the notification to its membership. The injunction was granted and the defendants openly disobeyed the injunction.

The defendants disobeyed the injunction because they were advised that it was issued contrary to law, holding that an invalid command is no command. The court held that any command issuing from a court is to be obeyed pending a final determination of the suit. This is the immediate issue and should not be difficult of determination without setting the whole country by the ears.

The paramount issue is as to the unlawfulness and impolicy of the boycott in any form, or of the lawfulness and sound policy of it in certain forms. This issue will not be settled until settled right and it cannot be settled right until public opinion makes up its mind what is right.

We are all of us boycotting persons, firms and corporations every day of our lives for one reason or another that seems to us to have sufficient justification, but we do that individually and, whether rightfully or wrongfully, no man-made law can reach us. How far we may do the thing collectively, and upon what justification, neither courts, legislatures nor congresses have finally determined. The issue must be threshed out so that all may know what their rights and obligations are, and the case of Gompers, Mitchell and Morrison should facilitate the process.

The boycott, whether primary, secondary or "persuasive," is an instrument of power. It may be well used, as when a community withdraws its patronage from newspapers that sell their editorial opinions and let for hire their news columns, to the deceiving of the public; or it may be wrongfully used, as in ruining an employer because he resists tyranny with fortitude.

The original cause of controversy between the Buck Stove Company and its metal polishers has been lost sight of. If the treatment of the men by the company was oppressive and against sound public policy the championing of their cause by the American Federation of Labor was proper and it was proper for the federation to inform its membership of the facts and to advise that patronage be withheld from the company until it repented of its wrong-doing; but if the American Federation of Labor ordered the boycott as a means of coercion, to enforce its will upon the stove company oppressively, that boycott was wrongfully employed and the labor organization should be held liable in damages.

This brings to view a fundamental delinquency of society and one that should be remedied. Society has established no adequate means of determining the issue of right and wrong between industrial adversaries. It has permitted these issues to be determined by waging private warfare at vast public cost and has not even put itself to the trouble of determining the rules by which such private warfare may be waged. The most it has attempted to do is to say that the boycott is not a legitimate weapon of warfare. In this it has probably gone too far, for the boycott is as natural a weapon of offense or defense as the fist and the rightfulness or wrongfulness of its use is to be judged by the facts in each case.

The point deserving of emphasis is that it is high time for organized society (government) to enter upon the task of furnishing some adequate tribunal for ascertaining the right or wrong in each industrial controversy, and then to declare to what extent, if at all, an associated boycott may be employed as a means of enforcing the right and resisting the wrong. The individual boycott is beyond the reach of any decision of court or legislative enactment. Like the fist it will be used as long as men resist evil.

The Deeper Significance : : : : of Living : : : :

We have lately celebrated the birthday of the greatest character in human history and we shall, in a few weeks, be called upon fitly to commemorate the birthday of the greatest character in American history. At the moment that the body of President McKinley was lowered into his grave at Canton, Ohio, out of respect to him, the great city of New York, at a prearranged signal, stopped as still as stood the sun on the plains of Gibeon. Not a car moved, not a wheel turned and for three or five minutes those upon the street stood in their tracks with heads uncovered. The spectacle was one that brought tears to many thousand eyes. It was as though the whole city stood in the hush of the ante-chamber of death.

It is proposed that on the 12th of February next the great city of New York shall again pause from its rush for three minutes in honor of the birth of a baby a hundred years ago. It is likely that other cities will do likewise and it were well if every train, every car, every wheel of industry on this continent were to come to a full stop at meridian of that day, or at such a moment at each meridian line as will, precalculated, bring the continent to a full stop at absolutely the same instant, and not relatively. Nothing should be left undone that can be done to fix indelibly upon the American mind the significance of the birthday of Abraham Lincoln, America's greatest hero, for in the character of our heroes shall we find an evolutionary impulse tending to form the character of the ultimate American.

What is it that we find in the character of Abraham Lincoln that prompts a great city like New York, once in open rebellion against his authority, to stop short in its human whirl to bare the head and thank Almighty God that, a century before, a man child was born into the world? Is it because he was assassinated? So were Garfield and McKinley, but neither of these has the hold upon the American heart that Lincoln has.

America has produced other great men, greater in their several aspects of greatness, perhaps, than he, but in no instance has that greatness given them the premiership in the American heart that Lincoln holds. Washington was great as a commander and great as a statesman, and his name is greatly revered but not loved as Lincoln's is loved. Daniel Webster was a greater orator, Thomas Jefferson a greater politician and organizer, Salmon P. Chase a greater lawyer, but only Lincoln died a death that, for its courage, challenged the admiration of the world. Theodore Roosevelt has made a more robust and militant championship of the right as he sees it. Yet this man, who was once a great general, a great lawyer nor a great orator, according to the world's standards, stands head and shoulders above them all in the estimation of a grateful posterity.

What, then, are the things that we love in Lincoln? His steadiness of purpose, never wavering for a moment from his determination to save the Union. We love him for that. His tireless patience with the foibles and follies of those by whom he was surrounded and through whom he must save the Union if it was to be saved, his long-suffering endurance with the petty jealousies and bickerings over precedence among officers of the army without whose co-operation nothing could be done; his forgetfulness of self when those about him were consumed with personal ambition; his leniency for the South, his wayward prodigals whom he would welcome home, bind up their wounds and forgive them their trespasses. For these things we love Lincoln and for these this nation has made Abraham Lincoln its preeminent hero.

Come to think of it, it is not the qualities which the American nation has found in Abraham Lincoln worthy of highest admiration just the qualities which the world has found in the Man of Nazareth most worthy to love?

Avant Mr. Burns!

Mr. William J. Burns is persona non grata with the predatory gentry of San Francisco and the President is blamed for his being here. There is a latent hope in the breast of predatory gentility, aforesaid, that, with the stepping out of President Roosevelt, Mr. Burns may be recalled by the succeeding administration and commissioned to pursue such plain, ordinary, low-browed criminality as counterfeiting and smuggling, robbing postoffices and hen roosts. Mr. William J. Burns has been a troublesome guest in the metropolis of the Pacific Coast. He has kept the community by the ears for two years, has landed some persons in jail, if not in state prison, and has so tarred the reputations of a number of genteel robbers that their families will hardly rid themselves of the taint for three generations. But for him the gentle Peter Claudianus would now be as care free as the ubiquitous coyote, putting out of the way public prosecutors and indispensable witnesses with the facility with which coyotes eliminate incubator chickens from the tax roll. Roosevelt, Heney, Burns, uncouth persons, all! Among the shortcomings of Mr. Rudolph Spreckels there is none more unpardonable than that, having had the advantages which wealth and social distinction give, he has turned his back upon his class and consorted with such imperfect characters as Roosevelt, Heney and Burns. Avant Mr. Burns! Your presence in San Francisco is distasteful to many. Your methods shock their sensibilities and give them a sense of insecurity that embitters them toward you.

Will Let Him Down Hard.

There are evidences that the predatory gentry are preparing to let President Roosevelt down from official to private life with abruptness. Thereafter they will take pleasure in treating him with scorn. He will not be invited to attend their functions. He is looked upon by them as being a vulgar person with a very imperfect temperament. He is charged with having been given to gum-shoe methods with consequences so distasteful to the predatory gentry that their hearts are filled with bitterness toward him. In any controversy that may arise in the wilds of Africa between Theodore Roosevelt and the lions, they entertain the hope that the lions may have at least an equality of opportunity. It is a reasonable expectation that genteel rascality in and out of Congress, and apologists for genteel rascality in and out of Congress, will, during the last two months of his tenure of office, spare not the lash of their contempt from the back of Theodore Roosevelt. They feel that they are getting out of the woods, but they should not whistle too soon for they are likely to find whole jungles of discontent ahead of them. Whatever may happen to the "wave of prosperity," the wave of moral regeneration of official and business life in this nation will sweep on unimpeded. Theodore Roosevelt has committed his unfinished task to hands fit and willing to go on with "gum-shoe" methods so distasteful to predatory interests, but so thoroughly satisfactory to an awakened national conscience.

The Claudianes Case.

Great is dynamite! The civilized world is likely to see more of it before it sees less. In the hands of malevolence, unweakened by imbecility or whisky, its possibilities baffle the imagination. Isabel Martin trusted her bomb throwing to an irresponsible, derelict human wif, and, at the critical moment, he babbled. The demoniac who undertook to blow Big Jim Gallagher into atoms, for obvious reasons, took John Barleycorn into service and, at the crucial moment, he, too, babbled, else both of these offenses must have remained inex-

pleable until revealed on the Day of Judgment. Perhaps it is to whisky and irresponsibility that society must look for protection from annihilation. The tracks that dynamite leaves seldom lead anywhere. What an uncomfortable feeling it does leave in the timorous mind to reflect that, for a few hundred dollars more or less, some person can be found so devoid of moral sense as to be willing to blow a whole household into space that the death of one man may be accomplished! And to think also that, to prevent the due and proper course of the law, there are those who will hire assassination by wholesale! At the time of the occurrence kid-gloved desperadoes and their sympathizers were quick to attribute the crime to dementia. The Claudianes trial proved the event to have been the result of deliberate design for a deliberate purpose. Wanting Paudevaris the law is not able to trace the murderous outrage to its source. The public mind is under no such disability. Its conclusions will be drawn as unerringly as the bow of Robin Hood.

Claus Spreckels.

There has been carried to his final rest one of the strong men of our time. Claus Spreckels was a man of affairs. He handled great enterprises as Ulysses handled his great bow, with ease, and in making a way for himself from poverty to fortune he made room for many. His ideals may not have been the highest or broadest, but they were those of his time and the best among the men of his class. His name will not be cherished as that of a great philanthropist, but he had no ambition to have his philanthropies heralded and felt himself under no necessity for appeasing the wrath of God by giving away ill-gotten gains, for his gains were not, according to the standards of his time, ill-gotten. Under an ideal form of industrial and commercial life no man will die as rich as he, but we are far from that ideal. And there is this to be said for Claus Spreckels and his methods: He found no necessity for befouling his path to great wealth by resorting to bribery and graft. There has never been a whisper charging him with seeking to corrupt the fountains of justice or the purity of the ballot. He was a resolute, plain-spoken, indomitable man with a rugged honesty of purpose that caused him to throw his influence upon the side of good government and square dealing whenever there seemed a necessity for his taking a hand in public affairs, for which he had no particular inclination. At one time there was talk of his having relinquished the Valley road to the general hurt and to his own advantage, but that talk had no better foundation than a sense of disappointment that the Santa Fe should have surrendered to the Southern Pacific and for that he was in no wise responsible. It was doubtless as much of a disappointment to him as to others and as unforeseen by him as by others. Full of years Claus Spreckels, dying, left his family a heritage more valuable than the millions he bequeathed—that of having acquired a great fortune without being either an oppressor of his fellow men or resorting to graft.

Only the Initiative This Time.

Elsewhere in this paper will be found a first draft of a constitutional amendment prepared by the Direct Legislation League of California for submission to the legislature for submission, in turn, to the people for acceptance two years hence. The League has concluded to bend its energies toward initiating legislation rather than having referred to the people legislation that may be deemed antagonistic to the public interest. There is no question that representative government has too often represented special interests rather than the common good and that this has been particularly

true of legislatures and conventions. The general tendency, therefore, is for the people as a whole to take to themselves more and more of the powers of government instead of delegating such powers to persons who too often prove faithless. This tendency is wholesome and hopeful if it does not go so far as to attempt functions that cannot be performed in the aggregate. This proposed amendment should be given careful scrutiny and support given when perfected. The power to initiate legislation outside of a legislature will be found of great advantage many times.

Et Tu Pittsburg!

When there is a poisoned humor in the blood there is no knowing where the eliminating abscess will make its appearance. The cheek is not to be blamed if it appear there or the neck if it appear there. The bane is in the blood and only by purifying the blood can a cure be accomplished. It is so with ailments in the body politic. San Francisco had not worse men than Kansas City, or St. Louis than Chicago, and Pittsburg is not a sinner above many another American city. Somewhere there was a breaking down of the tissue at certain places and the evil humor had an opportunity to manifest itself. The moral quality is put to the test only in excavating the carbuncle and cleansing the wound, and, if San Francisco knows anything about it, it is hard to make the patient stand still and not fight back while the surgery is being performed. The patient is half the time in the truntrams and never without sympathetic on-lookers to urge the surgeon to desist and let the leprous rascal go. Palliatives may be applied, but no cure is to be looked for without cutting out the canker. San Francisco is doing its part of the work as well as it can and no doubt Pittsburg will do hers, but the malady is national and needs national treatment. The germ was communicated to the body politic from the money that passed through municipal fingers, from paper in Pittsburg, from gold in San Francisco. No kind of money but carries its germ. Those who get the most of it run the greatest danger of infection, and who pays too much for it is not wise.

The Case of Dalzell Brown.

There is wide-spread disappointment that one so worthy of eighteen years of imprisonment at hard labor should get off with eighteen months, less credit for good behavior, but the peculiar poignancy of the grief manifested in certain quarters suggests the hired wallings at a Chinese funeral. There are those wringing their hands with anguish who have seen whole families escape condign punishment without a quail. The spectacle suggests an ulterior motive, and no great depth of scrutiny is required to reveal it. The hope is that by calling upon the holy of holies to denounce partial immunity to Brown they may focus public reproach upon the District Attorney, just now much occupied with prosecuting the friends and principals of the wallers. Whether or not it was needful to give partial immunity to Brown, in order to obtain evidence for convicting his fellow conspirators, is not well known to the public. Granting, or refusing to grant, such leniency was a matter of soundness of judgment. Mr. Langdon may have erred. No especial divinity hedges him about to prevent his making errors common to his kind, but that his heart is right and his purposes patriotic only those accused of graft, their retainers, apologists and friends, harbor a doubt. But suffer not the bewailers to mourn without hope. Upon their arrival at Hades they will find Dalzell Brown there to greet them or will have not long to wait for his coming. It is written that no malefactor ever finally escapes the consequences of his acts.

POLITICAL TABLE TALK

By ALL-OF-US.

A new spirit appears to have come over the dreams of our California Democracy. One or two more baptisms and it will be well saying. This is not saying that the California Democracy would be able to retain its present high standard of idealism if it were in the majority, but that there has been a growth in grace no one can deny. If any doubt that statement let him read the letter reprinted below from Senator J. B. Sanford to his fellow Democratic legislators. The Senator is as right as right can be.

Ukiah, Cal., December 26, 1908.

Fellow Democrats—You are hereby notified that there will be a caucus of the Democratic members of the Legislature in the State Capitol Building, Sacramento, at 10:30 o'clock a. m., Monday, January 4, 1909.

Upon my arrival in Sacramento I will procure from Secretary Curry a suitable room to be used as permanent headquarters for the minority during the session. As soon as secured, location of said room will be posted on the bulletin board so that all may find the same. You are urged to attend this meeting as matters of great importance will come up for consideration.

The Democracy has great cause for congratulation. We now have nine Senators and twenty Assemblymen as compared to six Senators and six Assemblymen two years ago. By concerted action, we can become a potent factor in securing good legislation. What the people of this country want is good government, caring very little through what avenue, or party, it is secured. Let us as Democrats, do all we can to secure for the people good, clean government. Let us make no particular effort to "do politics." Let us vote for all good bills and against all bad ones. That's the best politics we can do.

Hoping that our struggling minority may become a strong, militant Democracy for the cause of justice and right, I am,

Yours for good government,

J. B. SANFORD.

Chairman Democratic Caucus.

Suppose that the free Republicans in the forthcoming legislature were to accept Senator Sanford at his word and as voicing up-to-date Democratic sentiment, might there not be a rattling of the dry bones in the Southern Pacific "Organization"? It is ill to speak of that organization as being Republican. No man has a right to call himself a Republican who owes a first allegiance to the political bureau of the Southern Pacific Company, and there are many men who have the audacity to call themselves Republicans who do owe and acknowledge such an allegiance. But what Senator Sanford says is true, truer now than ever before: "What the people of this country want is good government, caring very little through what avenue or party it is secured." If the Republican and Democratic free men in the legislature will get together and stand for good government we shall have good government and Herrinism cannot prevail against it.

An attempt is going to be made at the coming session of the legislature to secure the repeal of Section 1313 of the Civil Code of California, and all persons whose minds are reasonably freed of fears of popery and of mediaeval prejudices will say godspeed to the effort. Section 1313 is the one which prohibits persons having legal heirs from bequeathing to charity or pious uses of any kind more than one-third of their estates. It also makes it necessary that a will bequeathing anything at all to such uses, to be valid, must have been executed at least thirty days before the death of the testator. This has been a part of the laws of California since 1874, and the object of the provision is best given in the words of the supreme court, which said: "Section 1313 of the Civil Code . . . was passed to prevent improprietous alienations or dispositions, by languishing or dying persons, to the disherison

of their lawful heirs. (See preamble to Statute of George II.)"

Another way of stating it would be to say that in the time of George II dying persons often sought to save their souls at the expense of their relatives by making hasty wills leaving their property to the church; but in these modern times, when the fear of his satanic majesty has so greatly diminished, there is not the same good reason as formerly for a statute of this sort, and no excuse can be offered for keeping it in the laws of California.

About the only object which such a statute now accomplishes is to impede the generous impulses of a certain number of persons who have property which they would like to bestow upon society when they die. Such a disposition should be encouraged and not defeated by an arbitrary prohibition. Little fear need be felt that abolishment of the one-third provision will result in wronging wives, children and brothers or sisters, first, because men and women generous enough to wish to make public bequests will in nearly all cases first provide for their families; and, secondly, because juries stand ready to break the wills of those people who have dealt unkindly with their kith and kin.

The repeal of the section has been undertaken by people who are interested in deserving public charities which are losing bequests by reason of it, and they ought to be supported in their efforts. The number of cases in which serious injustice would result from liberty to bequeath for purposes of charity or benevolence more than one-third of an estate is so limited that the chance of such injustice does not offset the ill effects of the prohibition.

There are those who have wanted to know how it happened that the clerk in the office of Secretary of State knew just what precincts to go to and what machines to look at in order to discover just enough errors on the right side to carry the constitutional amendment raising the salaries of State officers, which amendment slipped through by just two votes. Nothing easier.

The election returns are made to the Secretary of State by the clerks of the several counties and nearly always with a greater or less number of clerical errors chargeable up against them. In scanning and tabulating these returns care is taken to detect palpable errors and write to, or go and see, the county clerks in order that such errors may be corrected. There is no going behind the returns of the precinct officers, but only behind the returns of the precinct returns to the Secretary of State.

One means of detecting possible errors is to watch carefully the prevailing ratio of candidate to candidate or amendment to amendment in the different precincts. If in any one precinct there is a marked square from the prevailing ratio all around that precinct, error is suspected, and, upon examination of the original returns from that precinct, error is often found, chargeable to transcribing in the office of the county clerk.

With these facts in mind the clerk in charge of the election returns in the office of Secretary of State, carefully watched the returns on the amendment providing for an increase in the salaries of State officials. Therefore, when he found the amendment running square with the normal ratio in two precincts in Sacramento he went to the office of the county clerk and then to the machines that had been used and, sure enough, the record and not the machines were wrong. The record of the machines had not been taken down correctly. It was there plain as day and to correct the returns was the work of a few moments.

State officers have been shabbily paid. The amendment should have carried by many thousand majority and doubtless would have so carried but for the provision relating to Lieutenant Governor. That was an abomina-

tion. The innate justice of the increase in salaries has gone far toward causing the general public to wink the other eye because of the method taken in the office of the Secretary of State to count in that amendment. For it is nowhere whispered that the clerk in charge as diligently sought to find and correct errors that may have occurred in reporting such returns as would have counted against, instead of for, the amendment. The state house interest was not on that side. It is not clear what, if anything, can be done about it. If some citizen, or the Attorney General, were to enjoin the State Controller from drawing warrants in payment of the increased salaries it is likely that nothing could come of it without a recount of the entire vote of the State. That might cost \$100,000 and prove the amendment carried after all. The vote was certainly close and the only fault to be found with the counting is in that not the same efforts were made to discover errors that could be counted against the amendment as for it.

"With its able corps of fair-minded writers The California Weekly will prove a power in the cause of right and justice."—Oakdale Leader.

"California should congratulate itself that it has in The California Weekly a paper that is clean to the core."—Modesto News.

"This State has long needed a high-class weekly that will truly represent the people's interests, not its own political ambitions. The editorial staff shows good results in the very first issue, and we find The California Weekly splendid."—San Bernardino Times-Index.

"The California Weekly, the new San Francisco magazine, is printing interesting articles in every issue."—Berkeley Independent.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

The Children Are Home.

Riot of riddles, and chorals of shrieks.
Noise from the garret to basement below.
Rattle of drums, and bellows, and squeaks.
Nothing at all in the place it should go;
Papa quite maddened by racket and din;
Mama half lost in a noise-riven maze;
Bellow of trumpets and rattle of tin—
The children are home for the holidays.

Look where you step, for no one may tell
What shall be found on the floor at your
feet.
Hey, for that piercing and desolate yell!
Baby is striving a needle to eat.
Tom on the balusters, sliding down stairs;
Susie essays it, a clamor to raise;
Mornings of trials and evenings of cares—
The children are home for the holidays.

Ho, little urchins of gray eyes or blue,
You are old, you are old again;
All pandemonium shrieketh with you,
And Clamor, exultant, comes out of his den;
Yet when next week has climbed over the hill,
And quietude governs the house and its
ways,
Perchance we will sigh that it seemeth so
still.
When you are not home for the holidays.

Letters to Santa Claus.

You read with a smile that Uncle Sam's
mails, during the Christmas season, are flooded
with letters in quaint, straggling, immature
chirography directed to Santa Claus, but do
you not, on introspection, find that the smile is
backed by tears which strive hard to dim the
laughter in the eyes? It is so with me, at any
rate. I think of the little, often grimy hands
which directed the envelopes and crudely
penned the ill-spelled petitions they contain,
and to me there is something beautiful in the
childish faith which would acquaint the good
old saint with its baby desires. And then I
remember how large a proportion of these
blurred epistles will go hopelessly astray, never
to reach their destination, and it seems pitiful
that such faith should end in such wrack. To
be sure, I know that earthly faith often goes
such a way, but I should like to see the little
ones spared the disillusionizing process. The
Christmas time is not all happiness, much as
we would like to see it so, and among those
threads of pathos which are woven into its
woof I think that these wee, queer letters to
Santa Claus, which puzzle Uncle Sam, surely
must be counted. Quaint little letters are
they. Smile at them, as you must, but if there
is a kindly heart in your bosom, tears will not
be far away as you do so.

Little Pertinent Fables.

A broad smile shone upon that side of the
countenance of Majestic Law which was
turned toward Impartial Justice.
"I've got him," he said.
"Got whom?" inquired Justice.
"Got Claudians," was the reply.
"That is good, and I suppose that you, too,
have the person in whose behalf his dastardly
deed was committed?"
Slowly Majestic Law turned the other side
of his countenance toward Impartial Justice.
It was streaked by tears, and a frown rested
upon it.
"I have not," he said.
Moral: The Majestic Law may be pleased
when it puts the fetters on the catpaw that
gathers in the chestnuts, but it cannot success-
fully grin on both sides of its face while the
monkey that manipulated the paw is at large.
"I came near making a terrible mistake,"
said the First Assistant at the Gate to Saint
Peter.
"How was that?" the good saint inquired.
"Why, one of these genuine, quarter-sawed,
hand-polished exponents of Real Culchah had
arrived here from Earth, and—"
"You forgot that humility is divine, and tried

to make yourself appear worthy of the honor
he did you in appearing before you?"

"Well, hardly! He looked through the gate,
and I heard him remark to a companion that
already he could see several respects in which
Heaven could be improved by making it look
less commonplace, not to say vulgar. Right
then is when I came near making my mistake."

"Tell me about it."

"Why, I was about to send him down stairs
to look after the furnace, when I discovered
a place where a humanly-kind, plebeian action
he once had performed had scratched off his
polish slightly, permitting a soul to shine
through."

"So you admitted him?"

"Yes, but he made it by a scratch."

Moral: It may seem shocking to some, but
it may be that there are some things little con-
sidered in the school of super-culture which
will count most of all in that final "round-up"
unto which we all journey.

Death and Dividends.

Under the street cars of San Francisco some
sixty or seventy people are killed and about
300 are more or less seriously injured, an-
nually. The United Railways, however, ap-
parently are in doubt concerning whether they
need adequate fenders, and, if they do, the
question anent the variety they shall adopt
gives them pause during which the destruc-
tion of human life continues.

A fig for a life, and a straw for its woe!
(Ho, but the wheels of our commerce are
fleet!)

We are as foam, and as foam we must go.
(Traffic has music that sounds on the
street.)

Why should we pause for a desolate cry
Sounding from one whom our Juggernaut
slays?

Gold be our trophy piled glittering high.
(Here's to the Game and the player who
plays!)

And what does it matter, a life more or less,
The red, gaping wound and the cry of dis-
tress,
The widow who mourns in her heart's loneli-
ness,
If surely our dividends swell?

One life in six days, so the red record runs,
(But fenders cost money, you really should
know.)
And mothers are weeping by graves of their
sons.

(At altars of traffic bow lowly and low.)
Out motto still be, "All the traffic will bear,"
In lives that go out 'neath the grind of the
wheel,
For why need we trouble, and why need we
care?
(Ho, red god of commerce, your glory we
feel.)

And what is a body, though crushed into clod,
The flow of the crimson that moistens the
Close eyes to all anguish and cheerily nod,
If surely the dividends swell

The Opinions of Rufus.

Some literature reminds me of some men
I've met—mighty well dressed outside, but
no soul worth mention on the inside, and
the queer thing 'bout it is that both on them
has their admirers.

Course I b'lieve in culchah, but sometimes
I can't help rememberin' that the Good Sa-
maritan didn't come from the culchured ranks
of 'society, an' the Pharisee did.

I read the other day that Thor was the
hammer-wielder. Then what did you mean by
telling me he was dead?

Their's one consolation 'bout Ruef's case:
He stole a good deal of money from the peo-
ple, but if the lawyers don't fall down—and

I reckon they won't—the people 'll git lots of
it back through them.

The poet fellor said, "Tis better to have
loved an' lost than never to have loved at all,"
but I've knowed cases where he might jest
es well have left off the last half of the
sentence.

Seems to me that there's lots of creeds in
this world fer the same reason they's lots of
coats. Y'see, it takes diff'rent sizes to fit our
diff'rent shoulders.

I never knew but one man to live up to his
epitaph, an' his got spilled by the sculptor.

Don't you realize that man's inventin' the
aeroplane so es to be able to git high enough
to ketch turkeys at 32 cents a pound?

With the "Lower Classes."

A woman physician of Philadelphia says
that the time will come when "kissing will be
confined to the lower classes."

Make me of the "lower classes,"

And let me remain in them still

My heart, grown cold and envious,

A kiss no more may thrill.

Make me of the "lower classes."

I fain would hold it so,

That memory of sweet kisses

Is best that my life may know.

The kiss that my mother gave me,

Ah, it was an unspeak prayer

For the boy whom her mother-longing

Held in its tender care.

Tenderly, softly caressing,

I knew not its value then.

But now I am missing its blessing,

The ultimate blessing of men.

The kiss of a little sweetheart

Who sleeps in a far-off place;

Sweet as the violet's fragrance,

Shy as the violet's face;

Soul white as the snows that drape her,

Ah, but my boy-heart knew

Her kisses were pure as the lilies

In robes that are gemmed with dew.

The little, soft pressure of kisses

From hairies I love so well;

The kisses of wifely devotion—

If these of our lowliness tell,

Make me of the "lower classes."

A part of their stress and strife,

For these are the heart's sweet trophies,

The best that it reaps in life.

Leap Year and Marriage.

In his "Department of Vital Statistics," for
November, George D. Leslie, State statistician,
allows one ray of the light of humor to pen-
etrate the statistical gloom of his production.
Here it is:

"It may be remarked that because of the
shyness of women concerning leap year pro-
posals, the marriage total for 1908 bids fair
to fall short of that for 1907 by 1,000 or so.
Thus, the marriages in California for January-
November, 1908, number only 19,761 against
20,745 for January-November, 1907."

Thus, supposing that race suicide is a bad
thing for mankind—which it might be in some
instances—we have statistical authority for the
assertion that leap year should be abrogated.
As I see it, it works the wrong way.

Gentle woman, being prevented by her coy-
ness, will not propose to man during that
year. Probably she is just as willing as ever,
but she cannot bring herself to do so. "Now
there is John," she says to herself. "He is
perfectly charming, but suppose I should
throw my net, and not catch him, how would
I feel? No, I must not take the chance." So
she sits back, and waits for the ordinary year.

The thought that it is leap year, on the con-
trary, often deters man from doing as his
inclination prompts. "She is a nice girl," he
says to himself, "and we could fix up that
cottage I have in mind very easily, but it is

AS THE WORLD WAGS—Continued.

her chance this year, and I fancy if she wanted me she would let me know." So he, too, awaits; each is deterred by the thought of the leap year privilege.

Wherefore, a has the leap year and its retroactive privilege!

Let's Decorate the Tower.

The California Promotion Committee is out with a suggestion that the upper part of the ferry tower be painted with crimson and gold. Good, so far as it goes, but it is respectfully suggested that the indicated color scheme would be deficient in variety. There would be, on the ferry building, but the dull gray of granite, the cold white of marble, the rich yellow of gold, and the vivifying crimson of the Promotion Committee. Why stop with this extremely limited list of colors while a large number might be made useful and Promotion Committee ornamental? There is, for instance, purple, which is a royal color; or blue, with which the Creator chose to drape the skies; or green, in which the grass and the Willie-boy are arrayed; or any one or several of those exquisite "very latest shades" with which almost any lady could make the members of the committee acquainted. The committee's idea is excellent to an extent, but it lacks in color versatility. We should not permit our tints to go to waste. With generous and unselfish use of them, we may make our ferry building a creation to give the Eastern visitor who sees it for the first time an impression that he has "got 'em again."

The Body, A. D. 3,000,005.

Thomas A. Edison has a theory that the human body will evolve into a shape of entirely different proportions from that now inhabited by the spirit of man. The head will develop out of all proportion to the body, in order to accommodate the bulging brain, and the arms and legs will atrophy from disuse and shrivel to mere spindles—the legs so small that they will not support the weight of the body, which will wheel about on some sort of individual motor car, and the arms retaining only enough strength to adjust an electric wire to the plate now occupied by the stomach (which will entirely disappear) and to turn on an electric switch so that the body can store up enough concentrated energy to keep it vitalized as it is now kept nourished by food. It is comforting to add, however, that it places the date of realization of this not wholly whimsical theory of the reorganization of the body some remote millions of years hence.

Girl Defeats An Army.

It is related in the Metropolitan Magazine that the army, headed by Sheridan and his staff, left Winchester by the valley pike early in the morning, just as day was approaching the Stephens City. Just as day was approaching the staff reached the tollgate and was discomfited by a young and beautiful girl, Charlotte Hillman, famed locally for her girlish charms. Even the war-hardened Sheridan seems not to have been proof against the persuasion of a pair of black eyes and a pretty face, and when toll was demanded straightway produced the tithe, setting an example that was followed by his staff.

"But," said Sheridan as he passed through the gate, "I can not vouch for my army."

When the common soldiery came the girl again lowered the toll bar and demanded toll. This was met by jeers from the guard. All day the dusty troopers passed through, and all day Charlotte Hillman stood at her post. For every ten soldiers who passed through the gate she cut a notch in the toll pole. Early filed beyond the Blue Ridge with the remains of his disorganized army, in the Valley of Virginia Lee Grant, the rebel's grand old and overwhelming numbers, gave up the fight; in the southeast Joe Johnston fired the last burlesque shots and peace came again over the North and South. Then, when relations with Washington had been established and the administration's policy was one of magnanimity, Charlotte Hillman counted the notches in the toll pole and sent her bill to Washington. And the bill was paid.

A BOY AND A BIRD.

By C. L. Carpenter.

I knew a boy once, one a rosy-cheeked, light-hearted lad, with a laugh that sounded like the musical scale, a smile like a girl's and deep thoughtful eyes. His one ambition was to catch a bird, a wild bird, and keep it for all his own. A bird that could be bought and had no attraction for him. He wanted to capture it himself. After much patience he succeeded in luring a robin into his cage, closed the door and made it a prisoner. Then he fed it with crumbs and chopped meat and lavished care upon it. For a little while all went well, but soon the bird began to droop and languish. An older and wiser head convinced the boy that the bird, being a wild one, could not stand confinement, but the boy could not for a time understand why this was so. He loved and cared for the bird and did not understand why the bird did not love him. But after quite a mental struggle, he opened the cage door and bade the bird go. For just a little while the bird hesitated and the heart of the boy leaped to think that perhaps after all it might conclude to stay. But no, true to its wild instincts, the bird spread its wings and flew away, not, however, until the boy had fixed a tiny ring of brass on one of its legs so that he might know it again if he ever saw it. For a whole year the boy watched every robin he saw, hoping it might be his bird. When it rained and stormed he used to wonder if his bird was safe and warm.

One day a robin with a broken wing fluttered by and the boy ran to catch it. What was his joy to find his longed-for bird with his ring on its leg. Oh how tenderly he nursed it and when the wing healed and the bird could fly after a fashion, he set it free again. But this time the bird refused to fly away but made its home in the cage it had formerly looked upon as a prison and the boy was very happy.

I knew a man—a man with deep sad eyes, with firm set mouth, which softens only when he gives a sad smile—this same boy grown into grey-haired manhood. He, too, had a longing to capture a bird—a wild-hearted, soulful woman bird. No bird used to him, or which might be purchased would do. He wanted a woman for all his own, to lure her into the cage of his heart and close the door. At last, after long search, he was successful—or thought he was. Oh he was so happy. He fed her on all the love of his heart, and she, too, seemed happy, but like the bird she began to long for freedom and after a long struggle with himself, the man opened the door of his heart and bade her go if she wished. When she hesitated, the man's heart leaped as the boy's had done, thinking he was mistaken. But she finally flew away, only little short flights at first, and the man thought she might be happy. But the wild nature was too strong and one day she flew far away and the man was left to console himself with a band of gold on her hand as a pledge between them, and so he goes about now looking and searching, thinking perchance he may find her again, always with that deep sad longing in his eyes.

This is just a simple little story, but it is true, for I was the boy and I am the man and I wonder if I shall find my bird with a broken wing.

Carleton's Bill.

Will Carleton tells the following incident which occurred in a hotel some years ago: Mr. Carleton asked for his bill. "Here is the check for you, Mr. Carleton," said the proprietor. "But," protested Mr. Carleton, "I don't know you." "Mr. Carleton," said the landlord, "some years ago my wife and I had serious differences, and we finally decided to separate. We had been married a good many years. I sent for a lawyer and he drew up an agreement about our property and how it would be divided. Just about that time I read your poems, 'Fetters' and 'I Am Out,' and 'How Betsey and I Made Up.' I was struck hard by the poems, and I took them to my wife and read them to her. She cried, and—well, we've been together ever since, and there'll never be a bill for you in this house, Mr. Carleton."

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WHAT WE HAVE NOT

By JULIAN KORSKI.

The native Californians are too self-satisfied and proud of their blessed country to admit that they haven't anything you can find in any other part of the world. The word "impossible" is unknown to them; they can raise everything under the sun from the ostriches, seals, and whales, to Ruets, Schmitzes, Gallaghers, labor and capital trusts, strikes, boycotts, and the most corrupt and shameless bunch of rascals that ever camped in any city hall. But there is one thing you can't find either in San Francisco or Los Angeles, or anywhere else in this country, and that's a humorous paper. There is none.

This fact, that on the whole Pacific Coast there is not one humorous paper, is certainly one of the most striking features characterizing vividly the intellectual standard of that country. The natives do not even seem to feel the lack of it. They are entirely satisfied with the mirth-provoking products of the East. Life, Judd, Puck, Sis Hopkins, are in all show windows, and if you ask anybody about an original California humorous paper, the answer will get to his necks and perhaps to those of his readers also, and changed accordingly. It is probably a paying financial enterprise as most of the American society papers are. A cajoled snob and a tickled parvenu are always the best subscribers.

But how is it possible that a country like California, with such a genuine sense of fun, and with social conditions so adapted to originate all that is necessary to produce the laugh-provoking elements, how is it possible that the Pacific Slope, from San Diego to Seattle, has not produced a permanent humorous paper? It is sufficient to look over the funny pages of its daily papers, weeklies and monthlies to find out how rich in humor the Pacific Coast is. And not only the funny pages serve as proof for this assertion. Almost every report of every-day topics, almost every headline contains an obvious exaggeration, an unconscious deformity, a curious and comic phrase testifying to the unlimited sense of the ludicrous with which the slaving penny-a-liner, the sorry knight of the typewriter, the yellow interviewer, the yellow press-agent and the all-colored reading public are endowed. The newsmen lionize their readers just as much as they are lionized by them, mutually proving by the same fact that they are all funmakers worthy of each other. Why, then, instead of wasting their own precious material upon the columns where it is unnoticed and lost, why not attempt to establish a great humorous weekly, worthy of such a grand country as California?

Considered from the viewpoint of the psychology of humor, the social conditions of California, especially, and of the western part of the Union in general, offer at present a better field for a humorous paper than at the time when Bret Harte and John Phoenix wrote their immortal sketches and satires. They belong to the local-political class of humorists, depictees of local oddities and purveyors of fun, representing the most racial and most characteristic phases of our national humor. They introduced the humor of the Pacific Coast to the American public and to their countrymen, and they did it with extravagance in expression and thought. On the whole, it is a broad humor that frequently does not disdain the aid of bad spelling and common puns. It deals in incongruities of expression; it accentuates oddities; it sets the common place in ridiculous relief; it burlesques pretensions; it laughs at domestic, social and political mishaps, when they are not too serious.

Fifty years ago Bret Harte had to deal with countries and communities of an almost unexampled laxity, the laxity of civilized men

grown savage. He dealt with the life of an entirely new people who having no certain past, could have no certain future.

It was a parish full of doubtful gentlemen. California at the time of the first rush after gold was actually a republic of incognitos. No one knew who anyone else was, and no one desired to know. In such a country gentlemen took more trouble to conceal their gentility than thieves take to conceal their roguery. In such a country everyone is an equal, because everyone is a stranger.

In such a country it is not strange if men in moral matters feel something of the irresponsibility of a dream.

One of the most characteristic illustrations of those conditions is Bret Harte's scarcely known account of the first jury trial in California:

Up to August, 1850, all criminals had been tried by lynch-law, and, if pronounced guilty by the boys, were hung to the tree. But times began to mellow down a little, and certain solid citizens began to fight for good old Eastern law. They wanted the jury-trial, as provided for by the Constitution. So at Big Gulch, in 1849, when a man had been accused of stealing horses, they decided for the first time in California to give the culprit a fair jury trial, the first jury trial in California.

Twelve good men and true were chosen on the jury, and witnesses were brought before them. Some swore to the good character of the accused, and some swore he was a horse thief from back to back. When the last witness got through the jury retired to give a verdict. They hadn't been in the juryroom over ten minutes when a crowd of outsiders came pounding at the door.

"What do you fellows want?" asked the foreman.

"Want to know if you jurymen haven't got most through."

"Not quite," said the foreman.

"Well, hurry up; we want this room to lay out the corpse in!"

The masterpieces of American humor, as typified in California, were not conceived in an atmosphere of the Evangel of Galilee, in the feeling of kindness drawn forth by pain, in pity and compassion, but there was always a tinge of surcharge and overplus of power, a buoyancy, a sense of conquest.

American humor does not know any difference of race or caste. For it, we are all human beings, all children of the common soul. It is free from the miserable tribal vanity, it scorns no social difference. It humbles the outcasts and vagabonds, and gamblers and waifs of either sex. For this reason, along with many others, the best American humor stands pre-eminent throughout the world and through all time.

The conditions have improved in California, the contrast between the life of the settled East and chaotic West with its reckless specimens of humanity, is at the present time not so gross and striking as it was when "Tennessee's Partner" and "The Outcast of Poker Flat," "Miss" and "Miggles" were written, when Bret Harte broke new ground and became the first literary interpreter of the new western life with all its breadth and freedom.

But really the chasm between West and East is still filled up yet, hardly bridged over, and all who know the Atlantic and Pacific Coasts will agree with me. The prevailing social and political conditions on the Pacific, especially in San Francisco, since the last catastrophe, are certainly not less abundant in deep humorous elements than they were in Bret Harte's time. I am indeed very much inclined to believe that they never before furnished so much material for a humorist as they do at the present time.

This country, in general, with its ever-changing conditions of a growing community, with its struggle of democracy, with its odd blending of hitherto antagonistic types, furnishes the humorist, whose study is humanity, with an inexhaustible supply of new grist for his mill. And if our funny papers were codified, it

would be found that they owe a very large debt:

First: To the American savage, Indian, Jap, and negro, playing at civilization.

Second: To the Irish peasant governing our large cities with the help of the policeman, Irish labor-leader and Irish priest.

Third: To the comparatively few other human products of American development, as for instance the vulgar millionaire, the commercial traveler, the immigrant of whatever nationality, the laborite, the suburbanite, the professional politician and the husky farmer.

All these types in almost innumerable quantity are to be found in California, particularly in San Francisco. But here they are much better specimens, more picturesque and stronger developed than in the East.

The labor-union mayor, the political boss, the supervisors, are, or were, much more heedless, rapacious and indifferent here than there. The policeman is better fed and less visible on the streets of San Francisco than in New York. The labor-leader and walking-delegate smoke better cigars and wear more diamonds in California than on the Atlantic. And the Irish Roman-Catholic priest is more Roman-Catholic in San Francisco than the Roman-Catholic in Rome. It is the typical "Western exaggeration" we see everywhere, in San Francisco especially. Everything grows and develops in California quicker. The individual and social deformities here are more burlesque and the fun reaches almost the cosmic height of pathos.

California is waiting for its Aristophanes, for its Cervantes, for its Rabelais, for a man of deep laughter, who helps set straight the world; for a great joker and ironist endowed with the sublime sense of incongruity that has permanent value, full of intellectual keenness and sympathy, demanding of us not the random laughter of fools, but the collected laughter of the sane.

No country ever offered a richer opportunity for a great humorist, and his paper than the Pacific Coast offers now.

Where is the man? Where shall we find him?

Health and the Legislature.

A woman from Sacramento was arguing with a man from Berkeley about the capital removal amendment.

"You Berkeley folks can't name one good reason for removing the capital from Sacramento," she declared.

"O, come now," the man from Berkeley replied. "For one thing, the climate of Sacramento isn't at all healthy."

"You know very well that the legislature doesn't go to Sacramento for its health," retorted the lady.

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PROVIDING FOR DIRECT LEGISLATION.

The following is a first draft of a constitutional amendment, prepared by the Direct Legislation League of California, proposing to amend Article IV, Section 1, to read as follows:

ARTICLE IV.

Section 1. a. The legislative power of this State shall be vested in a Senate and Assembly, which shall be designated the Legislature of the State of California, but the people reserve to themselves the power to propose by petition statutes and amendments to the Constitution and to adopt or to reject the same at the polls, independent of the Legislature. The Legislature may enact laws and propose amendments as elsewhere provided in this Constitution.

b. Upon the presentation to the Secretary of State of a petition signed by qualified electors of the State as many in number as eight per cent of all the votes cast for Governor at the then last election for Governor, proposing laws, statutes, or amendments to the Constitution, set forth in full in said petition, the Secretary of State must submit the said proposed statutes or amendments to the electors at the next succeeding general election occurring subsequent to ninety days after the presentation of said petition. In all matter pertaining to the submission and the adoption or the rejection of the same, the Secretary of State and all other officers shall be guided by the general laws, particularly those applicable to constitutional amendments, until legislation shall be especially provided therefor. If the number of electors voting in favor of any proposed measure, exceed the number voting against it, the proposed measure thereby becomes adopted and in full force and effect.

c. Any such petition may be presented in sections. Each section must contain a full and correct copy of the title and text of the proposed measure. Each signer shall add to his signature the place of residence, giving the street and number if such exist, or such a description of the place of his residence as will enable its location to be ascertained. The number of signatures attached to each section shall be at the pleasure of the person soliciting signatures to the same. Any qualified voter or tax-payer of the State shall be competent to solicit said signatures. Each section shall have attached thereto the affidavit of the person soliciting signatures to the same, stating that all the signatures to the attached section were made in his presence, and that to the best of his knowledge and belief, each signature to the section is the genuine signature of the person whose name purports to be thereunto subscribed, and no other affidavit thereto shall be required. Each signature, the genuineness of which is not called in question by the sworn affidavit of the purported signer thereof, shall be presumed to be genuine. Unless and until it be proven otherwise by official investigation, it shall be presumed that each petition presented contains the signatures of the requisite number of qualified electors.

d. Several petitions may be presented proposing measures to be voted upon at the same election. If measures be simultaneously proposed which contain conflicting provisions, the provision contained in the measure receiving the highest affirmative vote shall prevail.

e. A substantial compliance with the provisions of this section shall be sufficient for the proposal and adoption of any measure. This section is self-executing, but legislation may be enacted especially to facilitate its operation, but in no way limiting or restricting either the provisions of this section or the power herein reserved.

f. If petitions for the initiation of statutory law be filed with the Secretary of State not less than thirty days before any regular or special session of the Legislature, the Secretary of State shall transmit the same to the Legislature as soon as it convenes. Such initiative measures shall take precedence over all other measures in the Legislature excepting appropriation bills. The Legislature may enact any initiative measure, without change or amendment, but in all cases proposed amendments to the Constitution must be submitted to the electors for approval or rejection. If any such initiative measure shall be rejected by the Legislature, or no action be

taken upon it by the Legislature within forty days from the date of its transmission, the Secretary of State shall submit it to the electors for approval or rejection at the next ensuing general election. The Legislature may reject any measure proposed by initiative petition, and propose a different one to accomplish the same purpose, but in such event both measures shall be submitted to the people for their rejection or approval by the Secretary of State at the next ensuing general election. The veto power of the Governor shall not extend to measures adopted by direct vote of the people. Any measure adopted by direct vote of the people can be repealed or amended only in like manner.

g. If for any reason, any measure proposed by petition as herein provided, be not submitted at the next succeeding general election occurring ninety days after the presentation of said petition such failure shall not prevent its submission at a succeeding general election, and no constitutional amendment or amendments or other measures proposed by the Legislature shall be submitted, except that at the same election there shall be submitted those measures proposed by petition of the electors, if any be so proposed as herein provided.

h. The enacting clause of every law shall be as follows: "Be it enacted by the People of the State of California."

Bret Harte's California.

The New York Sun, in a recent issue, comments in lively fashion upon certain criticisms of Bret Harte, as follows: "In an address upon 'Provincialism' delivered before the Massachusetts civic conference recently Professor Josiah Royce of Harvard University sought to dispel the illusion that Bret Harte has wrought into his high colored stories of frontier life in California."

Professor Royce was born in a mining town of the Sierra Nevada, lived there for some time in his youth and has a retentive memory. Harte, he says, did not know his mining camps, or knowing belied them. The social humor he depicts had no existence and was shrewdly invented for his purpose. "In fact, to quote Professor Royce, it 'never was on sea or land.' California had not had time to become provincial. There could be no types, for types have to grow before they can be known and described. The Harte stories of frontier life err in this:

"They depict the early California mining camp as if it were more or less an established institution, and portray the miners as if they already possessed a sort of provincial consciousness. For Bret Harte the early miner is already a definable social type—with a dialect and set characteristic customs and manners—with a local consciousness almost such as a peasantry or a Highland clan might possess."

We do not know, and doubt, that Bret Harte ever boasted that he held the mirror up to nature in his California stories (or any others of his pen) and derived his color from a society that actually existed. And we presume that it will make no difference to his readers. Their want is a story, and he supplies it. His art consists in taking them out of themselves and by turns amusing and terrifying them, mingling the humorous with the tragic and sounding the depths of their sympathies. The Sierras were his setting and he was his own prompter and stage carpenter. His method was thousands of years old, and will be practised as long as humanity wants a story. Such is art. It cannot be defined, nor can it be ordered by rule of thumb.

Declined With Thanks.

"In many respects it (the article) has a good deal of merit, but on the whole I do not think it suited to the Review. . . . Perhaps my judgment would not agree with that of others whose opinion I have respected. . . . After all, you know, we editors have no other criterion than our own judgment."—James Sparks, editor of the North American Review, rejecting a manuscript by Henry Wadsworth Longfellow.

Germany has launched the fourth of a series of battleships of the Dreadnought type. The new ship is named the Posen.

Thirty.

In all newspaper offices and telegraph offices the word "thirty" means "this is all," "the end" or "the last." A new "devil" in a Fresno paper's composing room, unfamiliar with the meaning of the word, was halted by the city editor as he was leaving that dignitary's desk with the hundredth odd batch of "copy" by the editor's remark, "Tell the foreman this is thirty on local stuff."

"Thirty, thunder," replied the lad. "It's about two hundred and fifty."

Broker's Disease.

The commonest ailment of stock brokers is kidney complaint, caused by having to stand on their feet hours at a stretch every day. There are no chairs and few seats of any sort in an exchange, and the method of transacting business allows few moments to use the seats. So common is kidney trouble among brokers that it might well be called "brokers' disease."

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WHAT THE LEAGUE OF JUSTICE STANDS FOR

By GEORGE HENRY BOKE, Professor of Law, University of California.

After the failure of the Ruef trial in May of last year, many citizens were despondent at the outlook for justice in San Francisco. Farther, as many of them believed that the dynamiting of the witness Gallagher was not accidental, but might be traced to some effort to impede the course of justice in the graft trials, they felt there existed an urgent call for the citizens to stand together and in some way make their strength count against that campaign that was evidently being waged to impede the course of justice. Several meetings were held by independent groups of citizens out of this common feeling of indignation, and possible measures of organization were discussed. These groups learned of each other's existence, came together and formed the Committee of Fifty of the Citizens' League. Hundreds of citizens at once became members of the League. Starting with this little center of organized citizenship, the League of Justice established its headquarters and began its plan of campaign for the public honor and honest citizenship.

The League believed that the work of the graft prosecution was greater than any person, and that without regard to persons all who stood behind its work wished to see the course preserved to its own true standards of right. The League appreciated that many honest men had lost sight of the fundamental issue, had become confused upon incidental questions and had received a mass of misinformation which had served to further obscure the true situation in their minds.

The League believed that the function of a united body of citizens would be, first, to form a clearing house where all could have confidence in whatever was ascertained and given out. It was thought that the League should concentrate on the enrollment of citizens, so that men might be counted through their united strength, since individually they could present nothing but helplessness and disorganization.

Sometimes the question has been asked, "Why should there be any necessity for any such organization?" "Why isn't it sufficient to leave the situation simply to the courts?" "What right have the citizens to organize and to work in reference to the matter which is being tried out by the process of law?" Such a question is an indication of lack of discernment by the interrogator as to what is taking place before his eyes. Had this matter been left to the courts by certain forces to whose interest it is to prevent the course of justice in the graft trials, there would have been no occasion for such an organization, but it is a matter of fact and record, that the course of justice in the graft cases has not been left to the quiet process of law. On the other hand there has been a most desperate, insidious and dangerous campaign to prevent justice taking its course in the courts.

In order to realize the truth of this statement, one has only to refer to the kidnapping and dynamiting of the State's witnesses, to the jury bribing, to the crowding of the court room with hired thugs, to the malicious attacks made upon the persons of the officers of the law, to the mass of misinformation which has been set going, to the power that has been exercised to prevent business men from giving the courts their support, to terrorizing employees from expressing their consent to creating such a general feeling of fear in the city that men were made to believe that it was unsafe to take a stand for the cause of justice.

Therefore the League of Justice was not only justified in its organization, but the situation made some organization of the citizenship imperative if the city was not to be delivered over to the organization of evil forces and wrong-doers to shield themselves from the law.

The League believes in the law, it stands for the law, but it believes that without some organization to stand for the law, a situation might arise in which violence would enter into the city.

It is only the blind citizen who would let a situation drift until it is too late to prevent either violence or the degradation of the city before his own eyes and the eyes of the world. The man who would let a situation drift to a call. That this call to the spirit of the citizens was the spirit that prompted the organization of the League, is evidenced by the character of the men who entered its organization.

The League of Justice stands for the constructive side of citizenship, seeking honesty for the principles at stake in the situation in San Francisco, and standing firmly upon those principles at whatever cost to the individual. It believes that we must free our minds from all interest for or against persons as such at this time.

The League believes that the only defense of democracy is organized citizenship. The call of the League is for the citizens of the State to appreciate that the attempt to enforce the law against corruption in public life in San Francisco has brought in danger their citizenship.

Organization is the watchword. It is a part of the League's construction plan to afford this organization so that its mere numbers shall count as a great moral force in the community, as this is a moral, and not a political issue. It is one on which there can be but one response from the honest citizen who is awakened to the danger of the place on which he stands. A part of the work of the League is to open the eyes of the honest man "who does not see." The man who sees no need of the united action of citizens during the past months of remarkable events in San Francisco, surely needs something to open his eyes.

The League has organized branches in several ways, such as the Clergy Branch and the Physicians' Branch. The Woman's Branch is fast becoming a great power in the city. It is enrolling its members by thousands. It stands fundamentally for the moral peace of the home.

The League of Justice stands for the fundamental issues which lie back of society, for the preservation of those sound moral and legal relations necessary to the preservation of society by maintaining public honor, upholding instruments which preserve society from dissolution. It puts its whole issue upon the cause of justice and the battle for that cause.

As this issue can only be fought out by men, the League of Justice believes that men are faithfully fighting for the cause in the city should be supported as the representatives of the people in this battle for the preservation of the moral structure of society.

When the League of Justice investigated the actual situation it became impressed more with the character of the men who were leading this cause and became convinced that it could well stand behind them as men earnestly serving the people. The course of events led it to believe that all that the people needed was to come to know the inside facts of the whole situation, just as the members of the League had come to learn the inside facts. They believed that if these facts were known honest citizens who had occupied the dishonest position of a neutral in the battle would again become well informed as to the true situation and would be led to take the stand which made them count in the conflict of forces in their own society.

It is appreciated that this movement, formally but a matter of holding trials to ascertain the guilt or innocence of certain persons accused of public corruption, has a significance scarcely understood by many earnest persons in the community, much less by those whose narrow vision raises their self interest so high above the public interest as to obscure it from their view. The real significance of the situation in San Francisco lies in the fact that there now exists a conflict of forces in our society developed from the efforts of certain strong individuals to

break up the moral structure of society by corrupting its public life for their own personal gain.

The attempt to enforce the law, which is merely the weapon of the society as preserving its public integrity, aroused all the power that lay in these strong individuals and the wealth that was endangered by this unsparring enforcement of law. The short-sighted citizen who would escape every battle which might in any way temporarily interfere with his personal affairs, was of course only too willing to join in the hue and cry raised by the persons endangered by this attempt to prevent the disintegration of society. To these two classes must be joined a third class, that of the honest citizen wanting to do right but who lacked the power to appreciate that every generation of men repeats this battle in some form or other, and that at every occasion of the rise of society against its exploiting enemies, the same old methods are used for undermining and attacking the personnel, the motives, the plans, the results, of the few men who have the courage to give battle to the entrenched power of those who have sought to exploit honest citizens who now stand bewildered and noncombattant while the battle rages before them.

The significance of the situation in San Francisco is not found in the conviction or acquittal of one grafter or any group of grafters. It was not found even in the cleaning out of the Schmitz municipal administration. It does not depend upon the temporary successes or defeats of a particular trial or even a series of trials. The real significance of the situation has its relation to the whole problem of democracy, of representative government, of the attempt of society to establish the law and govern itself. The power placed in the hands of the many instead of the few. The three aspects of the general problem of democracy, the three weak places in popular sovereignty and its expression in the people's government. It is in the factors pointed out in the three groups of citizens in the San Francisco situation. That is, the success or failure of representative democracy depends upon its ability to solve the problem which contains these three factors, namely: An exploiting group made up of a few powerful men who, by their wealth or political ascendancy, have obtained secret control of the organizations and powers through which this representative democracy must work, and exercise this power to further their own interest at the sacrifice of the interest of the low members in society, and at the cost of the slow destruction of society itself.

Second, the group embracing a much larger number of men who, though not definitely a part of this exploiting group, are so short-sighted that they are not able to discern any interest or antagonism to all matters by the immediate interest to their private affairs without relation to the demands of public interest or the cost in the future of the present steps they support. Because of their lack of vision, their self interest, their understanding of the real situation, they become ready allies of the exploiters of society, even participating, in petty ways, in the exploitation, or allowing themselves to be used for the purposes of the exploiters.

The third group, upon which rests the hope of democracy, is composed of the great mass of citizens who do not find self-interest so present to their minds that it obscures the real situation, but who stand ready to do justice to themselves and to the whole people to at least a limited degree. Here the great obstacle to success is the easy bewilderment of the minds of these citizens, their openness to confusion by the clever devices of the first group, the real enemies of society.

The real crisis of the situation is whether democracy is to succeed or not will be found in the ability of this group to be awakened to the actual situation that confronts them and in their readiness to respond to the call upon them to stand and fight, trusting in their

cause and their leaders. By reason of their numbers, and the publicity of every fact known by them, they are prevented from knowing the inner strategy of their leaders, however faithful, and unless they have that strong resolution which adheres to the support of a great cause, they can easily be led astray by this or that subtle influence of the members of the first group.

So the real significance of the situation in San Francisco, to repeat, lies in its presenting in the most remarkable and open degree, an exposure of these three groups and the forces that work from the first, the alliance of the first with the second and the bewilderment and futility of the third. The actual challenge to the manhood and womanhood of San Francisco is, therefore, the fundamental challenge of democracy itself. It is the challenge of the powerful, the clever, the knowing, the unscrupulous and immoral, the criminal, the selfish, the exploiting, the short-sighted, to the forces that are attempting to establish a democracy in America, that are attempting to create a land of freedom for all men. It is not a temporary situation, it is not as some have thought a matter of persons, it is not a matter of merely cleaning out a city, but it is a clear problem of a people fighting for their own preservation, realizing that, to preserve their own strength, they cannot hesitate to put aside any sentimentality which would protect this or that individual at the expense of the moral rotting of the very bonds of society.

So, fundamentally, the situation in San Francisco is a challenge to the spirit of manhood and womanhood, a challenge to their discernment, to the degree that they are awakened. It is a test also of moral endurance, of the power of honest men to outlast, defensively and offensively, the campaign and poison of the dishonest and self-serving. The occasion calls to every citizen to bring forth all the reserve of strength and intelligence he possesses, to put aside all temporary issues, temporary motives and to determine the real ground he should stand upon and there to place himself.

The fact that a reign of terror has existed in this city—a fact which is so easily proved by citing the hundreds of cases where men dare not speak even of their allegiance to the cause of justice lest they lose their position, their business, their clientele,—indicates a condition of actual servitude of the citizen which now unfortunately exists and will continue to exist if democracy is not able to solve the problem presented to it. It is immaterial whether a person has a master standing over him with a lash for his back and property rights in his body, or whether he has a master who sits in some distant office determining his every act, his words, his moral position, and exercising, through fear, control of his ability to maintain himself in the industrial world. In either situation there is that condition of servitude so abhorrent to the spirit of a man.

This then is what democracy must win: freedom from this servitude, and freedom from the power of the exploiter to break down the bonds of society through the fear that he casts upon the rank and file of men. If these observations are sound the situation in San Francisco is to the highest degree important in relation to the history of the American nation. The conflict of social forces in this city makes the struggle here the vanguard in the new battle of democracy. It anticipates the future battle throughout the nation. Failure here is disastrous to the cause of democracy. Success here is of tremendous importance as indicating the power of the mass of citizens to discern and expose the true situation of the enemy and stand shoulder to shoulder in the fight against that enemy.

The call then is to the plain honest citizen to awaken to the real situation, to discern the real enemy, to see the masked battery, to understand the flank attacks upon his own generals and captains and, finally, to come down from the hilltop of the shivering bewildered spectators into the fighting ranks where the few men have undertaken to do battle.

The call is made. It is believed that victory is inevitable. It is believed that the people are ready to awaken, are ready to respond,

are ready to fight, are ready to place their faith in their cause and to stand or fall as the event may be, in the battle for that cause.

Love's Victory.

At first I begged from Love what'er
He cherished most, and bade him see
How good and sweet and wise I was
To let him give his all to me.

But since Love toiled so happily
To fill my heart unto the brim,
I learned wherein lay joy, and now
I beg to give my all to him!

—Charlotte Becker.

South African Millionaires.

Harry Barnato, who has just died in the prime of life, is the latest addition to the list of South African millionaires whose lives have closed prematurely and often tragically. Cecil Rhodes, it will be remembered, did not live to see his forty-ninth birthday, although he had qualified as a millionaire at least twenty years earlier, and Barney Barnato was only forty-six when he came to his tragic end on the high seas, but he had lived long enough to leave nearly £1,000,000 behind him.

Woolf Joel, Barnato's nephew, was much younger when at thirty-four a bullet put an end to his life at Johannesburg ten years or so ago, and yet he was able to leave an estate valued at £1,226,000. Herbert Matthew Davies accumulated £734,000 before he died at the age of forty-three, and Mr. Beit had made and left his millions before he had long completed half a century of years.—Westminster Gazette.

Hic Jacet!

O eloquent, just, and mighty Death! Whom none could advise, thou hast persuaded; what none hath dared, thou hast done; and whom all the world hath flattered, thou only hast cast out of the world and despised. Thou hast drawn together all the farre stretched greatness, all the pride, cruelty, and ambition of men, and covered it all over with these two narrow words, Hic Jacet!—Sir Walter Raleigh.

Two Too Valuable.

The late Henry Miller, who was guide, philosopher and friend to many book lovers within a thousand miles of New York, was a most successful salesman, says *Harpur's Weekly*. One day he called on Collis P. Huntington and showed him a rare copy of —.

"There are two volumes of this," said Mr. Miller. "The other volume is in perfect order, as you see this one is. You cannot possibly let them escape you, for you know you have nothing like this in your library."

"What is the price?" asked the railroad king. "Seven hundred dollars," said the bookman.

"Those are two valuable volumes for my library," Mr. Huntington exclaimed.

Mr. Miller went back to his place and sent the books to Mr. Huntington's house with a bill for \$700. Next day the railroad king sent for him.

"Why did you send me those books?" he demanded, sharply.

"Because you bought them," was the bookman's calm reply.

"I certainly did not!" cried the millionaire.

"Oh, yes, you did," answered Mr. Miller.

"You'll remember perfectly well when I tell you what you said. You told me distinctly,

"Those are two valuable volumes for my library."

THE PLEDGE OF A SENATOR.

By CHARLES SUMNER.

(From his letter following the example of John Quincy Adams in 1803, accepting his post of senator to the United States Senate, May 14, 1851.)

The trust conferred on me is one of the most weighty which a citizen can receive. It concerns the grandest interests of our own commonwealth, and also of the Union in which we are an indissoluble link. Like every post of eminent duty it is a post of eminent honor. A personal ambition, such as I cannot confess, might be satisfied to possess it; but, when I think what it requires, I am obliged to say that its honors are all eclipsed by its duties.

Acknowledging the right of my country to the service of her sons wherever she chooses to place them, and with a heart full of gratitude that a sacred cause is permitted to triumph through me, I now accept the post of senator.

I accept it as the servant of Massachusetts, mindful of the sentiments solemnly uttered by her successive legislatures, of the genius which inspires her history, and of the men, her perpetual pride and ornament, who breathed into her that breath of liberty which early made her an example to her sister states in such service, the way, though new to my footsteps, is illuminated with lights which cannot be missed.

I accept it as a servant of the Union, bound to study and maintain the interests of all parts of the country, to exercise the most patriotic care, to discontinue every effort to loosen any of those ties by which our fellowship of states is held in fraternal company, and to oppose all sectionalism, in whatever form. With me the Union is twice blessed—first, as powerful guardian of the repose and harmony of thirty-one states clasped by the endearing name of country; and next as model and beginning of that all-embracing federation of states, by which unity, peace and concord will finally be organized among the nations. Nor do I believe it possible, whatever the delusion of the hour, that any part can be permanently lost from its well-compacted bulk. E Pluribus Unum is stamped upon the national coin, the national territory, and the national heart. Though composed of diverse parts, one, the Union, is separable only by a crash which shall destroy the whole.

In the conflict of opinion, natural to the atmosphere of liberal institutions, I may err; but I trust never to forget the prudence which becomes the consciousness of right. If I deem time to recognize as my guides the leading men of to-day I shall feel safe while I follow the master principles which the Union was established to secure, leaning for support on the great triumvirate of American freedom—Washington, Franklin and Jefferson. And, since true politics are simply morals applied to public affairs, I shall find constant assistance from those everlasting rules of right and wrong, which are a law alike to individuals and communities.

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THE GRIFT CASES.

After more than two years of struggle to evade justice Abraham Ruef last Tuesday stood at the bar of Judge Lawlor's court, and listened to his sentence of fourteen years imprisonment in the San Quentin penitentiary, the extreme limit that the law allows in the event of conviction for bribery.

The verdict of guilty, of which this sentence was the judicial aftermath, was reported by the jury in the case on the tenth of December, 1908, and the nineteen days intervening between verdict and sentence, during which Ruef and his attorneys, to efforts to avert the doom which awaits him. There had been attempts, backed by ever-ready affidavits, to show that the jury which found Ruef guilty was both prejudiced and intimidated, but these were met by counter-affidavits secured by Assistant District Attorney O'Garra for the prosecution. On the final day (last Tuesday) an attempt was made to secure more affidavits for the defense, and four or five hours were allowed for this purpose, but the endeavor terminated in failure, and the sentence at once followed.

So an apparent goal has been reached in the Ruef case, and that justice has triumphed for the time being cannot be doubted by anybody who recollects that Ruef once confessed his guilt with tears and seeming contrition, a contrition which later was lost in brazen denial of all that he had confessed.

It is a desperate game that "Abe" Ruef is playing. Guilty as he is by his own word, and by the verdict of a jury of his peers, strife with the law is to be continued, for, once given up, nothing remains to him except stripes, stone walls and iron bars. So, after the sentence was spoken, there was a motion in arrest of judgment, which was denied by Judge Lawlor, a motion for a new trial, also denied, and notice of an appeal with certificate of probable cause allowed, after which Ruef was hurried back to jail.

How long it will take to thresh out the appeal it is impossible to forecast. It may consume one year, two years, more or less.

The work of securing a jury for the trial of Peter Claudianes, charged with dynamiting the house, in Oakland, occupied by former Supervisor James L. Gallagher and the family of W. H. Schenk, was begun on December 16, 1908, and on December 23rd, barely a week later, Claudianes had been tried, convicted and sentenced to serve a life term in San Quentin penitentiary. Such a record inevitably makes its own comparison with that scored in the Ruef case, nor can the comparison be avoided by anyone who is acquainted with both cases.

The testimony leading to the conviction of Peter Claudianes, with the exception of that presented on the last day of the trial, was given in these columns last week, and the exception would have been comparatively inconsequential had it not been for the testimony by Miss Mazie Garbarino, District Attorney Langdon's stenographer. She took in shorthand a confession made by Claudianes shortly after his arrest in which he gave the full particulars of his guilt, admitting that he had dynamited the Gallagher residence, and that he did so at the suggestion of Felix Fauduveris. Undoubtedly this confession had much to do in forming the opinion of the jury-men.

In the course of a conversation after his sentence Peter Claudianes, with many tears, practically confessed his guilt again. Since then, however, Nathan C. Coghlan has appeared as his attorney, and a stay of execution in Claudianes' case until December 31st has been secured. Whether an appeal will be taken at that time it is at this writing impossible to say with certainty, but it is a reasonable presumption that there will be. In this event the case may be on the judicial boards for a long time to come. December 31st was the date designated for setting the time for the trial of John Claudianes, and it is expected that it will take place very soon.

"The California Weekly is edited by men of ability and there is a broad field, not covered by other journals, in which a live weekly will find place."—Crescent City News.

Personalia.

Marie Corelli declares that all men give her a feeling of intense repulsion, and that, after shaking hands with a man, days elapse before she recovers from a feeling of contamination from the contact. Masculine journalists are her supreme horror.

Messrs. Stieglitz and Steichen, two of the foremost leaders of the art-photography movement, have enthusiastically taken up color photography. Mr. Steichen having spent several months in Paris studying the new process, convenient to the Lumiere laboratories, which originated the color dry plate.

John W. Alexander, the foremost American portrait painter now living in America, arrived in New York from Pittsburgh when he was only a lad and practically penniless. He made his start in life as an errand boy for Harper's publishing house. He lives now in one of the most fashionable districts in New York.

David Belasco, the theatrical manager, is one of the California Club recently organized in New York City. The club holds monthly "links" at restaurants in the city, and plans to build a clubhouse as soon as its finances are adequate.

William Dean Howells has probably helped more struggling young authors by painstaking criticism of their manuscripts than by kindly encouragement than any other American writer. He has devoted much of his time and energy and thought to an unselfish endeavor to advance new writers. He is—probably as a direct consequence—a poor man to-day.

The editor of The Delineator is Theodore Dreiser, author of "Sister Carrie," a novel that received unanimous praise from the critics in spite of its small popular success. Mr. Dreiser was formerly editor of The Broadway Magazine.

"Little Lord Fauntleroy" is in real life Vivian Burnett, who has been in turn a newspaper reporter, an assistant editor of McClure's Magazine, and a partner with his mother, Mrs. Frances Hodgson Burnett, in the publication of "a" magazine for children. He is now on the shady side of thirty-five, and the romantic curls that figured so largely in "Lord Fauntleroy" have entirely disappeared. To shatter illusion at a word, the truth is, he is bald.

Cyrus K. Curtis, the proprietor of The Ladies' Home Journal and of The Saturday Evening Post, is a millionaire from the proceeds of these journals, and owns a steam yacht.

James Lane Allen, author of "A Kentucky Cardinal," "The Chion Invisible," and other books, is a bachelor, and writes most of his books in a hotel in Paris.

J. T. Trowbridge is 81 years old, and shows no infirmities of age. He has now in press a book to be published next spring, entitled "A Pair of Madcaps." He has recently sailed to Italy.

Frederick William MacMonnies, perhaps the most distinguished living American sculptor, is to return from his long residence in France to spend the remainder of his days in his native land. Mr. MacMonnies was born in Brooklyn forty-three years ago.

Senator Thomas C. Platt of New York is writing a book of reminiscences in which he promises to make plain many of the dark pages of political history, including the famous Conkling-Platt incident of the Garfield administration.

"Whoever does not read The California Weekly will be loser, therefore discontinue two cents and use the two cents to mail the \$2 to 26 Montgomery Street, San Francisco, for The California Weekly for a year's course in virile and honest journalism. That's our advice."—Colusa Herald.

Sentence Sermons.

Nothing clears up remote difficulties better than doing immediate duties.

The hardened conscience is the one trampled down by many compromises.

You cannot do much good for men if you seek to do good only to the good.

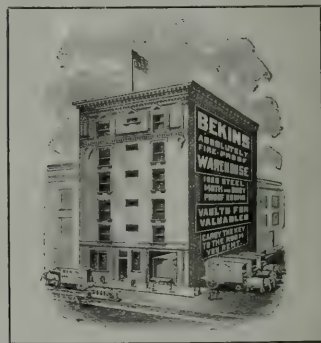
The cleaning up of society usually has to start where charity is said to begin.

Men are to be judged by where they are going rather than by whence they came.

No matter how eloquent you may be talking to your Father in heaven it will not balance a sour disposition to your family here.

—Henry F. Cope, in Chicago Tribune.

"The California Weekly is chock full of good things and we trust it may prove a success and live to see its work fully accomplished."—Roseville Tribune.



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A GLANCE ROUND THE WORLD.

The evacuation of Cuba by the American army of pacification begins to-day with the return of the first provisional regiment of marines, numbering 900 men. The last soldiers will leave Cuba April 1st, that late date being used so that a model camp may be left for the new republican army in command of General Pino Guerra. April 1st will thus mark the first day of complete Cuban independence under the presidency of General Gomez.

France is the world's banker. Her annual savings amount to \$1,000,000,000, and the average wealth is considerably more than \$1,100 for every man, woman and child. These figures were recently published by M. Leroy-Beaulieu, one of the most distinguished statisticians in Europe, and are based upon reliable government statistics.

The Supreme Court of Missouri in a decision handed down December 23rd, last, has given the Standard Oil Company of Indiana and the Republic Oil Company of Ohio till March 1st next to wind up their affairs and leave the State. These companies were also fined \$50,000 each, as was the Waters-Pierce Oil Company. All were decided to be subsidiary companies of the Standard Oil, and in conspiracy and combination to monopolize the oil business in Missouri. Unless the Waters-Pierce Company can show the court by March 1st that it has reformed its methods to conform with the state statutes, it must go also. The decree against the other two companies is without this limitation.

The cases were prosecuted by Attorney-General (now Governor-elect) Hadley.

President Castro has been practically succeeded in Venezuela by General Gomez, and has apparently relinquished all claims to control in that government's affairs. He has settled in Europe, and is reported to have carried with him a fortune of \$60,000,000.

William H. Newman has resigned the presidency of the New York Central Lines. He is the man who planned and executed the task of organizing the New York Central, the Lake Shore, and the other Vanderbilt roads into one system with one body of officials for all. He also planned and got fully under way the work of making a modern Grand Central Station in New York City.

His successor will probably be W. C. Brown, first vice-president, whose policy will probably be to increase freight rates.

The Citizens Union of New York has lost, by resignation from its presidency, the founder and chief financial supporter of that very useful reform organization, R. Fulton Cutting. Mr. Cutting will continue to support the Union, but will devote his more active work to the Bureau of Municipal Research, an offshoot of the Union which seeks to reform local government by analyzing public records and publishing the results of its investigations as they affect the desirability of re-electing public officials.

Perhaps the highest mountain climbing ever done was recently achieved by Miss Annie S. Peck, who reached the summit of Huascarán in the Peruvian Andes, an elevation of 24,000 feet. Miss Peck weighs about 120 pounds.

The German Aerostations Company has ordered seven airships of the Zeppelin type, and will establish regular passenger service by air line between twenty-seven German towns, all lines radiating from Friedrichshafen, and taking in, among other places, Nuremberg, Leipzig, Berlin, Dresden, Strassburg, and Hamburg. Each airship will carry ten passengers besides the crew.

About fifty hitherto unknown water colors and oil paintings by the Dutchers were recently discovered—the water colors in a portfolio behind a bookcase that had not been moved for years, and the oil paintings in a paper parcel in a storeroom.

The Postoffice Department has emphasized its objections to the recent law of Congress permitting the use of ordinary stamps on special delivery letters by issuing a new and distinctive ten-cent delivery stamp. The ordinary stamps are, however, still legal for this purpose.

The German Kaiser is undergoing a course of sedative treatment to mitigate his excitability. Many of the Kaiser's spectacular appearances in public affairs have suggested a diseased condition of the mind.

President Roosevelt recently visited the Naval Medical School Hospital to have his eyes tested. The surgeons declined to give out the results of the test.

The report of the state tobacco monopoly shows that the French nation last year consumed \$100,000,000 worth of tobacco, upon which the government made a profit of \$75,000,000. "The gentlest of vices" seems to be one of the greatest sources of national revenue.

Mrs. Helen Longstreet, widow of the Confederate general, has been reappointed postmistress at Gainesville, Ga., on the ground of excellent record.

Theatrical ticket speculators will be driven from the sidewalks of New York this month. Mayor McClellan has signed an ordinance passed by the aldermen prohibiting such speculators from doing business.

Rear Admiral Robley D. Evans has declined the gift of a house from the citizens of Los Angeles. He has been warned by the experience of Admiral Dewey that such gifts in a republic have too many strings attached.

New York Names.

With all their breathless haste and eagerness to economize time, New Yorkers are probably unrivaled in America in the length of the names they give to their institutions. For instance, Frank Damrosch gave his popular school the name of The Institute of Musical Art of the City of New York. Rockefeller's several-million dollar laboratory at the foot of East 67th Street, is The Rockefeller Institute for Medical Research. Pierpont Morgan's greatest charity to the poor of the East Side bears the legend carved in stone above its portal, The Society of the Lying-in Hospital of the City of New York.

"The California Weekly is really a very creditable production, a journal with a purpose, an ideal, one having a good reason for existing."—Santa Cruz Sentinel.

"There is a lot of good reading in The California Weekly and it handles public questions in a style most refreshing, wholesome and all its own. It is healthy in tone and void of rant."—Martinez Gazette.

"California sorely needs such a State weekly as The California Weekly and the Sentinel extends best wishes to the new publication."—Hanford Sentinel.

The Missouri phone.

An elderly couple from the back counties of Missouri walked rather timidly into the waiting-room of the Union Depot at Kansas City and sat down to wait for their train back home. The train announcer's resounding voice attracted the old lady's attention, as he chanted "Santa Fe train No. 7, for Emporia, Dodge City, La Junta, Albuquerque, Los Angeles, San Francisco, and all points west, on track No. 5—all aboard!" At last her eyes found him, perched on a balcony at the further end of the room, a megaphone at his lips. She punched her husband vigorously with her elbow and exclaimed:

"Look, John, he's hollerin' through a horn."

A NEW DISCOVERY

What appears to be a very important discovery has been made by a chemist in San Francisco. The proximate principles of a vegetable drug have been found which seem to act as if by magic in curing catarrh in all its forms. This new compound is sold under the name of Mem-bro-tone. A number of cases have been absolutely cured by one or two applications. More malignant or chronic cases are usually cured in from one to three weeks. This new discovery for catarrh is especially recommended for chronic inflammation and thick mucus discharge from the nasal organs. By stopping this discharge it seems to cure coryza, catarrh of the head and stomach, frontal headache, and in many instances has restored the hearing and sense of smell.

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ADAM KIRK rarely paused to reflect upon his past life or to muse upon the stormy years through which he had fought his way to a commanding eminence as a consulting engineer at thirty-five. His existence had been a war since he could remember, and the incidents of battle had come too fast to leave much time for meditation.

But to-day he paused to get his bearings, for he had encountered a new foe who fought with unfamiliar weapons, and for a moment he had been dazed, then furious, then helplessly defeated. He was in love.

Love was a stranger to him. His earliest recollection did not date back to a woman's tenderness. His mother died when he was a few weeks old, and a neighbor woman had reared him to the age of four. After that he survived by the grace of God and by virtue of a constitution that is still the marvel of his friends. Kicks for caresses and cuffs for tenderness were given by his father. At eight he was earning his own living, selling papers and running errands. Here he learned the wisdom of the streets, shrewd insight into character, keen skill in bargaining. At the law of life that he who would live must hold his own, and he who would have must take. He claimed a share of a street corner as his territory for the sale of his papers; the ten-year-old bully who had monopolized it kicked him off, and was, in turn, roundly beaten and sent flying by the interloper. Thereafter he held his post against all comers by force of arms, and with the toughening of his thwack came toughening of his will as well.

Resolution became his habit; acquisition his ambition; action, swift and sure, his method of attack. He had no intimates. He led the "gang" by sheer force of will and muscle, but he had no lieutenants. From the pleasures of his companions he held aloof, not morosely but indifferently. Only two kinds of pleasure he knew. One was to rule, the other to acquire. The other was to enjoy the sunlight.

Somewhere in his heart nature had written the pleasant things of life in terms of sunlight. Dark days depressed him, but something in the brightness of the sun set his pulses flying, exhilarated his spirit, cleared his mind, and put him at peace with the world. So powerfully did this influence affect him that the word "light" came to be to him a synonym for all things good. With the unconscious poetry of childhood he spoke of the "light lady" who was a steady companion, and always smiled as she paid her nickel.

He had no schooling. His father dodged the compulsory education law as thousands do, nonchalantly perjuring himself by declaring that the boy was illiterate, and carefully seeing to it that Adam did not perjure himself as to the daily sales of his papers when he nightly made him "cough up," as he tersely phrased it, the earnings of the day. But in his first school Adam kept his eyes open for the earmarks of success. He soon discerned that the thick-robed men who sat in power in the marble-fronted buildings all about him were the men who bought his papers. Somewhere in those inky pages lay some magic call that gripped the minds of men and made them buy. He considered his spirit on gloomy days when the fog hung heavy over Market Street and the mournful clangor of the fog bells beyond the Ferry Building shot their menace to his heart. "Rich men can read," was the burden of his thought. "Rich, read," the words chimed in his ears. Suddenly, as he mused, the fog lifted, the sun gleamed on the building fronts about him, and "The light!" leaped to his lips as he recognized his friend. "Read, light." The words glowed across his mind in prophetic union. That was it, reading was light, so something to be desired, something worthy to possess.

To desire was to grasp, in his code, and he did not hesitate. "Say, kiddo, can you read?" he hailed a member of his gang.

"Sure, why?"

"You're on. Teach me."

And in odd moments, grasped as they came through the day, the wilful youngster learned to read. The skill to do it came slowly, but doggedness of purpose found its fair reward. The fascination of the printed page grew on him, the world of ideas beyond the Mission

THE LIGHT

By E. FRENCH STROTHER

Written for The California Weekly.

and the streets unfolded to his eyes, the brooding contentment of childhood grew upon him. Less even than before he found companionship among his comrades. He "swiped" books from the second-hand dealers' open stalls, he found the way to the public library, and stole hours of the day to read.

One day he disappeared. His companions wondered at his loss, coveted his corner, made bold to usurp it, and held it undisturbed. His father made a few vain efforts to locate his missing source of revenue, and abandoned the search.

Adam has never yet described what happened during the next year. Somehow he beat his way across the country, landed in the hurly-burly of New York, drifted to his level in the Bowery, got a job as errand boy, and found his way to a night school. He was fifteen years old. He made no friends. A slow fury of ambition burned within him. His body had developed with his years. Bull neck, thick shoulders, slender hips, every mark of the perfect human brute was on him. Nobody bothered him, except once, when a bouncer at the Atlantic Garden mistook him for a familiar rough and tried to throw him out. The bouncer went to the floor with a cheek laid open to the bone, and Adam escaped the police in the turmoil.

Day found him promptly at his work. Night found him in his school. Midnight found him studying by candle light in a ten-cent lodging house. At twenty he had risen to be a clerk, and his studies had carried him to the entrance grade of high school. He resigned his job and went to school. Out of hours he sold papers, lit street lamps, waited on the tables at a cheap restaurant. Days at a time he went without food. Many nights he studied through till daybreak. In three years he finished the work of four.

He went to Yale. The football coach sized him up with the delighted staccato exclamation of an expert who has made a find, and offered him his expenses to go into the squad. The first day on the practice field he downed his man and broke the poor lad's collar bone. The second man he tackled fouled him, and Adam laid him out at a blow with three teeth broken. The coach let him out and Adam silently found other means of livelihood. What he wanted he found, and what he found, he took. This meant war, but fighting was his meat.

He graduated as a mining engineer, with first honors, and listened unmoved to the laudatory words that went with his diploma, put the sheepskin in his pocket, and disappeared. A month later he waded into the office of a mining syndicate in San Francisco. The manager was busy, couldn't see him the office boy said. Adam walked straight into the private office.

"Here, what're you doing in here?"

"I want to see you."

"I told you I wouldn't see you now."

"You do see me, don't you? I want work."

"Nothing doing!"

"Need a superintendent of a mine?"

"Nothing doing, I said. Get—"

"Vat for foreman?"

"Go to the—"

"Need any holes?"

"Well I'll be— Say, what do you want here, anyway?"

"Work. I told you I don't just want it, I'm going to get it."

"Well, this beats me. Come around to-morrow and I'll see what I can do."

"Right now's better."

"The nerve— By George, you are the goods. Go to the Lost Cause mine in Mariposa County and run it. Heaven help you, though. Instructions by next mail. Good day."

Adam found the mine in possession of a horde of wild Cornishmen who were on a strike and had barred the superintendent out. Here was the manager's little joke. Adam found the superintendent.

"You can leave this to me," he said.

"You? I'm boss here, young fellow. Get to—"

"You're nobody. Read your mail and hike. And don't be too blamed slow or I'll bite you."

He walked over to the mine. A dozen rifles greeted him. He walked on in silence, straight into the group of howling rioters. "Who's boss here?" he asked. A gigantic fellow stepped out.

"I'm—"

"He went down like a shot."

"Who's next?"

A bullet whistled by his ear. Reaching over he caught the prostrate figure by the neck, lifted it in front of him and drew his pistol.

"Show down," he roared, "mine's a straight flush."

He made his terms and the men went back to work. In five years he occupied the manager's office in San Francisco. At thirty-five he opened offices of his own, and had plenty of business. He was pretty well satisfied with himself. He could look out of his windows onto the corner where he had sold papers as a boy, and he still felt the thrill of the sunlight as it shone in across the hills.

He had many acquaintances, no friends. Shrewd men backed his judgment and paid his liberal fees. Many men admired him, but with admiration born of fear. He knew no women. He despised them; they were weaklings; they didn't count; he never noticed them.

But to-day he was strangely disturbed. He had passed through the throng of Market Street an hour ago, and his eyes had photographed a vision of rare loveliness, a girl with the rosy cheeks of her Californian sisters, with laughing eyes, with the carriage of a thoroughbred. A glimpse, and she was gone. Somehow her picture stayed in his mind. He thrust it out and went to work. His pencil halted and the paper disintegrated. Between his eyes and the paper was the vision of this girl, swimming in a mist of yellow light. With an oath he put it from him and went back to work. It would not down. Hour by hour, day after day, it haunted him. He was raging. Then he paused. Something must be done to stop this folly. He had conquered everything before, he would give an hour to getting rid of this disconcerting dream.

So he paused to take his bearings and by force of will to clear his mind. The vision arose again before him, swimming in its golden mist. Unconsciously he let it linger, yielding to a subtle thrill of pleasure. The sun streamed in his window, adding a brighter glory to the halo round his dream. "Girl, light," he mused. He leaped to his feet, mused, "I'm ready for action. The light! That's it, by—I'll have her."

He hardly slept or ate until he found her. But he did find her. She lived on Russian Hill, immured from clamor, cloistered in this quiet little settlement of cultured homes. Her father was a merchant of the older days, retired from business into a library of old books to nod in skull cap and slippers over Omar's verse and Lubbock's prose. Outside the library he daughter ruled the house. She was an only child, and her mother was dead ten years ago.

Adam soon made an access to the house. Phillips, the banker, introduced him to the pastor of the church, the pastor introduced him to Mr. Vallentyne, a cultured man, and a hundred dollars invested in the gift of a rare edition of the Rubaiyat made the old man a friend for life. He advanced quickly to invitations to the quiet evening dinners, and came often. Her name was Laura; he adopted it within a week, with such assurance of his right to do so that the girl's instinct to reprimand him faltered

short of speech. He had no thought but that she should be his wife. It did not occur to him that she might refuse. He wanted her, and what he would have he took. He was only yielding to custom in biding his time to reach out and take.

He stooped to strategy. One evening he took Phillips with him, got him started on a discussion with Mr. Walliston about the laws of banking, and drew Laura to one side. Bluntly he made his next move.

"I'm hungry," he said. "Where's the pantry?"

No "may I," "please," nor "if's" about it. Laura led the way, instinctively obedient to his force of will. In the pantry he helped himself to jam and bread and cakes, gathering his hands full, and said:

"Come on into the dining-room."

There he set his booty down, closed the door nearest the library, and faced around.

Look here, I did this for a bluff to get you off to myself. I want to tell you something. I want you to be my wife. You are going to be my wife—wait—I saw you one day on Market Street, I have seen you every hour since that. I didn't sleep until I found you. I want you, need you, shall have you, do you hear?"

Laura looked at him with flashing eyes. She spoke softly, but with a disdainful preciseness of articulation.

"Shall! That is a strong word, Mr. Kirk. I give it back to you; you shall not. And when you know women better you will know that this is a poor way to win them."

"Yes, shall. I always get the things I want, and I shall get this, if it often takes time, but I win in the end. Only remember that I warned you."

Laura had smiled.

"But you see, Mr. Kirk, I'm not a thing. I'm a woman. There's a difference."

And she was gone.

Adam rejoined the men in the library, and as he and Phillips walked down the street a little later the banker marveled to hear the austere Kirk remark, "It's a beautiful night, Mr. Phillips. I am sure to-morrow will be full of light."

He saw very little of Miss Walliston for several weeks. She made adroit occasions for being absent when he came, smiled sweetly when she had to meet him, but skilfully as women can took care that he should have no tete-a-tetes. Kirk was maddened. He was playing at a woman's game, where finesse was more valuable than fear, and where every weapon of his warfare in the world glanced harmlessly from the arm of this slender girl. At length he thought he saw his chance. He had taken Phillips to the house again, and started up the old discussion. Then he rose to go.

"Just remembered I'm to meet a man at my office. No, you stay here, Phillips. Don't get up, Mr. Walliston, Miss Laura will see me to the door."

And raging inwardly Miss Laura did. In the hall Adam spoke. "This nonsense has gone on long enough. You are going to be my wife, and you'd as well stop this business of avoiding me and get used to my ways. It's a good idea to get acquainted with the man you are going to marry before you marry him."

Laura paled with anger.

"Mr. Kirk, you make love like a beast in the jungle, and until you learn that true love is born of gentleness and not of pride, you will make few conquests. And until you learn the amenities of civilized conversation I do not care to see you again."

And with blazing eyes she swept out of the hall, leaving him to find his way out by himself.

He breasted the shrill wind from the Golden Gate with a black fury raging in his brain. He was used to resistance; it braced him for sterner action. But he was unaccustomed to defeat, and this defeat embittered with a taunt, maddened him. Love was lost in anger, and the bitter tide surged higher as he strode blindly on. His mind was busy with plots of retaliation, with schemes to beat down the frail resistance as it seemed to him that stood between himself and the capture of this latest object of his impetuous desire. He gloated in fancy on the joy of triumph, the exultant pride,

with which he would bring her to his will and say, "I told you so."

He pulled himself short with a snort of anger, with the keen practical reaction from fancy that had made him big in business. What were these plots, these schemes, these anticipations? Bubbles, empty as the air. As he paused, the vision rose again before his eyes, a rarely winsome face, a slender form, the carriage of a queen—all swimming in a golden mist—but in the eyes a look of gentle reprimand that cut his heart. "Love is born of gentleness, not of pride," rang in his ears. He could see the eyes still looking at him gravely, the sweet mouth half ready to invite him back. Through his heart swept a sudden thrill of tenderness, of longing, of self-abasement, of the complete humiliation of a lofty pride. He choked back a sob, man-fashion, with an oath. Over him had flashed a vision of the emptiness of his past life, its barren splendor of success, and another vision of the glow of its possibilities if lighted by the glow of love.

He did not sleep that night. Hour after hour he tramped the empty streets, fighting the battle of his life with his awakened soul, learning the strange lesson that he who would save his life must first lay it down, and that he who would know the triumph of love must first know the abasement of pride in seeking it. With the dawn came peace, and the Adam Kirk who unlocked his office door before the office boy got down was a stranger to himself of the day before. He wrote a note at once.

"My dear Miss Walliston:

"I have spent the night learning my first lesson in humility. May I not come to you this evening, as a pupil to his teacher, for my second lesson? I have also some apologies I sincerely wish to make.

"Faithfully your friend,

"Adam Kirk."

The messenger returned at noon with a brief reply:

"My dear Mr. Kirk:

"Tonight at seven.

"Laura Walliston."

But his second lesson was not one in humility, though not less amazing to him than the first. For he learned that when love has humbled pride it casts down its own weapons of defense. That night, two figures stole from the shadowy porch on Russian Hill, mounted the crest and looked down upon the wondrously lighted city, across the bay, up to the starlit sky, and back into each other's eyes. Laura spoke first.

"Isn't a beautiful world we live in, dear?"

"It was not beautiful to me until you made it so."

And hand in hand they watched the moon come up and bathe the world in mellow light, symbolical of love.

A Tolstoy Story.

A Western magazine editor narrated at a Tolstoy birthday dinner in Chicago an interesting story.

"Tolstoy," he said, "abominates sneaks, spies. He intensely abominated Melikoff.

"Melikoff, one day, suspecting that a good deal of revolutionary work was going on at Tolstoy's estate, visited Yasnya Polyana unexpectedly.

"Do you come," said Tolstoy to him, sternly, 'officially or as a private person? If you come officially, here are my keys. Search. Examine everything. You are quite free to do so."

"But count," said Melikoff, 'believe me, I come to you as a private person.'

"Tolstoy looked at him in silence. Then, calling two stalwart mujiks, he said:

"Here, pick this man out of the house!"—New York News.

Mistaken Idea.

"I don't know much about the politics of your country," remarked the visiting Englishman, "but I have read of your politicians. Mr. Bryan belongs to what is known as the Democratic party, does he not?"

"No, sir," answered the man with the bulging brow. "What is known as the Democratic party belongs to Mr. Bryan."—Chicago Tribune.

Warning.

"Elect me," said the candidate, "and I will enforce all the laws."

"There is no use talking that way," said the boss. "In the first place, you can't possibly get through all the laws in your first term of office, and if you try it's a sure thing you will never get a second."—Washington Star.

Dividend Notice

San Antonio Savings Union

(Member of Associated Savings Banks of San Francisco.)

N. W. Cor. California and Montgomery Streets.

For the half year ending December 31, 1908, a dividend has been declared at the rates per annum of four and one-quarter (4½) per cent on term deposits and four (4) per cent on ordinary deposits, free of taxes, payable on and after Saturday, January 2, 1909.

Depositors are entitled to draw their dividends at any time during the succeeding half year. A dividend not drawn will be added to the deposit account, become a part thereof and earn dividend from January 1st.

LOVELL WHITE, Cashier.

Dividend Notice

The German Savings and Loan Society

(Member of Associated Savings Banks of San Francisco.)

526 California Street.

Mission Branch, 2572 Mission Street, near 22nd.

For the half year ending December 31, 1908, a dividend has been declared at the rates per annum of four and one-quarter (4½) per cent on term deposits and four (4) per cent on ordinary deposits, free of taxes, payable on and after Saturday, January 2, 1909.

Depositors not called for are added to and bear the same rate of interest as the principal from January 1, 1909.

GEORGE TOURNEY, Secretary.

NOTICE

In the Superior Court of the City and County of San Francisco, State of California. In the matter of the Application of Leavitt Lumber Company, a corporation, for Change of Name.

Leavitt Lumber Company, a corporation, having filed its application praying for authority to change its said name to Castle Lake Lumber Co.

It is ordered that all persons interested in said matter appear before this Court at ten o'clock a. m. on the 1st day of February, 1909, at the Courtroom of the above entitled Court, Department No. 8, to show cause why the application of said Leavitt Lumber Company should not be granted. Let a copy of this order be published for four successive weeks in The California Weekly, a newspaper of general circulation printed in the City and County of San Francisco, California.

Dated December 21, 1908.

GEO. A. STURTEVANT, Judge.

J. B. Richardson, attorney for Applicant, Bacon Bldg., Oakland, Cal.

Special Offer

To New Subscribers of This Paper

If you like the first numbers of THE CALIFORNIA WEEKLY and are in sympathy with the principles it stands for, fill out the appended blank and mail it to the Business Office of the paper, 26 Montgomery Street, San Francisco.

Phone Douglas 4094.

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OUR SCHOOL FOR CITIZENSHIP

The Constitution in the Making.

The Constitution of the United States was the handiwork of a convention numbering forty to fifty men. Sometimes there were less than forty participating, but never more than fifty. They got to work May 25, 1787, and concluded their labors September 17th of the same year. They made of the convention hall a threshing floor and upon it they heaped all the ideas relating to government to be found in the thought, literature and experience of their time and they flailed and winnowed until they separated every kernel of good grain from the chaff and blew the latter away.

Reading the reports of the debates had in the convention, as left to us by James Madison, it is hard to realize that the delegates chosen to represent the thirteen colonies in that convention were great men. Many of their contentions appear, as viewed from our standpoint, and 121 years of national history, to have been childish. Wise old Benjamin Franklin prattled in his stilted way while Washington, as chairman, preserved his dignity and impartially held his peace. Even the great Hamilton doubted the possibility of any republic governing so large a territory as that comprised in the thirteen original States.

The framers of our constitution stood in about equal dread of a monarchy and a democracy. Their preference would have been, had they dared stand for it, an aristocracy composed of the first "characters" to be found only in the first families, but, seeing no likelihood of such a form of government being accepted by the people, they wisely refrained from seeking to establish one.

A principal cause of contention from first to last was fear of the larger States on the part of the smaller States and for a time this seemed likely to wreck the Union. Delegates from smaller States openly declared that they would prefer to be held as dependencies of some foreign power than to be subordinated to their larger neighbors and insisted that, whether big or little, each "sovereign State" should have the same voice in the councils of the nation and the same vote. Neither gradation nor wealth was to be allowed preponderance of influence. At times it seemed that this must prove an irrepressible conflict and that if the smaller States were brought into the Union at all they would have to be whipped in and held by force after they were in. Forbearance and compromise finally wore the cause of contention away. Each State was given the same representation in the senate, which was looked upon as likely to become the paramount power in government, but members of the House of Representatives and the President were to be chosen with reference to population.

A strange incongruity in the situation was that the delegates from New England, where government was and long had been an almost pure democracy, stood in greatest dread of democratic institutions whereas delegates from the southern States, where society and government were essentially patrician, and confined to a few first families, had considerable faith in the ability of the common people to participate in affairs of government.

There was also an undertone, almost of hopelessness, of finding any basis upon which stable and just government might be established other than that of autocratic power tempered by greater or less resistance to aggression on the part of the populace. James Madison, in speaking of this inability, demanded to know if the public conscience could be relied on to maintain justice when it did not suffice among individuals to order their conduct after standards of rectitude. He had found majorities ruthless in their tyranny over minorities not able to make a stout resistance. Religion, which should bind all men in one common brotherhood, had been employed with relentless rigor for the persecution of fellow mortals. It was this feeling of hopelessness of founding just government upon conscience or religion or the forbearance of majorities that led to the idea of checks and

balances, of setting one department of government over against another, to prevent either of them acquiring too much power, that pervades our constitution from title to signatures.

And these checks and balances have been checking and balancing from the adoption of the Constitution until now, never quite satisfactory and yet never failing departing from the original intent. The Senate is jealous of the executive, the House of the Senate, and President and Congress of the power and influence of the supreme court. The legislative, executive and judicial departments of our government have been, as the architects planned they should be, co-ordinate yet independent departments, but not as co-ordinate or as independent as the framers of the Constitution hoped they would be. The public has taken a larger share in government than the constitutional convention conceived possible and this has been to the strengthening of the executive because the executive can be made more readily responsive to the popular will than either of the other departments of government.

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This is to remind you that EDGAR C. HUMPHREY is the pioneer specialist in property from San Mateo to Menlo Park and about the Stanford University. Homes for sale and lease. Acres for sale. Offices Call Building, San Francisco, and Palo Alto. Residence, Menlo Park. Three phones.

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Those taking the foregoing pledge, signing and sending it to this office, will be enrolled upon The California Weekly's "School for Citizenship," which will be a permanent feature of this paper. It will entitle the person sending in his name to have answered, either through the columns of the paper or by letter, any rational question he may ask concerning public affairs, and, generally, by the person best equipped to afford the desired information. It will also entitle the signer to such special literature bearing upon the obligations and opportunities of good citizenship as may from time to time be especially desired that it is especially desired that it be taken and sent in by young men lately become voters or who will cast their first votes two years hence. It will take but a moment to clip out the pledge, sign, enclose in an envelope, stamp and address to "School for Citizenship," office The California Weekly, 26 Montgomery Street, San Francisco, and it opens the way for a liberal education in citizenship.

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WHAT THEIR OWN FIGURES DISCLOSE.

What is the financial condition of the transcontinental railroads at this time when increases in freight tariffs are being proposed, and justified, on the ground of necessity? Fortunately, we are not reduced to the necessity of accepting blindly the assertions made by the railroad representatives. The belated annual reports of these railroad companies have been coming out, and financial journals have added many facts of interest.

With the Southern Pacific the year ending with June 30, 1908, although including eight months of depression, was not a bad one. That company earned eight per cent. over and above expenses and fixed charges. It is only three or four years since the Southern Pacific began paying any dividends on its common stock, yet in this hard year Mr. Harriman's railroad, after paying fixed charges and 6 per cent. on preferred stock, has left enough to pay not merely the six per cent. on common stock but two per cent. more. How many kinds of business are there in California which could make an equally good showing?

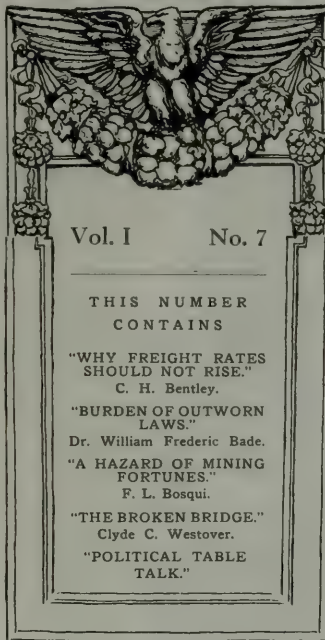
Next take the Union Pacific. The lucky holders of Union Pacific stock luxuriate in dividends of ten per cent. This company's report for the last fiscal year makes a wonderful showing. The Union Pacific earned for dividend purposes \$35,719,399; of this \$3,981,951 was due as dividends on preferred stock, leaving for the common stockholders enough to pay 16.23 per cent. on \$195,487,900, only a shade less than the percentage earned in the year 1906-7, the banner year of railroad profits. Is it because his best railroad earned only 16.23 per cent. last year that Mr. Harriman finds it necessary to raise rates of freight on California products seeking Eastern markets? But it may be said that these figures cover a period which ended six months since and show little regarding the present conditions of the railroads. What are those conditions? We have the statistics for four months ending with the 31st of October, and they make a showing that almost any business man in California might envy. What business man, who had been doing so well, would talk about cinching his customers with increased rates?

For the four months period to November 1st, Southern Pacific gross has declined 10 per cent., while its net has increased \$2,296,916, or 18 per cent.

Concerning Union Pacific, its gross receipts in October declined \$114,011, or 1.4 per cent., while expenses declined \$1,042,769, or 22 per cent., and its net increased \$914,529, or 22 per cent.

The Wall Street Journal puts it in this way: "For the first four months of the year up to November 1st, Union Pacific's gross had decreased but \$167,000, or less than 1/2 of 1 per cent. In other words, its gross earnings practically ran parallel to the highest points touched by the company. The net earnings during the same period increased \$3,333,069, or 30 per cent."

That is to say, in these times of commercial depression the net earnings of one of Mr.



Harriman's railroads have been eighteen per cent. better than they were in the same months last year, and the net earnings of the other have been thirty per cent. better. How does that sound as a note of transportation poverty and railroad distress? It is true this showing is secured in large part by reducing expenses and not by increasing gross earnings; but, however obtained, it ought to be regarded as cheering to the stockholders and indicates that it will be some time yet before Mr. Harriman's companies will have to ask for the services of a receiver.

The other transcontinental railroads are of less importance to California than the Southern Pacific and the Union Pacific, but all of them are doing well. The Atchison, it is true, reduced its dividends from six per cent. to five, but recent reports show that its earnings are holding up well, while such great economies have been effected in operating expenses that the showing for stockholders is a fine one.

J. J. Hill's two transcontinental lines have nothing to complain of. Last year the Great Northern earned seven per cent. dividends, and is doing so still, in spite of large expenditures upon improvements and equipment. As for the Northern Pacific, the Wall Street Journal states that during the four months to Novem-

ber 1st it has earned a total operating income of \$11,576,712, which is \$106,000 more than in the first third of the preceding year.

The statistics given are sufficient to prove that the railroads in which the Pacific Coast is specially concerned are not suffering to any such degree that they need to adopt extraordinary measures to protect their stockholders at the expense of other business industries; to the contrary, the evidence makes the strongest showing of the injustice of such a move coming at this time when general business is in such condition that it needs to be nursed and conserved in every way.

Railroads have suffered a good deal in the decline of gross earnings, but, as we have shown, they have been able, through reduction of operating expenses, to pay their dividends and even to increase the proportion of their net earnings. . . . at other branch of business can present a showing as good? The conclusion, then, must be that on grounds of necessity the proposed advance in freight rates is without justification. The effect on the industries of California of a freight advance at this critical time would be most serious.

MULTIPLYING JUDGES.

Justice needs to be administered promptly. To administer it promptly the judicial force must be adequate. The position of a judge is a trying one. Where everyone about him is wrought to a high tension the judge cannot avoid a strain upon his own nerves, and a work-worn judge is in poor plight to fulfill the duties of his office. It would prove a poor economy to have few judges than needed as it has proven poor economy to have judges poorly paid.

But who is to determine when there are judges enough, the politicians? They are doing it and there is reason to suspect that they often strive to create judicial positions for political rather than for judicial reasons. This will bear watching. He who causes two judges to occupy benches where one was enough is neither a benefactor of his State nor his country. The tendency to degrade judicial positions to the status of political patronage, to be doled out in payment of political services, is one to be resisted. This is the more important where, as in California, the one litigant that has cases in every court of every county has within its keeping the determination of how many judicial positions there shall be and who shall fill them.

When, as in Alameda County, an effort is making for the creation of additional judicial positions, the issue needs to be thoroughly threshed out. It is not sufficient for men to say offhand that more judges are wanted or are not. Who knows? The judges now on the bench, no one else, and no additional judgeships should be created unless the judges now on the bench, sitting to bare, memorialize the legislature to create more and support the memorial with a showing of facts. Reducing political positions to the status of political pay is abominable.

SENATOR PERKINS PRO AND CON.

The pros: George C. Perkins is a self-made man. From the humblest beginnings he has by tact, energy and sagacity made his way to wealth, to the highest office in the gift of his State and has already held that office as long as any two senators California has had. He is a kindly man. Those who are numbered among his intimates are extremely fond of him. He has had a varied and instructive experience and his abilities are good. His sixteen years of service have advanced him to positions of influence in the senatorial body. He is a valuable man for California. He can "get things," for he is a tireless hustler and effective persuader at the departments and among his fellow members. He is personally clean. There is no suggestion that financial considerations influence his action. The longer he is kept there the more influence will the mere effect of seniority give him.

The cons: George C. Perkins is a politician. He is in no proper C. Perkins is a statesman and, at Washington, is seldom consulted by those whose statesmanship keeps Uncle Sam in the middle of the road. All his life he has trusted his political intuitions rather than his conscience and the President is said to have said of him that he can turn a corner quicker than any jackrabbit in California. He espoused free silver when he was not in favor of it, and he contrived to get the legislature of California to instruct him as to his policy regarding the Philippines that he might not have to carry the burden of responsibility by himself. If he were less of an eel he would be more of a man, but being an eel has enabled him to wriggle into a good many good things and out of a good many tight places. Professing to have been all along a stanch friend of President Roosevelt and his policies he was, two years ago, before it was certain which way the cat would jump, sending out literature to the papers of California, under his frank, nearly every batch of which carried covert thrusts both at Roosevelt and his policies. While he has plenty of worldly wisdom he has little schooling and slaughters English with as little remorse as the king of the cannibal islands killed and ate missionaries. Financially above reproach he makes merchandise of everything political and, with one or two exceptions, has used the patronage of his office to rivet the chains of Southern Pacific political domination upon the wrists and ankles of California, and he has done this, not because he is in sympathy with Herrinism or enjoys the confidence of Herrin, but to purchase the negative friendship of the Southern Pacific's political bureau. This is the head and front of his offending.

California ought to have a better man in the United States Senate than George C. Perkins, but it does not at this time seem likely to get one. No man of senatorial calibre has been fit to accept the invitation of the Lincoln-Roosevelt Republican League to go before the people to make a canvass as an avowed candidate for the office. Besides, Southern Pacific domination has not been conducive to bringing out men of statesmanship size. The railroad political bureau cannot use, and therefore has no use for, a man of brain power and independent mind. That bureau wants tools and hand tools at that and, so long as that bureau is in power, public life in California will offer few inducements to big men unless self sacrificing enough to enter public life with the unselfish purpose of breaking the chains which bind California to the chariot of Standard Oil. When such men come to the front California will follow the lead of New York in substituting an Elihu Root for a Tom Platt. Only a free State can be represented by free men, in the United States Senate or elsewhere.

THE STAFF

A. J. PILLSBURY, Editor and Manager
CHESTER H. ROWELL, Associate
A. J. WATERHOUSE, Assistant
ERNEST STROTHER, Assistant
O. BLACK, Business Manager

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TOO MANY ELECTIVE OFFICERS.

The direct primary will be a brilliant success in nominating governors. Also in nominating sheriffs. It will probably be largely a failure in nominating state treasurers and secretaries of state. But, in that failure, it will be no more than the election already is. We do not elect our state treasurers. We automatically ratify their appointment by the convention of the dominant party. A popular man may run a little ahead of his ticket, an unpopular man a little behind. A competent man has neither advantage nor disadvantage. The people exercise no choice on these minor state offices, because they have none. The places ought, in good theory, to be appointive, and in fact they are appointive, only the appointing power rests in the nominating convention of the dominant political party, instead of with a responsible public official. The abolition of that convention will not change the general relation of these offices to the popular choice; it will only expose it. We have not realized that we do not elect these officials, because in form we did elect them and in substance our rulers commonly chose us acceptable men. Under the direct primary, the acceptable will be squarely up to us of choosing these men ourselves, or realizing that we do not do so. In the latter case, we shall then, in due time, provide a proper method of choosing them by appointment, we to elect the appointers.

Popular government is too complex, anyway. That is the chief reason it has fallen into the hands of professionals, whose interest is to keep it complex. An English voter will be called on, at fairly frequent intervals, to vote for the common councilman of his ward, or for a board for his town, and once in seven years or less, for a member of parliament. Practically, he votes for no one else. In England were a republic he would, of course, vote for president, for his representative in the upper branch of the national legislature, and perhaps for a very few other officials, but the list would be short, as it is short in Canada and Australia. The choice is direct and simple, and the people have an opinion and express it. If we want to make popular government workable by anybody but experts, we must simplify it along similar lines here.

But also we must escape the alternative evil. An elective officer with large appointing power is practically invincible for re-election. That is the reason any one elected Speaker of the National House of Representatives can maintain himself in power indefinitely. If the appointive power is extended, in this country, the minor offices must be recovered from politics, by the merit system, and the men who appoint the major appointed officers must be held to some sort of a responsibility to issues or policies, that will prevent a machine from remaining invulnerable.

able when the policies of its head are disapproved. The thing can be done in a simple government. A complex government, like ours, invites the Boss and his corps of experts, who run for us the machine whose intricacies we find it too troublesome to master ourselves.

A GRIEVOUS BURDEN.

The attention of the reader is called to an article in another column entitled "The Burden of Outworn Laws," written for The California Weekly by Dr. William Frederic Bade, of Berkeley. It deals in a condensed form with a subject of great interest to those who care to go beneath the surface of things that they may lay hold upon fundamental tendencies in the main currents of human affairs.

As Dr. Bade has shown, law had its origin in custom and to custom was generally given a religious sanction which made the priests the judges and the priestly code the law of the tribe, clan or country. When the civil law was divorced from the sacerdotal the two traveled on lines more nearly parallel than many suppose. The theologian and the jurist possess many analogies in temperament, type of mind and conscious or unconscious purpose. Their predominating penchant is for the systematic. What volumes, tomes, sets of books, libraries have not the theologians laboriously written that the Lord our God might deal with mortals, here and hereafter, in orderly fashion, immutably as the spheres revolve in their appointed ways throughout space, never jostling each other or wobbling ingloriously as they whirl! What junk has it all become!

And for every chapter, volume, tome, set of books or library that the theologians have written the jurists have penned a companion bound in calf, with this difference—the junk man is cheated of his stock in trade. The theologian has the supreme advantage that he possesses in the forty thousand words that Jesus left to the world an ever-flowing spring to which he may return when he has been too far afield, that he may refresh himself, get his bearings anew and make another start. The jurist has no such unfailing resource unless he, too, bring his burden to the same fountain, which he has been little inclined to do, speaking in a judicial sense. Since the separation of sacerdotalism from jurisprudence there has been a feeling, rather than a belief, that the philosophy of the gentle Nazarene is not adapted to this world in any such measure as would make it a foundation for a system of jurisprudence and nothing short of a system will suffice the judicial type of mind.

It is this concept of a judicial system that, of itself, and apart from the human quality, will suffice to mete out justice in all cases, that weighs upon our social order like a Cheops in the time of Jesus the sacerdotal system "lade men with burdens grievous to be borne," so now the system of jurisprudence, which time has evolved, because dead hands reach up out of forgotten graves to wreak their will, and the minds of men are prone to lose themselves in labyrinthine mazes of their own making, either paralyzes justice under a staggering load or forces the settlement of causes outside of court lest a worse thing come upon aggressor and aggressed.

Throughout the religious world has lately gone the command of a recovered rationality: "Back to the Christ and the truths he taught," and with results full of promise for a regenerated world. Is it not about time to send from lip to lip and heart to heart through the realm of jurisprudence a command to return to the simpler forms and principles of a law that found its origin in the simple customs of common men? It is true that the relations of man to man are more intricate than they were of old, but the essential principles are as simple now as ever and need to be as certainly ap-

plied. The jurisprudence of our day is as artificial as was the sacerdotal code in the days of Jesus and weighs about as heavily upon the people.

WHO SHALL GUARD THE GUARDIANS?

A free press is the guardian of the public liberty. But who shall guard the guardian? Only too visibly, it needs guarding. We have government by newspaper, and as we bring government closer to the people it becomes still more government by newspaper. Tammany does not need newspapers, but a reform movement must have them and the direct primary is physically impossible without them. As our newspapers are, so shall our liberties be. And our newspapers do not hold out an encouraging prospect. Who shall guard them?

Obviously, first the newspapers shall guard themselves. Let honest men who run newspapers run them honestly. Most men prefer honesty, if it is not too expensive. Let then the newspapers watch each other, as court reviews court. The fear of reversal or criticism by other courts is the only thing which prevents the arbitrary power of judges from being arbitrarily used. But, finally, let the people watch the newspapers. While the people must for the most part judge the accuracy of newspaper information by information which they can only obtain from the newspapers, thus confining their investigations to a circle in which there may be no facts or truth, it is nevertheless true that no newspaper can make a policy of deliberate misrepresentation or careless sensationalism without being found out. The people already know the character of their newspapers even better than they know that of their public officials. If they will care as well as know, if they will repudiate the newspaper that betrays them, even if it also entertains them, then government by newspaper will become safe, because it will be in fact government by the people. At the last, it is the people's responsibility and the people's power.

REVERSING THE CURRENT.

The interrelations of life are getting too complex for our economic theories. Direct competition, as the sufficient regulator of prices, was dethroned long ago. When the price of meat, or lumber, or freight, goes up, it is always by the simultaneous inspiration of all the companies, without consultation—so they simultaneously say. Business has acquired a strange telepathy, and a puzzling altruism. And now comes the abolition of even indirect competition. Nobody expects railroads to compete, but water competition is the very fundament of the terminal rates theory, consequently the railroads provide their own water competition, and we have the strange spectacle of steamboat companies deliberately charging rates that destroy their own profits—because they are owned by railroad magnates, who find railroad profit in steamboat loss. Railroads are run for profit, but we see coal-mining roads deliberately run at a loss, to increase the profits of mines owned by the same men. When industry is depressed, the Wall Street bears make their killings. But not now, when there are bulls on Wall Street who can afford to stand losses in the stock market indefinitely, in order to protect their industrial interests against greater losses. So we find men buying when it would be profitable to sell, closing mills when it would be profitable to run them, and altogether stemming with success the economic current. It is as easy to reverse the law of supply and demand as it is to make water run up hill—and we are doing both. When the same person is both buyer and seller, and controls both competitors, all economic signs fail.

MUCK-RAKING THE TARIFF.

There is an announced intent, on the part of several enterprising magazines, to muck-rake the tariff. They will find material enough, as Ida M. Tarbell has already demonstrated. But they will also find themselves dealing with an issue whose dual nature they may not themselves realize. The protective tariff is an economic policy and a political scheme. Protection is the fixed policy of the American people, and even the academic are beginning to understand the justification of this policy. Anyhow, there is no prospect of changing it, and no good reason to do so. But protection, like all other forms of special privilege, has its relations to corruption. Protection is in the general interest, but a particular schedule is often enough procured for a particular interest by political methods not ideal. These methods deserve exposure, and any possibility of them (there is less now than ever before) should be eliminated from the pending tariff revision. But the revelations of the muck-rakers will lead to the conclusion of purer politics, not of economic free trade. If protection is for the best interest of the country, we want it. If it has been accomplished by crooked politics, we want that stopped. There is no inconsistency between sound economics and sound morals, even if in some instances the alliance has been of sound economics with unsound morals.

It is easy to get the best men in any city to serve on a Civic League, to do hard, unpaid work looking unofficially after public affairs. It is rarely possible to get these same men to serve on the common council of that city, to look, officially, after those same public affairs. Evidently it is not lack of public spirit, but rather lack of official spirit. Is it class pride which prevents men of one class seeking office by the suffrages of another? That can hardly be the usual reason. What, ever it is, city charters should be so framed as to encourage the service, in their public offices, of exactly the sort of men who cheerfully serve as unofficial watchers of public office.

Those interested in California and its prosperity, will read with thoughtfulness the article elsewhere in this issue, prepared for The California Weekly by Mr. C. H. Bentley, regarding the advance in trans-continental freight rates. It had been the purpose to allow some representative of the railroads to give the railroad side of the rate question, but it was decided by gentlemen having that in charge not to take the subject to the public through the press. We are warranted in inferring from this that the subject is not one for discussion, but for action. The issue is as to whether they can do it or not, and it rather looks as though they can, but by doing it without a showing of justice they will speed the day when every such act will be reviewed by power of government.

Once more "the people of California, represented in Senate and Assembly," will proceed to enact ostensibly representative legislation. How merely ostensible that representation has often been is only too painfully remembered. But there is really reason to hope. The coming legislature does not all represent the people. Too much of it represents the "organization," which represents Herrin, who represents Harriman, who represents the Rockefeller world-trust. But the coming legislature is going to do its deeds in daylight, and light is the great purifier. The people will watch as they never did before; they will care, and they will know that misrepresentation is a curable evil. To watch, to care and to know, that is to exercise self-government, whether it is effective or not.

The Deeper Significance : : : : of Living : : : :

In the presence of such a disaster as lately visited Sicily and southern Italy is there reason for wondering that superstition exists in the world? Is there occasion for marveling that the semi-barbarous ancients peopled the earth, the air and the sea, with beings of great power over material things, and with dispositions so uncertain as to cause them to visit their wrath upon mankind because of the most trivial delinquency or oversight?

If the Lord had not finished his world why did he people it and admonish his children to multiply and replenish it? Is anything, even the universe, a finished product? Are not new worlds forming and old worlds wandering in rayless paths through illimitable space? If the order of the universe needs not human suffering, but crashes and tremors, crashes down and blots out indiscriminately, with what assurance can we claim a moral order for the universe? Is Almighty God, himself, working as we are working, with refractory materials, and only doing, as the best of us are doing, the best he can with the materials in hand and under the conditions in which he must work?

How old, how outworn and how threadbare are the queries above propounded! What islands, seas, countries, continents, have been discovered since any new light was shed upon them! Has any sage through the ages added to or subtracted from what was said on the subject by Job long prior to the Christian era? And to what conclusion did Job come? Why, only this, that he did not know, yet trusted the universe, because there was nothing else for him to do except to take the advice of his wife, curse God and die. What alternative is there for us that Job did not have? Only this, that the Man of Nazareth assured his followers that there is a father to the human race and that he not only knows the thoughts without his solicitude, and that somewhere, somehow and sometime, the children of men will be taken care of and equitable recompense meted out. Though he slay, yet must we trust. There is nothing we can do.

Yes, on second thought, there is something else. We can recognize the fact that the earth is unfinished, that earthquakes do happen, that they are sometimes followed by tidal waves, that houses indifferently may fall upon those who are inside, that houses built of combustible materials will take fire and burn together with those who are pinioned within. We can take cognizance of the fact that certain portions of the surface of the earth are more frequently visited with seismic disturbances than others, that they have been more severe in such places than elsewhere. We may cease to build man-traps where men and women are likely to be entrapped within them and build more strongly and safely.

In countries where the wind is strong men build to resist the winds so far as they may. Where the winters are cold they build houses warm. Where the snow falls deep they pitch their roofs sharply that the snow may slide off, not flat the snow may pile up and crush down. Why should the factor of earthquakes be regarded as negligible in building when no man neglects to consider the factors of wind, temperature, rain or snow?

Southern Italy, where earthquakes have been more than half the habitable globe beside. The fact has been known since the dawn of history, but how inadequate the provision made for it. "Alas! how, forsooth, do mortals reproach the gods, for they say that their evils are from us, whereas by their own infatigations they suffer beyond what is destined." Is this any less true now than in the days of Homer? The ways of God are past finding out, but the wisdom of this world should be sufficient for taking at least reasonable precautions in building cities and houses for people to live in. There are problems which the world makes no progress in solving, because it cannot. Gates of adamant bar the way, but this we may know: Our flesh is vulnerable as a subject to vicissitudes against which we may protect ourselves if we will.

The Flesh Pots of Sacramento.

The poverty of statesmanship in politics is well exemplified in the petty scramble for legislative patronage at Sacramento. It is a piggyish squabble to get lumps out of the flesh pots, not always for the legislators themselves, but often for the political town-trots and odd-jobs men, camp followers at the tail of the political host. Each legislator feels that he must throw some sop to his particular lackey for, no sops no lackeys, and lackeys are as necessary in conducting campaigns as hotels.

Not all the sops go to lackeys. Members themselves desire to eke out their inconsiderable revenues by getting son or daughter, or—well, there is a type of *attache*, always in some number, not mentionable in polite society. A decade or so ago these unmentionables gave a ball and, that night, there was not a committee in either house that could muster a quorum. There is much sowing of hold-over wild oat seed at the State capital during a legislative session, so much of it that wives sometimes insist on being put on the *attache* pay rolls for prudential reasons. Yet there are earnest, capable men there who hate the word "patronage" and detest the clamorers for it. Were it not for these the commonwealth would long since have been brought to ruin.

Yuan Shi Kai.

The depositing of this statesman from his high office in the Chinese government may prove a history-making "incident," as it would be characterized in diplomacy. It would indicate that the reactionaries are in power at Peking and that Yuan has somehow lost his hold upon his own province, for, once before when he was summoned to Peking peremptorily, he went promptly, but accompanied by a bodyguard of 30,000 of the best troops in China. He was most cordially received and returned with new honors instead of minus his head as would have been the case had he gone unattended.

When the Boxer fanatics began stirring up the people in his province Yuan invited a number of them before him to explain the movement and the reasons that supported it. They came and, among other things, assured the governor that they were so protected by holy charms that the bullets of the infidels' best rifles would fall as harmlessly from their bodies as so many peas snapped at them. Yuan expressed much interest and asked that the phenomenon be immediately demonstrated, promising to join the movement if the test held good. Accordingly he ranged them all against a wall and ordered a squad of soldiery to take pot shots at the protesting visitors with the best European rifles. That ended the Boxer rebellion in his province.

A Man Who Dares.

Among the many good appointments made by Mayor Taylor there is none that promises more for San Francisco than that of Mr. F. G. Sanborn to succeed Hugo D. Keil as police commissioner. Mr. Sanborn has the courage of his convictions. He is a man who dares, and it may be confidently anticipated that what Theodore Roosevelt was to New York, as member of the board of police commissioners, Fred G. Sanborn will be to San Francisco. The other nominations to commissionships are excellent. This one is particularly excellent.

Not Going to Pittsburg.

There are those who are disappointed that Francis J. Heney is not going to Pittsburg. That he might go to Pittsburg was quite the mildest desire his enemies have been able to entertain regarding him. The smoke, the heat, the fiery furnaces have naturally suggested to their receptive minds his going at least to Pittsburg. Some saw in the mere idle rumor

of his going to Pittsburg a strong indication that the President must be behind the graft prosecution in San Francisco and it has been wished also that the President might go to Pittsburg or some other station farther along the main line. But Mr. Heney is not going to Pittsburg. He is coming back to California to take up the good work where he left it off with an increased likelihood that he will make good in it. A health to Mr. Heney!

They Got It.

The House of Representatives demanded of the President that he forthwith furnish that maligned and ridiculed body with full information as to the foundation for his remarks concerning restrictions put upon the expenditures of the secret service fund. They got it. Those who fancied that the President was about to signalize his retirement to private life by kowtowing before the most numerous body of law-makers and craving their pardon have seen their fancy dissipate like a mirage before a tornado. The blast from the presidential megaphone cleared the legislative atmosphere and now the newest of the members of that body knows who's who. Indeed, the predicament of the house moved the house itself to laughter, while the nation roars from ocean to ocean. Oh! that Tom Dozier might tell us how, he of the peroratorial sublimity! As for Tawney, Smith of Iowa, Sherley, Fitzgerald and Joe Cannon—the old gray wolf of them all—it's no laughing matter for them. They knew why they sought to tie the President's hands and the nation now knows why. The President did a good job. Eighty-five millions of American citizens are rejoiced and only Cannon, Tawney, Sherley, Fitzgerald, Smith of Iowa and the Argonaut of San Francisco are sorry.

Advising Mr. Taft.

It is surprising what solicitude the predatory press is manifesting in regard to the heritage Judge Taft is likely to hand down to posterity as twenty-sixth President of the United States. It is pointed out to him from all points of the compass that if he persists in carrying on the Roosevelt policies and indulges himself in the Roosevelt hobby for publicity the Taft posterity will hang its numerous head in shame. The historian of the future will "throw it up to them," that he was a mere under-study of Theodore, of the "imperfect temperament," a sort of "me, too," president, lacking a mind of his own. Naturally, to save himself and posterity from contumely, President Taft should turn his back upon Roosevelt and his policies and seek advice from those who, by grace of God and the connivance of Satan, by industrious thrift and grand larceny, have come to hold in their keeping the commercial well-being of a great nation. Do these worthies look upon William Howard Taft as a spring chicken?

Let the People Vote On It.

The legislature of California is again asked to submit to the people the issue of allowing women the ballot. The California Weekly is not especially enthusiastic for this extension of suffrage—except when it notes the character and purposes of the men who vehemently oppose it. That excites a positive hankering to see the women go to the polls and vote such men out of political life. They would do it. The real issue is not whether women want the ballot or do not want it, whether they have "rights" to be upheld or "wrongs" to be redressed, what their "proper sphere" is or where it is, but whether or not the common good would be advanced by their full participation in public affairs. It has been twelve years since California has revealed in a suffrage campaign and why not let the men vote on it? It will put no end of "go" into the contest and

relieve it of the monotony of job chasing. Pass the issue to the people

Unprecedented But Just.

The Supreme Court of the United States denied the application of the government for a rehearing of the issues raised in the \$29,000,000 rebate case. The court did not say why. It did not have to. The laity can guess the reason and not require three guesses either. It has not been the judicial custom to allow the plaintiff an appeal in a criminal action, but only the defendant, and any departure from that rule would tend to disturb that which, by immemorial usage, has become endowed with a quasi sanctity. It goes for nothing that the custom grew out of a desire to make the path of impecunious innocence as nearly thornless as possible, yet must shield the richest and greatest and most law-defying corporation on the globe. There runs a legal maxim that "when the reason for the law fails the law fails" and the Supreme Court of the United States has lost an opportunity to put that principle to good use. Meantime, the Commonwealth Club of California is striving to have the criminal procedures so amended as to give the State all the privileges in enforcing justice that the defendant enjoys in escaping it, and the United States may do well to follow California's example even though sensible to an unprecedented degree.

In Chicago a woman pestered Emerson to tell her what he thought of Goethe's "Elective Affinities," and when at last she succeeded in extorting his reluctant comment it was this: "Madam, I have never felt that I had attained to the purity of mind that qualified me to read that book."

When asked if he had read J. S. C. Abbott's *Life of Napoleon*, Emerson said that he had, and added: "It seems to teach that the object of Napoleon in all his wars was to establish in benighted Europe our New England system of Sunday schools."

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WHY FREIGHT RATES SHOULD NOT RISE

By C. H. BENTLEY, Chairman of the California Shippers' Executive Committee.

The present controversy in the matter of freight rates arises from the fact that the Transcontinental Freight Bureau—representing practically all the railroads interested in trans-continental freight—has published a new schedule, advancing the rates on thousands of commodities both east- and west-bound.

The feeling of those believed to be responsible for the advance seems to be that in recent years freight rates have been reduced so far that railway earnings are inadequate; that for this reason, and because of hostile legislation, roads have been unable to sell bonds to cover cost of extensions and improvements; that the advance is small, and that it will make no difference to the consumer or dealer; that the advances affect "commodity" rates and no advances are made in the "class" rates; that California shippers in particular have no complaint, as their rates are very low and figure, on the long hauls, a lower rate per ton per mile than the rates in any foreign country.

In the belief that the relation between carrier and shipper is one of mutual interdependence, the shippers allege that the very general advance is arbitrary, in that the welfare of many industries has been disregarded, and that proper consideration was not shown; that it is inopportune, for the reason that trade is depressed and many of California's products are unable to find a market; that it is unnecessary for the reason that the roads chiefly involved are paying dividends, and the net earnings, as shown by the statements of the roads recently published, show an increase over corresponding periods of 1907 both before and after the beginning of the financial stringency; that on many of California's commodities the old rates must have been profitable, and that the proposed advances, made on some commodities which are unable to find a market, are unjust.

Turning back to the position of the carriers—Mr. Harriman wrote to The American Mining Congress Convention: "That as the railroads are developing, freight rates have been diminishing. Now the impression exists that the railroads are owned by a few rich men; and it is contended that because these men are rich they can stand a restriction to a small return on their investment. But the fact is that the railroads are not owned by a few rich men."

udden Changes Destructive.

In reply, it may be said that there has been no reduction in recent years on many commodities affected by the advance; in fact, some of the rates have been in effect for fourteen years, during which time the carriers required shippers to ship in much larger units in order to secure the minimum carload rates, and many other obvious economies in transportation have been effected. When a wagon road over private property has been in common use for five years, the law of California does not permit the owner of the land to stop the use of the highway. Similarly it would seem that when certain rates have been in effect for a long period, and industries have been established, and encouraged to strive for certain markets, the expectation of the rate being maintained, the shippers might well be protected against any closing of the avenues of trade, at least until the carriers demonstrate good and sufficient cause for a raise, before a competent tribunal.

As to the effect of hostile legislation and the attitude of the people discouraging investment of capital in railroad securities, it is a significant fact that the railroad bonds backed by honest assets have sold freely, even during the period of financial stringency. The sale of bonds on the New York Stock Exchange during the year of 1908 was the largest in the history of that institution, and a very large part of the sales was of railroad bonds. So far as the attitude of the people is concerned, it will be conceded that the stockholders of railroad companies are numerous, and that the enterprise of clever men should be adequately

rewarded; but the fact remains that the control of the management and policy of the great railway systems is in the hands of a very few men who cannot be in close understanding or sympathy with the communities which they serve. When two or three men can arbitrarily determine the welfare, if not the commercial existence, of whole communities, the people rightfully take alarm.

Are Larger Revenues Necessary?

Mr. Ripley, the president of the Atchison, Topeka and Santa Fe Railway, says that the roads require larger revenues. What shall be said of the producers who are unable to market some of their products, even at figures below cost, and who, in some cases, are carrying stocks of the crop of 1907 as well as of 1908?

Vice-President Brown, of the New York Central, is quoted as saying that the movement to advance rates on the Eastern roads, on traffic not within the scope of the Transcontinental Freight Bureau, has been postponed for sixty days or more because of the inability of the traffic officials to inform themselves fully on the schedules, and that, as business is improving, it may not be necessary to advance rates at all. "This position," according to the New York Journal of Commerce, is the one "which the Pennsylvania Railroad has taken from the start." California shippers feel that the Western roads might well have done likewise.

One-Tenth Cent Raise Material.

To consider briefly the other features of the position taken by the traffic officials: It has been answered that the advance of only 1-10 of a cent is material, when the products are competing with similar products from other districts for markets to which the competing product already enjoys a lower rate of freight.

The reference to the fact that "class" rates have not been advanced is misleading—from the fact that nearly all the products of California products is under "commodity" rates, and most of them have been advanced.

The comparison with foreign countries, as to the cost per ton per mile, is unfair, as the conditions are so different. Having regard to the value of human life, foreign roads are not allowed to have such long stretches of single track, nor do they have grade crossings in any populous districts; their cost of construction is therefore much greater. The shipments are in smaller units, hauls are generally short, and the tariffs must accordingly bear proportionately heavier charges for receiving and delivering. Some of the foreign tariffs, moreover, include actual delivery to consignee, involving cartage and incidental expenses.

Recent Railroad Economies.

Mr. Ripley says that all materials have advanced in cost. What has he to say about fuel? Since many of the present tariffs were introduced, the cost of fuel has been discovered and put into general use on this, the western and most expensive part of the haul. Railroads were paying five to six dollars per ton for coal, now more than replaced by four barrels of oil at a cost to them of about fifty cents per barrel. It is estimated that the railroad companies are buying annually in California about 8,000,000 barrels of oil, or saving approximately four million dollars as against cost of coal used when many of the rates were put into effect. There is also reduced expense in the handling and firing.

The shippers believe that the old rates must have been profitable for the former reasons: When many of the present tariffs went into effect the roads had to figure on hauling many empty cars, as the westbound freight movement was much less than the eastbound. The movement is now more nearly balanced, and there is much smaller movement in empty cars.

The action of the Interstate Commerce law in stopping rebates and passes has brought a further saving.

The radical changes made in grades and curves, and shortening of distances would not have been made were it not that the cost of transportation would be reduced. Some materials have advanced and some wages have been increased, but it is believed that the improvement in motive power and equipment, whereby the same freight crews are enabled to move and handle a largely increased volume of traffic, will easily offset such increases. The improvement in motive power and in the construction of cars has brought large increase in capacity, and the dead weight of rolling stock handled is proportionately reduced. Within recent years, the capacity of cars has been increased from twelve to twenty and thirty tons. Formerly, shippers of dried and canned fruits were obliged to load but twelve tons to get minimum carload rate—now they are required to load at least twenty tons to the car. This is a direct saving to the carriers, and, in many respects, is to the detriment of producers and sellers.

The enormous growth in the general volume of business handled, East and West, certainly makes for reduced cost per ton of freight moved. The consolidation of the roads under one general management, as is found in the Harriman System, has brought economies in the management and operation.

Raise Without Consultation Unjust.

It may be that the roads are entitled to advance their rates on certain commodities, but it is believed that the very general advance now in effect, even on the principle of "charging what the traffic will bear" is, in many respects, unnecessary and unjust; that the mutual interdependence of carrier and shipper should have been recognized, at least to the extent of consulting producers, manufacturers, and shippers as to crop and market conditions; that manufacturers handling seasonal products should have been warned before their active season of production had been arranged.

One illustration must suffice. Rugs grown here have on hand considerable stocks of the crop of 1907 and a large part of the crop of 1908. An average selling price for a period of years would be 3 cents to 3½ cents per pound. They are now unable to get 2 cents per pound, and importations are coming into Eastern markets. The old rail rate was \$1.00 per 100 pounds; it is now raised to \$1.10, and serves to encourage further importations. On the other hand, the railroads haul asphaltum for forty cents—the same distance—rather than let it go by sea.

Consolidation is the order of the day, and it is a logical progressive development, for it should give increased efficiency and bring economy. The people do not want government ownership, nor do they want government control, and they do not want government legislation; and yet, if the carriers persist in what appear to be arbitrary methods against public policy, an increase of the powers of the Interstate Commerce Commission will inevitably come. The abuse of power on the part of those controlling transportation will likely bring abuses on the part of the power of the people. The attempt to legislate regarding railroads, without giving due consideration to the necessities of railroad business, has been disastrous; and it is equally true that the attempt to manage railroads without regard to public policy must end in failure and disaster.

To My Cigar.

They tell me I must give you up, old friend, Unclasp the fingers I around you bend

That lift you to my lips

To kiss your fragrant stem:

No more must seek the solace that you lend

So freely: drink no more the sips

Of nectareous nicotine from your sweet tips

Do they require an answer? Then, what if

I answer wisdom with a single whiff?

Let that suffice, for in your every puff

I find your counsel wise, and wise enough.

—E. F. S.

BURDEN OF OUTWORN LAWS

By DR. WILLIAM FREDERIC BADE.

The advent of the art of writing among the ancient Egyptians was an event of supreme importance in the progress of primitive culture. But in the long run it hampered them in the development of a consistent body of civil and ceremonial law. Like the vaunted laws of the Medes and Persians, what had once passed into writing was irrevocable. Though sucked down for a time in the whirlpool of human affairs, it was liable at any time to appear again upon the surface of life farther down the stream. The changing standards of the centuries, instead of displacing one another, were forced to co-exist in furious disharmony. This became the curse of Egypt—that her priests and law-makers could not forget.

In 1901 French excavators uncovered the now famous Code of Hammurabi. It is the oldest law code in the world, having been compiled 2250 B. C. There is archaeological evidence to show that the Assyrian and Babylonian lawyers studied and annotated the great code down to 500 B. C. Here also the persistence of old standards of justice amid new conditions, and the growing complexity arising from the effort to adapt old laws to new needs must have seriously impeded the administration of justice.

The same causes with their resultant consequences are found operative in the so-called Mosaic Code of the Hebrews. Fundamental elements in this code date back to the great Hebrew law-giver, twelve or thirteen centuries B. C. Numerous correspondences with the Code of Hammurabi, older by a thousand years, suggest the inclusion of some statutes that originally formed a part of legal procedure among the Semites from time immemorial.

On the other hand, a large section of the code, especially in its ceremonial portions, was formulated not much earlier than four centuries B. C., while Deuteronomy represents a body of transitional legislation connecting the earlier and the later strata. We therefore possess in this body of Hebrew civil and ceremonial law excellent material for studying historically the effect of growing legal complexity upon the administration of justice. One of the early Hebrew traditions gives an interesting account of the establishment of a judicial system. Jethro advises Moses to "provide out of all the people able men, such as fear God, men of truth, hating unjust gain . . . and let them judge the people at all seasons." Decisions rendered by these men naturally constituted precedents, which were followed in recurring cases.

While these decisions did not distinguish between civil and ceremonial practice, they describe in the first instance civil procedure, Israelitish law, therefore, just as the early common law of England was based originally upon cases and precedents rather than upon statutory enactments. It is the process, corresponding to similar developments among all primitive peoples, by which custom becomes customary law and is finally codified for use in civil cases. Since in antiquity the origin of tribal customs was as a rule referred to the tribal God, every custom was a religious custom and every law derived therefrom was a divine law. This is the reason why the administration of law in ancient times became almost exclusively a function of the priests. Thus the Deuteronomic Code, six centuries B. C., makes not the king, but a tribunal at the central sanctuary, the court of final appeal.

The increasing complexity of judicial procedure, naturally, corresponded to an ever increasing complexity of the legal system. New laws were constantly being formulated as new cases were referred to the priestly tribunal, and each new decision rendered established a new precedent. Since former written laws were retained upon the statute books, a conflict of precedents inevitably arose. Legal enactments adapted to the exigencies of nomadic life had to be amended or expanded to meet the needs of an agricultural population.

The growth of cities and commerce created situations and an environment uncontemplated by the simple laws of earlier days. The regulation which required the land to lie fallow on the seventh year, probably designed to perpetuate the old communal right of ownership, could have had no meaning among nomads. But it is an attempt to apply a principle of nomadic life to a peasant community. Most of the civil laws of Deuteronomy show that they belong to a later stage of society than the first legislation. Under the old law, for instance, seduction was treated as one of pecuniary loss to the girl's father, who is entitled to collect from the seducer the full purchase money customarily paid on the occasion of a marriage. In Deuteronomy such a case is not treated as an infraction of property rights, but of social purity, punishable by a fixed fine. Here a more advanced social order manifests itself by growth in morality and refinement.

It is as the protest of a finer feeling of morality that one must understand Ezekiel's curious assertion that Jehovah had given to Israel evil, deadly and polluting laws. For tradition claimed divine origin for the earlier legislation, but the more delicate moral sense of a later age revolted against the inherent injustice of many of its ordinances.

In these progressive efforts to realize through the amendment of earlier laws a higher ideal of justice is discovered another factor that frequently favored the mal-administration of justice, through the multiplication of conflicts between the codes. Usually the Israelites enforced the enactments of the latest code when these invalidated earlier regulations. But the retention on the statute books of laws framed in a less enlightened past provided the opportunity, seldom neglected by rascals in all ages, to invoke the sanction of law upon lawlessness. A similar result, with equally disastrous consequences, is achieved when the technicalities of legal procedure are used to defeat the ends of justice which they were enacted to serve.

In the development of Israelitish-Jewish law, the period of greatest obscurantism fell at the beginning of the Christian era. Various reformulations and amendments of the earlier codes, progressive complication of enactments, serial attempts to reconcile the irreconcilable, and the nullification of the past by the new law by trifling casuistry and technicalities, worked out their cumulative effects at this time. The purpose of a good law, whether prohibitive or mandatory, is to uphold justice and the sense of duty in civic relations. Hence the spirit of a code of laws is always reducible to a few simple principles. When the letter of the law is construed into a subversion of these principles, it is time for someone to arise who in the name of outraged justice can expose the legal phrase-mongers who "strain at a gnat and swallow a camel," who are scrupulous in the titling of "mint, anise and cummin," but omit the weightier matters of the law—justice, mercy and good faith.

It was the speaker of these words who reminded the perjurers of his time that sophistry could not free them from the sanction of an oath that laws must be respected and enforced in their primary and simple intentions when they serve the good of the social order, or be held subject to annulment when they become tools of injustice. In every age such relentless moral earnestness is needed to free the law from hampering accretions and make it stand out in its moral purposes like Tennyson's oak in December—"naked strength".

Hamlin Garland is the president and active organizer of a Chicago artists' club known as the "Cliffdwellers," at least three-fourths of whose members must be engaged in the pursuit of literature, music, architecture, etc. The club will keep open house for visiting artists from other cities. Other members are William Vaughn Moody, Robert Herrick, Will Payne, George Ade, and George Barr McCutcheon.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Skereed of Things.

Firs' I was skereed of lightnin' when I wusn't but a kid,
An' claimed it was too strenuous in everything it did.

I stopped beneath an oak tree once to claim its shel'r'in' care—
Well, when the lightnin's card was left the oak tree wusn't there,
An' when the neighbors picked me up I noticed I felt sick,
An' so I said I'd mosey on where lightnin' wusn't so quick.

Right then an' there I wes't'ard turned to try another State,
An' oft I said, "The soil is fine, the climate's trooly great."
An' then one day I wandered out; a blizzard wandered in,
An' when they scraped the ice from me they also scraped the skin.
They couldn't tell which part was ice an' which was me, you know.
Well, I got skereed of blizzards then, an' said I guessed I'd go.

The next place that I landed in was pleasant to the eye.
One day a little cloud appeared against the azure sky,
An' when that little cloud got done I jedged it done me harm.
Fer it had took my house away an' also took my farm.
When I was found twelve miles away, folks say that I looked wan
An' gasped, "I'm skereed of cyclones, too, so I'll meander on."

At las' I found the Golden State, where days with shining feet
Come tripping o'er the hills of dawn a smiling world to greet;
Where God seems near, so very near I almost hear His voice
That whispers me, "Look up, dear soul, and in my gifts rejoice,"
And so I linger through the days with sunshine all aglow.
Of course I'm skereed of earthquakes some—but not enough to go.

No, not enough. I see the days in gleaming ranks enrolled.
Like beads upon a rosary by angel fingers told.
No lightning's lance, no blizzard's might, no cyclone's dreadful power;
Of summer's sunshine are the days, of gold they're every hour,
An' so right there I've fixed my camp, an' little 'tis I fret.
It may be better Up Above—but I'm not ready yet.

Now That the New Year Is Here.

Don't let the fact that you greeted the New Year with a horn encourage you to take too many of them before the year is gone.
The chief thing that the New Year brings is a continuance of old duties.

There is one consolation, such as it is: If we had kept all our vows a year ago we would not have had such a splendid opportunity to "swear off" again this year.

The poorest man who bid good by to the old year was he to whose soul it had given not one upward look.

The vow that is not good on December 31st is not likely to be constructed of very substantial timber on January 1st.

You must not be slow if you wish to keep in the procession. Remember that in our grandisires' time the years traveled by ox team, but now they take the electric line.
Your friend wishes you a happy New Year, and there his part in the matter ends. It remains with you to make it happy or otherwise.

There is no stone wall between the years. The line is imaginary, and the stern realities of life find no more difficulty in crossing it than

you do. The joys and sorrows, pleasures and cares, of 1909 will walk with you as old acquaintances.

A Prayer.

Give me not, Father, of Thy might,
The strength my work to do,
For mine it is to bear the load
That all my days renew.
Nay, I must go earthily way
O'er rocks of doubt and care,
Alone, unaided, yet I ask
Of Thee the will to bear.

I know the hurt of wounds that rend,
Red wounds I must endure,
Yet do I go my stumbling way,
In Thy great love secure.
Oh, sometimes it may hap that I
A brother's pain may share;
Then let me turn to him in love,
And give me will to bear.

I would not, Father, dwell alone
In fog of selfishness,
But where poor Sorrow makes her moan
Would reach a hand to bless,
And if my burden thus shall grow
With weight of others' care,
I will not ask Thy strength to aid,
But only will to bear.

The Opinions of Rufus.

If you don't b'lieve that hope springs eternal in the human breast, es the poet feller said, jest watch some fellers playin' fer a "ten full or better" on a nickel-in-the-slot machine.
Ef virchoo was es ketchin' es the measles, seems to me sometimes that I know fokes that would go 'round blocks so es not to be exposed.

I don't want to say a word 'gainst John D. Rockefeller, but I can't help inquire, if he wants to organize a deemsynary trust, w'y he don't do it. Seems to me that sech a trust with half a billion dollars backin' or so orto be middlin' effective. In answerin', don't speak oil together.

The imperative mandate, the initiative an' referendum, gover'nment control, an' them things, allers remind me of daisies on the grave of Populism. It's a beautiful idee, but it don't help the Populist corps any.

"Heaven ain't reached at a single bound." Es fer es that's concerned, neither is the other place, but I've saw some fellers that didn't seem to need more'n two or three jumps to make it.

I've bout 'ccluded that it's better to see a thing ten years too late than it is to see it ten years too early. In the latter ease you're classed as a crank, but in the former 'most everybody, bein' 'flicted much the same way, says, "Well, he is a trifle conservative, but he certainly is a fine feller."
The kind of philosopher that most of us b'lieve in is the kind that gives us somethin' like a reason for believin' what we b'lieved before.

What Ailed the Cow.

Dr. H. S. Tanner, of Long Beach, says that, as a sanitary measure, the teeth of all cows should be brushed, washed and thoroughly cleaned frequently.

Hey diddle diddle,
The cat and the fiddle,
The cow jumped over the moon.
She heard the man say
In a casual way,
"We will scour bossy's teeth this noon."

The little dog laughed,
As the bossy he chaffed;
The barnyard was all in a row.
Oh, say what you may,
There was riot that day,
But I'm blessed if I blame the cow.

Comrade of Mine.

Comrade of mine, let's sit down together
Here, as the shadows of even entwine.
We have been out in the stress of the weather;
Let's dream together, old comrade of mine,
Dream of the days when the glow of the morning
Silvered the valley and purpled the height,
Every white summit in glory adorning
With banners swung out by the Angel of Light;
And, though it now seem but a vision divine,
We dwell in that country, old comrade of mine.

Do you remember the pathway, mist-hidden,
Leading forever and ever away
Unto the country, to childhood forbidden,
Whose denizens all are awary and gray?
Ah, but we looked to that pathway with long-
ing,
Lured by its mystery, held by its spell,
Giving but laughter to voices of warning
From those who a space in the farther land dwell.
We've trodden that pathway where shadows
entwine,
And we fain would go back, old comrade of mine.

Here as we sit in the murk of the shadows
Smile on us faces of those that we knew
Ere they went out to the Upperland meadows,
Leaving us, lonely, to journey thereto.
Laughter of childhood that greeted the dawn-
ing.

Singing its music as sweetly as then—
Memory, lead us o'er hills of the morning;
Let us have part in that music again,
For ne'er is a strain so wholly divine
In all of life's symphony, comrade of mine.

Comrade of mine, let's sit down together,
Add to our visions one perfect and true,
How, when we've done with the world and its
tether.

We shall turn back to the valley we knew,
Back o'er the mountains of doubt and dis-
aster
Unto the country with morning aglow,
Where, at the word of the wonderful Master,
All we have missed we forever shall know,
Ah, at the thought of it dimming eyes shine,
And weary hearts lighten, old comrade of mine.

* * *

A certain man who had amassed wealth in divers ways (but why ask questions?) until he was recognized as a Prominent Citizen and a Higher-up, was met by a Patriotic Taxpayer.

"The Grand Jury says that you have been bribing," said the Taxpayer.

"It does," complacently responded the Prominent Citizen.

"It has traced bribe-money to your very door," the Taxpayer continued.

"It has," the Prominent Citizen replied with even greater complacency.

"I have talked with the Dear People, and none of them doubt your guilt; no, not even your friends deny it."

"True," said the Prominent Citizen, with a haughty smile.

"What are you going to do about it?"

"Do? Why, nothing except keep mum."

"Don't you mind everybody's belief in your guilt?"

"Not at all; oh, not at all, I assure you."

"But, being guilty, are you not afraid that the prosecution will terminate in your conviction?"

"Not in the least. You see, I will say nothing, and so the prosecution will have to over-
come it."

"Overcome what?"

"Why, the legal presumption that recognized guilt is innocent."

And, smiling urbanely, the Prominent Citizen went on his way.

Moral:—Let not Guilt despair: The Legal Presumption frequently is good to it.

MELODIES IN ::: MOODS :::

Opportunity.

Master of human destinies am I
Fame, love, and fortune on my footsteps wait.

Cities and fields I walk; I penetrate
Deserts and seas remote, and passing by
Hovel and mart and palace, soon or late
I knock unbidden once at every gate!
If sleeping, wake; if feasting, rise before
I turn away. It is the hour of fate,
And they who follow me reach every state
Mortals desire, and conquer every foe
Save death; but those who doubt or hesi-
tate,

Condemned to failure, penury, and woe
Seek me in vain and uselessly implore,
I answer not, and I return no more!

—John James Ingalls.

STORM IN THE MOUNTAINS.

By H. Van Allen Ferguson.

The storm sits at the organ,
Whose dusky pipes are trees,
And he sweeps the leafy keyboard
As players sweep the keys
When groined roofs of cathedrals
Shake with the harmonies.

Play on, O wild musician;
Touch the responsive keys,
And make the huge pipes tremble
With ravishing melodies!
I feel the zealot's rapture,
I know his ecstasies!

Boom, boom bells of the thunder,
As when the Host invites
Man's kneeling adoration
Before the altar lights—
The mystic, waxen planets,
That wink in perfumed nights!

What are the fanes and altars
That bow before Time's rod?
This is the grandest temple
That Levite ever trod—
This vast psalm best expresses
The majesty of God!

[Note: The above poem was printed in the July, 1893, number of the California, a magazine which for a time was edited by Charles Frederick Holder and published in San Francisco. Inquiries have been made concerning the authorship of these spiritual lines, but no one has been found who knows who H. Van Allen Ferguson is or was. Can any reader of The California Weekly throw light on the subject?]

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COMMUNICATIONS.

Control of Legislators.

To the Editor, The California Weekly:

In a recent article on the Legislature you speak of the watching of that body during this session, of the "organization" men, of the control of members by the "railroad organization," and of the courage required by the legislator to stand against the conditions that confront him. You say also that "possibly it can be made more unsafe to stand against the people than to stand against the machine."

The success of the initiative and referendum in Oregon—not to mention other States—has shown that it is not only more unsafe to stand against the people than against the political machines, but that with the initiative and referendum powers in the hands of the people it is useless, vain and fruitless for legislators to attempt to stand with a machine against the people. The demonstration is complete. A political organization or a railroad or other "machine" is powerless to obstruct the will of the majority of the voters of Oregon in a matter of legislation, for with the initiative and referendum the people are supreme.

In connection with your editorial, and what you say of the political power of the "railroad organization," it is almost a shock to read Section 2 of Article I of the Constitution of California, which is:

"All political power is inherent in the people. Government is instituted for the protection, security, and benefit of the people, and they have the right to alter or reform the same whenever the public good may require it."

If what you say of the "organization" and of the "railroad machine" is true, has not the political power that is "inherent in the people" been taken away from them? If what you say is true, then it must be true that our State Government is not now used for the "protection, security, and benefit of the people," though it was instituted for that purpose. It must be admitted, then, that the "public good" requires that the people avail themselves of their "right to alter or reform" a part of their State Government.

Alteration and reformation do not mean revolution. It is not necessary to turn things upside down, but merely to turn a few things right side up by replacing in the people's hands the "all political power" that is inherent in the people. As in industry the simplest machinery that will accomplish a certain result is the best, so is it in politics, which is the science of government.

Not only should we protect ourselves against corrupt and corrupting political organizations and machines, but it is our high duty to protect our law-makers and other public servants against them. As we pray that we may not be led into temptation, it is our duty to shield our law-makers and other public servants from temptation. No less conscientiously should we take temptation away from those of our fellow citizens who use corrupt means to influence our legislators to do wrong. Is it not better to prevent evil than to punish, or attempt to punish, men who yield to temptation?

Consider, then, the positive gains to be accomplished by direct legislation through the initiative and referendum. The vote power in the hands of the people in case unwise or vicious legislation is enacted; the enacting power in the hands of the people if the legislature fail or refuse to enact needed legislation; the submission to the people by the people of proposed laws and amendments to the Constitution, and the adoption or rejection of the matters submitted to be determined by majority vote.

Our legislators will thus be freed from suspicion. Men who seek temptation will not care to go to the legislature. Political bosses and machines will be powerless to obstruct the popular will, and then we may say, with truth, that "all political power is inherent in the people."

W. G. Eggleston.

Chairman, Publicity Committee, Direct Legis-
lation League of California

The Wit of Emerson.

One day when the philosopher Ralph Waldo Emerson was looking out of the window at a winter storm, he said, musingly: "I snow."

He was asked whether he approved of Platonian friendships between men and women. "Yes," he said, "but hands off."

A literary woman who had heard a report that Emerson was rejecting some of his old beliefs asked him: "But you do believe in the immortality of the soul, do you not, Mr. Emerson?" "Madam, we are not swill," was the startling reply.

They Do, Indeed.

"I understand that your wife and daughters have acquired several foreign languages." "Yes," answered Mr. Cumrox, "when they're having a good time in society or at the opera they talk French or Italian. But when it comes to telling their troubles they get back to plain English, so that I can take a hand."—Washington Star.

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A HAZARD OF MINING FORTUNES

By F. L. BOSQUI.

On one of the hottest days of the Nevada mid-summer Doc Winters, proprietor of Klondyke Wells, moved a chair into the shady doorway of his saloon tent and sat down to wait for customers. In front of him spread the dusty yard, littered with broken bottles, and separated by a barb-wire fence from the road. Beyond, in the fierce glare of noon, lay the desert—a drab wilderness of sagebrush, showing on the far horizon a girdle of lonely hills and composing a picture of desolation which assuaged well, on that day and hour, with the old man's cynical, almost vicious, humor.

Doc Winters had been gloomily observing the approach of an automobile, praying that a sudden accident, or the craving of a thirsty traveler might compel it to stop at the Wells. But the big machine, crowded with passengers who, as Doc sadly perceived, gave not so much as a passing glance at the conspicuous sign over the door on which the paint was scarcely dry, dashed past and disappeared in a cloud of dust. At the same moment the disappointed landlord, bitterly mindful of dwindling profits since the motor-cars had supplanted the stage lines, rose contemptuously from his chair and mechanically took his place behind the bar. There, by way of diverting his mind from the contemplation of an unprofitable morning, he lifted a pail of water to the shelf in front of him, and addressed himself with savage energy to washing the soiled glasses left over from the day before.

It was just two months since Doc Winters and his friend Lem Stinson had left Austin for the scene of the new gold discoveries. Both men had lived half their lives at the county seat. Winters had been in turn a case-doctor, a prospector, a saloon-keeper, but in spite of his versatility seemed never to prosper. Stinson, on the other hand, was a wide-awake man of affairs and had by dint of native shrewdness got control of a lucrative livery-stable and freighting business. He also prospered in a small way, when his times were dull, and occasionally sought Doc's advice. For Winters was an older man and was fond of distributing superfluous wisdom, especially to Stinson, whom, oddly enough, he considered impulsive and visionary and in need of a restraining hand.

On this, the most extensive of their expeditions, the two men had nearly fallen out at the Wells—Lem insisting on forging ahead to Goldfield, Doc on staying behind. They had parted, however, on a friendly footing, and two days later Lem wrote his friend that he had taken a lease on a fine-looking block of ground, urging Doc with all the eloquence of his simple vocabulary to come and join him. But Doc Winters looked upon this new folly as just another instance of Lem's bad judgment. He had had some experience of mining camps. He knew how little credence was to be placed in newspaper reports of rich discoveries. Doc had unprofitably followed several Nevada booms, and had, at last, after many good many hard knocks, learned his bitter lesson. . . . So the gist of the poor scrawl he sent back to Lem Stinson was that he had decided to stay where he was—that a bird in the hand was worth two in the bush.

In the meantime Winters and his family had pitched their tents at Klondyke Wells—a name his wife had given the place in a moment of enthusiasm, excited by the discovery of a piece of float at their tent door. Doc had bought the ground from an Indian, because it had a well on it and showed signs of being mineralized. He built a crude house and barn; and in a short time the straggling desert settlement that sprang up around his corral became an important half-way station between the two big mining camps. The trader's goods came first from the crest of the hills behind Tonopah—a white speck in the great level waste that stretches away to the south as far as Goldfield. Here stage passengers stopped for meals, and horses were changed, fed and watered. A hired man looked after the cattle, while Doc himself presided over the bar. His

wife and sister-in-law—careworn, haggard women who had never known anything but drudgery—slaved early and late in the eating-tent, fighting flies and heat in summer, struggling with the cold in winter.

For a time it was a profitable business—this supplying food to travelers and fodder to horses; and the bar, too, was a source of revenue, though good judges of liquor seldom patronized it a second time. But as the travel increased, the profits of Klondyke Wells seemed to fall away. Rival stage lines began to vie with each other in making good time, and drivers halted only long enough in the corral to change horses.

Then the automobiles came. "You can't make them blamed things work on these roads," said Doc Winters to his wife. She was of the same opinion; and down in their hearts they cursed automobiles and the people who rode in them.

"But I ain't afraid of 'em!" declared Winters; "we've got our claims; and when Sam and his millionaire friends down in Frisco take hold we'll have the biggest excitement right here ever seen in Nye County!"

His faith in Sam was linked with the one absorbing dream of his ambition. It was his belief, he was sure, that this influential brother would eventually supply the funds necessary to develop his claims, and fulfill those golden promises which Doc's fertile imagination had read into a single cold, curt communication from the "millionaire" stating that when he had time he would certainly look into "that Klondyke matter."

This glorified brother whom Doc had not seen for twenty years presided over a grocery store and bar in the Potosi. Sam Winters had been a valuable political service in his precinct, and had been rewarded by a grateful party with a sinecure in the City Hall. He was a heavy, lethargic man, with a red face and bloodshot eyes. Doc cherished a photograph of him, taken in a south-of-Market-street studio with curled mustaches and hair plastered down in a sleek semi-circle on his forehead. In thanking Sam for this inestimable token, Doc had announced his intention of having it enlarged in crayon. In the same letter he had said: "The claims I own here, and they're going to be a big boom in this section as soon as the bottom falls out of Goldfield, which won't be long, as I've got all the water in the country corralled and the best place for a town with lots laid out in hand you can grow anything with a little water. . . . I sent you three sacks of rock to be assayed from my claim and wish you'd let me know what your friends will do we'll have to get to work pretty quick as others is after my ground and I want to give you first show."

The assays had been made, the certificates had shown no values, and the letter remained unanswered.

Doc waited patiently for several weeks. Then one day came the news of a big bonanza "wind" on the Golden Zone, the claim Lem Stinson and his friends had leased; and a few days later Lem himself drove through the Wells on his way to the coast.

Doc saw his old partner dismount with a sensation of mingled curiosity and envy, which he tried to conceal by an overdone cordiality. Lem's story was a long one, told with much circumlocution. Doc listened absently while his eyes wandered. He was thinking not so much of what Lem was saying as speculating upon the chances where his opportunity would come. He interposed a few remarks about his claims, which—it had come over him like a flash—Lem Stinson, of all men, was now in a position to place before the world of mining investment. The trader's goods came first from the crest of the hills behind Tonopah—a white speck in the great level waste that stretches away to the south as far as Goldfield. Here stage passengers stopped for meals, and horses were changed, fed and watered. A hired man looked after the cattle, while Doc himself presided over the bar. His

you put 'em up to some of the big lugs down in Frisco that you said wanted to buy out your lease?"

"I wish you'd ha' come to Goldfield, Doc," returned Lem evasively; "you'd made an everlasting barrel of money."

"That's all right," said Doc. "but I've got a mine right here, and you know it!"

"Done any work on it?" inquired Lem. "Work! why, say, look here," and Winters took down a specimen of quartz from a shelf over the bar.

Lem examined it. Doc stood off awaiting the great man's verdict with eager, blinking eyes.

"It aint half bad-looking," drawled the visitor.

Then, after an awkward pause, and with a cruel inconsequence which utterly dashed Doc's hopes, Lem suddenly recalled an exciting episode in connection with his lease, brightening over the reminiscence, and as he rattled along he quite forgot about the piece of rock and let it drop to the floor.

When Lem had gone, the proprietor of Klondyke Wells stooped down and picked up the precious specimen, gazing at it awhile tenderly before replacing it on the shelf. Then he sat down dejectedly in front of the bar, and for a good half hour suffered the acutest misery he had ever known in his life.

He finally pulled himself together, went across the room to the bar, and fortified himself with a long drink preparatory to writing for the last time to Sam.

He had already written several letters to his brother, to which no answer had come. But this was to be his supreme, final effort, his masterpiece. He closed and locked the door of the saloon, and with ink and paper before him on the card-table, settled down to his difficult task. . . . That night the letter was entrusted to a teamster bound for Tonopah, with explicit directions for registering it in the postoffice. The writer had calculated to a nicety when the answer should arrive, allowing two days for Sam to raise the necessary capital.

The harrowing suspense of that intervening week totally unitted Doc Winters for the most ordinary duties of life. He wandered aimlessly about the corral or shut himself up for hours in the saloon, refusing admittance even to his wife. But Doc was merely passing through a crisis which he considered nobody's business but his own. Over and over again he repeated to himself the most telling passages in the momentous letter which he had committed to memory. He recalled with especial satisfaction that portion of the document referring to his old partner: "I guess we've got a big boom here, Lem. . . . That just made two million out of the Golden Zone. Him and me was partners out in Austin. The Golden Zone aint far from here and Lem says this is the same identicle ore he's got in Goldfield and its the finest quartz he ever seen and he's going to take hold with me here, if you doant, but you've got first chance."

On the forenoon of the day Sam's answer was expected Winters drank more whisky than he had taken in the whole of the previous year. He hung stolidly over a card-table in the saloon until midday, nodding and staring into space, and after a final unsuccessful attempt to reach the bar, stretched out his legs, sank down in his chair, and fell asleep. There his wife found him when, a few minutes after the arrival of the mail, she burst excitedly into the room.

Doc awoke with a start, saw a letter in her hand, and revived sufficiently to tear open the envelope and scan the contents of a brief note signed by his brother's widow. Then, with a gasp, he let her throw her drop to the floor and collapsed in his chair.

The frightened woman picked up the letter and read the brief announcement of Sam's sudden death. For a few moments she stood staring down helplessly at the prostrate form

(Continued on page 108)

UP AND DOWN : : THE STATE : :

The Ventura Free Press records the fact that crimson winter rhubarb is being shipped east from that vicinity in carload lots, and many of them, at that.

The Visalia Delta has been sold to H. W. Dockman and H. J. Whitmore. The price paid for the property is given out as \$17,000.

F. W. Cooke, recently editor of the Healdsburg Tribune, has gone to Missouri, where he intends to take a course in the Columbia School of Journalism, after which he will devote himself to some larger field of editorial labor.

The Napa County Grand Jury in a recent report condemned the State Bank Commissioners for indifference and carelessness in handling the Calistoga bank failure.

W. C. ("Wilkie") Collins, well known and greatly esteemed among the newspaper men of the State, recently passed away, at the age of 47 years, in Sacramento. He had been an employee of the Bee for many years.

The Skyland Realty has just entered the second year of its existence, and its expressed trust that it has known a career of usefulness does not appear to be in vain.

While roses are in bloom in the larger part of California, it is of interest to note that the Truckee Republican announces that the skating-up that was now is good.

A rich strike of gold has been made in the old Independence mine near Placerville.

The Placer Republican estimates that over 60,000 pounds of turkeys were shipped from Lincoln this year.

The citizens of Modesto soon will be called upon to vote for or against the issuance of \$85,000 in bonds to be distributed as follows: Extension of city water mains, \$15,000; extension of sewer system, \$10,000; city hall building, etc., \$30,000; fire department, \$15,000, and street improvement, \$15,000.

Citizens of Stockton and Modesto are organizing to secure co-operation in all matters looking to the welfare and development of the lower San Joaquin Valley.

The Great Western Power Company is improving its plant near Oroville, and expects to be able to furnish 72,000 horse power within the next three months.

The project to convert the Armstrong Woods, near Guerneville, composed of magnificent specimens of redwood, into a State Park, is meeting with favor generally.

In the last eight months mines in the vicinity of Goldfield, Nevada, have produced gold amounting to nearly \$7,500,000 in value.

The Sacramento Valley Development Association will make an effort to secure from the legislature an appropriation with which to build a State highway from the university farm at Davis to the State Capitol.

The Sacramento Valley Eucalyptus Company has been organized with the purpose of planting a large tract of land near Marysville to eucalyptus trees.

The Bay Counties Power Company is about to construct a \$100,000 sub-power station in Berkeley.

The rose tournament in Pasadena, on New Year's day, was a striking success, more than 100,000 visitors having attended it.

"The California Weekly is a handsomely printed paper, full of the best kind of reading, and will be enjoyed thoroughly by anyone, whether a resident of California or not."—St. Marys (W. Va.) Oracle.

"The staff indicates that this new paper will be the best edited weekly in the State"—Winters Express.

"One of the best, the most incisive and clearest journals which it has been our recent fortune to see is The California Weekly, published in San Francisco. In its every line it breathes of the new San Francisco, the awakened and regenerated San Francisco."—Pasadena News.

THE TRUTH ABOUT THE GATUN DAM.

A considerable part of the service which The California Weekly is to be called upon to perform for its readers will be the correction of the falsehoods published through carelessness or design as news, the effect of which must be to deceive the reading public to its hurt. The failure of the Gatun Dam, lately exaggerated in the news columns of the daily press, may have been the result of carelessness, but the chances are that it was the result of design and that the same editor of the President and his policies that lately attempted to establish the Panama Canal purchase transaction as the bottom of the unfounded rumor. The article following is from a source of unquestioned reliability and is commended to the reader for careful consideration.—Eds. California Weekly.

In the past few weeks a report regarding the failure of the Gatun Dam on the Panama Canal has been passing through the news and editorial columns of the daily papers. It is probable that no one could now trace the origin of the report, but that point is immaterial. The headlines in the papers took various forms: "Failure of the Gatun Dam," "Break in the Isthmian Wall. The Chagres River Pouring Into a Bottomless Pit," are samples of the announcements.

A report came from France stating that French engineers were certain that the Americans would never complete the canal. A wise old owl on the Portland Oregonian wrote learnedly on the failure of the dam, but trusted to the Americans to engineers to pull us through. Mr. Lincoln W. Bates, whose plan for the construction of the dam was not adopted, rushed into print and said, "I told you so." And so it went.

By this time those newspapers have kindled the succeeding day's fires and those fires have gone out as fires do. Later papers are kindling new fires and probably the report of the failure of the Gatun Dam has gone from the memory of most men. It is instructive, however, to examine this particular report.

It may be well to state by way of explanation that the construction of the Gatun Dam has not yet been started. As projected it is to be an earth fill dam which, by impounding the waters of the Chagres River will create a large lake, the lake to serve as a part of the finished canal. The lower edge of the dam, or toe as it is called, is at sea level and will be exposed to wave action from a body of water. In order to carry the water of the river around the dam a new channel or spillway is now being excavated. The material from this spillway is being dumped on the land below the future toe of the dam, partly as a protection for the toe and also to get rid of the material. It is being "wasted" to use an engineering term. The wasted material is heavy and firm and it is dumped on a soft ground. Naturally the heavy material settled as was expected to do. It is a common incident of engineering. An example can be seen on the Southern Pacific between Benicia and Suisun where the heavy fill of the railroad has squeezed out the soft mud below.

As far as can be ascertained a sudden settling of the waste dump below the Gatun Dam formed the slender base upon which was erected the inverted pyramid of lies, sensation, misinformation and misdirected comment about the failure of a dam the construction of which has not been commenced. A telegram to the engineers at Panama asking for details of the failure of the Gatun Dam would have brought the reply that the dam could not fail as it had not been built. This, however, would have spoiled the sensation. An amusing feature of this incident was the labored editorial

comment as if the editorial writers really knew the news report to be true.

The work at Panama is at present the greatest engineering undertaking in progress. It is going forward without hitch under the management of capable men and will be completed and opened for traffic at a date reasonably close to that set for completion. It is a great work in which all Americans are interested and of which all will be proud. The smallest fly that ever settled upon a chariot wheel was of more consequence than are the newspapers of this country to the real progress of the work. Yet it is irritating and to a certain extent discouraging to find that when brave and capable men of this country are working under trying conditions to prosecute a gigantic work to a conclusion which will be the pride of every American, the newspapers can see in the great work nothing but a source of misrepresentation and sensation.

L'Envoi.

When Earth's last picture is painted and the tubes are twisted in drier,
When the oldest colors have faded, and the youngest critic has died,
We shall rest, and, faith, we shall need it—lie down for an aeon or two.
Till the Master of All Good Workmen shall put us to work again!

And those that were good shall be happy;
they shall sit in a golden chair;
They shall splash at a ten-league canvas with brushes of comets' hair;
They shall find real sauts to draw from—Magdalene, Peter and Paul;
They shall work for an age at a sitting and never be tired at all!

And only the Master shall praise us, and only the Master shall blame;
And no one shall work for money, and no one shall work for fame;
But each for the joy of the working, and each, in his separate star,
Shall draw the Thing as he sees it for the God of Things as They Are!

—Rudyard Kipling.

"The California Weekly should prove a great power for good in California, and that it will be absolutely fearless and faithful in the interests of honest government and the welfare of the public is assured from the men affiliated with it."—Palo Alto.

"The Republican party certainly needs a paper to stand for the people in this State, and if The California Weekly will keep up its present intention it will have served a good purpose indeed."—Ukiah Dispatch-Democrat.

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POLITICAL TABLE TALK

By THE WATCHMAN.

One In 305 Governor Gillett's first biennial message addressed to the legislature and the people of California is a plain, business-like statement of some of the important facts about the finances and other concerns of the State government. After the usual prelude on prosperity, he plunges into a discussion of hospitals for the insane, explains that one reason for increased cost is the higher prices for food supplies, rejoices because only one person in 305 is now in such a hospital as compared with one in 281 six years ago, and indulges a proposal to erect more buildings for the Stockton, Napa and Southern California hospitals.

Mum on a Reformatory The San Francisco harbor improvements and the State Printing office are then commended and the purchase of more machinery for the latter is suggested. In the chapter of the message devoted to the prisons the subjects of pardons and paroles are discussed and modifications of the parole law suggested, including one to establish a system of paroles for county jail prisoners, which no doubt is desirable. But the governor does not commit himself on the question of the establishment of a reformatory prison, which is about the largest question connected with our penal policy.

Engineering and Architects A good deal of attention is given to the newly established State Engineering Department, for which great success is claimed on the score of economy as well as efficiency, and it is proposed that the powers of the State Engineer and his Advisory Board be enlarged in several directions. This is a matter the legislature will do well to look into, for there is no doubt that the State building law calls for some kind of overhauling. Under the present arrangement the Engineering Department manages all building operations, the State Architect being subordinate to the State Engineer. The earthquake of 1906 demonstrated that architecture without engineering is a most unstable dependence, but the new arrangement appears to have lacked as much in expedition and efficiency as it has added in strength.

Revised by Its Friends On the subject of railroads the governor renews the recommendation made by the attorney general that the legislature shall now, after thirty years of inaction, proceed to "pass all laws necessary for the enforcement" of the section of the Constitution with reference to discrimination in fares and freights. He also suggests a more stringent pass law. Apparently this plan of railroad legislation is now "program" and will be put through, though when the same thing was advocated, only more vigorously, by Governor Pardee, in his retiring message, it was not program and was ignored. Events have been moving in the last two years, and it may be good policy to have the railroad laws, like the tariff laws, "revised by their friends." We may be sure that, under this system, there will be only such laws enacted as the railroads wish to obey or wish to have others obey. It will be so easy!

Think Hard On This Next in the list of topics discussed comes good roads, and Governor Gillett renews his proposal for the issue of \$18,000,000 of road bonds, the State to pay the principal and the interest to be taken care of by the counties through which the roads are built.

No Politicians Need Apply The work of the joint legislative committee on banking is endorsed and stricter laws called for to regulate reserves and loans. The governor appears to have changed his mind relative to the need for having the banking department headed by a banker. When it was first broached he pool-pooled at it.

Last Worse Than First A State farm and school for orphans, especially for orphans who have been inmates of institutions partly supported by the State, is one of the proposals to which the governor has committed himself in this message. He wants \$125,000 appropriated to buy a farm and a commission to prepare plans. He believes such a school would have from five to seven hundred in attendance and while admitting that the expense would be large, asserts that the school would be worth more than it would cost. Before acting on this suggestion of his excellency it will be well to pause and think. The condition of dependent childhood is had enough at best but entrusted to the care of a lot of place hunting politicians selected by Hatton, Parker and Burke their last condition would be worse than their first. California should not hurry to put this scheme through.

No Use for Politicians Neither in this chapter of the message nor in any other is there anything to show that in preparing his recommendations on penal and charitable institutions the governor took counsel with the State Board of Charities and Corrections. What is that board for? Governor Gillett signalized, as well as scandalized, his administration by relieving two non-political humanity-loving members of the State Board of Charities and Corrections in order to afford "recognition" to two "organization" politicians. One of these has rendered distinguished services to the cause of charity and correction by failing to attend a single meeting of the board. The other is not so bad, but is a board chair freed from political influence and repression, should become a power for good in State affairs by standing between the people and officialdom, to watch, advise and report to the public. No politician has any use for such a board and Governor Gillett is a politician.

River Navigation The governor recommends, and rightly enough, an appropriation of \$400,000, to match an equal appropriation expected from Congress, for improvements of river navigation, chiefly, of course, for the Sacramento and San Joaquin rivers. This is hardly a drop in the bucket compared with what is required when nation and State shall take the work seriously in hand, leave politics out and get down to business. It has not been forgotten that Governor Gillett manifested his interest in the river problem by removing from office an engineer in charge who knew the rivers as some men know their back yards and put in his place a really fine fellow as innocent of river knowledge in California as the upper reaches of the Amazon or Yang-tze-Kiang, and he did it merely because the engineer in office chanced to be a Democrat. That wasn't a fault. It was at the worst only an infirmity which in no wise incapacitated him for useful service. Until our rivers can be taken out of "organization" politics it is of comparatively little use to put money into them—except where Uncle Sam has the exclusive spending of it.

Please Try Again Two years ago the legislature enacted a standard insurance policy which was not approved for the reason that the governor did not think the bill a good one. He now invites the legislature to try again, which it will probably do if someone will kindly show it how. The task is not a real easy one.

Strong for Tax Reform On the important subject of tax reform the governor comes to the front with a strong indorsement of the work of the State Tax Commission, which body he wants continued, and he asks the legislature, also, to submit a new amendment to the Constitution which the commission may prepare on the lines of the

old one which was voted down at the November election. This excellent measure was voted down partly because the voters did not quite understand it, partly because of the narrow-minded self-interest of certain municipalities, but perhaps mainly because the Southern Pacific political bureau seemed to be for it. A little judicious opposition to the measure on the part of Mr. Herrin and his push might help it another time when it comes before the people. However, this time, it is quite certain that the proposed plan for reforming our tax system is for all concerned, although not improbable that the amendment as submitted may be improved. The principle of the amendment that was beaten was sound and will some day be adopted by all the States in the Union.

Plenty of Pardons No one will claim that Governor Gillett has been austere and unrelenting in relation to pardoning persons who have been sequestered from time to time for the public's well-being. His message shows that he has granted 48 pardons within the two years against twelve granted by former Governor Pardee during his first two years of office, and he has granted 84 commutations to fifteen granted during the same length of time by Pardee. There is a soft spot under the governor's ribs which perhaps does more credit to his sympathies than to his judgment.

Gillett is No Hughes Those who look through the governor's message for some expression regarding the race-track issue will look in vain. It isn't there. Possibly he had no heart for the issue having been raised or, possibly he had heard that the Herrin "organization" had promised to keep hands off, stand aside and watch the fight. However it came about, there is nothing in the message to indicate that a great reform movement, now sweeping over California, having in view the prevention of the demoralization of many, is of the smallest interest to the Governor of California. Governor Gillett is, in this particular, about as unlike Governor Hughes as civilization is unlike civic ignorance and the people of California are likely to note the difference.

Legislature Ready As the daily press will have told our readers, the legislature of California is organized and ready for business. Phil Stanton was made Speaker of the Assembly. He had to wait two years for the honor but it came at last. One reason given for his having to wait was that the Hermites felt insecure and uncertain as to what Stanton might do. They are likely to feel more so by the time this session is over, but they may have their rights considered. They are not more uncertain of Stanton than he is of himself. If the bits get into his teeth and he feels a good grip on them he is as likely as not to make a dash for liberty merely because he feels like it.

Wright or Leavitt, Which? It has been decided by resolution that the Senator Leroy Wright of San Diego, and not Frank Leavitt of Alameda, is to be the Republican floor manager of the State Senate. Perhaps so. Everybody will know more about it later, but the management of that body is not to be determined by resolution. Leavitt is a good deal stronger (and worse) man than Wright and is likely to have Lieutenant Porter and Eddie Wolfe on his side. They are birds of a feather. "Wright is organization," too, but so is nearly all San Diego, thanks to the inerness of patriotism and the alertness of bargain counter politics, and Wright has trained with the "organization" more from association than from choice. The public will wish to see Wright win, but it will be surprised if he does not have to play second fiddle, despite the efforts of the better element to back him.

The Graft and Allied Cases.

Because of the holidays, the graft and allied prosecutions on both sides of the bay have reached a time of rest between more strenuous labors. To be sure, there have been motions, orders, arrangements for appeals, etc., some of them of no slight importance in their bearing upon the outcome of various cases, but of actual trials there have been none.

Over in Oakland, Peter Claudianes, having been duly convicted and sentenced, as heretofore reported, has been hustled into Coleman 1st to file a bill of exceptions pending his arrangements for the appeal which he, or his attorney, has decided upon. That he has no large faith in the outcome of such an appeal is suggested by the fact that he has waived delay in the execution of his sentence and has been taken to San Quentin prison, there to await the result of his attorney's efforts in his behalf.

John Claudianes, who, like his brother Peter, was indicted for dynamiting the residence of former Supervisor James L. Gallagher, appeared before Judge Waste on December 31st to have his case set for trial. His attorney, Nat Coghlan, moved for a delay on the ground that as he (Coghlan) was a member of the State legislature he could not act in the trial until that body had adjourned. Such a postponement being agreeable to District Attorney Donahue, as the new trial jury is not available now, but will be later, the motion was granted and the case was set for the second of next April.

The unforeseen not intervening, Patrick Calhoun will be brought to trial next Tuesday under an indictment charging him with offering a bribe to former Supervisor Nicholas for his vote for an overhead trolley franchise for the United Railroads. He appeared before Judge Lawlor last Monday and, through his attorney, A. A. Moore, asked for an immediate trial. The request was accompanied by a suggestion that the defense felt it could not have a fair trial before Judge Lawlor. Being then asked by the court whether this meant that there would be a motion for a change of venue, Attorney Moore responded that there would not, that what Calhoun desired was an immediate trial and that he would take advantage of no technicalities; a promise which, if carried into effect, will shorten the trial in a degree to amaze those who have watched the development of other graft cases, that of Abraham Ruef, for instance. In order to give Mr. Heney, who, with Assistant District Attorney O'Garra, will conduct the prosecution, time to travel here from the East, the case was, with open opposition on the part of the defense, set for trial on the date above given.

E. A. S. Blake, who was convicted of an attempt to bribe a prospective juror in the Ruef case, was, on December 31st, sentenced by Judge Dunne to four years' confinement in San Quentin prison. Efforts were made to secure a light sentence, but Judge Dunne held to his own idea of the enormity of the offense, and the penalty inflicted was but one year less than the maximum.

The trial of Adolph S. Newburgh, indicted with Frank J. Murphy and E. A. S. Blake for attempting to bribe John Martin Kelly, a prospective juror in the Ruef case, began last Tuesday. It will be remembered that Blake was convicted under this indictment and later confessed his guilt, asserting that he had acted in his attempt at bribery on the suggestion of Newburgh and Murphy, who were Ruef's attorneys. Blake's conviction was followed by the trial and acquittal of Murphy, which the District Attorney, as well as many others, held to be a miscarriage of justice. Now comes the trial of Newburgh, in which the prosecution will be conducted by District Attorney William H. Langdon and his assistant, William H. Hoff Cook. At this writing the selection of jurors is in progress, a special venire of one hundred having been summoned, and it probably still will be so when this issue goes to press.

Abraham Ruef's recent efforts to delay the deserved fate which awaits him have taken the form of a motion to be allowed 120 days in which to prepare and file a bill of exceptions. The prosecution, that thirty days, which it would be ample time for this purpose, and the court notified the defense that reasonable time

would be allowed. It was expected that the matter would be decided on the seventh instant.

The cases against Tiry L. Ford, Thornwall Mullaly, William M. Abbott, Abraham Ruef and Eugene Schmitz, which were set for trial before Judge Lawlor last Tuesday, were continued until February 2nd.

(Continued from page 105)

of her husband, groping for words to express her mingled pity and contempt, yet dreading his waking wrath. She shuddered as she saw him slowly move, then feebly clutch the arms of his chair and raise his bleared eyes to hers. Not finding the sympathy he needed, he commanded in a thick voice, "You better get out; you can't do no good here!"

She turned and went meekly out of the tent; but Doc Winters stayed there the rest of the day, with a bottle on the table in front of him, doing what he could to assuage the misery of his defeat and despair.

At the end of the following week another letter came.

"You read it," said Doc submissively to his wife; "I can't seem to gather my wits. Fact is, I aint been worth shucks sence I took that spell."

"Why, it's from Lem Stinson and marked the Grand Hotel!" exclaimed Mrs. Winters proudly, after an interval employed in wiping and adjusting her glasses.

There was another long pause while her eyes moved slowly and laboriously along the almost illegible lines.

"He says if you'll go back to Austin he'll give you the liveliest stable business and his house to live in, and then he says, 'I guess I don't have to live in Austin any more. Frisco's good enough for me. I'm putting up at the Grand; and next week I'm off to New York to see the sights with Joe Brady. You remember little 'Faro' Brady who used to go round people's back yards in Austin getting jobs sawing wood. Well, Doc, in two months he made a clean two hundred thousand cash in his Goldfield lease. Sorry you can't go along. But that stable's a good business, Doc. You stick to it.'"

And this time Doc Winters followed his friend's advice.

Blaine on Garfield.

Blaine's oration on Garfield ended with this famous passage:

As the end drew near his early craving for the sea returned. The stately mansion of power had been to him the wearisome hospital of pain, and he begged to be taken from his prison walls, from his oppressive, stifling air, from its homelessness and its hopelessness. Gently, silently, the love of a great people bore the pale sufferer to the longed for healing of the sea to live or to die, as God should will, within sight of the heaving billows, within sound of its manifold voices. With a wan, fevered face, tenderly lifted to the cooling breeze, he looked out wistfully upon the ocean's changing wonders, on its far sails, on its restless waves rolling shoreward to break and die beneath the noonday sun; on the red clouds of evening, arching low to the horizon; on the serene and shining pathway of the stars. Let us think that his dying eyes read a mystic meaning which only the rapt and parting soul may know. Let us believe that in the silence of the receding world he heard the great waves breaking on a farther shore and felt already upon his wasted brow the breath of the eternal morning.

Paternoster.

Few readers know that the word "paternoster," so frequently used in novels of the Middle Ages, refers to the Lord's Prayer in Latin as used in the Catholic ritual. The full prayer follows:

Pater Noster qui es in coelis, sanctificetur nomen tuum, adveniat regnum tuum; fiat voluntas tua sicut in coelo et in terra. Panem nostrum quotidianum da nobis hodie: et dimitte nobis debita nostra sicut et nos demus debitoribus nostris. Et ne inducas in tentationem sed libera nos a malo.

Amen

Boys.

At a recent Bombay school board examination, one of the tasks was an essay on boys, and this was one of the compositions just as it was handed in by a girl of twelve:

"The boy is not an animal, yet they can be heard to a considerable distance. When a boy hollers he opens his big mouth like frogs, but girls hold their tongue till they are spoken to, and then they answer respectable, and tell just how it was. A boy thinks himself clever because he can wade where it is deep, but God made the dry land for every living thing, and rested on the seventh day. When the boy grows up he is called a husband, and then he stops wading and stays out at nights, but the grown-up girl is a widow and keeps house."—Pittsburg Bulletin.



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WALLED religiously apart from the outer world, the nodding blossoms in the sacred garden of Santa Barbara Mission flourished in peace and profusion and ran color-riot. Came, of a sudden, a presence into the garden—a dainty, feminine presence. Gossamer-shod, she flitted through an archway and across the dried clay with twinkling step so light that the drowsy gardener noted not its advent. Bright-plumaged as the humming-bird was this little maid. Her short silky skirt revealed a pair of slim and graceful ankles, a filmy robe, clinging to her slender figure, her soft brown hair fell in clustering curls and brushed her olive cheeks, her lips were a pouting scarlet line, and her eyes, long-lashed and heavily-lidded, flashed in derision at the oblivious gardener as, with a swish of rustling garments, she seated herself upon the bench.

For ten full minutes she nestled there watching, with languid interest, the antics of two white butterflies who fluttered crazily from flower to flower. Suddenly she scurried behind the bench and dropped from view as came another presence into the garden. A presence full of years and bowed by time. A presence in priestly robes, with tansured poll, on whose forehead the scanty locks were silver-gray; who leaned upon a staff and tottered feebly toward the bench with free hand outstretched and eyes dim as fury. The old priest, placid in senility, leaned back upon a bench and nodded in the shade.

A brown head peeped over the high stone back, a small hand stole timidly forth and possessed itself of the white cord-end that depended from the padre's waist, then pulled with gentle pressure, until, in some small wonder, he fumbled at his robe and found his girdle drawn taut. He followed its length with shaking fingers until they closed upon the girl's soft hand; then she laughed happily and, running from behind the bench, nestled close beside him, a rare smile lighted his face and the old eyes peered lovingly into hers.

"Inez, mujerita; what do you here?" he questioned lowly.

"My father is in Santa Barbara, to collect the final payment for the hides," she said. "But where is your duenna?"

"Pouf! Donna Maria takes her siesta at the casa of the Padres, and I—stole away to see you, padre mio." A hand, light as a rose-petal, touched his withered cheek, and he chuckled pleasantly.

"You were ever a wayward chit, even when you were a toddling babe; but now you are let me see—a senorita of eighteen. Why, you are a woman. I truly named you 'mujerita.' You must hasten back to the casa, or Donna Maria will be roundly scolded by your father should he return and find you gone."

She laughed contemptuously. "There is small fear, Padre Gabriel. He is busy with the Americanos. For the hide-drogher sails on the evening tide, and there are many compliments to be passed and much of arguement to be drunk before they part."

He stroked her hair gently. "Come, come; little one," he said, "take my blessing, and leave me to my garden. It will be better so. But return with Donna Maria to-morrow when you may stay longer, and of this visit she need never know."

"Why, Padre Gabriel, you countenance a sin," she chided mockingly. "But you cannot drive me from you. I came not for your blessing, but for your advice."

"For my advice?" incredulously. "What troubles your pretty head, child? Why, Inez, is not your marriage with Don Pablo arranged?"

"Yes. But I do not love him, and I need your help."

"Within the Mission walls, my daughter, there is little known of love," he said solemnly, as he lifted his hand in a protesting gesture. "But surely Donna Maria understands such things far better than his child."

She bit her lip impatiently. "Yes, yes, padre. But Pablo de Reaga is almost forty, and, as you say, I am a 'little girl.' Besides, he has a hacienda and raises vegetables and

THE BROKEN BRIDGE

By CLYDE C. WESTOVER

Written for The California Weekly.

such nasty things, and is fat, and beats his servants, and—and, perhaps, would beat his wife; and I am a daughter of a ranchero, and I love horses and cattle, and despise vegetables!" She stamped her little foot. "It might have been possible six months ago, but since the hide-drogher came and the Americanos, I—I—" She buried her face suddenly on his shoulder and a sob burst from her lips. Slowly he lifted her head, a world of trouble in his old eyes.

"Who is the man?" he questioned simply. "Blush-roses mounted to her cheek. 'I did not say there was one, padre. But I must be honest. I have no friend but you; the others would laugh at me. I hardly know myself, whether it is love, but ever since Senior Marston, the agent of the great ship, came to see my father, my heart beats strangely, and though he is not of our race or our religion and wears strange clothing, queer buff trousers and a great coat with shiny buttons, his face is handsome and his eyes so blue and so honest when they look into mine that I am almost afraid of him.'"

"Have his eyes looked often into yours, mujerita?"

"I—I fear they have; for he spends much of his time at the rancho, and no one seems to notice us. And when we held the fiesta and a fandango in his honor, Don Pablo thought to shame him before my people and proposed that he take part in our games; and when he assented and fell from his horse as he tried to pluck the buried chicken from the dust and was rolled over and over and almost trampled upon by the cruel hoofs, he only laughed good-naturedly at the gibes of the caballeros, while he brushed himself off with his sonbrero, and quite won the friendship of all save Don Pablo."

"And he has won your love?"

"Nay; I did not say so. He has taught me many words of his queer language, and strange to say—'love' was one of the first I learned." She frowned pensively. "But he has said nothing to me, save with his eyes, and I fear to read their message. And his ship sails before midnight," she sighed.

"He is not of your religion, my daughter."

"Therefore I sought you, padre. I know my soul is all in all to you. When I was a tiny child you were my comforter. Is it right to deny one's heart for one's soul's sake?"

"These are strange thoughts, child."

"They mean so much to me. I need your counsel."

"But this man has not spoken to you!"

"No."

"And may not?"

"Your words are true. But my heart tells me that he will seek me before he sails."

"Your body is so a shell; your soul is everlasting. Look to your soul!"

She grasped his arm tightly. "Oh, Padre mio, have you never known what it is to love, to see a beautiful thing that means all in all to you, one with whom you might trust your happiness till the end of your days? And then, when every wakeful moment is filled with thoughts of that one, and every dream besought, your fate descends upon you, and you are swept away in the arms of a great, fat, ugly beast? Is it right? It is my happiness I plead for, Padre. Surely one poor little soul cannot matter so much in this great church of ours. Cannot my sin be forgiven?"

His form straightened for a moment, and in

his wrist there seemed to beat the pulse of sympathy.

She drew his arm closer to her. "It is in your power to give me the power to doom me to an age-long death in life, for I register my vow to the Holy Mother of God that I will obey your will."

She made the sign of her faith, and the aged priest's brow contracted in deep troubled lines ere he answered her.

"Your soul is in your keeping, daughter," he muttered at length. "I will say no more."

She sighed in doubt. "And you will help me if the need arise for strength?" she whispered.

"Aye. If the need arise."

He laid his hand upon her forehead, but even as she raised her eyes she beheld the figure of an Americano standing in the archway, with respectful head uncovered as he beheld the old priest and the maiden on the bench.

She rose quickly. "It grows late, and I—I must return to Donna Maria," she stammered, and left the Padre calling in bewilderment to Pedro Sais. But the gardener had gone. The good ship Pilgrim lay in the open roadstead two miles from shore, with forty thousand hides "steved" into her hold awaiting the return of Marston and the ebbing of the tide.

Roderick Marston, supercargo of the Pilgrim, was a child of wealthy and devoted parents, who, when warned by their family physician that their son's eyesight and his health hinged on a sea-voyage and the abandonment of his college course, exerted their influence to procure him a berth on the hide-drogher. The trip had made a man of him, and he had become the physical equal of many of the hands before the mast. And now, though a year and a half from home, he was loath to return, for his brain tossed with the vision of Inez Carillo. He had escaped from his companions when his business with her father was ended, and had lusted them with many toasts yet to be drunk to the health of his captain and the hospitable ranchero. A piece of silver unsealed a wide-eyed Indian's lips. Thereby he learned that Inez had gone toward the Mission, and he hastened after her.

Her heart leapt wildly when she saw him in the archway, and as she left the dim-eyed padre on the bench and ran to his side, she felt that he had but to stretch forth his arms and she would tumble into them, soul and all. But instead, he fingered his sonbrero nervously. "Will you walk with me, senorita?" he stammered.

She nodded in assent and laid her finger on her lips, touching his wrist as they tiptoed softly through the deserted corridor.

They left the Mission and turned toward the rolling foothills, forsaking the little path that the padres used and passing into the open fields, where, amidst the drying alfalfa, mustard-clover and wild pea vines bloomed; where the silver-grass shimmered; where rank tarweed streaked her skirt, and proud cyclamens bobbed regally above the fox-tails and the timid larkspur.

Dim in the distance reared the gray peaks of the Sierras. The sun mounted, and behind it complained the restless sea. The sun was nearing the horizon when they came to a creek spanned by a rustic bridge and bordered by a small grove of oaks from whose branches depended long gray streamers of Spanish moss, by fragrant bay-trees and an occasional madrone.

They crossed the bridge, a single rough-hewn plank, guarded by a rail of boughs, that swayed rottenly beneath their feet, and as they turned on the farther bank, met and turned to the girl, a light of determination in his eyes.

"Inez, I want you for my wife," he said bluntly. "I know that my speech is harsh in your ears, that I seem strange and uncouth as compared to the gray caballeros of your native land; but surely you will find happiness in my great love." He faltered, and the girl bent her head, while a happy sigh escaped her lips.

Emboldened, he seized her hand. "Tell me that you love me, queridissima," he pleaded. "Surely I have not read the message of your eyes in vain. I have loved you so long it has seemed an eternity to me. I tried to teach you my tongue, and thereby lost my heart. Will you not give me yours in return?"

Her hand nestled close in his, and she looked

up shyly. "You taught me the words yourself, Señor Marston. It is your own fault. I will try to say them in English—I love you," Rodrigo mio.

With a cry of happiness he drew her to him. Her head sank obediently on his shoulder, and her bosom throbbed in unison with his beating heart as, for a worldless interval, they stood beneath the trees. Slowly he raised her head at last. Slowly he bent his own; and, as their young lips met, the spell of Paradise was cast upon the grove.

She closed her eyes, awed by the blue ones above that gleamed with a desiring fire, and dwelt in blissful silence for a space. But, at last, she shuddered and drew herself away, gently disengaging his arms as she sighed in doubt. A sudden evil memory filled her brain, and, standing dejectedly before him, she spoke lowly:

"I had forgotten my soul!"

"Your soul?" He stared in bewilderment.

"Yes, my soul, Rodrigo. We love, but we can never marry." His lips opened in fierce protest, but she silenced him with a gesture. "You are not of my faith, and it is an unforgivable sin to wed outside the church. But I will love you forever, Rodrigo; even though I shall be married to a man I hate. Your kiss is sacred, and Don Pablo can never rob me of it." Then a ray of hope struck her. "Unless you might change your religion for mine, querido," she faltered, "and stay here in California when the great ship sails."

He groaned in despair. "It would be impossible. Even though I might forsake my faith, it would not avail. Your father and de Reaga are all-powerful. The Pilgrim could scarce round the western headland before I would be spirited away on some trumped-up charge, and they would soon marry you to the man of Don Sebastian's choice. No; no. If you love me as you say you do you must sail with me to Boston, where my parents will receive you as you deserve and you will be rated an honest lady in the land."

Her eyes flashed. "You speak not of marriage, now!"

"Why, the Captain can marry us, querido." She stamped her foot in rage. "So! So! I would carry me away without the plighting of our vows! You would prison me on this ship where all are strangers to me! You pretend a great love: but you would have me forsake my people and go into an unknown land without even the blessing of a priest. Do you rate me a wanton, that you hold me in such scorn? No! No! No! No! My soul is in my keeping, and it shall be saved. Go, Señor Marston! Go, before I spit upon you and tell you that my love has changed to hate!"

He protested wildly, but she was deaf to his pleas, and at last, in hopeless agony, he turned and stumbled blindly upon the bridge, while she drew her rebozo proudly about her shoulders and prepared to follow him.

But of a sudden, as he strode heedlessly across the swaying plank, she screamed in fright, for it cracked sharply and, as she clutched futilely at the rail, broke in the middle and dropped him into the water below. He sank to his shoulders, then floundered out upon the opposite bank, dripping and miserable, as she stared at the girl across the creek, who, with hands clasped to her bosom, sobbed in fear.

But even as he looked she screamed again. "El Toro! Dios mio, Rodrigo! El Toro!" A hoarse bellow sounded from beyond the fringe of trees. He became dimly aware of a huge black body rushing toward him, and he instinctively swung himself up into the branches of a madrone just as a pair of sharp horns were thrust into the trunk a foot below his dangling limbs.

The girl called to him wildly, and the bull turned angry eyes toward her. In the creek was a saving barrier and he resumed his attack upon the tree. Rodrigo was by this time ensconced in safety on a higher limb, but the senorita's plight filled him with dismay.

"Inez," he said deliberately, "you must return before sunset to the Mission, or Don Pablo will never marry you, even though you beg him to upon your knees."

She sobbed in affright. "But I—I cannot cross the creek."

"Listen. I will drop down from my tree and draw the bull away. If I dodge from trunk

to trunk until we are out of view you may creep along the bridge and easily slip down the broken rail. It will not fall with you, and the end is but a yard from the bank. You will wet your ankles, but, with Dona Maria's help, no one need ever know." He drew off his coat and prepared to descend. "Buenos noches, querida, and good-bye."

But as he grasped the limb, intending to swing himself to the ground on the other side of the tree, she cried out in protest. "No; no; Rodrigo! I forbid you. You risk your life, and I will never marry you if you leave the tree."

He laughed wildly, and his heart leapt with hope. "Then I will stay here forever, sweetheart."

"No; no; I did not mean that," she stammered. "I—I hate you!"

Without a word he threw his leg over the branch and began to scramble down the trunk, while the great beast snorted angrily beneath him.

"For the love of God, Rodrigo, listen!" she cried again, and he paused in his descent. "Listen! I do love you, and I will always love you. When I said I hated you, I lied. I will wait here all night, if need be, and when they come for us I will go to the ship with you and you may take me where you will. I will forsake my father and my country and my church," she sobbed, "all for you, Rodrigo—all for you. May God deal with you as you deal with me!"

She sank weakly down upon the bank, and through sheer happiness he flicked his coat at the bull who caught the garment upon his horns and, with a quick wrench, tore it from his grasp, boring it viciously into the earth and tearing it with angry hoofs.

"The Pilgrim will not sail to-night, querida," he said, "unless a miracle is performed."

But even as he leaned against the trunk to seek some comfort for his hours of siege a hoarse shout fell on his ear, a Mexican herder, brandishing a pitchfork, appeared at the edge of the grove, and El Toro was driven ignominiously from the field.

Half an hour later a man in wet and clinging garments, with a tattered coat slung over his shoulder, and a very humble maiden stood before a bowlered priest in the sacred garden of the Mission.

"You must marry us, Padre Gabriel, and quickly," said the man, in commanding tones.

"But you are a heretic; and the senorita is bound to another!"

"I will embrace your faith. And the girl shall be bound to no one but me."

"But the church! It is not regular. No, no; your conversion is but a trick. I will not risk her soul."

"Padre," said the girl lowly, "almost within the hour you vowed to help me should the need for strength arise. That need has arisen even now. The need for strength to leave behind all that I hold dear, my father, and my people, and—you. This man's command is my will, for I love him with all my soul, and without him my soul may burn for aught I care."

He raised his hands in feeble protest.

"Listen, Padre. If you do not marry us here I will, with him unmarried, and on your own head will be the burden of my soul's destruction."

Shocked, he mumbled in despair, then lifted his hands, and as they bent their knees be-

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fore him on the sun-baked clay of the garden his gray, drawn face showed wanly in the afterglow.

The twilight had not yet fluttered into darkness when a sudden turmoil disturbed the holy tenants of the Mission, and the unbarring of its portal revealed the perturbed countenance of Don Sebastian Carillo, along with Don Pablo, Dona Maria, Tia Dolores, and a half-dozen servants of the casa.

Padre Gabriel hobbled slowly on the scene, and was besieged with eager questions. When at last the ranchero came to realize the true state of affairs he tore his beard in rage.

"I will board the ship of this pig of an Americano," he shouted, "and you will take the wayward chit to be your wife even yet, Don Pablo—if you still desire her," he added ruefully.

Padre Gabriel raised his quavering voice. "She is wedded to the man of her choice, Don Sebastian," he said, "and the holy ties of Mother Church may not be sundered."

Feebly he made the sign of the cross, and the Mexicans dropped to their knees upon the tiles, while Dona Maria wept softly, and the ranchero, with a muttered imprecation, passed out into the night.

The Emptied World.

I loved you so, no day, no hour
You did not fill! Before the flower
You went. You were the bud's pale dream;
And in the flower you bloomed supreme.
You were all times, and every place
Where beauty was—was but your face!
I loved you so, your voice I heard
If 'twas the carol of a bird,
Or waters murmuring afar,
Or whispered sweets the evening star
Draws forth from all the dreaming world
Of folded nest and bee flower furled—
I loved you so!

I love you so, that hours and days
No longer are, save as a maze
Through which, as through the solid night,
I push to find some point of light!
Nor differing seasons longer are,
Nor bud, nor flower, nor ever star,
Nor answering twilight, nor sweet sound
Of tide called waters seaward bound.
I love you so, that everywhere
Is empty of you—earth and air! * * *
And yet though you are all withdrawn—
And yet though you are dead and gone,
I love you so!

—Edith M. Thomas

Mile Records on Land.

For convenience in comparing speeds made on land by various vehicles as well as by horses and men the following table of mile records has been prepared by a writer in the Metropolitan:

Electric locomotive, 27 seconds, 1903.
Automobile, 28½ seconds, 1906.
Steam locomotive, 32 seconds, 1893.
Motor paced cycle, 1 minute 61.5 seconds, 1904.
Bicycle, unpaced, 1 minute 49.2.5 seconds, 1904.

Running horse, 1 minute 35½ seconds, 1890.
Pacing horse, 1 minute 55 seconds, 1906.
Trotting horse, 1 minute 58½ seconds, 1905.
Man skating, 2 minutes 36 seconds, 1896.
Man running, 4 minutes 12½ seconds, 1887.
Man walking, 6 minutes 23 seconds, 1890.

It will be observed that the difference between the locomotive and the automobile is trifling. For 100 miles the record of the steam locomotive is much better than that of the auto. However, both the electric locomotive and the auto may be expected to show further improvement, as their development is incomplete, while their steam brother has attained about the limit. The horse racing and foot racing records added to the table were all made in recent years. Evidently we breed better and train better than ever before.

First leap-year girl—"I'd propose if I could find a man I thought I could not live without."
Second leap-year girl—"Huh! I'd be satisfied with a man I thought I could live with."
—Chicago News.

Personalia.

The amusing "Letters of a Japanese School-boy," appearing serially in "The Saturday Evening Post," are written by Wallace Irwin, formerly of San Francisco.

Frank A. Nankivell, whose pictures adorn the pages of most of the Eastern humorous papers, was joint-founder with Robert Davis and Alice Rix of "Chic," a paper published in San Francisco several years ago and well-descried by the world which sounds just like the title—when Frenchly pronounced.

Thomas Dixon, Jr.'s, latest novel, "Comrades," is a romance of California and a commendation of certain of the author's ideas of Socialism.

A sale of the dramatic relics of Edwin Booth took place in New York last month, and netted \$20,300. David Belasco and Julia Marlowe were heavy purchasers of stage properties.

The Annie Russell is the newest theatre in New York, to be built this spring by Wagners & Kemper as the home playhouse of Miss Russell. It will adjoin the Lambs Club on West Forty-fourth Street, directly opposite Belasco's Stuyvesant Theatre, and will cost about \$300,000.

John Mason, now starring in "The Witching Hour," and by many considered the best actor of contemporaneous middle-aged characters on the American stage, is a son of the founder of the famous Mason & Hamlin organ business.

The haunting sorrow in the life of J. M. Barrie, the author of "Peter Pan," is the fact that he is childless.

Mark Twain has incorporated himself and has assigned all his property rights in his pen-name to the company, in hopes of perpetuating his children's right to collect royalties from the publication of his books after the copyright expires.

The author of "Who's Who—and Why," in the "Saturday Evening Post," is Samuel G. Blythe, who resigned \$12,000 a year as Washington correspondent of the New York "World" to become a staff writer for the Post.

The author of the famous Wentworth series of mathematical textbooks bequeathed a fortune of \$700,000 to his son, George Wentworth, who inherited also his father's mathematical genius, and who revises the new editions of this series, besides writing new books of like kind.

Helen Keller's teacher and guardian, Miss Sullivan, is now the wife of John Albert Macy, one of the editors of "The Youth's Companion."

John Fox, Jr., is another perennial of the literary summer colony at York Harbor, Maine. He has lately wed Fritz Scheff, the comic opera singer.

Rose Cecil O'Neill Latham Wilson, the artist, is a native of the Ozark Mountains in southwestern Missouri.

Savage, the theatrical manager and promoter of grand opera sung in English, owns a huge steam-propelled houseboat which is usually anchored in Manhasset Bay, Long Island.

The Loafers.

"The right sort of loaf," said the sportsman, "can go out hunting day after day and not care whether he gets anything or not."
"I know a number of the wrong sort of men who feel just that way."

"Yes, but what they are supposed to be hunting for is work."—Catholic Standard and Times.

A Boost.

"San Francisco now has a weekly paper with a staff in control composed of such able and honorable men that the public can rest assured that, as long as their names appear as The staff of The California Weekly, its columns will be free from colored reports of every description."—Berkeley Courier.

Dividend Notice

San Francisco Savings Union

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For the half year ending December 31, 1908, a dividend has been declared at the rate of four (4) per cent. on all deposits, free of taxes, payable on and after Saturday, January 2, 1909.

Depositors are entitled to draw their dividends at any time during the succeeding half year. A dividend not drawn will be added to the deposit account, become a part thereof and earn dividend from January 1st.

L. ORRILL WHITE, Cashier

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GEORGE TOURNEY, Secretary.

NOTICE

In the Superior Court of the City and County of San Francisco, State of California. In the matter of the Application of Leavitt Lumber Company, a corporation, for Change of Name.

Leavitt Lumber Company, a corporation, having filed its application praying for authority to change its said name to Castle Lake Lumber Co.

It is ordered that an hearing be held on said matter appear before this Court at ten o'clock a. m. on the 1st day of February, 1909, at the Courtroom of the above entitled Court, Department No. 8, to show cause why the application of said Leavitt Lumber Company should not be granted. Let a copy of this order be published for four successive weeks in The California Weekly, a newspaper of general circulation printed in the City and County of San Francisco, California.

Dated December 21, 1908.

GEO. A. STURTEVANT, Judge.

J. B. Richardson, attorney for Applicant, Bacon Bldg., Oakland, Cal.

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Remembering this it will be profitable to devote one lesson to a hurried review of the men who gave us our Constitution of the United States. Tradition would have us believe that they were a grave and reverend body of men, pious to a degree, working with motives of the broadest patriotism.

They had wrangled for several weeks without making headway when Benjamin Franklin rose in the dignity of his eighty-one years and spoke in part as follows: "Groping as it were in the dark to find political truth, and scarce able to distinguish it when presented to us, how has it happened, Sir, that we have not hitherto once thought of humbly applying to the Father of lights to illuminate our understanding? In the beginning of the contest with Great Britain, when we were sensible of danger, we had daily prayer in this room for divine protection. Our prayers, Sir, were heard and were graciously answered. To that Providence we owe this happy opportunity for consulting in peace on the means of establishing our future national felicity. Have we now forgotten that powerful friend? Or do we imagine that we no longer need his aid? 'Tis true, we have lived, Sir, a long time and the longer I live the more convincing proofs I see of this truth—God governs in the affairs of men. I firmly believe this and I also believe that without His concurring aid we shall succeed in this building no better than the builders of Babel. I therefore beg leave to move that henceforth prayers imploring the assistance of heaven and its blessings upon our deliberations be held in this assembly every morning before we proceed."

Objections were made for a variety of reasons, the question was never put and the deliberations of our makers of the national constitution were sanctioned by only such prayers as the delegates breathed in their individual capacities. It was not so much of a God-fearing as an interest-fearing assemblage.

And yet some of the framers of our Constitution of the United States realized that they were building for ages. They believed that the future of republican institutions on this globe was in their keeping, that if their work was successfully done the whole world would ultimately become republican, but that if their attempt to establish a free government upon this continent should fail it would prove the death knell to republicanism throughout the world. Is it not strange that men who so well realized the importance of the task committed to their charge should have allowed their deliberations to proceed without formal prayer?

Perhaps, in the light of the conduct of our present day legislatures and state conventions, our honored forebears do not suffer so badly by comparison. They neglected, it is true, to open their deliberations with prayer while every session of our congresses, legislatures and conventions are all so opened, but straightway our members and delegates quite usually fall to "doing politics," "taking orders," and making nominations and elections from the political bargain counter as though there were neither a God in heaven nor a Satan in hades. At all events our constitution makers were not hypocrites.

Nevertheless the atmosphere of that first constitutional convention is worthy the close study of every person who would lay hold of the spirit of our American institutions. Those men builded better than they knew, so much better and broader than what they said

and did gave evidence of their being capable of building that we cannot lightly pass over the declaration of the good and great Dr. Franklin that, "God governs in the affairs of men."

The besetting sins of their time were a cramped range of sympathy and a fore-shortened view of the future, but we should remember that in those days there was not a railroad or a steamboat, a telegraph or a telephone and travel was slow and costly. Men knew little of each other's states and cared little. The political mind was filled with almost nameless dreads, dread of monarchy, of democracy, of aristocracy, of interference and intrigue from the nations of Europe, dread of anarchy at home. Each colony felt that if it could be left alone unhindered and unhelped 'till the end of time, just as it then was, the measure of its cup of bliss would be filled to the brim. Only now and again was there a citizen wise enough to foresee that this could not be.

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This is to remind you that EDGAR C. HUMPHREY is the pioneer specialist in property from San Mateo to Menlo Park and about the Stanford University. Homes for sale and lease. Acres for sale. Offices Call Building, San Francisco, and Palo Alto. Residence, Menlo Park. Three phones.

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In taking this pledge it is distinctly understood that I in no way obligate myself to vote for any particular party, any definite candidate or any certain measure. I am binding myself only to my Country, and pledging myself solely to the faithful performance of the duty I owe to her as a citizen.

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Age

Address:

WHY TAKE THE FOREGOING PLEDGE?

Those taking the foregoing pledge, signing and sending it to this office, will be enrolled upon The California Weekly's "School for Citizenship," which will be a permanent feature of this paper. It will entitle the person sending in his name to have answered, either through the columns of the paper or by letter, any rational question he may ask concerning public affairs, and, generally, by the person best equipped to afford the desired information. It will also entitle the signer to such special literature bearing upon the obligations and opportunities of good citizenship as may from time to time be issued. While this pledge is open to persons of all ages it is especially desired that it be taken and sent in by young men lately become voters or who will cast their first votes two years hence. It will take but a moment to clip out the pledge, sign, enclose in an envelope, stamp and address to "School for Citizenship," office The California Weekly, 26 Montgomery Street, San Francisco, and it opens the way for a liberal education in citizenship.

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THE LEGISLATURE.

The new legislature starts out encouragingly. It is "organization," of course, where party lines are drawn, but they are not drawn on most things, and where Democrats and Republicans can combine, at least one test vote has indicated that the insurgents are numerous enough to control. This implies, of course, the support of those Democrats who are non-partisan for partisan motives, as well as of the sincere reformers, and of some Republicans who are at best near-reformers, but there will probably never be a majority without some mixture of motives, and this is at least a good beginning.

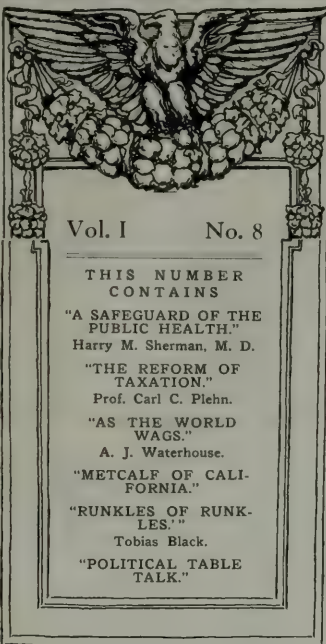
Lieutenant-Governor Porter, with the arrogance of irresponsible power, has organized the Senate in blatant defiance of the better sentiment of the State. Speaker Stanton, nearer to the people and dependent on his colleagues, has organized the Assembly with more consideration. The organization has the best of it, but the reform element has received some degree of recognition, and the committee on public morals, probably for the first time in its history, is positively and aggressively decent. If this is the sort of appointments Stanton could make, to the one important committee from which the organization kept "hands off," we can only regret that he did not get his position of speaker under conditions which left him free to exercise equal independence in other respects.

This legislature bids fair to be one of the most important California has known, since the epoch-making days of the adoption of the present constitution. There have been few legislatures with so much constructive legislation of importance pending, and none in recent years which showed so good a prospect of passing it intelligently.

MUST ANSWER.

Senator Perkins has been re-elected, as was inevitable, and the brief effort to organize an opposition to him accomplished nothing more than to demonstrate to the sceptical, by actual trial, that it was hopeless from the beginning. It was morally creditable to have made the effort, but it would probably have been Quixotic to carry it much further.

But the question which the Republican caucus refused to ask Senator Perkins is one which he must nevertheless answer to the people of California. Senator-elect Bristow, of Kansas, who made the official investigation of railroad conditions in California and probably understands them better than any one else, states in writing that one of the principal obstacles to establishing a government line of steamers, to connect with the Panama Canal on the Pacific side, as has already been done on the Atlantic side, is the fact that both senators from California are opposed to it. If this is the fact, the people of California want to know why. Probably neither senator will avow as a reason his political affiliation with the railroads which control the existing steamboat lines, but this is the motive the people will suspect, and the senators, if they acknowledge the position and avoid a public



motive, will have to make their explanation strong enough to rebut this presumption.

CALHOUN'S "VINDICATION."

The legal trial of Patrick Calhoun will now demonstrate whether it is legally possible to convict Calhoun of crime in committing an act which all his friends and defenders freely avow he did commit. That is a matter in which our law and our courts, rather than Calhoun, are being tried, and for the present it is a matter to be fought out in the courts rather than in public discussion. The more immediate public concern is the defense Calhoun will make before the bar of public opinion. The law gives Calhoun the right not to make that defense at all, if he chooses. He can confine his efforts to keeping out of prison, and if he succeeds he is entitled to his reward—which is to keep out of prison. But Patrick Calhoun has been holding his head very high in this community, and professing a vast degree of moral indignation at the injustice of the charges which have been made against him. He has been "demanding a trial" (and privately consenting to its postponement) these two years, not to keep out of prison, but for "vindication." Well, the time has come

for his vindication. And there are just two ways to get it. One is to prove that he did not pay Ruef that \$200,000, and either that it was not paid, or that he has ever since sought diligently but vainly the criminal who stole it from him and paid it. The other way is to acknowledge that he paid Ruef the \$200,000, or authorized it done, but that the payment was a legitimate and morally defensible fee, for legitimate legal services. If Patrick Calhoun can demonstrate either of these things, his vindication is assured. But the curious fact is that, with all the whisperings of defense and palliation, these two years, neither of these defenses has been so much as hinted. If Calhoun is really innocent, in either of these two only possible ways of innocence, then he has good cause of action against all his friends and apologists.

JAPANESE FOR JAPAN.

Vast indignation is professed (for political purposes) by the opposition press in Japan at the introduction of bills in the California legislature restricting the ownership of land by aliens. After the professions of "friendship for Japan" on the visit of the fleet, these proposals are described as distinctly inconsistent with those professions.

It is a curious confusion of thought. Japan is not buying farms in California, but Japanese are. California is friendly to Japan, but does not sell its soil to Japanese farmers. To admire a nation, and to want to sell our territory to its citizens, are two very different things. Japan is friendly to America, but an American cannot own land in Japan. We do not object to that, as a nation, even if some individual Americans may not like it. The policy is Japan's right, and is, moreover, very good policy.

The Japanese people, and the American people too, may as well understand that California's friendship to Japan is too great to desire the expatriation of the citizens of so friendly a power. We admire Japan, and wish its success. Also, we wish Japan to have the assistance of all its citizens, in Japan, to contribute to that success. We want Japanese to be Japanese, and we hope the Japanese will make it. But we want Californian success to be American, and we do not wish the Japanese to annex it. Any foreigner who will become an American, we welcome, and we will sell him land, to raise an American family on. But the Japanese, by the laws of this nation, and by the still more immutable laws of heredity, cannot become an American. Therefore, in friendship to Japan, we do not wish to deprive Japan of any of its population, or of the national credit of any Japanese success.

Senator Ben Tillman has enjoyed the reputation of being money-honest and as honest otherwise as a blind partisanship can permit a man to be. This reputation may have been founded upon his ruggedness of character. We are prone to regard the blunt, blustering man as honest without looking deeper. Senator Tillman will now have to make good before the American people or take his place in the Ananias Club.

GOVERNOR GILLET ON PAROLES.

Some of the most sincere portions of Governor Gillett's recent message to the legislature are to be found in the chapter on prison affairs, and he appears to be especially interested in paroles. He has been so much impressed with the advantages of the parole system that he has laid down two absolute rules. First, no prisoner eligible to parole will be pardoned until he has first been liberated on parole and has given a good account of himself. Second, all paroled prisoners who conduct themselves properly for not less than two years will be pardoned.

These rules are not original with Governor Gillett. Other California governors have done practically the same thing he is doing; but Governor Gillett is the first to make public announcement of the adoption of such rules. He goes still further in his enthusiastic confidence in the efficacy of paroles and proposes that the restriction of parole privileges to first terms be removed and that all prisoners be made eligible to parole.

In spirit the governor's zeal is excellent, and the practical operation would be ideal if we could feel full confidence that the Board of Prison Directors would always show sound judgment in the selection of prisoners to be paroled. Observation casts doubt upon the correctness of such an assumption.

The working of the California parole law has been such, in recent years, as to give liberty to a large number of life-termers. As originally enacted, the law did not permit the parole of life prisoners, but one particular prisoner, who had been convicted of murder, was able to muster influence enough to have the law amended in his interest, and since that time many other murderers and probably some highway robbers who had been given life terms, have gone out by the parole door. A reasonable liberality in the application of the parole privilege to life prisoners would not be an occasion for criticism, but it has been carried beyond reason.

This is the other side of Governor Gillett's advocacy of paroles as an ideal prison policy. The moral of it is that the Board of Prison Directors should take a broader view of the subject and realize that good conduct in prison is by no means the only thing to be considered in connection with paroles; nor is the reformation of the criminal, important as that element in penology, the sole consideration, for, if it were, hanging murderers would be entirely indefensible. There are some crimes, of which murder is the chief, which society, as a measure of self-protection, must punish with a heavy hand, and five years in San Quentin is not an adequate alternative for a death sentence.

As far as pardoning second- and third-termers, to put recidivists upon the same plane of consideration as those who have taken only the first degree in crime, would be a violation of all sound theories of penology.

SIERRA WATER.

Municipal ownership is not, of itself, an issue, to be either advocated or opposed. In Oakland, with the Contra Costa Company giving poor service at extortionate rates, that issue was of pressing public importance. With the People's Water Company in charge, giving good service at fair rates, the issue has only an academic interest, and is little discussed. Municipal ownership must depend for advocacy or opposition upon the state of facts in each case.

The bringing of Sierra water to the bay cities makes the discussion of municipal ownership almost not germane to the issue. There isn't any other way of bringing water so far at such great cost. Therefore, whether municipal ownership is a wise work well or ill for the city to do is the question. The question before the people is: Do these bay cities want "Sierra water or do they not?"

THE STAFF

A. J. PILLSBURY, Editor and Manager
CHESTER H. ROWELL, Associate Editor
J. WATERHOUSE, Assistant Editor
E. FRENCH STROTHER, Assistant Editor
O. BLACK, Business Manager

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They want it, if not just now, then before very long. They want it because it is perfectly good water, while that which they now have is barely potable. They want it because the Sierras can supply plenty of water and a growing population needs an abundance—enough to waste some if they want to without moral reproach. God made lots of water.

No preferred claim to water for irrigation, or other purposes, can stand against use for domestic consumption by an urban population. That is such a "manifestly greater public use," as to make final ownership a subject of no doubt. There may be expense attendant upon the condemnation of acquired rights to water for inferior uses but not greater than the use for a superior purpose can afford to pay.

How the bay cities shall combine to work co-operatively in bearing the huge expense is matter of detail. It cannot be that, as a condition precedent, they must all be incorporated into one greater San Francisco. The impossible is never a prerequisite to any legitimate enterprise. A co-operative water district might be readily provided.

There remains, then, only the will to do the thing and a way to dispose of existing water plans. This may prove difficult but not insurmountable. Add two or three lines intelligently written to the Statute of Eminent Domain, giving cities power to acquire existing public service properties by condemnation, and a way will be opened. This statute has mainly been employed in taking private property for corporate purposes, but it cannot be wrong occasionally to take corporate property for public purposes.

This being the gist of the matter the present would be a good time for those interested in bringing Sierra water to the bay cities to take steps to have that statute amended to this effect. It should have been done long ago.

THE CRY AGAINST SUCCESS.

Ever since there came to be property there has been an unequal distribution of property, and ever since there has been an unequal distribution of property those who have had little have envied those who have had much, and those who have acquired much have entertained a contempt for those who have acquired little. This has been a matter of feeling rather than of reason, and has generally yielded to reason when there has been reason for yielding.

But it does not follow that this tendency accounts for all cases where the propertyless mass cries out against those who have property. There is unequal acquisitive adaptability among men and, so long as that inequality exists, there must exist inequality of condition. And so long as the multitude goes rickshacking down the broad path of unconcern there must be hump-backs looking to receive and hold what the heedless let go. Every person capable of sober thinking sees this and

no person, on sober second thought, cries out against honest success or fails of discriminating against dishonest success. It is only where wealth is predatory that it is inveighed against.

The efforts made by predatory wealth to make it appear that financial ineptitude enervates all wealth should not be permitted to confuse the public mind. That effort is being made only that predatory wealth may hide behind the wall of respectability that honest wealth had been at great pains to build. "How did he make it?" is a legitimate inquiry in every instance.

REFORM OF TAXATION.

Attention is called to an article on another page written for The California Weekly by Prof. Carl C. Plehn, secretary and expert of the State Commission on Revenue and Taxation. Professor Plehn was the architect of the taxation amendment voted on by the people of California last November, and which failed of adoption by a comparatively narrow margin. It is due to him, however, to say that the amendment was not submitted to the people precisely as he would have had it go to them. To the recitals of facts and expressions of opinion in Professor Plehn's article few persons observant of the course of recent events where problems of taxation are being seriously considered will take exception.

Of objections raised to the amendment the two most serious were the inflexible character of the rates of tax on the gross earnings of corporations, and the excision of the corporations specifically taxed from a general property tax in the event that it should be necessary to levy such a tax for State purposes.

Changes should, if possible, be made to meet both of these objections. As originally prepared, the amendment allowed a change in the gross earnings tax rates once in six years by act of the legislature, and it seems it would be well to restore that feature in the revised draft.

Also, it ought to be provided that if the revenues set apart for the support of the State government prove insufficient, and it is necessary to levy an ad valorem tax, it shall fall on the property of the corporations paying gross earnings taxes in common with all other forms of property. With these two changes the amendment will stand a first-class chance of being ratified in 1910.

The people of California have reversed their votes on constitutional amendments often enough to justify resubmission when, as in this instance, the proposition is important and the adverse majority not overwhelming. Last November the amendment increasing salaries of State officers and changing the compensation of members of the legislature were adopted, and yet they had been voted down at the preceding election. The amendments raising judicial salaries and creating the district courts of appeals were adopted after having been once rejected. There is no reason why those interested in placing the taxation system of California on a sound basis should relax their efforts or despair of success. When the people understand the proposed system they will want it.

There is no party offense so heinous as bolting a party caucus—when "jay" reformers from the country do it. But when metropolitans of the push do it, then it is only local loyalty and independence. Witness the agreement of the San Francisco Democrats in the legislature to refuse to support, for the Senate, J. O. Davis, as clean a man and as representative a Democrat as there is in the State, and to bolt the caucus in the interest of Harry Flannery, who may be a good fellow, for all we know, but who is known to fame only as a San Francisco saloon keeper, who contributed \$4,400 to the campaign fund.

Really Quite Human.

Two warring tongs in California lately signed a treaty of peace. The wars between Chinese tongs are on a parity with the feuds of Kentucky. Both take their rise from the failure of the law to establish justice and maintain order and, therefore, each person, family or clan becomes its own judge, jury and executioner. It is bad business. The reason it is bad, according to the articles of peace above referred to, is that, "The commerce of the Chinese section of San Francisco has been injured." Therefore, the document goes on to explain, "the six companies are determined that this war must cease." Chinese ingenuity has failed to devise any means whereby a vendetta may be waged and men killed without hurting business. If such a means had been devised, we are permitted to presume, the tongs would be permitted to indulge in their perfectly killing diversion without hindrance from the Six Companies. Business first, justice afterward! It is remarkable how many really human characteristics those Chinese have.

Going Out Like a Lion.

There are those who love a fight. The President is one of them. There are others who do not reciprocate that affection and wish from the bottom of their sweet hearts that the President and Congress might patch up an armistice to last until the fourth of March. The California Weekly does not sympathize with the pacificators. The President has found an opportunity to air a few skeletons that needed airing and that he could not well attend to before. It is a pity that he could not have made the issue before election. If Cannon, Tawney, Sherley and Fitzgerald had been placed in their present plight before election the voters in their several districts would have seen to them. A love feast at the end of the administration will not change the course of history. It will be remembered that the President came into office like a lamb. It will not ill behoove him to go out of it like a lion if the gray wolves make it needful. Deuce take the properties! What the public needs is to know who's who.

Eliminate the Quack.

Attention is called to the thoughtful and readable article, elsewhere in this issue, prepared for The California Weekly by Dr. Harry M. Sherman, a physician of San Francisco of unexcelled personal and professional standing. The ailing public needs to be protected from quackery and mediaeval superstition. All women and almost all men are born doctors. They are ready upon the instant to prescribe, free of charge, for any malady from cough to cancer. That can't be avoided. It flows from those springs of sympathy that well in all breasts, except those of human crabbles, but when one sets himself up as a practitioner for pay he should know as much of the mechanism of the human body as an itinerant tinker knows of a clock, and it should be the State's business to know that he does know. The State can act only through a board of examiners. Examinations under best conditions leave much untold, but will let into practice ten who are unfit where they will shut out one who is fit to saw other men's bones or douche their viscera with drugs. The undertaking industry does not need fostering.

Doctor Wiley.

At the distance of California from Washington the head of the National Bureau of Chemistry resembles a red flag of defiance and the impulse is to put him out of commission. He has hurt us, or, at least, has tried to do the thing that would inconvenience us, therefore he is not our friend. And yet to Doctor Wiley more than to any other one man the Nation

owes its pure food laws. The services performed have been of incalculable value and no little injury. California fruit growers do well to hold their ground until the injurious effects of sulphur are made clear, but this should be done without trying to extinguish Wiley. The truth of the issue must eventually be established and when established it must prevail, cost what it will. Meantime, let Wiley go on experimenting upon his poison squads. He will work more benefit than injury except to the squads.

Good Things.

That certain newspapers are being paid to misrepresent facts relating to the graft cases in San Francisco is matter of common knowledge. Such papers should be prosecuted for receiving stolen money. Having been convicted of this, they should be promptly prosecuted for receiving stolen money under false pretenses from the bribers. Any pretense that they are shaping public sentiment is fraudulent, and the work is sometimes overdone with the express purpose of producing a reactionary effect and so undoing the evil they were paid to do. What good things and how gullible these predatory nabobs must be to be separated from their cash on such shallow pretenses?

Very Foolish.

Members of the House of Representatives have been very foolish in allowing their concern for the dignity of their house to be used for a shield behind which the gray wolves may skulk to escape the well deserved shots with which the President has been peppering them. The blunt facts are that the secret service bureau was designedly crippled, that the President's work of smoking the rascals out was designedly hampered, that these things were done on behalf of predatory interests and that Joe Cannon and the house committee on appropriations knew what was being done and why it was being done. These men deserve the pillory. The house made itself ridiculous and has not helped the plight of the men who were directly responsible. They have been branded, and not from a paint pot. It was done with a hot iron and they are marked men, as they should be. It is regrettable that only one member of the California delegation stood by the President in this conflict.

The First Theatre at Forty-Five.

A clergyman lately confessed to having been to the theatre for the first time at forty-five years of age and his confession was unaccompanied by contrition. This renders hope for him less buoyant. He should have run up and down the theatrical scale from nickelodeon to Shakespearean tragedy and from concert hall to grand opera. He would have found much to condemn, as all observing persons do, but his condemnations, being intelligent, might have counted for elevating the stage to the great and good educational force it should become. A great educational force it is now, but not always good, yet the homely virtues, the everyday fidelities and integrities of life, are vindicated upon nearly all stages, and these are the hits that bring out the heartiest applause. What the American stage needs is, what the German and French stages have, a discriminating audience, and this ministers of intelligence and dramatic education should be able to help supply. Satan should not be allowed to have a monopoly of so great a power for social uplift and education.

A Health to Mr. Heney.

It is as plain as day that but for Spreckels, Burns and Heney the rottenness of San Francisco civic and commercial life would neither have been exposed nor remedied. The good work must go on. A health to Mr. Heney!

The Deeper Significance : : : : of Living : : : :

We are all children, and we seek a wonder. So we study occultism, and look to telepathy for the door to the subliminal self; we join new religions for the cure of bodily ills, or affect strange medical cults for our soul's salvation. There is an atmosphere of faith and a worship of mystery characteristic of this day of enlightenment, and this is evidently responsive to an inward need.

But why seek so far for mystery, or, like the frothing oracles of old, see the spiritual only in the abnormal? Hypnotism and telepathy are strange things, but sleep and love are more wonderful. That mind should communicate direct with mind may be unusual, but the miracle is that body should communicate with mind—that your thought should become vibration of air or ether, and then, by chemical stimulation of nerve, become my thought. Of all the mysteries of life, that is the hardest to explain, and yet of all the happenings of life it is the most familiar. The subliminal self has become a fad, and men seek it in pathological manifestations of dubious personality or occult clairvoyance. These are interesting, and they may be useful, when they bring the subliminal into the supraliminal, where we can examine it by the light of syllogism and sensation, in whose use we are more expert. But the subliminal self is no more mysterious than the conscious self, and is much older and more universal.

Since the beginning of life in the world, its problems have been solved with the most astonishing intelligence, and this intelligence became conscious only comparatively late in the evolution of animal life, and only since yesterday it is become partly rational, in our poor brains. It was by the intelligent solving of its own life-problems that the thinker invented the thistle-down, but no one will claim that this intelligent was conscious or rational. Neither will any one deny to man the possession of precisely the same intelligence, to guide the marvelous laboratories of digestion or the intricate engineering of circulation. Most of the selfhood of things is what we call "subliminal," merely because it finds expression through other organs than the human cerebrum.

So conscious reason seems to be that small portion of the Self caught up and accessible through the organism, or the cerebral cortex. What is higher and lower than that is not another Self, but merely the more important remainder of the whole personality. Sometimes an abnormal brain develops a cortical sense of the subconscious or the supraliminal, just as an abnormal eye might see by the ultra-violet or the X-rays, but the mystery is not in what is revealed by this occult vision, but only in the abnormal manner of its apprehension. The great Mystery of life is not occult, but universal and familiar, and he who has attained some vision of the miracle of common things will not be much agape at occasional evidences of uncommon faculties of seeing those things.

This wave of occultism is no doubt only a reaction against the exaggerated rationalism of recent tendency. Truth is essentially a mystery, and the commonest truths are the most mysterious of all. Shallow thinking is deprived most of us of the common mysteries. Because we use scientific names of the forces with which we deal, we cease to figure them in terms of myth and miracle. But a just instinct refuses to be satisfied with so superficial a solution of things, and because it is easier to satisfy the instinct with mysteries that have not yet been named and classified, we wander off after occult intuitions of the supernatural. It may be worth while, since some of these phenomena are certainly actual and therefore worth studying. But may we not fairly anticipate that when the wonderful mystery of common things is again more generally realized, the abnormal and the occult will fill as small a place in religion and philosophy as they do in life?

THE WORLD AT LARGE

Civic Party in Pittsburgh.

It is comforting to San Francisco to note that Pittsburgh is going about its regeneration much as San Francisco went about hers. Affairs have not come to quite so bad a pass there as here for the reason that San Francisco is only emerging from smoke while San Francisco was forced to emerge from ashes, but party lines are being pretty effectually disarded there in favor of a civic league, as here in favor of a good government league. In both cities the regular party organizations had fallen into the hands of His Majesty, the Devil.

No Leak In Tariff Discussion.

With the purpose of making the extra session of Congress as short as possible the Ways and Means committee of the House are hard at work behind closed doors threshing out the new tariff schedules. Not a word is allowed to leak out as to what action is taken regarding any article, with the result that the protected interests scarcely know how to keep busy making the lives of the committeemen miserable with representations showing that the smallest reduction in tariff rates on their commodity will paralyze their particular industry and spread ruin broadcast. It will be remembered that the protected interests had their hearing before Congress assembled. The less outside aid afforded the committee the better the schedule likely to result.

Der Kaiser's Castles.

Kaiser Wilhelm is hard pressed for cash. He and his household have been extravagant, and it is not impossible that he may have been caught on the wrong side of the market in American speculations, as it was at one time reported that his Uncle Edward had been. Anyhow, retrenchment is the word in that family and it is seriously proposed to place some of his castles on the market to be sold for the relief of the household exchequer. The Kaiser has only fifty-two castles and imperial homes, a portion of which he never sees and only a few of which he is able to occupy at all. The cost of maintenance of them all is by no means inconsiderable.

Black Snow.

Sir Oliver Lodge is seriously grappling with the fog problem in London and is able to report progress. By discharging heavy voltages of electricity into the atmosphere at short intervals, and from many radiating points, he is able to precipitate the particles of moisture in intervening spaces, upon laundry linen out to dry, in the form of black snow, very unlovely and something less adhesive than tar. The radiating points would be difficult to establish on San Francisco Bay, but even black snow with a clear atmosphere, might be preferable to some of our fogs that leave no space for any atmosphere at all.

Convention On Criminology.

The Northwestern University School of Law, near Chicago, is to commemorate the fiftieth year of its establishment by holding a national convention for the discussion of criminality and related problems. The convention will be held in June next and arrangements are making to bring together the best equipped minds the nation affords for consideration of the subject in all its forms. There will be present those who will treat the subject from the standpoint of psychological research, from the point of view of the best practical penology and, likewise, from that of the task of apprehending and punishing crime

when detected with reasonable certainty and dispatch. When Society sets itself to the solution of serious problems it generally manages to find a way out of difficulty, or so near out as to make conditions tolerable, and it is not too much to say that the problem of criminality, high and low, has stirred the American mind profoundly. This convention should prove of great service.

The Man Who Did It.

There has been no recent decision of the supreme court of the United States more important to the country than the "eighty cent gas" decision. The tendency has been to give the credit for handling this case to Judge Alton B. Parker, but William P. Burr, a rather obscure assistant corporation attorney in New York city, was the man who framed up the case and fought it to a successful termination. Judge Parker was merely of counsel. One of the features of this case that incenses the public mind against public service corporations was the attempt of the gas company to make out a capitalization of \$100,000,000 upon which dividends should be paid. A searching judicial inquiry reduced this sum to \$42,000,000 with a possible \$12,000,000, additional, depending upon how the case should be decided. It was decided that this item of \$12,000,000, for good will, which the people gave in the form of a franchise, could not be made a part of the capitalization for taxing gas consumers. Mr. Burr has conferred a great favor upon American municipalities and should be given the credit for it.

The Trouble In India.

A condition of profound unrest still pervades India, and the British government is taking steps to forestall eventualities. Many women and children of British officers and civilians in India are being sent to England or to some nearer British colony for safety, and yet the factions among the East Indians hate each other rather more cordially than either of them hates the English. At Titagur lately the Hindus attacked the Mohammedan mosque in great force, because the latter had been accused of sacrificing sacred cows therein, and the soldiery had to be called out to separate the combatants. While there are fewer Mohammedans than Hindus in India, there are 80,000,000 of them, all fighters and quite able to hold their own against the Brahmans. If England were out of the country these fanatics would be at each other's throats in a jiffy. England's mistake in India appears to have been its disinclination to push education whereas, in the Philippines, Uncle Sam is making education the corner stone of the civilization he is striving to build, a far better foundation, we may be certain, than that of playing off fanaticism against fanaticism as the English are doing in India. If the Mohammedans and Hindus in India were able to stand together for a common patriotism they would make short work of British rule in that densely peopled peninsula.

Bleaching Flour.

Our California fruit growers are not the only producers having serious trouble with the pure food department of the national government. The millers of the Northwest are also in arms. The intelligent consumer feeds his stomach with his eyes instead of with his appetite and therefore takes to red apples, white flour and bleached-out fruits. Whereas it formerly required sixty days to bleach out flour, it is now

done by passing electricity through the product in process of reduction in the mills. It is complained that the office of the chief chemist at Washington at one time approved the process as not having a deleterious effect on the flour but now condemns it. Another source of trouble has arisen out of the use of durum wheat, at one time commended by the Secretary of Agriculture, but now the Pure Food Bureau treats its introduction into flour as an adulterant and has caused much trouble and loss by seizing shipments of flour found to contain durum. The point of difficulty appears to be that the official chemists have changed their minds as to the bleaching process and the admixture of durum wheat with other varieties in making flour while the millers are of the same opinion still.

Hard Bondage.

The condition of the Congo country is still a serious problem in the minds of humanists. It was hoped that the change from a mere crown appurtenance to a Belgian colony would work some amelioration in the condition of the poor blacks, but the only result appears to have been the transference of King Leopold from the foreground to the background of affairs without restraining the whip hands of his slave drivers or the extortions of corporations holding concessions in the colony. Efforts are again making to bring the whole subject to the attention of civilized Europe.

Two dozen New York restaurants alone served 40,984 quarts of wine (mainly champagne) of an estimated value of \$286,168, on New Year's Eve.

A new world's record for the 100-meter dash was made in Pretoria, January 1st, by R. E. Walker, of South Africa. The time was 10.2-5 seconds.

The one-real slate blue Philippine stamp of 1854, showing the misspelled word "Corros" is now worth \$80 unused and \$75 used.

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A SAFEGUARD OF THE PUBLIC HEALTH

By HARRY M. SHERMAN, M. D.

In the Outlook for the 19th of December of last year, Dr. Henry S. Pritchett of the Carnegie Foundation for the Advancement of Teaching, has an exceedingly valuable critical consideration of the present methods of teaching in medicine, law and theology viewed from the standpoint of the layman and not from that of the pedagogist. In general he points out that the layman, be he well or ill educated, is still somewhat looking for a specific which will cure all ills, or a short cut to knowledge which will save the tedium and expense of the schools and the result is that there are in the three professions too many men and the majority too poorly educated, so that the country at large is getting a service which is not what it should be and not what it may be made if the people wish for a betterment. Putting law and theology aside, consider a little bit what Doctor Pritchett says regarding the demand the layman should make of medicine, for medicine comes closer to us all than can either law or theology, for law deals with our rights or our possessions, theology with our hopes and expectations, but medicine deals with our persons in the most intimate manner, and so far as we really know our persons are ourselves.

Groundwork of All Practice.

"For intelligent treatment of the great number of diseases we must depend on the honesty, the intelligence, and especially on the training and experience of the medical practitioners whom we consult. For training all practitioners, whether of one school or another, are dependent upon the knowledge of certain fundamental sciences, physiology, anatomy, chemistry, and the like. In fact, the practice of medicine is nothing else but the application of these fundamental sciences, just as the practice of electrical engineering is simply applied physics, mathematics, and mechanics. The general public cannot possibly differentiate between the various medical sects. The ordinary, prudent, intelligent person who values his health as well as between allopaths, homeopaths, or eclectics, for example. The only possible protection he can secure is to insist that the medical practice should be first of all a well-educated man, and secondly, that he shall have been thoroughly grounded in the fundamental sciences upon which all medical practice depends. The only defense which he can hope to secure against the incompetent or fraudulent practitioners of medicine is to obtain such legal regulation of medical licensing and such expert scrutiny of medical education and the admission to practice as will guarantee the thorough preparation of authorized practitioners in the science of the day. The rights and the interests of the public can be conserved only by requiring all candidates for practice—whether they be allopaths, homeopaths, eclectics, osteopaths, Christian Scientists, or faith healers—to show evidence of a thorough grounding in these fundamental sciences before being permitted to practice."

How California Law Protects Public.

Let us see, now, how the California law which has been enacted through the efforts of the physicians of the State, conspires to the inhabitants of California, what we may call their right to the best, in the light of what Doctor Pritchett says. According to this law no man or woman can practice medicine in the State of California who has not, after an examination, been licensed to do so by the State Board of Medical Examiners. Without going into the details of this examination is such as to be a fair and adequate test of the applicant's knowledge of medicine and surgery. All applicants, no matter what may be their "school," are obliged to take identical examinations in all subjects. There are no examinations on therapeutics or practice, but for these are substituted diagnostics and hygiene, for it is obvious that a man who knows the nature of a disease from understanding its pathology and knows how to recognize that disease from the study of the methods of its diagnosis, cannot go far wrong from correct practice no matter what may be the erratic ideas of the founders of the school to which he has given allegiance; that is, an osteopath understanding the pathology of typhoid fever would be restrained by that very knowledge from attempting any massage of the abdomen, and a homeopath who believed in plugging the pores of malaria would be certain to know the amount of quinine necessary to control the disease. And

"the man who undertakes to practice medicine under the name of osteopathy has exactly the same reasons to recognize and treat which other physicians have. He has exactly the same need for a training in the fundamental medical sciences. If, after he has taken such a training, he is called to call himself an osteopath, he has every right to use that title, and the public can have no more objection to it than it can to the fact that one trained theologian chooses to call himself a Methodist and another a Unitarian, while both undertake to teach and to practice the same religion."

Examinations Debar Incompetents.

The examination papers of applicants for a license to practice medicine and surgery in California are public documents and can be quoted and in a recent number of the California State Journal of Medicine are some reproductions of diagrams made by applicants at one of the examinations in which these applicants eventually misplaced all of the important viscera of the body, even going so far as to think that the liver was on the left side, rather than on the right side of the body. Nothing more striking than this has ever been given us of the inadequacy of the knowledge of many who dare to go out and practice medicine, for had not these individuals been refused licenses by the board for failing to be offering their services to the people and the people would have no way of knowing that they were incompetent except by trying them, and that might prove to be a fatal experiment. At the last examination which was held in Los Angeles, the board rejected thirty out of the sixty-five applicants; that is, so far as this number of applicants is concerned, nearly one-half were unable to prove that they knew enough to undertake the task of treating the sick.

It is very plain that while this law may seem to work a hardship on a few, in that they are refused licenses to practice the profession they have studied, it is saving a great many more from a still greater hardship, for an incompetent person licensed to practice will dress and an ability to manage people may easily secure considerable patronage and it may take the people a long time to find out that his education was imperfect, and his knowledge and skill inadequate. Really the law saves the law and the people thought was drawn up and its passage secured by the medical profession, a profession which has given not a few instances of its real altruism.

Public Hostile to Reforms.

It is too late to find, as Doctor Pritchett says, that

"the public has been slow to appreciate the fact that its interests and its safety lay in good standards of medical education, but it has generally been hostile to those reforms which the representatives of the leading medical societies have endeavored to bring about. The sympathy of the public has gone usually to the man who dare to practice medicine by force of nature, or, at best, with a most superficial preparation in the fundamental sciences of the day. It is this attitude of the public which makes the practice of medicine the easiest field for the charlatan and the quack to enter."

There is an opportunity now, however, by which the people can show their interest in their own physical welfare by insisting that at the present session of the legislature there shall be no interference with this law, or if there be any at all it shall only consist in betterments and not in any act which would weaken the law's value. Efforts are usually made at almost every session of the legislature to emasculate this law in some particular, even to the point of arranging that graduates of California colleges of medicine shall not be subjected to it. Unfortunately there are in California about the same proportion of poor medical schools as there are in other States and there is no more reason why a citizen of the State should be ill-treated by a graduate of a California school than by a graduate of a medical school in California. Nor is there any reason why a graduate of a California school should be permitted to practice in California without an examination, where

he might not be able to practice in another State because of the examination.

Again, even the best of the schools now and then are obliged to graduate a man or a woman who is known to the faculty not to be properly equipped because the accidents of examinations gave this individual subjects upon which he or she chanced to be better informed than on the others. We all of us know of men who have gotten through examinations in subjects of which they were very ignorant, on some such chance. These men, who are graduates of the poorer schools, need the presence of the State Board of Medical Examiners to weed them out and prevent their entering the ranks of the medical profession where they may do no inconsiderable amount of harm.

Many Low Grade Medical Schools.

What is true of medical men is true, too, of medical colleges—there are too many of them and not a few are of an inferior grade. This has been the case for a long time, but the fact is brought out very prominently by the contest between the State Board of Medical Examiners, owned and conducted by a group of medical men who are stockholders, and licensed by the State to issue degrees in medicine, and the medical school which is the medical department of a university. The good medical school of today cannot pay its own way on the fees of its students, and the school that is forced to do so, or that in addition tries to pay dividends to its owners, is sure to save money for this purpose at the loss of instruction to the students. The medical school that is a branch of a university, and which is backed by the parent institution which pays, out of general university funds, part of the support of the school alone can succeed.

This has been recognized by the more prominent medical educators and all over the United States independent and privately owned medical schools have merged their identities into those of universities. One notable example is the College of Physicians and Surgeons in New York, which surrendered its charter to the State and became an integral portion of Columbia University. In San Francisco the same thing has been seen, when the Cooper Medical College, a competent and strong school, with high ideals, passed over with every stone and brick and foot of ground to be an integral part of Stanford University.

Medical Examiners Necessary.

Just as long, however, as the low grade medical school exists we must expect to have as its output poorly instructed and equipped physicians—and so long as this sort of physician wishes to practice the public will need a State Board of Medical Examiners to protect it.

Just as long as it is possible for a man by a chance to pass the examination in the higher grade school—and the possibility of this may never be wholly eliminated—the public will need a State Board of Medical Examiners to re-examine all applicants for licenses. In fact, the higher grade schools prefer that their students shall be re-examined by a State board and that the responsibility of putting the men into practice be with that board, the school being responsible only for the degree of M. D. The law very plainly is to save the babies and the children and the people who bore them from incompetent practitioners of medicine and it must be preserved intact for them.

The patentee of the idea of using the gasoline engine to propel a vehicle is Mr. Everett Selden Geer, of Hartford, Conn. The words "Member of the American Association of Licensed Automobile Manufacturers," simply mean that the manufacturer whose name it follows pays Mr. Geer a royalty on every machine he makes.

THE REFORM OF TAXATION

By PROF. CARL C. PLEHN.

"The best piece of legislation that has been offered to the people since the State was organized has, through a lack of knowledge of its beneficial qualities, been cast aside, and we are thrown back on the old system of taxation, at least for the time being."—Report of the California State Board of Equalization for 1907-8.

The above citation refers to Senate Constitutional Amendment No. 1 providing for the separation of State from local taxation and for a modern system of taxation adequate to impose a just and equitable tax burden on the various classes of corporations which have grown to such huge dimensions in recent years. This measure was defeated on submission to the people by a vote of 88,000 to 104,000.

The arguments advanced against the amendment, and which seemed to have been most influential in bringing about the defeat of this much needed reform may be grouped under three headings: (1) The change proposed was a radical one, the exact effect of which it was hard for the layman to understand. Because of its radical character, and on account of the difficulty of amending it to meet new and unforeseen contingencies it was urged that it should not be embodied in the Constitution; (2) Fear lest the proposed State revenues prove insufficient to meet the needs of the State, coupled with the fear that the entire State tax might not be removed from the property left to be subjected to local taxation. With this went the objection to having the corporations selected for State taxation exempt from any additional tax for State purposes which might be necessary; (3) Distrust of the State government. It was alleged that the legislature and the State government are subservient to the corporations, and that therefore any measure for tax reform proposed by the administration and approved by the legislature must be inimical to the interests of the people.

It is no use now to discuss these arguments, nor to show how they misrepresented the facts as to the amendment. They served their purpose and prevented the people from obtaining any relief from the inequities of the present tax system. Incidentally they saved several large groups of corporations, now escaping taxation, from any material increase in their contributions to the government. The objections made have been summarized merely to see whether they cannot be obviated in the next reform measure to be presented. For, although these identified with the reform movement are naturally disappointed at the unfortunate result of the election, they are yet encouraged to try again. The large vote in favor of the amendment is proof of the feeling that a reform of some kind is necessary, and that the main objection to this particular amendment did so because they objected to some minor feature, while they approved of the fundamental principle, namely, separation of State from local taxation.

The question, therefore, is not, whether the objections raised were valid, but whether they were of such importance as to require an amendment in drafting a new amendment without sacrificing the fundamental features of the reform.

It ought to be possible in some manner to provide more flexibility than was provided in the first amendment. Unfortunately our constitution is already almost a code of law so far as taxation is concerned. It provides an absolutely rigid system of taxation, and the difficulty we are now encountering in making a change is itself proof of the advisability of having a more flexible system. The constitution of 1849 contained but one brief paragraph relating to taxation, but the article on revenue and taxation in the constitution of 1879 as it now stands contains sixteen sections aggregating over twelve hundred words, not to mention other references to taxation in other parts of the same instrument. And as it is still not enough, the supreme court has considered these provisions in over one hundred and fifty

decisions. It is on this account that the revenue system is crystallized hard and fast and no change of any importance can be made without a constitutional amendment. There is no doubt that the ideal way to introduce tax reform would be to amend the Constitution so that the legislature would have the power to modify the revenue system from time to time as changing conditions might demand. But it is extremely doubtful whether the people would pass such an amendment. In the opinion of those in a position to judge, the prevailing distrust of the legislature is not justified but so long as it does prevail, the voters will probably demand that they themselves pass upon the main features of the new system. It may, however, be possible to arrange for a revision of the revenue system from time to time by referendum which is easier than to amend the Constitution as the latter requires a two-thirds vote in each house of the legislature.

It was demonstrated, but too late in the campaign for the knowledge to reach all the voters, that the amendment which was defeated, would have provided ample revenues for the support of the State, including the usual contributions to the public school funds and all other expenditures. So there would have been no necessity for a "come back," as it was called, or in other words, no general ad valorem tax for State purposes would be necessary. This showing vindicates the tax rates proposed and demonstrates the accuracy of the commission's original estimate. But it should be provided that, in case of emergency, such as war or great public calamity, the State be empowered to levy an ad valorem tax. Such a tax should, however, fall not only on the classes of property selected for local taxation but also upon those subject in ordinary times to State taxation only.

No real objection was raised to the use of the gross receipts as the bases for determining the taxes to be paid by public service corporations. The simplicity, certainty and economy of that system have been amply demonstrated.

If a new amendment can be drafted along the lines above suggested it should meet with the approval of the people. The first campaign was one of education, which many were brought to an understanding of the necessity for this reform. A second campaign ought to bring enough new converts to carry the measure.

Ingessoll's Opinion of Woman.

"It takes a hundred men to make an encampment, but one woman can make a home. I not only admire woman as the most beautiful object ever created, but I reverence her as the redeeming glory of humanity, the sanctuary of all the virtues, the pledge of all perfect qualities of heart and head. It is not just right to lay the sins of men at the feet of women. It is because women are so much better than men that their flasks are considered greater. A man's desire is the foundation of his love, but a woman's desire is born of her love. The one thing in this world that is constant, the one peak that rises above all clouds, the one window in which the light forever burns, the one star that darkens no quench, is a woman's love. It rises to the grandest heights, it sinks to the lowest depths, it forgives the most cruel injuries. It is perennial of life, and grows in every climate. Neither coldness nor neglect, harshness nor cruelty can extinguish it. A woman's love is the perfume of the heart. This is the real love that subdues the earth; the love that has wrought all miracles of art; that gives us music all the way from the cradle song to the grand closing symphony that bears the soul away on wings of fire. A love that is greater than power, sweeter than life and stronger than death."

Those who always say "to-morrow" always live in yesterday.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Two Men.

I knew a man who went his way
Through fields God-lighted for the day.
By brooks whose song was but the word
Of peace to every heart that heard,
Through valleys dappled green and brown
Where wooing winds strayed up and down,
And Nature murmured sweet and clear;
"Bow low, wee man, for God is here."
And yet he built, for all to see
An altar cold as was his heart,
And worshipped there with bended knee,
Forgetful of God's pagantry,
"For this," he cried, "this is My Art."

I knew a man who little knew
Of lines of grace the artist drew,
But well he knew the holy ground
Where angel messengers are found,
Knew how the lark sang from above,
"Dearheart, dearheart, all life is love,"
And saw in nature, great or small,
All things of God, and God in all.
He knew so little, yet he knew
God's art is ever man's above,
And so full oft his soul withdrew
To hidden places 'neath the blue,
And worshipped there the God of love.

Little Fables of the Hour.

A certain Ruralist was the possessor of a Pointer Dog, and one day he addressed the creature with great bitterness, saying:

"Come here, Legislature, golden yee!"
Whereat the Pointer Dog did not go to him.
"What makes you call him Legislature?" inquired an Interested Spectator.

"Why, he won't point, an' he won't hunt, an' sometimes it almos' seems 's if he looks on burglars es his long-lost frien's, an' he mos' eats me outen house an' home, but he cost me 'nough to be valyble, an' his pedigree was guaranteed, an' so I allers kinder keep hopin' that he's goin' to do better; an' that's why I give him his name."

"Evidently you are a man of great discernment," responded the Interested Spectator, "and you do well to continue to hope the best of a Pointer with such a pedigree. Sic 'im, Legislature!"

But whether or not Legislature sicked 'im is not yet recorded.

Moral:—Even for a dog with a bad name it is never too late to mend, nor is it ever too early to hope for such amendment.

A Poor Wight was discovered sitting alone and weeping great, scalding tears.

"Wherefore weepest thou?" inquired a Sympathetic Friend.

"Alas, since this odious law went into effect I can find but little to do in my profession."
"What is your profession?" the friend asked.
"I didn't know you had one."

"I am a—that is—boo-hoo—I was a professional attache, but now—woe is me—I fear that I will be an—alas and alas!—an un-attache."

Wherefore, as the Sympathetic Friend could say nothing to comfort him in his black sorrow, he meandered on, leaving the poor fellow to his unattached grief.

Moral:—Sifting the best of laws, fundamental or otherwise, work great hardship on the unfortunate wight whose hand is out.

A certain Criminal who had led an Evil Career at last was overtaken by Majestic Law and immured in a Dungeon. Whereupon an Intelligent Reporter interviewed him.

"Alas," the certain Criminal sighed, "I am the prey of an Iniquitous Social System, the victim of Malodorous Interference in my Affairs."

"For instance, in what manner?" the Intelligent Reporter sympathetically inquired.

"Why, had it not been for prying Detectives, inquisitive Secret Service Men and Ruthless Police Officials I still might be pursuing my Glad and Care-free Career unchecked by Calous Minions of the Law. Alas, look at me now, and then deny, if you can, that such

interference in the affairs of others should be sternly suppressed!"

Moral:—Congress is not alone in feeling that way.

Opinions of Rufus.

Strikes me that the feller what said marriage is the suicide of love mus' have had a tryin' matrimonial experience. I reckon that the alleged love that wears out in marriage mus' have been trav'ling under a alias when it was first met.

Some school education reminds me of my razor. When it's got too fine a edge on it it don't cut wuth a cent.

I've knowed women that somehow or other reminded me that butterflies is reel enter-tainin', but bees is more useful. S'pose I might es I well admit that I've knowed some men of that kind, too.

Sometimes when I reflect that a honest man is the noblest work of God I can't help wonderin' why the allwise Creator is so keerkul 'bout distributin' 'em.

It's said that law is based on common sense, but I hain't heered anyone say why it keeps its foundation out o' sight so much of the time.

Give a dog a bad name, or send a man to the legislacher, an' what can you expect?

Fer es I can see, havin' a Ethiopian for a champion prizefighter don't turn the business many shades darker than it already was.

Long es I don't take no stock in taxation without representation I'll b'lieve in wimmens' moral right to vote ef they want to, but I may es well admit that I ain't lookin' fer no extrysudden millenyum ef they do.

All Except Stuckenbruck.

Assemblyman Stuckenbruck of San Joaquin County will introduce a bill in the legislature removing the present protection from meadow-larks and permitting California's sweetest songsters to be killed.

It sang, and 'twas as heaven's door

Some angel hand had left ajar,

And from its portals straight did pour

Rare music borne from star to star.

It sang, and every dreamy vale

Went sweeter for its liquid voice,

And echoing hills took up the tale,

While zephyrs whispered low, "Rejoice!"

And all men joyed in thee, I ween—

That is, save Stuckenbruck, I mean.

Oh, breast of gold, thy limpid note

Is still more golden than thy breast,

And from thy tiny, feathered throat

Ring melodies of life the best.

There is no fairy vale so sweet

But thou dost make it sweeter still,

And elfin sprites of music meet

Where thou art found, to do thy will;

From care thou givest men divorce—

That is, save Stuckenbruck, of course.

I dreamed that Stuckenbruck was dead,

And straight his soul to Heaven went.

Right through the narrow gate it sped,

And wandered there in calm content.

He heard the wondrous chorus ring,

Proclaiming love that wanders both fair.

It leaves with me a bitter sting

To tell the rest of this brief tale:

Poor Stuckenbruck they had to fire—

He wished to shoot the angel choir.

Under Serious Suspicion.

"You'd better prepare that card for young Sportlight," said the warden to the

"Why?" inquired his assistant. "Has he been convicted of a crime?"

"No."

"Arrested?"

"No."

"Indicted?"

"No."

"Why, then, should I prepare the cell?"

"He is playing the races."

Never a Winter at All.

Springtime, and Summer, and Autumn;
Then Springtime, and Summer, and Fall,
So the seasons run to the glint of the sun,
With never a Winter at all;
And Nature's the artist who tints the year,
But her somber colors she brings not here.

Song of the birds unceasing,
Lullaby of the breeze,
And flowers that nod from the dew-gemmed sod;

A world that is glad for these;
Each day like a maiden in robe imperaled
Who smiles to the smile of our Western world.

Over the hills is Winter,
For the hills is snow,
A world in the vice of the clutching ice,
With blizzards to work their woe;
But songsters and blossoms are with us yet,
And Winter's a monarch whom we forget.

Here 'neath the mighty summits,
Here by the Western gate,
Where the sunrays gleam on valley and stream,
And Autumn and Springtime mate,
Where bounteous Nature no more could give
Of peace and blessing, 'tis joy to live.

How the Saturn Being Kept Cool.

The Being from Saturn had returned from his trip to the Earth, per the Interplanetary Electric Line, and had assembled his family about him to tell them of his experiences.

"You must have had some narrow escapes," did you not, pa?" inquired his son.

"Yes, indeed; many of them," was the response.

"Tell us about them, pa."

"Well, I guess my narrowest escape was from the burning heat of the Earth. Being accustomed to our delightful climate, I found it tremendously hot so near the sun, and I should have tried had I not found a chilly place for myself."

"Where was the place?" his daughter anxiously inquired.

"Why, I hunted up a Democratic legislator who had promised to provide jobs for several attaches, and sat next to him. The atmosphere there seemed cool, even to me. Thus was I saved."

"But what happened to the legislator, pa?"

"He, too, was saved. The contemplation of ten dollars a day kept him from freezing to death."

Then the Being from Saturn went to the club, and the family meeting was adjourned until another evening.

Mistaken Credit.

If the writer of that beautiful poem, "I Should Like To-night," is living he must be filled with regret, and if he is dead his ghost must shudder, to know that this flower of his genius is floating about in the newspapers credited to Ben King. King did write a parody of this poem, a parody which bubbled over with humor, but it was no more comparable with that which it parodied than Wight is comparable with day. It is a strange and unfortunate mistake which has been made, and no excuse is to be offered for any intelligent person who is unacquainted with the name of the author of one of the gems of the English language. What is that you say? You want to know the name of its author? Well, I—where's that book of quotations? Borrowed by somebody? I regret that just at this moment I do not recall the name. Possibly it was too hasty in asserting that there is no excuse for the person who does not remember the name, but, just the same, Ben King did not write the poem. This was all I wanted to say in the first place.

MELODIES IN ::: MOODS :::

THE LAST CAMP-FIRE.

By Sharlot M. Hall.

Scar not earth's breast that I may have
Somewhere above her heart a grave;
Mine was a life whose swift desire
Bent ever less to dust than fire;
Then through the swift, white path of flame
Send back my soul to whence it came;
From some great peak, storm-challenging,
My death-fire to the heavens fling;
The rocks my altar, and above
The still eyes of the stars I love;
No hymn, save as the midnight wind
Comes whispering to seek his kind.

Heap high the logs of spruce and pine,
Balsam for spices and for wine;
Brown cones and knots, a golden blur
Of hoarded pitch, more sweet than myrrh;
Cedar to stream across the dark;
Its scented embers spark on spark;
Long, shaggy boughs of juniper
And silvery, odorless sheaves of fir;
Spicewood to die in incense smoke
Against the stubborn roots of oak,
Red to the last, for hate or love,
As that red, stubborn heart above.

Watch till the last pale ember dies;
Till wan and low the dead pyre lies;
Then leath the thin white ashes blow
To all earth's winds a finer snow.
There is no wind of hers but I
Have loved it as it whistled by;
No leaf whose life I would not share;
No weed that is not some way fair.
Hedge not my dust in one close urn;
It is to these I would return.
The wild, free winds, the things that know
No master's rule, no ordered row.

To be, if nature will, at length
Part of some great tree's noble strength;
Growth of the grass; to live anew
In many a wild flower's richer hue;
Find immortality indeed
In ripened heart of fruit and seed.
Time grants not any man redress
Of his broad law, forgetfulness—
I partay not with shaft and stone,
Content that in the perfume blown
From next year's hillsides something sweet,
And mine, shall make earth more complete.

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Other Stories of Emerson.

Ralph Waldo Emerson would sometimes resist introductions to lion hunters who did not interest him. "Oh, Elizabeth," he said to Miss Hoar, when she told him of some one who desired to meet him, "whom God hath put asunder why should man join to gether?"

Emerson preferred his poems to his prose, saying it was not he who wrote them, because he could not write verses at will. He could say at any time, "I will write an essay," but he had to wait for the call to write poetry. As he expressed it, "I can breathe at any time, but I can only whistle when the right pucker comes."

A pushing and vain young lecturer who came to Concord asked Emerson, who had been one of his hearers, for a letter of recommendation. "My young friend," said the philosopher, "do you not know there is but one person who can recommend you?" "Why, who is that, sir?" "Yourself."

Edward Emerson relates that one evening after a conversation where zealous radicals had explained that the death of Jesus had been simulated, not real, and planned beforehand by him and his disciples for its effect on the people, while he thereafter kept in hiding. Mrs. Emerson asked the sage, "Should you like to have the children hear that?" He said: "No, it's odious to have lilies pulled up and skunk-cabbages planted in their places."

Emerson was on his way to the town meeting and saw his next neighbor, George Minot, at work. He asked him if he was not going to cast his vote with all honest men for freedom. "No," said the honest Rip Van Winkle, "I ain't goin'." "It's no use a-ballotin', for it won't stay. What you do with a gun will stay so."

Motor Car Advance in Ten Years.

The automobile Show just closed at the Grand Central Palace, New York, called attention to the facts that motor cars have passed the experimental stage, that the newest cars are light, powerful, beautiful in lines and finish, nearly noiseless, and cheaper.

In 1898, 239 automobiles were made in the United States. In 1908, 52,000 cars, representing the employment of \$198,000,000 of capital, were manufactured. Twenty-eight million dollars' worth of foreign cars were sold here last year, besides.

A scheme for founding scholarships for American women similar to the Rhodes scholarship for American men is being successfully worked out by Mme. Thayer, formerly chairman of the education committee of the Society of American Women in London. The first scholar to be honored is Miss Clara Howard, who was chosen on the recommendation of President Butler of Columbia University. She is entered for a year's post-graduate study at Girton.

Another falls greater than Niagara is the Iguaçu falls, almost at the intersection of the three frontiers of Paraguay, Brazil, and Argentina. It is more than 200 feet high, and two and a half miles wide. Nearly 14,000,000 horsepower could be generated here by electrical plants. These falls are 1,250 miles from Buenos Ayres.

He Wanted Pie.

William J. Ryan, president of the supreme council of public hackmen of New York, said the other day, according to the New York Times, that the winter stock flurry had reduced the hackmen's receipts considerably.

"We'll have to come down to English rates—12 cents a mile, instead of 30 cents—if we have many more such affairs," Mr. Ryan said. "Everybody felt the pinch. I overheard a tramp grumbling in a public square.

"'The trade ain't like it used to be,' he said. 'Here ten times running to-day I've asked for a bit o' bread, and what do they give me? Why, durn it, just a bit o' bread.'"

What's In a Name?

Two young men walked into a restaurant recently, picked up the menu and read this:

"Bear steak, \$2.
At once they lost interest in everything else and instructed the waiter to bring them each a bear steak.

The waiter did.
For a while they ate in silence. Then one looked at the other.

"Say—what do you think of it?"

"Oh, pretty good—not bad at all."

"Quite—quite interesting sort of stuff, isn't it?"

"Mighty interesting."

Then they munched in silence for a little while longer. Suddenly he who had spoken first burst into laughter.

"Look here, old man," he exclaimed, "if this was plain steak and cost 50 cents we'd think it was the limit!"

"We would," agreed his companion, pushing away his plate.

And they ordered cold roast beef.

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POLITICAL TABLE TALK

By THE WATCHMAN.

Use For a Mother-In-Law. A great trade has been made because State Senator H. S. G. McCartney put his mother in law on the pay roll at \$3 per day as senate porter. Let him who would not, if he could, make a porter out of his mother-in-law first cast a stone at McCartney. McCartney is as fine a fellow and honest a gentleman as wears the Southern Pacific collar in the upper house, only he has rated himself rather cheap. Pickings are probably meagre this session.

Petty Larceny an Insurance. Of course no one of sound mind will fail to understand that whoever draws one dollar, or three, per day from the State treasury without rendering an equivalent in service therefor is a larcenist, but petty larceny of that character has so long been the custom at our State Capitol that men practice it without qualms of conscience. Let not the people mourn overmuch because of this moral obliquity. Petty larceny is an insurance against grand larceny. He who commits the less will rarely commit the greater. He can't. He isn't big enough. Unless a big man can commit petty larceny by wholesale, as by stealing two pounds of wheat out of each of a million sacks, he will rarely touch it, and no one man can have any considerable number of mothers-in-law. The McCartney incident is important chiefly as showing how McCartney rates McCartney.

Eddie Wolfe Takes Hold. The State Reformatory prospect has improved since Senator E. I. Wolfe definitely promised to take the measure under his protection and put it through. He is a capable legislator and, inasmuch as there is no apparent reason why the Southern Pacific Political Bureau should oppose the measure, it should become a law. The railroads are taxed by the criminal class for their common benefit with much greater impartiality than the railroads tax themselves for the common good. It is to be anticipated, therefore, that railroad influence will stand for a reduction in taxation for the benefit of ordinary, predatory criminality. A State Reformatory should easily save its cost in this form of retrenchment in public taxation.

The L-R League In Legislation. The Lincoln-Roosevelt Reformatory League, as such, is not taking a very active part in shaping legislation in Sacramento this year, although its prominent members are hard at work for good laws and against bad ones. They are taking a hand in whatever organization needs the most. They organized and are sustaining the People's Lobby, they are fighting the battles of the anti-race track forces and they are standing for rational regulation of transportation companies in this State. It has seemed wisest to reserve the League itself for the supreme task of emancipating California from railroad domination, and wherever that issue comes up the League leaps into the gap and strikes blows that count. It has seemed better to centralize than to scatter effort.

Two-Cent Fare Legislation. So far as the railroads are concerned, it would be retributive justice if the State Legislature were to break away from control and enact a two-cent fare law. The companies themselves have few rights against the people or the legislature. They are morally bound to respect, but inasmuch as the people of California cannot long be prosperous when their railroads are unprosperous, a wise self-interest would restrain even a free legislature from resorting to retaliation or even drastic regulation. The Sanford rate bill will not pass. The legislature could not pass it if it would and it would not if it could.

Change of Methods. Formerly the State Board of Equalization made the rounds of the counties, to confer with the county assessors, in May and June, by which time the assessors had gotten their rolls well under way if not fully made up. This year the board has arranged meetings with meetings of assessors at Los Angeles, Fresno, Sacramento, Redding and San Francisco. The purpose is to secure, if possible (which it is not), a uniformity of valuation throughout the State. As long as California maintains a taxation system that puts a premium on "knocking down" on valuations in each county that detestable practice may safely be relied on as a constant quantity. Human nature is built that way and county assessors are very human.

San Diego Is Doing Better. Sometime since The Watchman pilloried the iniquity of Senator Leroy Wright's training with the Southern Pacific political machine on the ground that there hasn't been much but "organization" politics in San Diego County all along. The Watchman is happy to retract. Data at hand shows that for the last four years there has been an active, and nearly victorious, opposition to "organization" domination in San Diego County. In 1905 San Diego elected an anti-organization mayor. In August, 1906, at the Republican primaries, the Lincoln-Roosevelt ticket was beaten by only 400 votes out of 1,900 cast. In 1907 a non-partisan league, containing the same reform forces, was beaten in the San Diego municipal election by only about 300 out of 4,000 votes cast. In 1908 the Lincoln-Roosevelt League was beaten at the May primaries of San Diego County by about 100 out of 2,000 votes cast, and in the August State primaries the League was beaten by only about 200 out of 3,300 cast. In San Diego city the vote is so close that a change of less than ten votes properly distributed, would have given the free men control of the county convention. Therefore it is plain that Leroy Wright has trained with the organization because he is an organization man and not because he must otherwise have herded by himself. Glad to be corrected.

Gillis Wants County Libraries. State Librarian Gillis has proven a surprise. Having climbed into his official position by the patronage ladder he is accused of having pulled the ladder up after him and gone to work to make a real librarian of himself. Any dissatisfaction among politicians will be compensated by satisfaction among the public. Mr. Gillis holds that reading books is as much a source of education as studying books and that library systems in California should be as widely accessible as school systems. To this end he wants to give boards of supervisors power to establish county libraries with branches throughout the county. His plan is intelligently worked out and will be pressed upon the attention of the legislature.

Tinkering the Ballot Law. About the first thing the first settlers on this continent did after they got their "plunder" ashore and piled up under the spreading branches of an oak was to cast ballots and, although their descendants have been voting ever since, they have not found a perfectly satisfactory method of taking the consensus of opinion of the people. At least they seem to think so at Sacramento and a movement is under way to legislate out of the ballot law itself a provision for throwing straight party tickets that were voted into the law only a few years ago, for the reason that applying the little rubber cross to a selected ticket proved too much for bunglesome fingers and fat with the right to stand up and be counted through thick and thin for the sake of a grandfather should not be infringed without reflection. Holding the balance should be

confided to those capable of selecting their ticket with intelligent discrimination, otherwise that balance will be held by the mischance of blind stains.

Equalization of Salaries. The boosting of the salaries of State officers by constitutional amendment, not within itself an untimely or improper thing to do, is to be followed by an all-around boost of the salaries of office attaches and attendants. If the omnibus measure providing for this increase of salaries could be accompanied by a strict civil service examination system, with promotion by merit alone, a moderate increase in the salaries of subordinate officers would not be unreasonable. There are over-worked and under-paid men in the State Capitol, as there are many over-paid and under-worked, and will be as long as the patronage system continues.

Committees on Public Morals. Lieutenant-Governor Porter is not to be blamed for committee on public morals as he did. It exactly represents his conception of public morals. At the head of it he put Abner Weed who was so far from being "nasty nice" in procuring alien Greeks to vote at Republican primaries as to steal his county from the Lincoln-Roosevelt Republican League by that method. Then there is Leavitt, who founds his fortune on the pool-selling infamy, and Eddie Wolfe, an out-and-out race track advocate. Savage is objectionable and Kennedy to The Watchman unknown. Stanton, in the Assembly, did better, but then Stanton is a better man. He is able to differentiate public morals from private snaps.

Fortunate Mr. Perkins. Mr. George C. Perkins will pass into history as California's first long-term United States Senator. He has been selected by a legislature that would have preferred some other man, and by the influence of a corporation political bureau that would have preferred another; and yet he has been returned to office, with practically unanimous approval, to represent a State that, while it likes him as a citizen, is not proud of him as a statesman. Fortunate Mr. Perkins! The favoring winds that filled his sails have kept them filled ever since, as a boy, he went before the mast. The Watchman is not, politically speaking, an admirer of Senator Perkins, but he ventures the hope that our senior Senator will disappoint those who have supported his candidacy in the expectation that he will not live out half his term. May he have the good fortune to fool 'em!

The bitterest taunt that Edwin Booth ever endured was given him in his later years one night on the stage when an actor in his support, whom he had offended, changed an exclamation in his part to "sic semper tyrannis," speaking it to Booth. These words were associated with Booth's life tragedy, for they were the words of his brother, John Wilkes, when he shot Lincoln. Booth was so overcome by the fling that he could not continue his performance.

"In these days a charitable shilling doesn't go so far as it used to and doesn't buy nearly so many God bless you's," says Dr. Samuel M. Crothers in his new book, "By the Christ-mas Fire." "You complain of the rise in the price of the necessities of life. It isn't a circumstance to the increase in the cost of luxuries like benevolence. Almost every one looks forward to the time when he can afford to be generous."

While you are pitying the other fellow for being so ignorant of things you know he is wondering how you can get along without knowing the things he knows.—Peoria Herald-Transcript.

UP AND DOWN : : THE STATE : :

During the year just ended California farms produced 72,460 carloads of fruits and nuts, ranging from 32,700 carloads of oranges and lemons, and 15,500 carloads of other green fruits, down to 260 carloads of almonds. This was a daily average of 232 carloads.

Judging from articles contained in the Santa Cruz papers, the question of prohibition versus license of some sort will be left to the decision of the voters in that city this spring.

On irrigated lands in Butte and Glenn counties rice double the size of that produced in Louisiana and Mississippi has been grown during the last two seasons.

Not by way of advertising California climate, but as a slight detail of fact, it may be mentioned that between 75 and 100 people bathed in the surf at Pacific Grove on New Year's Day.

In the working on the streets of Napa recently an Italian laborer dug up \$35.10 in gold and silver coins. All the gold pieces bore the date of 1897, but there is nothing to indicate how they came where they were found.

In a rain pool formed by the growers in the vicinity of Fresno has run up against the Cartwright law, and a halt in proceedings has been called until lawyers can determine whether the law can be evaded or should be amended in the interest, and for the protection of the growers.

The public schools of Colusa have been closed in order to prevent an epidemic of diphtheria.

A primary school to cost \$18,000 and another to cost \$10,000 are about to be erected in Berkeley.

The products of Orange County, one of the smallest counties in California, last year amounted to about \$9,000,000 in value.

The Gridley Globe says that a farmer near that place who milks thirteen cows averages \$135 a month in returns from butter alone, or more than \$10 a month from each cow.

About 3,200 carloads of apples have been shipped from the Pajaro Valley during the season now almost ended.

In the Crookshank mine at Los Burros a vein of gold running from \$30 to \$100 to the ton recently was struck.

While the recent cold weather did some injury to citrus fruits in Southern California, it is so slight that it is estimated that it will affect less than one per cent. of the entire crop.

It is reported that the lost Pegleg mine, the story of which is a Californian tradition, has again been "discovered"—this time by two Redlands prospectors. The Pegleg has been discovered so often, however, that the report will need confirmation.

The Sacramento County supervisors have granted the petition for the formation of an immense reclamation district, comprising 55,000 acres, in the American and Sutter tule basin." Millions of capital will be required to carry the undertaking into effect, but it is believed that it will be secured and that at no distant day these thousands of acres will be added to California's tillable soil.

Rights of way for an electric railway have been secured from Stockton to Modesto and thence to River Bank, and it is expected that the road will be ready for operation within a few months.

The Tulare Board of Trade, with its principal place of business in Tulare City, has been incorporated.

Ralph Rose of Santa Rosa, the world's champion shot put, has passed an examination before the appellate court in Sacramento and been admitted to the bar.

The citizens of Los Angeles last week voted bonds in the sum of \$720,000 for school purposes.

The Smithsonian Institution is about to establish an observatory on Mount Whitney, the highest mountain in the United States, and it is expected that work thereon will be begun this year.

ROOSEVELT ON THE GRIDIRON

The Gridiron Club, of Washington, D. C., is composed of the Washington correspondents of the leading newspapers of the United States. Once a year the club gives a banquet, attended by the President, the cabinet officers, and most of the other highest conspicuous members of the government. At the banquet the foibles of the great are mercilessly burlesqued in their own presence.

The last banquet was held on December 12th, last, in the ballroom of the New Willard hotel. President Roosevelt was the most liberally joked guest. The New York Sun printed the following amusing account of the affair:

When President Roosevelt arrived, at about 10:30 o'clock, the principal skit of the evening was performed. This was devoted to Mr. Roosevelt's prospective African hunting trip. The lights were switched off and from the gloom came the voice of President Henry, announcing:

"We are now in darkest Africa," while roars and growls of wild animals were heard on every side. Then the lights came up with the announcement, "Sudden sunrise in Southern Senegambia," and the guests found before them a tent on which was the sign "The Look-out." The tent stood in a tropical jungle. In front there were discovered an orderly in khaki and pith helmet, a Zulu chief who stood guard with a spear and a mysterious person who wore a label "Auditor" and carried a bell punch.

The rattle of a typewriter was heard within the tent and then, a voice saying, "Here, secretary, take this." Then followed "Scribner's Magazine, New York. Victoria Nyanza, April first. The Lion is a wild and ferocious animal." At this moment it was discovered why the auditor was in the party. He registered each word with his bell punch and totted the amount, at a dollar a word, after each sentence. Thus the dictation, which was going on furiously in the tent, sounded about like this:

"The Lion is a wild and ferocious animal." "Eight dollars!" shouted the Auditor. "It has a soft body and a hard face." "Seventeen dollars." "It is the king of beasts and its daughter is a princess." "Twenty-nine dollars." "The lion roars like distant thunder." "Thirty-five dollars." "But it is nobody's business, what its religion is." "Forty-four dollars."

This dictation by the man in the tent of a story for a magazine and the thrifty spirit which prompted the placing of an auditor to keep track of all the words used, at a dollar a word, caused tremendous laughter.

Dictation of the story was stopped by the shout from within, "Wait a minute! I will kill something!" followed by a shout in the tent. The Zulu chief, who had been standing rigidly outside the tent, came suddenly to life and dashed away, returning almost instantly with a small skin which he held up and which was photographed with elaborate ceremony. It was identified as a "bongo" by the

man in the tent, and immediately a story about the "bongo" was dictated for the magazine while the auditor kept accurate track of all words used. Another shot brought in a whifflebuff, which was described for the magazine after a new typewriter had been secured, the strenuous dictation about the "bongo" having broken the other. Two shots were fired after the story of the whifflebuff was completed, and the Zulu brought in a large elephant and a large donkey. These strange animals shot in the jungle were described in an illuminating manner by the man in the tent after they had been photographed and mounted.

Meantime the auditor had kept accurate account of the words used. Later a despatch to the Lookout was begun, and the auditor started to count the words in that at a dollar a word, but was told to stop.

"Keep out!" said the man in the tent. "You have nothing to do with this. This is my salary."

The despatch to the Lookout was much enjoyed. Its tenor was that while the writer had gone to Africa to avoid any semblance of interfering in the Taft administration, still he had a few ideas he desired to express, and perhaps it would be well for Mr. Taft to heed them. The despatch followed President Roosevelt's style and bristled with phrases he uses. The second typewriter broke down with a loud whirr in the middle of this despatch. "Get me another typewriter!" shouted the man in the tent.

"There are no more typewriters, sir," the auditor announced.

"Then," announced the man in the tent "then I am going home."

Morris & Co., packers, of Kansas City, have provided for a fund of half a million dollars to put in operation a plan of profit-sharing and old-age pensions among their 10,000 employees.

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METCALF OF CALIFORNIA

By THE WATCHMAN.

California's most distinguished national character has returned to Oakland, to retire, he declares, from public life. Victor H. Metcalf is the only Californian who has held a cabinet office at Washington, except Judge McKenna, who was attorney-general under President McKinley for a short time, and he is the only Californian who has ever held two cabinet positions.

Has Mr. Metcalf really retired for good? Can he retire? There are those who point out that he is so nearly ideal as an "organization" candidate for the United States Senate or for Governor of California that it will be hard to pass him by or for him to refuse to serve. He is a man of personally clean record and he has the prestige of his national career. On the other hand, these prophets say that he is temperamentally and by association in sympathy with the organization.

The men who prophesy Mr. Metcalf's return to public life are politically weather-wise, and, in view of their prediction, it is worth while to consider his career and character. They may soon become of great public importance. They are less known than those of almost any man of equal importance in public life.

Victor H. Metcalf was born in Utica, N. Y., in 1853. Part of his education was received at an academy in Utica, and his preparation for college was completed in a military school at New Haven, Conn. In 1872 he entered Yale, and received his degree of Bachelor of Laws in 1876. The same year he was admitted to the bar in Connecticut, and the following year in New York.

For a short time he practiced law in Utica, but in 1879 he came to California, settling in Oakland, where he has made his home ever since. Three years after his arrival here he married Miss Emily Corbin Hildorn.

It was as one of the members of the law firm of Metcalf & Metcalf that Victor H. Metcalf was long known to the people of Oakland. The partner was George D. Metcalf, who was not a relative. It appeared that nobody in town knew which Metcalf was the head of the firm and which was the other end of it. Both partners were quiet, industrious men, and no attorneys stuck to business better or succeeded better. They were not in evidence in any spectacular way, in court or elsewhere, but they enjoyed the name, the good lawyers and built up a good office business. Victor Metcalf became a director in several local corporations and was making money at the time when the call came for him to go into politics.

Before that call came he was often talked of for nomination to the city offices, but he did not seek them, and they did not come hunting him in the manner in which honors did later on. There used to be people in Oakland in the old days who, on several occasions, wanted to put Metcalf up to run for mayor for the reason that he was not mixed up with any of the contending factions in the Republican party; but people of a different point of view said that was just the reason why he should not be nominated—that a man who did not take interest in the street, who had no say in any side or policy in local affairs was not the man to be chosen as head of the city government. He was not aggressive in any way. He devoted himself to his law business, alternated between his office, the Athletic Club home, and his home, and was very well content to mind his own affairs. He was the essence of dignified, courteous conservatism. His white necktie matched his gentlemanly manners. A weakness of the eyes caused him to recognize few people on the street, from which arose a popular idea that he was snobbish—an idea, however, that seems to be unjustified by the facts. He was simply not a "mixer." He had his warm friends, whose company he enjoyed, and he was contented in his social pleasures largely to their society.

These friendships explain much of Mr. Metcalf's political bent. His most intimate personal friends were the Henshaw brothers,

so intimate that when Mrs. Metcalf was out of town Mr. Metcalf carried a latch-key to the Henshaw home and was treated as a member of the family, and the Henshaws the same. The Henshaws were, and are, "organization" politicians, with all that the phrase implies. Through their activities Mr. Metcalf was brought out into political life. It is only fair to him to say that he never personally employed organization methods in his political campaigns. But he was elected to public office by the work of organization men using the most offensive organization methods, and he could hardly, in the nature of things, have been ignorant of what others did in his behalf. Here, however, as in most of the phases of his career, his attitude was negative.

Membership of Congress was the first office Victor H. Metcalf held, and he obtained it by displacing S. G. Hilborn, who had held it for some years. Those were the days of the long contest over C. P. Huntington's railroad refunding bills, and Hilborn was one of the California members who voted consistently against the interests and desires of the big chief of the Southern Pacific. In 1896 Judge A. M. Frick was picked out to defeat Hilborn for the Republican nomination, but it was a very one-sided primary fight, and Hilborn was returned.

In 1898 the fight on Hilborn was renewed, and this time Victor Metcalf was chosen to make the contest against him. The anti-railroad sentiment was on Hilborn's side, but Metcalf was more personally popular, all the politicians supported him to a man, and the Huntington people left no stone unturned. It was a memorable primary contest and long left disagreeable memories, by reason of some of the things which were done; but when it was over Metcalf had won the nomination.

He was elected as a matter of course, for in the third district a nomination is the whole battle. At Washington fortune favored him, because by this time the refunding contest had settled itself, and Congressmen Metcalf was not put in the embarrassing position of having to vote either for or against the powerful interests which had done so much to put him in office. He was fortunate also in impressing favorably the Eastern members of Congress and in getting good committee assignments. His quiet ways and gentlemanly manners stood him in good stead then and afterwards. Eastern men, whether members of Congress or Presidents, like best Californians who are not too Californian.

Fortune was again kind to Metcalf when he came to make his fight for re-election. The person who came out against him was the redoubtable Henry P. Dalton, so long the county assessor of Alameda County. Mr. Dalton, in many campaigns, has proved that he is an excellent assessor, no matter what ticket he runs on, or whether he has a ticket or not. But as an aspirant for Congress Mr. Dalton was not taken seriously by the voters of Oakland and other Alameda County towns. Later on when it came to his third race, Mr. Metcalf had no competitor.

In July, 1904, he resigned his seat in Congress to go into the cabinet as Secretary of Commerce and Labor. President Roosevelt seems to have selected Mr. Metcalf for this post on the same ground on which President McKinley selected Judge McKenna for attorney general. Both Presidents believed it would be good policy to recognize the Pacific Coast; California was the great State of the Pacific Coast; what was desired was to find a Californian who had not aggressive and self-seeking views in regard to oriental immigration and other things—in other words, a Californian who was a pretty good Eastern man; McKenna filled the bill in one instance and Metcalf in the other.

His service as Secretary of Commerce and Labor ended on July 1, 1904, to December 10, 1906, and his service as Secretary of the Navy from December 17, 1906, to his resignation last fall. The naval post was the one which Metcalf really desired from the first.

He had become interested in naval matters at an early day in his congressional life, because the navy yard at Mare Island was the principal Federal establishment in his district. He was probably not specially attracted to the work in the other department, important as it was, and when the opportunity came to be transferred to the other post he grasped it. Nevertheless, his work as Secretary of Commerce and Labor appeared to command the respect of subordinates in that department.

Into the Navy Department he carried the same methods and habits of conscientious work that he had shown in the other department and which he had always exhibited as a lawyer. These habits are admirable in the dispatch of routine details, but they are not the characteristics of a bold and original statesman. Here, as always, Mr. Metcalf proved himself a painstaking plodder. He originated no ideas of importance in the administration or organization of his department.

It is probable that President Roosevelt knew him well enough not to expect anything spectacular or daringly original, for that is not in Metcalf's nature. He is the temperamental opposite of Roosevelt, and it is difficult to believe that the latter ever felt that the California member of his cabinet was a very thorough believer in his policy. Especially in the prosecutions of big corporations it was unlikely that he was at heart a Roosevelt man.

Some of his friends in California, however, have recently noted what they believe to be a significant change in his mental attitude. His long association with President Roosevelt seems to have aroused within him a quickened moral consciousness that has lately come to the surface, notably in his address at the Key Route Inn when the fleet visited San Francisco last year. In this address Mr. Metcalf took a stand for civil righteousness; and in private conversations since he has declared his intention to work for the moral regeneration of public life. His friends believe this to be a sincere awakening; that to-day he would not consent to enjoy public office that was obtained by the methods of, say, his first election.

This new attitude illustrates again, in a curious way, the negative quality that seems to persist in Mr. Metcalf's character. His entry into public life was not of his seeking; he was led. His administration of his cabinet department was negative, not original. His awakening to the moral import of civic righteousness was through the powerful personal magnetism and leadership of President Roosevelt. His championship of the cause of civic righteousness in his resignation from office, extending only to a public acknowledgment that this cause is right. He has done nothing actively to advance that cause, and, judging from his temperament and his past record, he seems not likely to do anything unless under the leadership of a more dominating personality who believes in it too.

Newspaper stories appeared from time to time representing that disagreements had taken place between the President and Metcalf, but it does not seem probable that the disagreements went very far. Metcalf would not set up his own views against those of his chief very much even if he disbelieved in the latter. The explanation of Metcalf's resignation which is most plausible is that Roosevelt wanted some man in the head of the Navy Department during the closing months of his presidency who would make a better representative of the big stick. It is, furthermore, true that Mr. Metcalf's health has been bad for so long that fully a year before his resignation from the cabinet he told friends in private conversation that he intended to resign before the President's term expired.

A fair estimate of the man who may again come into public calculations seems to be this: a clean negative, a clean personal record, an unimaginative public career, an associate of undesirable political influences, but without their positive political vices—in short, a respectable, hard-working and painstaking but not forceful public official.

THE GRAFT CASES

After nearly twenty months of waiting, confessions and recantations on the part of the guilty, trials ending in acquittal and trials terminating in conviction, bribery and attempted bribery of jurors, the dynamiter's evil work, attempted murder and suicide, the San Francisco graft cases have reached their culmination in the trial of Patrick Calhoun under an indictment charging him with bribing former Supervisor Fred P. Nicholas in behalf of a franchise for the United Railroads.

The public already has been convinced, as divers jurors have been, that the former supervisors were bribed in the financial interest of the United Railroads and other corporations. What remains is to determine whether or not the law, through its judicial machinery, will decide that this bribery was accomplished without the knowledge and assistance of officials of the bribe-benefited corporations. Other graft cases in plenty will be tried, but this is the climax of them all, the one which is to determine whether the law has terrors and penalties for the bribed but none for the bribe-giver, if he be sufficiently "high up."

The trial of Patrick Calhoun began last Tuesday, and although it is believed that it will be expeditious as compared with the Ruef trial, it is probable that it will occupy Judge Lawlor and such jury as may be empaneled for a month to come at least. That it will be fought with all the legal skill available is indicated by the fact that Mr. Calhoun will be represented by A. A. Moore, Stanley Moore, Lewis F. Byington, William Abbott, Alexander King, and Earl Rogers, while the prosecution will be represented by Assistant District Attorneys Francis J. Heney and John J. O'Gara. It will be seen that the attorneys for the prosecution are decidedly outnumbered by those for the defense, but Francis J. Heney is a host in himself, and Mr. O'Gara is adding to his laurels with every case he tries. The work of securing a jury will still be in progress when this issue goes to press.

Mr. Heney returned from his Eastern trip last Monday evening, and was greeted at the ferry building by a large number of sympathizers with the prosecution who assembled to bid him welcome and goodspeed. That the people, both women and men, thus turned out, notwithstanding that a heavy rain was falling, was one of those straws which show how the current of popular sympathy sets toward the prosecution in these cases. The false and iniquitous sentiment manufactured by purchased publications is at low ebb.

The defense asserts that it will interpose no technicalities in this trial, and the people who desire to see justice done could ask nothing better than adherence to this policy. It may be noted, however, that even in the earliest stage of the proceedings the taking of exceptions by the defense began, and so it is to be feared that the promise concerning technicalities is to be taken with mental reservations.

At the close of last Tuesday's proceedings in the case against A. S. Newburgh, charged with attempting to bribe a prospective juror in the Ruef trial—that is, after eight days of effort—seven jurors had been secured to try Newburgh, and Judge Murasky announced that thenceforth the jurors would be placed in the custody of the sheriff and locked up in the St. Francis Hotel. He assured the jurors that this action was taken not because anybody suspected them, but in order that they might be "removed from contact with everybody," which, in a case wherein it is alleged that jurors were not removed from contact with everybody, seems reasonable enough. The labor of securing a jury presumably will be in progress when this paper goes to press.

William W. Coffey, former supervisor, was arraigned in Judge Dunne's court last Tuesday, on three charges of accepting bribes: First, \$4,000 in behalf of the United Railroads; second, \$3,500 for the Home Telephone Company, and, third, \$750 in the interest of the

gas company. Coffey was represented by his attorney, Franklin P. Bull, and was granted until Saturday, the 16th inst., to plead. It is expected that his trial will take place soon.

The case of John J. West, an attorney, charged with corruptly attempting to influence a juror to vote for the acquittal of Abraham Ruef, has been transferred from Judge Murasky's court to that of Judge Cabaniss, and his arraignment was continued until the 14th inst.

Abraham Ruef, the arch-bodder of them all, was granted an extension of time until next Monday in which to prepare a bill of exceptions in his case. It is understood that a final decision concerning the time to be granted him for this purpose will be made on the designated date.

To Study Sociology Abroad.

Mr. Arthur J. Todd, of San Francisco, and his wife, will sail from New York on January 21st, for Marseilles, France, by way of Genoa. Mr. Todd is widely known as former Chief Probation Officer under Judge Murasky, of San Francisco, and is deeply interested in social problems. His term of office as probation officer, beginning shortly before the fire and ending by resignation last April, was marked by efficient service and wise counsel upon which the judge of the Juvenile Court leaned heavily.

Prior to the fire Mr. Todd was engaged in settlement work at South Park. He is a graduate of the University of California, and a writer of forced articles for the magazines on settlement and reformative work.

This voyage to Europe—the second or third he has made for purposes of study—will occupy a year or two. He will study charitable and social reform work in Marseilles, Lyons, Orleans, Tours, and Paris, especially charitable institutions for children and the juvenile courts. This latter subject is especially well-known in France, where nearly every issue of the magazine "L'Enfant" contains articles upon its practical workings in the French cities.

Mr. Todd will visit England and inspect the juvenile courts of London, Liverpool, and Birmingham, and the probation system in operation in twenty-five cities of the United Kingdom. Following this, he will enter for one semester at least in the sociological courses at the University of Jena, in Germany. The following winter will be spent in Italy, where children's courts are in operation in Rome and Milan.

Mr. Todd will write articles on foreign comparative phases of his specialties, for publication in the American magazines, and The California Weekly hopes in the near future to publish some of these results of his researches in European child-reform movements.

An Oversight.

"Then," said the teller of the thrilling war story, "the intrepid general swung himself on his trusty steed," says the New York Times.

The listeners leaned forward.

"And plunged through fire and smoke onward where duty called him."

The suspense began to grow breathless.

"About him scores of men dropped dead or wounded."

The suspense finished growing breathless.

"But still he galloped onward erect and fearless. At last he reached the front ranks. He waved his sword. With a wild cheer the shattered ranks closed up. Led by that intrepid man, they advanced. Everywhere the enemy gave way before him. The day was won. He had snatched victory from defeat."

"I beg your pardon," remarked one of the audience.

"How's that?"

"You mean from 'the jaws of defeat,' don't you?"

The story teller bowed gracefully.

"I do. You are quite right. I thank you for the correction."

And the stickler for correctness in metaphor leaned back in his chair, well satisfied with himself.

"Out of Sorts."

When a printer buys an outfit of type he gets, besides his filled cases, a reserve supply of each character that has not yet been sorted into the cases. From time to time, as he has much type standing so that it is unavailable for new composition, he draws on this reserve supply of "sorts," as they are called. If, in an emergency, this reserve supply is exhausted, he is naturally much put out. He is "out of sorts" in two senses. Hence the expression that has passed into common usage.

Sedalia, Missouri, is, for breeding purposes, the world's central market for hogs and mules.



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A CABIN of rough logs decorated with skins of animals tacked up outside to dry, a chimney fashioned clumsily from stones, sticks and mud, a quarter of a mile of pretty, green mountain meadow stretching down to the river rushing roaringly by the base of a lofty domed mountain rising nearly half a mile almost sheer from the river's bank, mountains all around and, but for the river, silence everywhere—that is Runkles.

A man who had always been thin and had once been tall, but whose height had been lessened at least half a foot by a symmetrical curve of the spine from termination to medulla oblongata, making him neither stoop-shouldered nor hunch-back, but forever wearing that long crouch supposed to be indicative of rascality, sharp face and thin chin whiskers, eyes twisted and visage askew, grim, taciturn, uneasy, ramshackle—that is, or was, for he is now dead, Richard Runkles.

Persons who in the old days visited Kern River Canyon and lakes, did not fail to come in contact, and generally in conflict, with "Old Dick." He had spied out, pre-empted, settled upon, fenced and guarded two beautiful meadows above Kern lakes, and so controlled about all the pasturage above the lakes, the mecca of all their hunters, fishers and mountain-climbers of the Upper San Joaquin Valley. He had a good thing, imposed all the traffic would bear (and the traffic will bear a good deal fifty miles in the mountains from the nearest base of the Sierras), and he was, finally, adversely, continuously and under a claim of right, until long after the statute of limitations had run; until, in fact, death had tardily claimed him. His funeral was not attended by people from the west-side of the range, but it met with the approval of the valley.

There probably exists no portrait of Old Dick. To have taken a snap shot at him with a camera might have been to risk a snap-shot in return, but not from a camera. It was uncharitably said of him that he owed the twisted condition of his eyes to the constant introspection which comes of living all sole alone and finding nothing inside more worthy of contemplation than a disordered stomach.

Winter after winter Old Dick had spent alone in the midst of that vast, solitary wilderness, half a hundred miles from any other living human being, walled in by impenetrable avalanches of snow, the solemn stillness unbroken save by the roar of the river, the crashing of avalanches, the cries of famishing beasts, the barking of his dogs or the hoarse snarl of his own querulous tones. Some winters he spent over about Lone Pine, others he spent by the lakes, but wherever he was he enjoyed his own society best.

There runs a story that Old Dick's winter solitude was broken in upon just once. The narrative is not clear, for it passed from hunter to sheep-herder and from sheep-herder to tourist, but, anyhow, this is the way it reached the valley.

A hunter on the western slopes of the Sierras in search of deer and belated bears in early winter got confused among the snow-covered peaks, the timber and the thick chaparral, took down the wrong water course in the dusk and ended in the trackless mountains. All night he picked his way down that stream, never doubting that it would bring him out upon the foothills of the Western Sierra and that he would be able to see the great valley of the San Joaquin when morning broke, but in this he was disappointed. In the gray dawn he saw only snowy summits and ridges, a sky leaden and dull, stunted pines and tamaracs, but no sign of civilization. He ate sparingly of the meager lunch in his hunting bag, took his course by the shapes of the mountains and plunged forward as nearly westward as he could determine and traveled all day—due east. He was a vigorous man, and despite the fatigue of travel of the preceding day, made good progress, and that night, after having eaten a venturesome gray squirrel he had shot, burrowed into the snow at the base of a castellated crag and slept. Up at dawn he scaled the crag and looked eagerly for signs of the termination of the wilderness, but the wilderness was interminable. Everywhere the sky and the mountains came together and shut out hope.

RUNKLES OF RUNKLES'

By TOBIAS BLACK

Written for The California Weekly.

Only this there was to catch at. The parting of the mountains far away disclosed the probable location of a more considerable stream, and the hunter rightly concluded that Kern River Canyon must be there. He knew enough of geography to know of the lakes 2500 feet below, and buoyed by the hope that he might there find stray cattle, or sheep and so prolong life he marked his course and struggled forward.

By midday he had reached the brink of Kern River's great and picturesque canyon, and far down in the bottom of it, locked in ice and snow, were the river and the lakes, but no vestige of any green or living thing save the pines and the firs drooping with snow. Death from hunger or cold or a pistol ball seemed the only alternative, when out of the solemn stillness of the wintry wilderness there came to the astonished ears of the lost hunter the deep-chested barking of dogs. There could be no mistake. No mountain wolf could make such a sound, and quickly after there was the clear report of a rifle shot. Deliverance was at hand.

Half running, half sliding, our hunter plunged down the friendly slope of a contributing water course and was soon plodding wearily up the floor of the narrow canyon, a mere rift in the mountains a half mile in depth, and in vain at nightfall (for night falls early into the depths of that gorge) came in full view of Runkles'.

And what a welcome! "Halt there! Drop that gun," Old Dick, clad in furs and with rifle at his shoulder, his crooked eyes straightened out along its gleaming barrel, had stepped from the open door (while two Great Danes leaped out of the door beside him), and had drawn a bead upon the half-famished and all but exhausted supplicant at his door. "Got any pistol about you?" Drop it, then. Any knife? Drop that. Now walk this way. Halt! Who are you and how did you get here? A hunter, hey? Lost, hey? Blamed likely. Hunters know better than to venture this side of the range in winter. There are a hundred chances of getting covered with fifty feet of snow to getting this far alive. I take it that you are a train-robber or murderer or both, and have taken the chance of getting over the range rather than face the certainty of hanging out in the valley.

In vain the hunter protested his innocence of crime, and almost so that he implored mercy to a perishing man, but after a long parley he was told to come into the cabin, was given a seat in the chimney corner and warned not to leave it on pain of instant death at the hands of Old Dick, who stood over him with a double-barreled shotgun.

A pot of pork and beans was heating on the crane, and soon the half-famished man was devouring the savory dish, together with hot coffee and warm bread out of the Dutch oven on the hearth.

Old Dick was lowering and taciturn, but ever watchful, and repelled every advance his visitor made toward conversation, and by and by ordered his guest to "trust in" the corner, at his own bed in the corner, but all night Old Dick sat by the fire in his roughly fashioned easy-chair, keeping guard, while his big dogs, equally watchful, sprawled at his feet.

With the first peep of day the stranger was roughly awakened and ordered to eat his breakfast, and when he had eaten Old Dick delivered himself as follows: "Stranger, it is

just this way. Your story is mighty improbable, and yet may be true, but angel or devil, you can't winter here. There isn't more than enough grub in the shanty to last me and the dogs until we can get out of here in the spring, and no human has ever stood by me like those dogs have. If supplies run low again, I'd kill you or you'd kill me, or we'd have to kill the dogs, and those dogs shan't be killed. You might as well perish in the snow as here, but you have come tolerable straight so far, and maybe your blizzard sickness will carry you over the rest of the range to Owens River Valley, when you will probably be caught, taken back to Visalia and hanged, but that is none of my business. There is a knapsack there with a ham and some bread, a bottle of whiskey and some matches. Your shooting-irons will be left here for fear of your slipping back and plugging me when I am not looking. I'll start you, and if you mosey right along and the good weather lasts you'll get to the valley in two or three days. If a storm comes on you are a dead man anyhow, and I shall make short work of it with that knife. It is a hardyallop, but there is no other way, so get a move on."

With a heavy heart but well-rested legs the hunter strapped on a pair of snowshoes, took up his pack and with a sharpened pole for a staff started out. Old Dick hard behind him with shotgun in hand to show the way. Minute directions were given as to how to get out of the canyon, where to turn and how to get down the eastern slope, and with a parting warning not to turn back on pain of being shot on sight and his body buried in the bottom of the lake the stranger toiled up the mountain, while Old Dick and his dogs watched him. "It was him," "It was him or me or the dogs, and I'd be blamed sight rather it would be him," the inhospitable Runkles muttered to himself as he turned toward the cabin.

That night Old Dick was awakened by the roaring of a mountain storm. The wind came howling down the canyon and the flying snow so filled the air that, looking out of the door, it was impossible to see through the moonlight, the great dome across the valley, yet almost overhead, and the cold was intense. "It was him," "It was him or me or the dogs, and I'd be blamed sight rather it would be him," the old fellow muttered as he crawled under his blankets and robes and composed himself for sleep, which came only fitfully all the night through. "Time and again he was awakened through the night by the howling roar of crashing avalanches sliding from the beetling cliffs and falling into the narrow canyon, and each time took a stout pull at his ever-convenient flask and dozed off again.

Old Dick was up before light in the morning, and looking out found that the storm had partially abated, but the air was ever so cold and still filled with cutting particles of blowing snow. He aroused and fed his dogs, ate his own breakfast, put a light, broadly shod and stanchly built sled over his shoulders, strapped some robes and blankets and food upon it, likewise his rifle, and taking their harness from a peg on the wall spoke to the dogs: "Come, Monache; come, Tiger. We'll go where there's no more snow. There's no snow of earth, or snow, rather, or if he is coming back this way to be shot. It's him or me or you fellows, and I'd be blamed sight rather it would be him," and the two great dogs stepped to their places like trained horses, bent to the burden and led the way.

By daylight they were toiling round and round, back and forth, but ever up and up the mountain side over which the heavy hunter had struggled the day before, and after three hours of hard work were making good progress along the comparatively level valley of Whitney Creek. For another three hours they saw no trace of the hunter, the drifting snow having obliterated all tracks, but an hour before noon Old Dick gave vent to a curse more than usual, a ferocious expletive with, "The fool has gone to the left side of the valley instead of the right, and if we don't find him he's a goner sure." There in the snow were the hunter's thrushholes from the long pike he carried. Further on there were places where he had fallen, and he had crooked and turned round and round and back again on his former path, showing that he had become

PERSONALIA

The Harpers announce a new edition of Mark Twain's "The Prince and the Pauper."

Arnold Genthe has just published by Moffat, Yard & Co., "Pictures of Old China town."

The Zangwill of America is Ezra Brudno, whose novels of Jewish life in America are widely read.

"Charles Egbert Craddock" (Miss Murre) is still writing successful fiction. Her latest is "The Fair Mississippian."

Lily Langtry, "the Jersey Lily," has turned from the footlights to the press, and has written a novel to be published shortly.

The first book to be illustrated by color-photography will be "The Motor Maid," by the Williamsons, published next month.

Charles Battell Loomis, author of "Cheerful Americans" and other humorous books, looks like a walking advertisement of a tombstone factory.

Dr. David Starr Jordan was elected president of the American Association for the Advancement of Science at its recent session at Baltimore.

Rudyard Kipling's newest book, soon to be published, deals with the period when aeroplanes will be common. It is called "With the Night Mail."

Paul Elder & Co. next month will return their publishing department from New York to San Francisco, from which it was moved after the fire.

John Uri Lloyd, the novelist, has made enough money as a manufacturing chemist in Cincinnati to be able to afford to write even poetry if he likes.

Henry Wallace Phillips, who set the world a-laughing with "Red Saunders," has re-emerged from obscurity with a new one—"The Mascot of Sweet Briar Gulch."

Dr. Dudley Fulton, of the University of Southern California, is the translator of Cohnheim's "Diseases of the Digestive Canal," just published by the Lippincotts.

Mrs. Humphrey Ward recently visited America, and the result is a novel of American life, "Marriage à la Mode," beginning serial publication in this month's McClure's Magazine.

Mrs. Willson Woodrow, whose appealing stories in McClure's have given her a wide audience, got her literary "color" from some years' residence in a mining camp near Leadville, Colo.

James Hopper has collaborated with Fred Reholdt in writing a sequel to Hopper's "9009," the sequel purporting to be the true story of a reformed convict with whom the authors lived in a cabin to get their data.

George Sylvester Viereck, whose "Nineveh, and Other Poems" electrified the critics with the promise of a new great poet—and rather shocked the reading public—claims to be a member of the Hohenzollern family that rules Germany, by a morganatic marriage of a former Kaiser.

Psychical research, or "spook lore" as the irreverent call it, is getting a considerable boost in the recent publication of books on the subject here and abroad. H. Carrington's "The Coming Science" and "The Psychic Phenomena of Spiritualism," Camille Flammarion's "Mysterious Psychic Forces," and J. H. Hyslop's "Psychical Research and the Resurrection," are all recent contributions to this much discussed subject.

"Runkles of Runkles" (Concluded).

hopelessly confused. Such places were encountered more frequently during the next hour, and by and by turned off abruptly toward a clump of tamaracks under the brow of a craggy hill.

Faster now Old Dick and the dogs made their way over the crusted snow and soon came to the clump of timber, and there, against a fallen log, half reclining, half lying, hazy conscious, but still breathing, was the hunter, rapidly succumbing to that treacherous but blissful drowsiness which precedes death by freezing, and which, in this instance, was traceable to a too frequent reference to the flask with which Old Dick had provided him. He was not a drinking man, but, like many others, had an exaggerated idea of the strength and added endurance contributed by use of alcoholic stimulants, and had taken so much as to stupefy him at a time when his life depended upon the preservation of his best faculties.

Quickly now Old Dick snatched the robes and blankets from the sled, and bidding the dogs lie down on either side, wrapped hunter and dogs up snugly and warm, the animal heat from the dogs doing much to restore the animal heat to the hunter's body. Then he set about building a roaring fire, making some coffee and warming some of the food brought, so that by the time the hunter began to revive he had hot coffee to pour down his throat and food to give him. The coffee sobered him and the food revived him, so that he was soon partially himself again, though his feet were touched with frost and his joints were stiff and sore. All night he had struggled against the terrible storm, knowing that it would be death to falter, and daylight had not only found him lost once more and quite exhausted but partly inebriated, a condition all the more easily attained in that high altitude, where liquor quickly affects both heart and brain.

The way back to Runkles' was all down hill, and with the light sled and the dogs to haul the luggage, and sometimes the hunter too, when the snow was hard and the slopes gentle, the distance was quickly covered, but all the way Old Dick said nothing, plodded doggedly along, and finally came to the cabin door. Bidding the hunter go in, and stir up the embers and put on more wood, Old Dick unharnessed his dogs, and snatching up his rifle instantly sent a ball crashing into the brains of each of them. Two shots, two seconds and all was over. "It was you or me or them," he said. "There wasn't enough for all, and if you turn out to be the criminal I suspect you are, though you don't exactly look it, I shall wish to my dying day it had been you, but you were human and they were only most human."

But the hunter was neither a robber nor a murderer, and when Old Dick and he went out in the spring as early as it was safe to venture forth he was welcomed as one risen from the dead.

Runkles is dead, and "Tennessee" now quarrels with campers who come to the lakes to hunt and fish, and they do say that the tanned skins of Monache and Tiger are still stretched on the floor of the old cabin at Runkles'. And they say, too, that in a little cemetery over at Lone Pine a simple marble slab marks the last resting-place of Old Dick, and that it bears this inscription: "He sacrificed the two best friends he ever had that a stranger might live, and in him God found good."

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LYRE AND LOOT

"It's Morgan's."

I came to a mill by the river side,
A half mile long and nearly as wide,
With a forest of stacks and an army of men
Toiling at furnace and shovel and pen.
"What a most magnificent plant!" I cried,
And a man with a smudge on his face replied,
"It's Morgan's."

I entered a train and rode all day
On a regal coach and a right of way
Which reached its arms all over the land
In a system too large to understand.
"A splendid property this!" I cried,
And the man with a plate on his hat replied,
"It's Morgan's."

I sailed on a great ship, trim and true,
From pennant to keel and cabin to crew,
And the ship was one of a monster fleet;
A first-class navy could scarce compete.
"What a beautiful craft she is!" I cried,
And a man with akimbo legs replied,
"It's Morgan's."

I dwelt in a nation filled with pride,
Her people were many, her lands were wide,
Her record in war and science and art
Proved greatness of muscle and mind and heart.
"What a grand old country it is!" I cried,
And a man with his chest in the air replied,
"It's Morgan's."

I went to heaven. The jasper walls
Towered high and wide, and the golden halls
Shone bright beyond. But a strange new mark
Over the gate, viz., "Private park."
"Why, what is the meaning of this?" I cried,
And a saint with a livery on replied,
"It's Morgan's."

I went to the only place left. "I'll take
A chance in the loot on this brimstone lake.
Or perhaps I may be allowed to sit
On the griddled floor of the bottomless pit."
But a leering lout with horns on his face
Cried out, as he forked me off the place,
—Edmund Vance Cooke, in *The Cleveland Press*.

"Times to be Real" is a volume of Mr. Cooke's characteristic verse. Price, \$1.00.

A "Poem" By Bill Nye.

Bill Nye was a great satirist. One of his best and characteristic efforts was the poem which he wrote as a satire, not on "the strong pool," but on the fallacy that Mr. Nye used to read these lines, wearing white gloves with fingers lengthened by padding, holding a large bunch of book-ends tied with blue ribbon, and with a face absurdly serene. "And a few awkward gestures and an occasional spasmodic effort to swallow something in the throat and have a picture of Mr. Nye as he read."

The Autumn Leaves.

The autumn leaves are falling,
They are falling here and there,
They are falling through the atmosphere,
And likewise through the air.

They are falling o'er the graves of kings,
And o'er the parent's tomb,
They are falling in the morning-tide,
Also in the afternoon.

They are falling o'er the bridegroom
That dwells in beauty's bower,
And also on the bride herself,
And statesman in his power.

They are falling o'er the widow's heart
That beats so sad and low;
Oh! The autumn leaves are falling,
They are falling to and fro!

Times of change are times of trouble, but if the end of change be just, the mind should be steadfast to endure it. Regrets, discouragements, uncertainties: these are inevitable, but remember that the worst pains of travail precede deliverance.

SHEAR WIT

Little Mary was being spanked as her brother entered the room. "Eddie, go out!" she cried. "Can't you see we are busy?"

"Enter that item of soothing syrup under the head of hush money," absent-mindedly ordered the Tammany boss to his clerk.

"Tell you what 'epitome' means, children? Certainly," said the Sunday school teacher. "Epitome" is in its signification synonymous with synopsis.

"This watch will last you a lifetime," remarked the jeweler. "Nonsense!" retorted the customer. "Can't I see for myself that its hours are numbered?"

Mrs. Jones does not know yet the guile of her husband who persuaded her to name their first-born girl "Tetanus" because he said it meant "quiet," or "reserved."

Mlle. Petit, the dainty French teacher just over, was asked to regale a social gathering with a song. She bowed, "I will do my—ch, what you call—my dumbest, yes."

Stranger—"Can you direct me to the Blank hotel?"

Policeman—"I can, sorr; but I've no grudge agin ye, an' I won't"—Chicago Tribune.

"Lady," answered Plodding Pete, "you means well, but you can't make work sound any more invitin' by usin' words of three syllables."—Washington Star.

"Convert that cannibal!" exclaimed the manager of the side show to the benevolent minister. "Holy smoke! Do you suppose the public would pay a dime to see a Christian?"

The theatre filled with smoke. The comedian, "there is no danger if you don't reassure. "Confound it, ladies and gentlemen," he shouted, "do you think I'd be here if there was any danger?" The panic collapsed.

"Where you going?" "To the hospital; I heard that Cholly was taken there suffering with brain fever." "I'd like to bet with you." "What?" "Either that it isn't Cholly or it isn't brain fever."—Houston Post.

"Ah! proud beauty!" exclaimed little Sniffkins, "you spurn my love now, but, let me tell you, I will not always be a clerk. I—
"That's so," interrupted the heartless girl, "you may lose your job."—Philadelphia Press.

As the huge cloud of dust followed an auto, the German said: "There goes our emperor."
"How do you know?" inquired an Englishman.

"Who else could raise such a dust?" was the reply.

The railroad conductor sadly chided an old acquaintance whose fare he had frequently "knocked down" by one-half. The friend presented a half-rate excursion ticket: the conductor said, "Don't you know that I can afford to haul you much cheaper than this company can?"

"What are you doing with that red lantern?" inquired the policeman suspiciously.

"Taking it home for a souvenir," replied the late pedestrian. "Just been to a church shishib and had to be in a tableau. Yes, I represented temperance, shir, and stood up on the track with this lantern tryin' to flash demon run as she come down the track. Demon run fixed up like train—big headlight. But I flagged her."

New York Lodge, No. 1, of the Elks, will dedicate, next Christmas, 1909, a new twelve-story building at Nos. 108 to 116 West Fourth Street, which will contain a lodgeroom with seating capacity of 1,000, a theatre with capacity of 575, billiard rooms, bowling alley, restaurant, and 125 guest rooms. Grounds and building will cost \$1,000,000.

Dividend Notice

San Francisco Savings Union

(Member of Associated Savings Banks of San Francisco.)

N. W. Co. California and Montgomery Streets.
For the half year ending December 31, 1908, a dividend has been declared at the rates per annum of four and one-quarter (4 1/4) per cent. on term deposits and four (4) per cent. on ordinary deposits, free of taxes, payable on and after Saturday, January 2, 1909.

Depositors are entitled to draw their dividends at any time during the succeeding half year. A dividend not drawn will be added to the deposit account, become a part thereof and earn dividend from January 1st.

LOVELL WHITE, Cashier.

Dividend Notice

The German Savings and Loan Society

(Member of Associated Savings Banks of San Francisco.)

526 California Street.

Mission Branch, 2872 Mission Street, near 22nd.
For the half year ending December 31, 1908, a dividend has been declared at the rate of four (4) per cent. per annum on all deposits, free of taxes, payable on and after Saturday, January 2, 1909.

Dividends not called for are added to and bear the same rate of interest as the principal from January 1, 1909.

GEORGE TOURNAY, Secretary.

NOTICE

In the Superior Court of the City and County of San Francisco, State of California. In the matter of the Application of Leavitt Lumber Company, a corporation, for Change of Name.

Leavitt Lumber Company, a corporation, having filed its application praying for authority to change its said name to Castle Lake Lumber Co.,

It is ordered that all persons interested in said matter appear before this Court at ten o'clock a. m. on the 1st day of February, 1909, at the Courtroom of the above entitled Court, Department No. 6, to show cause why the application of said Leavitt Lumber Company should not be granted. Let a copy of this order be published for four successive weeks in *The California Weekly*, a newspaper of general circulation printed in the City and County of San Francisco, California.

Dated December 24, 1908.

GEO. A. STURTEVANT, Judge.

J. B. Richardson, attorney for Applicant, Bacon Bldg., Oakland, Cal.

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OUR SCHOOL FOR CITIZENSHIP

The Foundation for Government.

Let it never escape the mind of the student of citizenship that the written documents of government are not the government, but only the instruments through which government works. The Constitution of the United States has no more relation to the government of the United States than the musical score of a symphony in front of the performers bears to a symphony rendered by a great orchestra. The sheets of written music are necessary to the rendering of the symphony, and the Constitution of the United States is necessary to the government of the United States, but only as a vehicle for expressing the purposes of the people of the United States.

The real constitution of the nation is to be found in the constitution of American character and American ideals. This character and these ideals were inherited from a long line of liberty-loving, self-reliant and resourceful ancestors and developed in an environment that made every man the architect of his own fortune. If these facts are often reaffirmed it will be because no progress in citizenship can be made without weaving them into the warp and woof of our civic philosophy.

The men who made our Constitution were strange admixtures of materialists and dreamers. They had experience with practical politics, but nearly all of them had drunk of the intoxicating sophtistics of Rousseau and Montesquieu. As soon as they left beaten paths they were in the air. They were, almost to the last man of them, aristocrats. They had little real faith in the common people and had it not been that, whatever form of government they turned out, had to be submitted to the people for adoption, our constitution would have provided almost a pure aristocracy. What part of popular power is left in our constitution is due to this negative, or veto, power of the people which could not be taken away from them.

In the discussions in the convention one accepted axiom of government was often asserted and seldom disputed. That governments must either rest upon force or upon influence. Government by force alone led to tyranny and oppression. Government by influence alone led to corruption, chicanery and cabal. Love of power and human selfishness were regarded as the only constant factors to be relied on and, therefore, it remained to the framers of our constitution to play the ambitions and covetousness of men off against each other in such a systematic way, and so adroitly as to prevent any one department of government overreaching another.

Little was said during the debates of the power of a sustained public conscience, of the value of an informed public sentiment, of an innate love of justice among the people, of an unselfish devotion of many to the common good. It was Rutledge of South Carolina who declared that, "Interest alone is the governing principle among nations and if the northern States consult their interests they will not oppose an increase of slaves which will increase the commodities of the South of which the ships of the North will become the carriers." No one seems to have joined issue with him. On the contrary the carriers of the North and planters of the South side-stepped the slavery issue in the Constitution in obedience to the declaration that "interest alone is the governing principle" in governments.

The makers of our Constitution were by no means sanguine of the success of their enterprise, notwithstanding the declaration of Doctor Franklin that the sun painted upon the walls of the hall back of the president's chair was a rising and not a setting sun. Eldridge Gerry described the situation in Massachusetts by affirming that there were two political parties in that State. One of these was violently "devoted to democracy, the worst of all political evils, and the other as violent in the opposite direction." He saw no prospect in his State except for civil war and believed other States to be in a similar situation. The constitution as adopted by the convention afforded him so little hope that he

refused to put his name to it, as also did Edmund Randolph and Colonel Mason of Virginia.

These facts are stated to show that the golden era of free government was not that of the constitution builders. With all its faults and limitations our own time is more golden than any time preceding ours. We have an incorporated phylarchy to confront and it is dangerous, but we have it on the run and the American people know their power and are not likely permanently to surrender government into the hands of the Standard Oil corporation and its far reaching ramifications.

The oldest vessels whose home port is San Francisco are the schooner "Energetic" of 17 tons, built in San Francisco; the schooner "Express," 33 tons, built in Mattapoisett, Mass.; the barkentine "Fremont," 345 tons, built in Philadelphia, and the schooner "Sycamore," 34 tons, built in Sacramento. All were built in 1850.

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This is to remind you that EDGAR C. HUMPHREY is the pioneer specialist in property from San Mateo to Menlo Park and about the Stanford University. Homes for sale and lease. Acres for sale. Offices, Call Building, San Francisco, and Palo Alto. Residence, Menlo Park. Three phones.

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I, a citizen of the United States of America, realizing that a free Republic is an impossibility unless the citizen performs his civic duty, hereby pledge myself upon my sacred honor never to fail to exercise my right of citizenship by voting at every election, primary or secondary, wherever it is possible and legal for me to render that service to my country, my health permitting me so to do.

In taking this pledge it is distinctly understood that I in no way obligate myself to vote for any particular party, any definite candidate or any certain measure. I am binding myself only to my Country, and pledging myself solely to the faithful performance of the duty I owe to her as a citizen.

Signed

Age

Address:

WHY TAKE THE FOREGOING PLEDGE?

Those taking the foregoing pledge, signing and sending it to this office, will be enrolled upon The California Weekly's "School for Citizenship," which will be a permanent feature of this paper. It will entitle the person sending in his name to have answered, either through the columns of the paper or by letter, any rational question he may ask concerning public affairs, and, generally, by the person best equipped to afford the desired information. It will also entitle the signer to such special literature bearing upon the obligations and opportunities of good citizenship as may from time to time be issued. While this pledge is open to persons of all ages it is especially desired that it be taken and sent in by young men lately become voters or who will cast their first votes two years hence. It will take but a moment to clip out the pledge, sign, enclose in an envelope, stamp and address to "School for Citizenship," office, The California Weekly, 26 Montgomery Street, San Francisco, and it opens the way for a liberal education in citizenship.

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GOOD FAITH-GOOD COURAGE-GOOD HUMOR

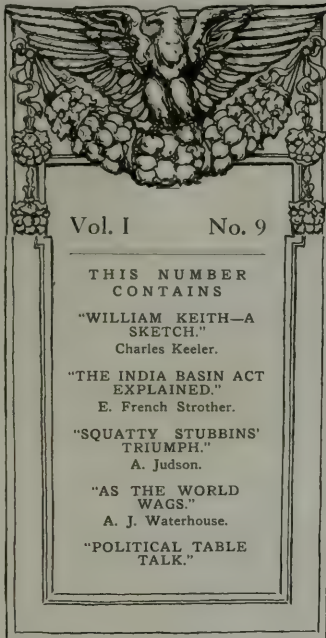
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THE STATE AND THE JAPANESE.

President Roosevelt has once more intervened between Japan and the State of California. Doubtless, if the intervening has to be done, the president is the man to do it. And doubtless, also, if California is about to indulge in any wantonly offensive or demagogic legislation somebody ought to call a halt. But nevertheless, California can never consent permanently to subject the regulation of its domestic affairs to the caprice of Japanese sensitiveness. If there are to be Japanese in this country at all, their presence will raise problems which we must be free to deal with, and even to deal mistakenly with. There is a limit to the exploitability of material which we can afford to have around us, and if this Japanese question is liable to go off at the slightest touch, then the only possible policy is not to have any Japanese question. President Roosevelt is right in saying that a state which has no power to make war ought to refrain from acts which might provoke war. But it is also true that a nation which is powerless to regulate our domestic institutions ought not to impose on us an institution which it will not permit us to regulate. A Japanese exclusion law ought not to be necessary. But it will be made necessary if the condition of Japanese admission is an inflexible punctiliousness such as no free people can guarantee, and such as we are not compelled to exercise toward any other question. If the Japanese want to get on in good nature with us, the first step should be the reform of some of their hair-trigger ways.

As to the actual bills proposed, there is no question that some of them have gone too far. There is no need to exclude Japanese from the schools. The only ones of them who are objectionable can be as well excluded by local school-board regulations putting an age limit on attendants in the primary schools. Also there is no occasion to restrict the places where Japanese may live—though Japan, until recently, restricted the places where Americans might live. But we can see no objection in principle to a bill restricting the right of aliens to own land. Japan has such a law, and so have several American states and the District of Columbia. When Illinois passed such a law, for the avowed purpose of breaking up the Scully land holdings, there was no howl of protest from England, and no intervention by the president. The principle is a well-established one, in national and international law, and for Japan to object to it seems like an acute case of megaloccephalic hyperaesthesia.

This is not a case of hysteria; still less for petty demagoguery. It is a matter to be treated with dignity and self-restrained firmness. It is a matter even to be temporized with, if that is the practical thing to do. But this Japanese question is going to be with us permanently, and it is going to have permanently some Californian aspects. And California must not surrender the right to deal with this question, in its domestic aspects, just as it does with all other questions. If the Japanese question is dynamite, then it must somehow be isolated, like dynamite. If it is to take its place among



other questions, then it must lose its dynamite quality.

Assurances received from the President are such as to make it clear that there is no pressing need for anti-Asiatic legislation at this session of the legislature. A little more time may well be given for our national policy to work out anticipated results. That policy may even remove from us the whole Japanese issue. Therefore, without surrendering any of its rights or prerogatives, California may safely rest on its oars, watch the course of events attentively and be prepared to act intelligently and decisively when the time for such action comes, if it does come.

THE GOOD ROADS ISSUE.

There are those who seem to feel that a state out of debt is like a farm without a mortgage, lacking in interest and incentive. It was Frank Short of Fresno who, at the extra session of 1906, insisted that California could not recuperate from the losses entailed by earthquake and fire unless the state took on \$10,000,000 in bonded debt, and his insistence carried the measure through the senate, but California is \$10,000,000 better off to-day than it would have been had Mr. Short gotten his

panacea through the assembly and by Governor Pardee. A big state debt is not in itself a public good.

It would be well if California had a state system of highways for automobiles and their tourist occupants to trundle over. That is the essential purpose of the Governor's eighteen million dollar measure unless it have an ulterior purpose more political than material.

There are two principal, pressing places of need for good road building: From the farm to the nearest shipping station, and through the mountain districts where there is not sufficient taxable property either to afford to build needed roads or to keep them in repair after they are built.

The counties and communities can, if they are taught how (and teaching them how should be a function of the roads department of the state engineer's office), build and maintain good roads from farm to shipping point, and will have it to do even after the eighteen million dollars have been expended.

As to the second sort of road for the building of which there is a pressing need, the proposed new road from Sierra Valley to Marysville is a case in point. The Sierra Valley is shut off from the outside world during a good portion of winter. State aid is required for laying out and building a good highway to the Sacramento Valley. No such road can be built without the state building it and maintaining it when built. Hundreds of miles of such roads are needed in different portions of the state. Another instance is through Trinity county and into Humboldt, connecting the Sacramento valley with the Coast.

Then there is the need for opening up to travel the interior of the Sierra mountain system, the Switzerland of America. If tourist travel is wanted, here is the place to invite it to come, not to trundle through our valleys where railroads are abundant and electric lines multiplying. A reasonable bond issue for building good highways where they cannot be built unless the state builds them might not be amiss, but it is not certain that such roads cannot be built as fast as needed, or as fast as a roads department can build them, without a bond issue. A few cents of state road tax might meet such requirements.

Moreover road building has not become a science in California. It is all experimental. Scarcely two consecutive miles of valley road can successfully be built in the same way. It will be time enough to take hold of great road-building enterprises when small ones have been successfully handled.

It will be well for the legislature of California to go slowly with the Governor's pet scheme for bonding the state to the gunwales. Let the system of taxation for the state first be rectified to the end that the people may know where the road bond burden is likely heaviest to fall. And there should be some hesitation, at least, about placing the expenditure of \$18,000,000 of public money in the hands of a political administration dominated from New York and in a special rather than a public interest.

THE EXTRA-EXTRAORDINARY.

Time was when the Sacramento and San Joaquin systems of rivers could pour their united floods into the great interior valley of California and work little injury. Their waters spread out over unobstructed plains and into capacious basins to deposit their burden of mountainine fertility and then drain off into the bay as clear water.

Then came the enterprising, pushing, home-hunting American! Singly or collectively, white men leveled the spreading waters off onto other white men, singly or collectively; built fences, embanked roadways, constructed railroads, bridges and filled the river beds with sickens from the mines. They did all the things that could be done to render destructive and terrible, floods that before were innocent of harm.

In the work of flood defense at first only the ordinary was provided for, then the extraordinary in inadequate measure, but the extra-extraordinary was left out of consideration as "never likely to occur again," and yet there is nothing more certain than that what has occurred once will occur more than once. Generations may come and go between recurring meteorological events, but they will recur.

There is nothing more important to California than the regulation of these interior river systems. The task is gigantic, but it must be accomplished. It can be. The world is waiting to be shown how such problems may be wrought out. It is a man's job.

But the regulation of these interior river systems cannot be accomplished until the whole system, including every considerable branch of every considerable river, is treated as one system from origin to debouchment into the bay. It must be treated as a canal system in charge of a single superintendent, with telephone stations at every strategic point and some watcher in charge at every head-gate to the end that every channel shall be prepared to handle its maximum flow when the extra-extraordinary emergency arises.

As a first step toward a successful administration of this pressing internal improvement individual, and even associated, initiative and effort must sink themselves in a self-forgetting concern for the common good. It will be just as indispensable to the success of this work as the sinking of local concerns was indispensable to the building of this nation.

Meantime no bridge should be built across any stream without first having secured the approval of the engineering department having the river rectification work in charge. The bridges at and near Sacramento are a menace to the capital city and they are splendid evidences of the penny wisdom and pound folly of the builders. They are low and their piers offer a maximum of obstruction to the stream with a minimum of safety to the capital invested. There are three times as many of them as there should be and it is heedlessly proposed to build more to further retard the flow of the waters and obstruct navigation. If a single bridge across the Mississippi at St. Louis can accommodate the travel that comes to it how self-evident it must be that a single bridge across the American, and another across the Sacramento, at Sacramento, can be made to meet all requirements.

GENELEMEN OF THE JURY.

Whatever there may be, in other departments of our judicial system to justify the claim that we are governed by law and not by men, that theory is shaken when it comes to the practical work of our jury system. What governing the juries do is done by men and not by law. It is beneficial that it is so. It ties to the fact of everyday living a judicial system that, otherwise, must inevitably go

THE STAFF

A. J. PILLSBURY.....Editor and Manager
CHESTER H. ROWELL.....Associate
J. L. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
O. BLACK.....Business Manager

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ballooning after impractical subtleties of ratiocination.

The theory is that juries shall be so selected from the commonality as fairly to represent the sentiments of the commonality, that the verdict of a jury shall be such as public sentiment would render if it were as well informed as the jury becomes after hearing the case at bar. If juries were so selected there would be small reason to complain of jury verdicts, even though not in harmony with the conclusions which cold law, uninfluenced by warm-blooded humanity, might reach.

But the selection of a jury has now become a struggle to "stock" the cards, load the dice, predetermine the verdict, and so render all the other proceedings farcical. The more certain the guilt of the accused the longer will it take to secure a jury and the more desperate will be the effort to prevent the selection of a jury representative of the citizenry.

Society owes no obligation to the accused that entitles him to this advantage. If public sentiment is divided, after being fully informed, the jury trying the issue will be divided and result in a disagreement, not in a conviction.

Efforts to fix a jury are nearly always made in the interests of the defense, rarely if ever by the prosecution. This wrong more certainly needs righting than any other connected with our judicial system. In comparison with it the strained interpretations of technical courts are unimportant, and intricate procedures become mere hindrances. A packed jury is such an overthrow of justice as leaves it prostrate in the mire.

With a jury taken from the commonality, and fairly representative of it, justice will often enough miscarry because public sentiment will often enough temporize with wrong-doing and condone it because sanctioned by a too prevalent custom. This is not seriously to be complained of. It only emphasizes the truism that the quality of justice meted out in any community can never rise above the standard of conscience and manhood in that community, but there is ground for demanding that it shall rise to that standard. Bearing these facts in mind the observer will be able to judge righteously regarding any case by noting how long it takes to empanel a jury to try that case.

MURDER AT AGNEW.

Report has it that a contractor engaged in reconstructing the State hospital at Agnew is scamping his job. That this report comes from a representative of organized labor, complaining of open shop methods, does not discredit it. It only suggests a possible bias that should prompt a more than usually careful scrutiny into the facts.

Nathaniel Ellery, State Engineer, will be found competent to get at the facts and resolute to expose them. His one failing is that he permits the political powers that be to

select subordinates for him instead of insisting upon selecting them himself, and nothing but harm can come of that, but he will not permit the State to be cheated, or the lives of the wards of the State to be jeopardized, if he can avoid it, for he knows as well as any man can know that jerry building of public institutions means murder.

On the morning of April 18, 1906, one hundred and twelve persons met their deaths at Agnew Hospital. It is safe to say that one hundred of these were murdered by the contractors and workmen who built that institution. Nothing made of bricks and mortar could have stood uninjured on that ground through that earthquake, but had the floors remained in, and the walls been properly constructed, few fatalities would have resulted even though the institution might have had to be rebuilt. It would have been entirely possible to take the walls of the main building down from roof to foundation course without using an implement more strong than a ten-cent screwdriver.

The architects of that institution were at fault, but the builders robbed. They did worse than to rob. They murdered hapless beings by the score that they might illicitly gain an added profit. Particeps criminis were the men who threw bricks into the walls anyhow to get them in rather than take the time to embed them even in the faulty mortar that was provided. Not until the Day of Judgment will the authors of this iniquity stand as nakedly exposed as they stood after that disaster and, unfortunately, not until the Day of Judgment will they receive the punishment that is their due.

It is not yet time to condemn one charged with seeking to repent this offense against God, humanity and the State of California, but if that time shall come as a result of careful investigation, then may the dogs of wrath be let loose upon him and no mercy be shown. To allow a repetition of the same monstrous offense to be committed upon the same ground would make the State of California party to the infamy. That must not be. It is one of the disadvantages of concrete construction that the owner may be cheated almost under his own eyes, or while his back is turned. Therefore the greater vigilance! Governor Gillett owes it to the State to suffer no guilty man to escape, as well as no innocent man to be falsely accused of so heinous an offense as a sham construction of hospital buildings.

THE ISLAIS CREEK ISSUE.

Elsewhere in this paper will be found a carefully prepared setting-forth of the proposed Islais Creek extension of the harbor facilities of San Francisco. It may be doubted if the people of California so little understood any other amendment to the constitution submitted to them at the last election. It is within the province of The California Weekly to investigate such issues and place the matter before the public, pro and con, as fairly as possible. There are some personal and corporate interests selfishly involved in the determination of this issue that will bear watching, but in the main such disagreements as there are to be attributed to differences of opinion as to what is best. Sound judgment is required in the premises. That San Francisco will soon need additional wharfage facilities is obvious. If not supplied on the San Francisco side of the bay they will be supplied on the Alameda County side. This may not make a great difference to the State, or to the commerce of the Nation, for ship and car are going to be brought together somewhere, but the difference to San Francisco will prove important. A clear statement in relation to the matter is due the public in advance of legislative action upon it.

Better Would Hide than Pride.

The rumor that H. C. Frick has been pricked in a sore spot, because the swains of Pittsburgh did not turn out to dance by the light of the moon when his daughter Helen held her coming-out festivity, is not to be discredited even though denied. Ever since wealth began to be possessed unequally in the world those who have had it have desired one thing more—social recognition by the smart set for the female members of the household. It has generally been sought for at the tips of the fingers of royalty, and there is a likelihood that Frick will look for it there. Piqued at Pittsburgh he will marry his Helen to some titled nobody from Europe if he has to give ten million dollars to boot. See if he doesn't.

A Much Needed Concession.

Oscar Hammerstein may not do all that he is advertised to do, but if he reduces the price of grand opera tickets during a portion of the year, so that persons of moderate means can afford to attend, he will set an example that other cities should follow. It is on the artistic side of life that Americans appear to least advantage and this will continue to be so until persons in moderate circumstances can afford to hear something better than rag time melodies.

Foreign Commerce Lighter.

Uncle Sam's balance sheet shows a falling off in foreign trade during the last half of the calendar year recently closed. That was to be anticipated. The slump of securities in October, 1907, put a bounty on exports and, for half a year, the increase of exports and decrease of imports were tremendous. That could not long endure. It is impossible always to sell unless we sometimes buy. Normal trade is reciprocal trade. As we begin to buy more largely we shall begin to sell more largely. There is no occasion for alarm.

Why Not Bryan?

The American Federation of Labor retained Judge Alton B. Parker to take leading charge of the case of Gompers, Mitchell and Morrison on appeal from the decision of Judge Wright. Why Alton B. Parker? He is a higher-up by instinct and tradition, whereas William J. Bryan would be able to pour out his latest heart throbs in the cause of freedom of speech and liberty of the press. Perhaps, however, it may have been determined that this is an issue of law and not of polemics!

To Impress Foreign Born Citizens.

Over the country preparations are making for a proper celebration of the hundredth birthday of Abraham Lincoln. Three main reasons are offered for putting forth this effort, a desire on the part of those who remember Lincoln to do honor to a well-loved hero, a wish to impress the importance of that colossal character upon the generation that came into being since the passing of Lincoln, and a desire to impress upon our foreign fellow citizens the importance of the man and his life to the home of their adoption. These reasons are so good that the cities of California should bestir themselves fitly to celebrate the centennial of Lincoln's birth. There is no better safeguard for American institutions than an indwelling love of Lincoln, and unless those born under alien skies love him, too, that safeguard will not become the reliance it ought.

Football Not the Worst.

There were more than twice as many killed while playing baseball last year as in football, the exact figures being 39 to 18. This should give the strictly American game of baseball renewed popularity in our great universities and a distinct preference over the

milk-sop importation from England. How are the relative merits of these diversions to be judged if not by their casualties?

Pure Buncombe.

It was President Stickney who declared that he could believe anything a railroad manager might say about anything except railroad management. It has seemed prudent in the eyes of transportation managers never to tell the truth, about transportation management, when a falsehood can be made to answer the purpose. The statement of Commissioner Franklin K. Lane, to the effect that the rulings of the Interstate Commerce Commission requiring railroads to publish the railroad portion of the rate to the Orient has not and need not, cost the railroads or the ships the loss of a ton of freight, goes far to confirm the statement of President Stickney. When any public interest manifests a preference for darkness rather than light, and for prevarication rather than the truth, it is time to turn on the light and lay buncombe bare to the bone. It may be needful to subsidize our merchant marine, but a policy of falsehood on the part of shipping interests will do little to make the word "subsidy," already taboo, sound sweet in the American ear.

Racing to Mexico.

The word has gone out that if California closes down on the racetrack fraternity it will pack its baggage and betake itself to Mexico. Good riddance. California can stand it if Mexico can. Once over the border it will only be needful for Congress to shut off its use of the telegraph, to outlaw that form of robbery as effectually as the lottery has been outlawed. The United States needs a more convenient dumping ground than Honduras. If Mexico wants the moral sewage of America let her have it. California does not.

Little Willie Willett.

Lambasting the President has become so popular in certain quarters just outside the gates of Hades that Little Willie Willett thought he would try it. No doubt the gray wolves of both houses patted him on the back and said: "Good boy, Willie," but suppose the President should take notice of the incident, suppose the great mastiff should deign to take a nip at the yelping poodle, where would he skurry to get out of harm's way?

How Much May They Make?

Considerable discussion is going on as to how much net profit public service corporations may legitimately make. Mr. Harriman says, "All they can." That is simple, direct, intelligible and suggests the equally intelligible retort, "As little as possible." The general manager of the Pullman Car Company says, "Fifteen or twenty per cent." The Supreme Court of the United States has just said, in the eighty-cent gas case, "Six per cent. where there is a monopoly." The financial understanding is clearing.

As They Do In Texas.

Texas undertook to legislate monopolies out of the Lone Star State. Prophets of evil declared that Texas would ruin itself, that the great corporations would withdraw from Texas and leave nothing behind but the shuck. Texas is still on the map. Bailey of Texas, who obliged the Standard Oil, is a has-been. He is going to New York where the atmosphere is more conducive to the health of one of his susceptibility to catching coughs, colds, snubs, brickbats and other things. And now the Waters-Pierce Standard Oil Company has been irrevocably mulcted in the sum of \$1,600,000 for violating the anti-trust laws of Texas. Texas is on top, and California may well profit by her pugnacious example.

The Deeper Significance of Living

Two men once found themselves occupants of a compartment in a railway car in England. One, an intelligent man, sought to engage the other in conversation. He sounded him upon about everything in his own repertory of interests, but to no purpose until, exasperated, he exclaimed: "My good friend, I have done my best to find your field of interest, but without success. Will you not therefore tell me what you are interested in?"

"Well," his companion drawled, "if you know anything about belt leather I can talk with you about that." So they talked about belt leather the rest of the journey.

More hurtful than poverty, more harmful than illiteracy, is a narrow range of human interest. The second man in the car compartment was prosperous. He had given his life to the business of dealing in belt leather and had been successful, but outside of that interest he was an ox.

From babyhood to senility there is scarcely a waking moment when something does not appeal to our brains with the purpose of stimulating, first, interest, and then thought. Baby talk is the hope of the world. When our fond mothers (foolishly as many think, but more wisely than sages know) chattered to us, made grimaces at us and sought to throw into their own faces all the powers of feeling they possessed, and so finally taught us to distinguish papa from the bedpost or towel rack, they were laying the foundation for our future intelligence and usefulness. They were trying to induce us to "take notice," and whoever goes through life without taking notice is a clam, and there is no health in him.

In the causes which lead to insanity hereditary tendency comes first. Next comes the excesses of the licentious life, and next to this comes that narrow range of interest which leaves nine-tenths of the brain unused and wears the rest like the path that a horse makes tethered to the end of a power sweep, deeply grooved, narrow and in a circle. It is killing.

A broad range of interest is a powerful aid in moral uplifting. Wanting such a range the tendency is to live a purely animal life, satiate the passions and glut the propensities; but if the days of life can be filled to the brim with varied and wholesome interests character has an anchor to windward that temptations will seldom drag, no matter how blows the storm. As a motherly matron of a reform school declared, "If you get the badness out of a boy you have got to put goodness into him in place of it. 'Taint natural for no boy to stay empty."

The embittered life is the narrow life, as it is the undrained pool that stagnates. It is a principal source of dependency among the aged. Homes for the aged are filled with persons whose kith cannot endure them because of the flavor of wormwood that communicates whatever they know. Therefore they are hustled off to some "home" where attendants are hired to tolerate them. There are thousands of human gall-bladders in hospitals for the insane throughout the United States who are not insane, but only so embittered that there are no other places to put them, and they became embittered through a narrow range of interest. The sky and earth came together too close and hedged them in. They were Prisoners of Chillon without knowing it. A broadened and sympathetic range of interest is as essential to the mental and moral health as a varied dietary is to the health and pleasure of the physical being. The one is to be as much reached out for as the other, and is as much to be sought by the head of a family, for the family, as housing, clothing and wholesome food. It has not been valued at its true worth.

Much is said of fads in teaching, of burdening courses of study with frills, the insistence being that less should be taught so pupils may be drilled in elements—a fine road to the narrow range of interest that kills. Our faddists build better than they know. Teach the elements, then open wide the windows upon God's wide world.

THE WORLD AT LARGE

Another Ocean Bridge.

The success of W. H. Flagler in spanning the distance between the southern extremity of Florida and Key West, or at least his fair prospect of success, has prompted the British East Indian government to plan for connecting the island of Ceylon with the tip end of Hindustan. Aside from a number of channels winded will need to be so bridged that ocean traffic may pass through, there will be one stretch of thirty-eight miles of disconnected coral reefs to be joined together. It is estimated that the work will cost \$8,300,000 where labor is cheap and abundant. The purpose of the expenditure is the development of Ceylon and especially of Colombo, the fourth or fifth port of the world in point of ocean tonnage passing in and out of the harbor, by hitching island and city to the hinterland.

Boneless Chucks.

Secret Service agents of the Government have unearthed a well-concealed but far extended system of rebates by railroads paid to the beef trust in the form of under-billing of goods. It is said that, under the guise of shipping "boneless chucks," "cheek meats" and "shank meats," the highest grades of meats have been shipped from the packing houses to Atlantic coast cities in open violation of law, and to the detriment of honest competitors. Until such evasions of law are punished as smuggling, their equivalent, would be punished, rebates will continue to be given and received. A few terms in prison will stop it.

Locating the Capital of Australia.

Although the Australian federation has been striving for several years to agree upon a location for the capital of the federation it is only recently that even an approximate location has been determined upon. This much, however, is settled, it will be located in the Yass-Banberran country between 2,000 and 3,000 feet above sea level, nearly 200 miles southwest of Sydney and about 400 miles from Melbourne. The district is attractive and healthful, but better suited for grazing than for agriculture, except as irrigation may be employed.

From 'Scapegoat to Hero.

It is not impossible that the death of Admiral Rojestvensky may transform him, historically speaking, from a national 'scapegoat for the Russian navy to a national hero very near to the hearts of Russians. It would appear that he had sought to take upon himself the burden of blame for the loss of his fleet and to hold as free as possible his subordinates. The nation knows well enough that the responsibility lay with the Russian higher-ups, the middle-some grand dukes of the empire, although they might reasonably concede that a share of it at least lay with Admiral Togo and his little brood of fanatics whose country taught them how to fight instead of how to graft. The real fault was that the Russians failed to make good.

Honest With Each Other.

The governors of the Stock Exchange in Wall street are facing Governor Hughes' probing into their methods, by special commission, with unflinching courage, even gloating in the fact that bargains covering millions are made and carried out by the wink of an eye, the nod of a head, the speaking of a word, even when the result of it may prove disastrous indeed. It is not so much how those men deal with each other as how they deal with the public that interests the public. No amount of honor among thieves makes the general effect of thievery bearable, and the issue is as to whether or not the denizens of Wall street are thieves and robbers or only gamblers staking their individual alls upon chance.

A Measure of Poverty.

Some idea of the depth of poverty in the United Kingdom may be formed from the fact that 700,000 persons lately applied for old age pensions under the new pension law. Those applying had to show that they are seventy years old or over, that their total annual income is \$105 or less and that they have not been in receipt of any applied for old age pension that the pension budget will eat up \$35,000,000 a year from the start. It is a gentle form of out-of-door poor relief but based upon the theory that the worker, having toiled long, still has that much coming to him from organized society—not a bad theory, provided he has toiled long.

Almost An Apple Famine.

Had it not been for a good crop of apples on the Pacific Coast last year there would have been an apple famine in some of the eastern states. In nothing else have the farmers of the East been so neglectful as in the planting and caring for apple orchards. In New England, the home of the apple of song and story, it requires fifteen to twenty years for a new apple orchard to come into profitable bearing and that seems too long to wait. Farther west the wait is not so long, but stock growing has proven more profitable and orchards have been allowed to die of neglect. The United States can furnish a market for a barrel of apples per capita of population, but the supply last year was barely 62,500,000 barrels.

Motor Cars and Roads.

Massachusetts and New York are the two most enlightened states in the Union, measured by their efficiency in dealing with public affairs. The governors of these states and their highway advisers are now studying the relation of automobiles to the public highways and the result seems likely to be an interstate commission to make further investigation and report. This much has been determined. Automobiles require the best of roads but are the hardest upon roads, and a way is sought for taxing them in proportion to benefits enjoyed and injuries inflicted, the resulting tax fund to be used for repairing roadways.

Two-Foot Pistols.

Alabama is striving with honest zeal to break up the practice of settling differences between gentlemen by holding impromptu street duels to the great danger of innocent passers and to the depletion of the state's assortment of gentlemen of the first families. Inasmuch as the Constitution of the United States guarantees the right to bear arms the state cannot altogether prohibit pistol carrying, but it has undertaken to regulate the carrying of weapons so that hip pocket pistols will either go out of fashion or long and loose hanging cloaks, such as were worn in the days of Hamlet and Othello, must come into fashion to conceal the blunderbusses which the law will allow to be carried. The proposal is that no pistol less than two feet in length shall be purchased, sold or carried.

Freedom of Contract and Sharks.

The Supreme Court of Illinois has rendered a decision which declares unconstitutional a law designed to stand between loan sharks and their victims. It is held that a law requiring the signature of the employer to a contract of assignment of wages in advance would prevent freedom of contract. That it would prevent freedom of extortion by loan sharks would come much nearer the truth. There is scarcely a civilized country on the globe that has not been called upon somehow to trench upon freedom of contract in order to stand between loan sharks and their victims. The Supreme Court of Illinois appears to be a survivor from the dark ages.

Beecher's Bright Sayings.

"There is only one thing I can think of," said Henry Ward Beecher, "which is not dangerous, and that is dying."

The grave is God's bankrupt court, which clears a man of his property and his debts at the same time.

There is only one place in which a man can bear a boil, and that is on his neighbor.

Whether Ireland will ever be quiet depends on how many Irishmen emigrate. They are likely not to be taken straight, but in mixture.

He is considered a blunderer nowadays who tells a lie. The artist will tell the truth so that it shall tell the lie.

You can never do anything with an excited man or an excited crowd, taking them on the rising tide; but if you can only get them to howl for two hours, until they are tired, then there is some chance for you.

"We have in our midst," said Beecher in an after-dinner speech, "that exceedingly high mountain to which Satan took Christ and showed him the smiling world beneath. It is the daily newspaper."

At the close of a pew-renting in Plymouth church one of the members said to Beecher: "Mr. Beecher, I have been trying all the evening to get a seat, and haven't succeeded." "Well, then," he answered, "you must obey the Apostolic injunction,—having done all, to stand."

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WILLIAM KEITH—A SKETCH

By CHARLES KEELER.

On that never-to-be-forgotten morning of the eighteenth of April, 1906, William Keith crossed the bridge from his Berkeley home in a vain effort to reach his studio, already doomed by the fires that were raging through the business districts of San Francisco. Having tried without avail to find a way up town through the cordons of police and soldiers, and realizing that the building containing the pictures which represented his life work must certainly burn, he joined the procession of refugees fleeing from the stricken city and returned on the ferry to Berkeley. He called that morning upon my wife, who had long pursued her art studies under his sympathetic eye, and asked her to lend him paint and brushes and canvas. Now, at the age of sixty-seven, his life work burning in the city over yonder, he resolved to paint a new and better collection of pictures than the one which was being destroyed. The craft which comes from years of experience was his, and his mind was stored with impressions of nature gained from a life of unwearied study. He would forget his losses in increased activity, inspired by the thought that the work of his life was still before him.

No one will ever know how many canvases, large and small, finished and unfinished, were destroyed in that old Pine Street studio which had for years been the real art center of the West. Mr. Keith estimated the number at probably two thousand. He is a prolific painter, and nearly everything he had ever done which remained unsold was stored there. Some of his friends went to the studio that fateful morning to save what few pictures they could carry off, but the bulk of his work was left to burn. A collection of pictures of the California missions, painted in the early days and of great historic interest, portraits of notable men, sketches of Sierra scenery, and landscapes without number, were up in flames. There were mystical scenes whose motives were inspired by the rich tones of two Chinese temple bells, by fanciful poems, and by his own dreams; others were expressions of the characters of his friends as he imagined them worked out in mountain, grove and meadow.

There were many of his notable works had been purchased and sent away from the doomed city. There were fine examples of his landscapes in many private homes of the East. The Corcoran Gallery in Washington owns one, and Mr. Jacob Schiff had presented a notable picture of his to the Hamburg Gallery where a room has been set apart for this one painting. But the mass of his work, including much of his most mature, most successful and most powerful expression, was burned in the San Francisco fire.

So it seems to me one of the thrilling episodes in the history of art, when, on the very day of the historic disaster, William Keith, already approaching his three score and ten years, went to work amid all the confusion and excitement about him, to begin anew the cherished work of his life, that he might leave a collection of pictures worthy of his genius. When days and weeks afterwards, men paralyzed and stunned by their losses were thinking of returning to the normal routine of their lives, this intrepid painter had already a goodly array of canvases completed. He had the very thought of the task before him was rejuvenating, and he labored with almost unnatural youth and enthusiasm. Among the many enterprising merchants to be speedily rehabilitated in the new business district on or near Van Ness Avenue was the firm of Vickery, Atkins & Torrey, and no sooner was their artistic temporary building ready for occupancy than Mr. Keith was prepared to fill their spacious gallery with an exhibition of the landscapes he had done since the fire. It was a most incredible achievement, considering the number of pictures displayed, the beauty of workmanship, the poetic fancy and the great variety in subject and treatment. It was difficult for some people to comprehend how so

many pictures could be painted in so short a time and still represent the high standard of workmanship which Mr. Keith had maintained before the fire. To understand this it is necessary to look back upon the painter's life and training.

Coming from Scotland to New York while still in his teens, Mr. Keith early learned the art of wood engraving, and in his young manhood made many of the striking blocks for Harper's Weekly. But, fortunately for the cause of art, the close application injured his eyesight and he came to California to engage in wood engraving more independently. Having some leisure here he took to painting in water colors, and when a commission to make a set of oil landscapes for one of the northern railroads was offered him, he gladly seized the opportunity to escape the confinement of engraving and get out of doors amid the mountains and forests. With the experience and start thus gained he opened a studio in San Francisco in company with a portrait painter. Pictures were scarce in California in those days, so despite the immaturity of his work, he sold enough in a twelve-month to take him to Europe for study. After a year in Dusseldorf with Professor Achenbach and Professor Flamm, working at landscape painting, he returned to his adopted home to enter upon the serious labor of his life.

Now followed years of unremitting study of nature—summer outings in the high Sierras, often with his life-long friend John Muir, excursions north and south in the Coast Ranges, trips through the valleys, with paints and canvas ever in readiness, and unceasing industry wherewith to make good use of them. From every outing he brought home numberless studies in oil and water color made directly from nature. But the great field of his life study was the vicinity of his own home in Berkeley. Daily he observed the effects of sunlight and shadow, of the procession of the seasons, the sky and the clouds and fog, the waxing and waning of day, moonlight and starlight. He studied the hills in winter green and summer brown, the vistas from the heights over the plain to the bay, the planted groves of eucalyptus, and above all the sun-baked rocks with their gracefully spreading trunks and the play of light and shadow under their branches. He was an indefatigable student. Upon his daily walks he always carried a note-book in which he jotted down pencil sketches with notes on effects of color written upon the drawings. He was ever looking for the subtleties of color in nature, striving to gain a deeper insight into the details of light effects and a greater mastery of the elusive splendors of nature's pageant. At one time he wore a Claude Lorraine glass, and wandered over the hills getting ideas in the beautiful images on the darkened mirror. At another time he carried bits of colored glass and studied the effect of the landscapes under various artificial lights. Even during the later years of his life when he was weary and over the hills with him he has been studying nature with the enthusiasm of a schoolboy. A lesser man would have long since settled into a routine, satisfied with what he had learned in youth.

This training in the great out-of-doors has been the only influence that has shaped his work. He early painted pictures with ease enough, with every detail elaborately studied out. His first great advance came in his grasp of the principle of unification—in making his picture tell one idea with all detail subordinated. From George Inness who worked with him while visiting California and who warmly appreciated his work, he gained much of the inspiration that comes from the contact of kindred spirits. Upon one of his European trips he devoted himself to portrait painting and came home with many notable studies of heads. The work of Corot, of Rembrandt and of Velasquez has been most suggestive to him, but many of the other painters, especially the Dutch and French masters of landscape, have

influenced his style and thought to a greater or less degree.

Mr. Keith has been a tireless student of technical processes, and the mastery he has achieved in the craft of hand is the result of intense and enthusiastic application. Great looseness and lightness of touch, boldness of stroke, certainty of effect, have characterized his technique. And while he has known just how to produce results, he has also been alert to seize upon accidental effects, to emphasize and make significant the chance arrangements of form or color. He has ever been experimenting in manipulation, trying new devices to produce novel textures and tones. Sometimes the whole picture will be painted upon a prepared surface of brilliant color, in transparent oils, wiped out with a rag, and showing the fundamental tone throughout. More characteristically he will paint over an old canvas, piling on the colors with bold strokes that give depth, solidity, and massiveness to his work. At one time he experimented upon surfaces covered with gold or silver leaf, painting in light transparent colors and producing the most luminous effects. At another time he worked much with bits of glass, scraping the thickly painted surfaces, bringing out brilliant under colors in sparkling broken lights. He has produced some striking results in combining pastel with water color. At one time he laid in pictures in brown, forming his composition and then building it up in color upon this foundation. At another time he worked in color first and then harmonized his composition with successive glazings of transparent brown or yellow.

But Mr. Keith has never depended upon tricks of craftsmanship, although he has known how to make use of these. By far the largest part of his work is done in a straightforward manner, swiftly, directly, with that sense of effect which comes only from years of self training. He works with large brushes, and many of his light loose splashes of foliage and grass are produced by a strong pressure and a toss of a big soft brush. He usually paints standing, giving him greater freedom of motion, and the ability to see his work much at a distance as it grows under his deft strokes.

Few painters have had so great a diversity in style as Mr. Keith, despite an unmistakable mode of handling common to most of his work. He will paint a series of pictures in one manner and then turn to a mode in complete antithesis. From paintings of Alaskan waters with mountain peaks snow mantled and imaged in the sea, all white and opalescent with delicate tones to moonlit trees, dark and mysterious and elusive as such scenes are, he changes in easy transition. Again, sunsets with all nature suffused with golden brown light claim his fancy. After an excursion to the mountains he will essay large canvases of Shasta, of Kings Canyon, of the Sierras, with the snow mantled crest of the Sierras, painted with the utmost fidelity to nature. Inspired by the season, whole series of light tender green spring pictures will appear, full of fresh verdure, a proudding hillsides. But in general his work falls into two main groups—paintings which portray nature in a literal matter-of-fact manner, and those in which he allows his poetic fancy to glorify the scene and leave it in haunting mystery. It is almost needless to say that Mr. Keith himself knows that these latter are his finer and more distinctively creative work.

A great painter must be more than a student of nature and a successful technician, indispensable as these elements are. He must have a great soul, a spiritual life, and impart, and this, the most essential element in genius, is the last for the world to perceive. It is because of his vital, intense nature, his deep, broad religious undercurrent of thought, his childlike reverence and reverence that William Keith will one day be acclaimed a genius of the first magnitude among land-

(Concluded on page 136)

MADAME REMIER

By E. FRENCH STROTHER.

Madame Remier was a Communist. Two times she was condemned to be shot. I saw her only once, and that was between the day when she escaped the first sentence through a soldier's jest and the day when she was led the second time to public execution. I heard her story from one who knew what was before and after.

M. Remier, her husband, lost his mind a few years after she was married, through conduct that gave his wife no cause to pity him, and left her with three children to raise, and the bills for his care at the Hospital St. Anne, which was a home for the feeble-minded. Sometimes M. Remier escaped from his lax guards, and there were more bills for returning him to the hospital.

Then came Napoleon the Third.

Madame Remier taught school in the daytime, and conspired against the monarchy at night. She was intelligent enough and radical enough to be a leader among the Republicans. She was also clever enough not to be caught for some time. But when the first fury came against the Republicans, she was one of those arrested and sentenced to be shot at once.

There was little ceremony about the executions. Only one formality was observed, when the condemned were huddled at the all-day slaughters on the sand-shelves beside the Seine. They were told off in squads of thirty, who were all tied along one rope to be shot together. When Madame Remier's turn came, her lot fell to be tied at the end of the rope with twenty-nine men. Thus they stood bareheaded in the sun, almost before the dead bodies of the score and ten who had preceded them were tumbled into a barge to be towed away for burial.

It was too late to think of herself—she was lost—but what of Remier, the imbecile, and of Victor, Paul and Victor and Jean? Would the soldiers shoot before she could think how they might be cared for? Why doesn't the sergeant leave that pestiferous little priest and command the men to fire? "One! Two! What's the matter? What are they waiting for?"

The sergeant stopped his count and stepped forward.

"What is this? Only one woman? For shame! It is almost night, and one woman must not lie in the same bed with so many men."

They untied her and put a man in her place. The rifles quickly sang the thirty to sleep. It was too dark to kill more that night—the others must wait until morning. On the return to the prison, Madame Remier escaped into the darkness.

It was a few weeks later when I met her. Victor and Paul had been put to bed in the corner, and Jean was sitting by her in the one unlovely room she occupied. We talked hours of her youth, her youth in America, to which I was about to return. I asked her if she should not try to escape with the children to go on my vessel. No, there was Remier; and, more, France. The Republic must be restored, and she must do her part. She wished me safe passage, and I wished her deliverance, and left. I never saw her again. I have the rest from M. Passaud, who lived to receive many honors from the Republic.

The Commune began. Madame Remier left the children with a weaker friend, and helped build the barricades in the streets. She fought with the men, slept on the cobble-stones, and prayed God that her breast might give milk for the thirsty when the water gave out. She was in the fiercest struggle, heaving stones from a barricade at the gen darmes, and she was captured while her fingers were throttling the last breath of a soldier of Napoleon.

Again her name was inscribed on the death-roll. The day after her mock trial she was among the thousands of condemned waiting for their names called for them to step out before the Cathedral doors and be shot down. From six in the morning until noon, and from noon until four o'clock she stood and watched the monotonous succession of

names called, men and women taking their positions before the guns, the sergeant's count, the flash and the report, and blood running into the gutter from the steps.

Now they were down to the R's
Rabutin! Racine! Ragon! Rambaud! Ram-
bouillet! Rameau! Ramee! Ramillies! Rance!
Ravillac!

"Ready! One! Two! Three! Fire!"
And more little rivulets of blood.
Now they are ready for the R-e's.
Recamier! Recife! Recolet! Regnier!
Renard! Rene! Remier!"

"Ah! At last!"
"Remier! Remier! Where is Remier?"
"Here," Madame Remier heard someone answer.

"Step lively, Remier!"
Shambling from the press, the body and the vacant face of M. Remier appeared. With a child's obedience he stepped to the place a soldier pointed him.

Madame Remier screamed. Her cry was unnoticed—it was like many that had been heard that day. She could not move. This was her husband. He the father of her children. God! Save him! A mistake! Not he! I! I!—Save him! But Paul! Jean! Victor! And—France! He for these duties, or I? Is there no alternative? My God! Quick! Selfish? Terrible! No! No! Not selfish! France and the children! My God! My God!

"All right, sergeant."
"Ready! One! Two! Three! Fire!"
And M. Remier slipped to the pavement, falling with his face in a little pool of blood.
"Romain! Rovant! Rovand!"
The R-e's were past.

Madame Remier lives still, with Victor, who is an architect in Paris. Paul is a physician, and Jean died young.

THE CAPTAIN THAT THEY BROKE.

Now I remember days gone by
That never again shall be
When I trod the bridge of a battleship
And held her might in fee.

Now I remember the gathered fleets,
And the craftsman's pride I knew
When the great ship circled and turned again
As the far flags bade her do;

When the great gaunt bows swung dripping round
As my word let her go,
And my finger checked ten thousand horse
At a touch, from fast to slow.

My mates must work the ringing guns,
My mates must police the sea:
From North Cape south to Sydney-side
There's never a place for me.

So I must forget the hopes I had,
And the dreams I dreamt of yore,
Of the reeling swing of a deep-sea fight,
Where the long black sea-guns roar.

For this is the law without excuse
For all the Lords of the Sea,
That each must hold his ship from harm,
Whatever the odds may be;

And sin and error are all as one,
No pardon may he gain
For any struggle of warning needs
Or stress of body and brain.

For the Deep-Sea Empire has its price:
It is bought by blood and flame,
By the risk of the guns and the risk of the sea,
And the risk of ruin and shame.

I may not hope to give my life,
But a higher price I pay—
The skill and toil of twenty years
For the fault of half a day.

—London Spectator.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Hands.

Great, brawny hands which do the work
That men must do, not ever shrink;
Brown, mighty hands so strong to bear;
The world's dead weight of toil and care;
To forge its iron, set a-whirr
The wheels, that senseless monsters stir,
To delve within the sombre hill
Make Nature vassal to man's will,
Shape vast machines the earth to jar—
Oh, great, brown hands, how strong you are!

And yet—the wonder of it all—
Somewhere are hands all white and small,
Or rosebud hands which one might hold
And lose within one's fingers' fold;
Wee, tiny hands which one might kiss
And deem them fit for naught but this,
And yet they hold the strong, brown hands
And guide them as by silken bands,
Held bound—who would such bondage break?
—By we, white hands for sweet love's sake.

How the Earth People Govern Themselves.

"It is too bad about the Earth people," said the Being from Saturn to his family.

"You are so tender-hearted, pa," his daughter Arabella murmured. "Tell us why you pity them."

"I could cite a thousand instances to illustrate what I mean," her pa responded, "but one will suffice. Down there the people proudly contend that they govern themselves, and, by the way, their melancholy condition is in no manner better indicated than by some of the lollaploosies they choose to represent them in an official way."

"Their transportation still is accomplished by means of steam, although they are progressing into the electric age. Of course such transportation is, and must be, a public service. Well, when I was there the corporations were about to increase the tax on the public for their service by ten per cent, without consulting the people, although they were declaring excellent dividends, apparently acting upon the principle formerly enunciated by one of their representatives, 'The public be damned!'"

"It would have been laughable if it had not been pathetic to witness the public excitement. It was much like that which you have seen among ants when they have stepped upon their nest. There were mass meetings of protest, petitions, gatherings of public bodies, outcries of defiance—the ants were extremely agitated."

"This frightened the transportation companies, did it not, pa?" said Augustus, who was in the university.

"Not that anybody noticed."

"What did they do?" Arabella inquired.

"Went right ahead and socked on the additional ten per cent."

"And what did the people who govern themselves do?"

"Not a darn thing, my children, except take their medicine. They didn't like the taste of it, but they took it."

"And you say they govern themselves, pa?"

"Never! I saw many more that they claim to do so. Alas, poor, benighted Man!"

And, being good-hearted, they all wept together.

The Test of It.

I saw a safe warranted to be fire-proof, and I never looked upon anything nearer in that line. But there came a great fire and the valuable contents of the safe were destroyed.

Someway, Ephraim, that safe made me think of a variety of man-warranted virtue I have seen in this world, and it is pretty to look at, its guarantee of being the genuine article is posted where everyone may read it, and, under ordinary circumstances, it passes muster as being all it is warranted to be. So we believe in it until, some day, it is subjected to the hot fire of grievous temptation. Then it fails. Man's credentials, without a higher guarantee behind them, prove insufficient.

There is a good deal of this kind of virtue

in the world, my boy; sunshine virtue which becomes draggled in bad weather. You carry some of it, so do I, so do all of us, and so it has occurred to me that it shows wisdom on our part not to advertise our alleged perfection very much until the safe wherein we keep it has been "tried as by fire," not once, but many times. How does it strike you, Ephraim?

* * *

Patrytism's More in Doin'.

To the grocery store of evenin's village statesmen used to come

For to save their State an' Nation when the prospect's threatened some

For they saw with dark forebodin', as they frequently expressed,

How things went to wrack an' ruin when they orto ben the best.

"Dunno 'em all," says old Bill Siphers, "it is painful unto me

W'en I think how it is changin' frum the way it used ter be.

Now, the time w'en patrytism orto rise up in its might,

Speakin' truths for men to hear 'em—don't you reckon I am right?"

"Praps you are," my grandpa'd ans'er, "but so fer es I have saw

Patrytism's more in doin' than in workin' of the jaw."

"W'en I think erbout my country," Hiram Fowler used to say

"I kin scarcely keep frum weepin' in a melancholy way;

I rellee' of our forefathers, how they struggled an' they fit

For the freedom of their children, an' I am with sorrow hit—

Poke the fire up, Silas Wilkins—we're approachin' ruin's brink,

An', though others may be speechless, I shall say jest w'at I think.

"Tis a duty we are owin' to our country in its plight.

Don't you reckon 'Squire," he'd finish, "that they ain't no doubt I'm right?"

"Praps you are," my grandpa'd ans'er, "but so fer es I have saw

Patrytism's more in doin' than in workin' of the jaw."

So they sat at that there grocery, while the Southland ran with blood,

Savin' of their blessed country by their lingual torrent's flood.

An' since that I've noticed ever as I make my earthly trips

Some folks serves their land by actions, some by waggin' of the lips.

Here and now our country calls us, for the rascal's scheme and plot—

Some of 'em us are doing something, more are talking quite a lot.

Do you deem you're heeding duty when, within some corner store,

You have wailed, "We go to ruin," only that and nothing more?

"Praps you are," my grandpa'd ans'er, "but so fer es I have saw

Patrytism's more in doin' than in workin' of the jaw."

* * *

"As Jesus Would."

With profound respect for the good people of Los Angeles and other cities, who have banded themselves together with the high purpose of living "as Jesus would" during one week, their experiment must terminate in failure. They may live better lives than they otherwise would, and may give selfishness, bad temper, pride, and that ill brood, a temporary burial, but, on the whole, they will fail. Why? Because the first element in the perfect life of Christ, Jesus of Nazareth was its steadfastness of purpose.

He did not say, "I am going to be remarkably good this week, although next Monday I may experience a moral relapse." No, the

characteristic wherein his divinity made itself most manifest was his undeviating adherence to the right in all times and seasons, whether the Tempter whispered or did not. Through care and sorrow he went his weary, all-loving way to that final tragedy of Calvary which wrote the word, "Salvation," against a lightning-riven sky, that all men might read and understand. "The foxes have holes and the birds of the air have nests, but the Son of Man hath not where to lay his head." So he wearily spoke as he traveled for humanity, and yet not once between the manger of Bethlehem and rock-shaken Calvary did he falter in his high purpose or his perfect living. It was unchangeableness in that purpose that made him the Christ.

And so when the good people have done with their week of effort, and when they relapse to that condition of blended good and evil in which we exist in this queer world, they will then and there demonstrate that they did not live "as Jesus would," for he lived for unchanging good, and not for the good of one week only.

* * *

A Noticeable Difference.

When a girl whose pa has hustled
Till he's worth some million plunks,
And is termed by some a magnate,
And by others just "Old Hunks,"
When she marries wealth or title,
Then enchanted papers say:
"Wedding gifts were worth a million,
Made a rare and rich display."

When a girl who owns but clothing
That protects her from the cold,
Clothing somewhat worn and shabby,
Rather frayed and looking odd;
When she marries in her "station,"
One whose burden she would lift,
Papers may say of the wedding,
But they mention not a gift.

So I've noticed on my journey
Those who have are those who get,
And I'd like to change the system
To a better method yet.
See the tide of wealth outflowing
For the needy it might bless,
Bearing gifts for those who need them—
Well, I've had a dream, I guess.

* * *

The Opinions of Rufus.

The good book says that charity suffers long, an' so I s'pose it does, but I'd like to bet a dollar that taint from overwork. Main trouble with livin' in Californy, es I see it, is that you git the repytshun of bein' a alfred rid jest by dwellin' lovin'ly on the truth.

When Art sees some wimmen after they've got themselves fixed up, I s'pose she looks at herself in her glass, blushes, and says, "Jest to think 'at I did it gives me that old, dull, penetratin' heartache again!"

Some fokes say, "Lord, be merciful to me, a sinner," in a way that leads to the spicion that they mentally add, "But, if you're busy you needn't be so partic'lar about other sinners."

Marriage is the medicine for love. It either removes the symptoms, or else you git the disease.

Some people remind me of my old cow. She was an orful kicker but she give good milk.

Somewhow, the Smart Set, with its external an' eternal pretence, makes me think of my collie dog. I shaved the critter once, an' there wasn't much of anything left of it.

When I see a man whose hull attitude seems to say, "I am holier than thou," I can't help feelin' that I'd like to have a real condishnal talk with his wife.

If you don't learn your child to take his medicine without cryin' the world'll do it fer you, an' 'twon't be very tender 'bout it, neither.

("William Keith"—Concluded)

—scape painters. Beneath an exterior which may be either genial or stern, according to his mood, is a tenderness of heart which makes him a lover of children and of animals, and a friend to those in need. While he is glad to reap the material reward of his labors, he is also most generous in giving away his pictures whenever the occasion arises. He has been an omnivorous reader of poetry and fiction, essays, history and biography, religion and philosophy, and perhaps most of all books of mysticism. The influence of Swedenborgianism, and more especially the personal friendship of the Rev. Joseph Worcester has been a potent factor in his life.

And with all this breadth of thought it is quite a matter of course that his finest paintings do not represent nature literally, but rather landscape sublimated by his own poetic fancy. He is weaving colors into new and strange effects of light and harmony. His lovers are strolling in enchanted fairy forests, and the light that never was on land or sea is illuminating his haymakers in the gloaming. It is the light of the poet's vision, and alas for them who have eyes, yet they see not! It has been a long-cherished dream of mine that some day a small permanent gallery should be built in which a collection of his finest pictures might be preserved. What place could be more appropriate for such a tribute than Berkeley, his home for so many years and the inspiration of his noblest work?

From this resume it may be more easy to understand how it is possible for Mr. Keith to be painting to-day with such fecundity of thought and expression. It is the stored knowledge of fifty years of nature study and of fifty years of hand and eye training, roused by a great calamity to a sublime enthusiasm, which he is now giving out so lavishly in masterful work. It was a fitting recognition of this on the part of the San Francisco Art Association, when, on the occasion of his seventieth birthday this last November, they gave a notable exhibition of his paintings. Among the works hung were many that revealed his ripest, most masterful style, giving ample proof that his power has grown with the years, and that the poetic fancy so eminently present in his finest pictures can still be trusted to inspire his idyllic scenes. He is to-day paying his deepest, most loving tribute to nature and to art, with a zeal and energy commensurate with his genius.

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Pasadenan Librarians.

The Pasadena Star is authority for the following stories:

Amusing mistakes are made by patrons of the Pasadena public library, and the best educated people are not exempt, although children are responsible for a large part of the blunders. Miss Nellie M. Russ, librarian, has kept a record of some of the gems perpetrated there.

Several times recently she has had demands for "the bottle of the strong." After assuring the applicant that this was a temperance town, she hands out Sir Gilbert Parker's "Battle of the Strong," which invariably fills the bill.

On another occasion a small boy who looked somewhat unsatisfied, was asked by an attendant if he wanted a book.

"Yes," he replied with a blase air, "But I've just come from New York, and have read about everything. Still, you might give me 'Tiger's Progress,' by Mark Twain."

"Tales from Shakespeare," by Charles and Mary Lamb, is sometimes interpreted by juveniles as "The Story of Shakespeare and the Lamb." "Mrs. Wiggs of the Rubbage Path" was once requested, and the "Raspberry Twins" puzzled an assistant several minutes. "From Jessie to Ernest" proved, upon dissection, not to be a volume of letters, but a copy of E. P. Roe's "From Jest to Earnest." A young woman asked very definitely, for a good book. "You might try 'The Last Days of Pompeii,'" said the assistant.

"That sounds good; what did he die of?" "Of an eruption, I think," replied the assistant, solemnly and obligingly.

None of the Pasadena patrons are so sensitive as a small boy in a near-by town, who sat in the library and cried until a librarian found that he was mourning the death of Joan of Arc, of which he had just learned. One day, however, a party came in and said, "Willie is sick, and I have brung his book in." To the librarian's anxious query, she replied, "No, it ain't catching. He has much pain, and we think he ate something that didn't become him."

Public Gifts of the Year.

Andrew Carnegie heads the list of public gifts for 1908 with \$7,437,600, out of the total donations for the year of \$43,559,648. Carnegie's money was distributed for libraries, colleges, the hero fund of Great Britain, which amounted to \$1,250,000, and to industrial organizations.

John D. Rockefeller is next with a total of \$2,934,000. Of this amount the University of Chicago received \$2,191,000 and the Rockefeller Institute for Medical Research, \$800,000.

Mrs. Russell Sage gave a total of \$1,559,635. J. P. Morgan gave a total of \$192,000. Of this \$100,000 was given for rebuilding Episcopal churches in San Francisco.

At a meeting of the Mendelsham (England) Sparrow Club, it was stated that during this year 4,918 old birds, 2,807 young birds and 3,914 eggs had been destroyed, a total of 11,639. The local farmers pay a voluntary rate, based on acreage, from which payments are made for birds and eggs destroyed.

On Christmas eve Alfred W. Manning, proprietor of the restaurant beneath the Consolidated Stock Exchange in New York, cut up his 460-pound plum pudding and sent 750 boxes of it to friends. The big bit of pastry was thirty-two inches high and three feet in diameter.

The New York Stock Exchange, on Christmas eve, distributed \$12,000 among 425 employees; the Consolidated Exchange, \$3,000 among 175 employees; and the Cotton Exchange, \$3,600 among 75 employees.

Returns to the provincial game and fisheries department of the number of deer and moose carried by the different express companies in 1908 show that the Canadian Express Company carried 2,589 deer, the Dominion Express 924 deer and 57 moose, and in all it is expected that when returns are complete the number of deer shot will reach 5,000. The total shipped in 1907 was 3,886.

Dickens left an estate of \$400,000, the results of his writing.

Nearly one-sixth of the railroad trackage in the United States is for electric cars. More than 40,000 miles of electric railway lines are in operation.

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POLITICAL TABLE TALK

By THE WATCHMAN.

Putting Pressure on Them

The current report is that Senator Frank Leavitt is putting pressure on members of the Alameda delegation to prevent their voting the robbing privileges out of horse racing is not inherently improbable. Leavitt has a good thing as things are. Coroner Tisdale has another good thing as things are. He is close to two members from Alameda and close to a lot more who are close to them, too. The allegation is that to get Tisdale busy the sapient senior senator from Alameda has introduced a bill cutting off Tisdale's immoderate perquisites as coroner and, in their place, leave only a moderate salary. The public good requires that Leavitt's anti-Tisdale bill shall become a law, and that the license to rob, now enjoyed by the book makers, shall come to an abrupt close. Therefore put a counter pressure upon the Alameda members to keep them in the middle of the road.

The Science of Political Pressure

Alameda County is no stranger to political pressure. The late Henry Vrooman was a past master in its employment. It is related that, upon an occasion when the Southern Pacific Oil Guard wanted to place a stanch Oaklander down the bank without hurting him, he not being in the cattle market, Vrooman was sent for and the job let out to him. He did not begin with the victim himself, nor with any member of his family within the Levitical degree, but with remote friends of the remote friends and business associates of the victim. He rounded them in, as vacueros might a herd of straggling cattle. He brought pressure upon pressure, man upon man, until he had the political influences of three hundred men focussed upon the one man whom he was thus crowding closer and closer to the brink of the bank and, when close to the bank, he finally caved down it? And yet the victim himself never saw the hand of Vrooman in it, but it was there. The hand of Leavitt is not the hand of Vrooman. There is little of subtlety in it, but plenty of force. Unless force is met with force and pressure with pressure Leavitt will win. He is not in politics for the good that he can do.

The Office of 'Scapae Goat'

There are indications that Lieutenant Governor Warren Porter is filling a more than usually important office, not so much by election as by selection. When Warden Yell was turned out of Folsom prison to make a place for a partisan paper hunter, his Excellency, the Governor, declared that he did all that he could to prevent the outrage. It was Porter who did it. When the capable assistant of the Big Basin was ousted to make a place for a functus officio Santa Cruzan it was not the Governor, but Porter who did that. Porter constituted the senate committee upon immorality. Is Porter to be the administration 'scapegoat'? If so only one detail is lacking to the fullness of the office—the driving of the goat into the wilderness in accordance with ancient custom.

Winning Victory From Defeat

The souls of political gentlemen were disturbed half a year ago through fear that the Lincoln-Roosevelt League might not be able to win the primaries in the face of the veteran forces of the Southern Pacific organization. This fear prompted concessions that should not have been made and, as a matter of fact, the League lost out in the state convention. But this it did do. It gave the Herrin Political Bureau the worst shake-up it ever had in California with the result that the present legislature now seems likely to do better work than any legislature California has had in two decades. There is in that body a double-handful of Leaguers who are standing for right things and standing so resolutely

that other members, who would prefer to do right if they dared, are daunted to stand up and be counted on the side of political decency. It is wonderful what a victory can sometimes be won when the fighters are not afraid of being licked and are willing to take it if they are.

The New Zeal To Stop Lobbying

There are some so unsophisticated as to suppose that the zeal of Porter and Stanton, in driving lobbying off the floors of the two houses at Sacramento, was born of virtue. It wasn't. It was born of a purpose to shut the People's Lobby off the floor but, inasmuch as the Herrin lobby had to go with it, the state is the gainer and the friends of the People's Lobby are not complaining. They can stand it if the other fellows can and there is no question that it will expedite legislative business. It is hard to legislate with the floors covered with visitors whispering into the ears of legislators who should be watching for bugs.

Hatchet Men After Johnson

Those who know Grove L. Johnson well will not be concerned at the report that Japanese hatchet men are coming on his trail, and he won't either. If a Japanese were to start for the "father of the assembly" with a hatchet he would find it persuaded out of his hands before he reached his intended victim. Johnson would convince his assailant that it wasn't a hatchet after all but a chunk of gingerbread and, moreover, that the best friend Japan has in California is Grove L. Johnson, who is striving with might and main to save the Japanese in California from such a slaughter as would make St. Bartholomew a quilting party by comparison. Johnson is invulnerable.

Ring Down That Curtin

Senator John B. Curtin is not satisfied with Uncle Sam's management of Yosemite and threatens to have it given back to California. He "told us so," before we gave it away and is of the same opinion still. It would be fine if one could free the mind of a sense of bias in the mind of "Constitutional John," but he has so many cattle on a thousand hills adjacent to Yosemite, and which sometimes wander upon the preserves, that they obscure a vision ordinarily clear. Won't somebody ring down the Curtin till he gets out of the cattle business?

Reform Schools Are Growing

The Preston School is an applicant at the legislature for upwards of a hundred thousand dollars to be expended in new buildings and equipment. This school has nearly doubled its enrollment within the past two years and is greatly crowded for accommodations for the boys. This growth is not a hopeful symptom. It shows that control of refractory youths is taking the direction of least resistance rather than of wisdom and so long as nothing else is done for the lads the taxpayers can hardly find fault if the reform schools grow on their hands. The Preston school was badly located, except for scenic effect. The land is a vine in summer and a water in winter and a boy to every four square rods would hardly suffice to keep it in a good state of cultivation. The legislature will need to put its thinking cap on if this institution is to be wisely dealt with.

Farming at Whittier

The State School at Whittier is more fortunate in the matter of farming land than the one at Jone. While it has nowhere near as much land, what it has is good and instruction in farm work is making good progress there, the more especially because it is on that side of the work that the superintendent of the school is especially interested. It is affirmed that graduates from the agricultural side of the

school seldom come back for additional training when once placed on probation at farm work. In legislating for these schools the educational possibilities of agriculture should be kept well in mind. A danger is that, in teaching the elements of agricultural life, the boy will be utilized for the farm instead of the farm for the boy. That tendency is inherent and the better the land and the faster the weeds grow the more inherent the tendency.

Monkeying With the Primary Law

It was unbelievable from the first that the "organization" at Sacramento would stand for a true-blue direct primary law and indications are that the cohorts of Herrin are already nibbling the foundation from under the measure submitted by the Direct Primary League. The League measure is not perfect, but it is a good deal nearer perfect than it will be after the "organization" is done perfecting it. It should be encouraged to let that bill alone.

Oregon All Right

There will be general satisfaction everywhere over the admirable way in which the legislature of Oregon kept faith with the people of Oregon in relation to the election of United States senators. This is not saying that Oregon's "statement No. 1," is or is not a good thing or that legislative candidates did a wise thing in taking such a pledge. The wisdom or unwisdom of such a policy is quite aside. The issue was as to whether, having pledged their faiths, political pressure could force those who had given pledges to violate them. The Men of Oregon may have done wrong in preferring a tried and true Democrat, like Governor Chamberlain, for United States Senator to a tried and untrue Republican like Fulton or an untrue Republican like Calkins. Their business, but that faith honorably pledged should be honorably maintained—that was everybody's business. Congratulations to the manhood of Oregon!

The Brewers' Man Got In

It has developed that the reason Mr. Bryan's running mate did not reach the United States senate is that the brewing interests of Indiana threw their influence into the scale for Benjamin Franklin Shirley of South Bend and against Mr. Kern. Just what interest the breweries can have in the United States Senate does not appear upon the surface. Perhaps they have none and were merely gratifying animosities more creditable to Mr. Kern than to Mr. Shirley or the brewing interests.

When Judges Disagree

It was The California Weekly that first affirmed that no new judicial positions should be created by the legislature until the judges of the court, sitting in banc if there be more than one judge, petition the legislature for additional judicial force, reinforcing the petition with good cause shown. The judges in the Superior Court of San Francisco have tried this method with the result that the judges are evenly divided. It is a rule of parliamentary usage that where there is an equal division of sentiment the decision must be in the negative. That is a good rule to apply in this instance. The legislature should take Judge Lawlor's advice and legislate against abuse of lawful privileges rather than augment the number of courts to be clogged by such abuse.

All who stand against railroad domination in the political affairs of this State should subscribe for The California Weekly. The names at the head of the paper guarantee it a welcome to the exchange table.—Oroville Mercury.

The California Weekly will be an honest paper because it is conducted by honest men.—Sacramento Bee.

UP AND DOWN : : THE STATE : :

A box of Florida oranges bearing the purple scale recently was received in Riverside. As this is one of the worst pests which afflicts citrus fruits, and as it thus far has been kept out of California, the oranges were immediately destroyed.

Fresno County's grand jury has reported that mice have broken into the burglar-proof vaults in the treasurer's office and are making nests of the county records.

Several hundred Hungarian pheasants have been turned loose at various points in California by the game and fish commission. At present the law protects them against the sportsman and his gun.

The Inyo Register has just passed its twenty-first birthday anniversary, and during its entire existence it has been published by P. A. Chalfant or P. A. Chalfant & Son.

At a depth of 200 feet, while boring for water on his ranch near Clovis, Fresno County, John Porter struck a stream of oil. It is of good quality, and the well will be developed by Potter.

California's winter hobo-flood is reported to be at high tide in many parts of the State.

The Marysville Democrat announces that an electric road to run from Marysville to the Buttes, where it is proposed to establish a summer resort, is being financed, with fair prospects of success.

A Mexican named Librado Gutierrez recently hanged himself to death in the Butte County hospital, where he was taken to be treated for the ailment.

By a ballot of 302 to 148 the residents of Porterville have voted saloons out of business in that place.

The Salinas Index says that excitement over the strike of oil by the Lonokon Company near King City, is increasing, and that possible oil land in that vicinity is rapidly going up in price.

Principal Morris C. James of the Berkeley high school in a recent address to his pupils said: "Different members of the student body—I can name them; many of them are now facing me—have admitted to me that they steal, that they lie, that they get drunk, and commit other crimes which I will not mention." He added that those guilty of these offenses belonged to "the class which is termed the upper class."

Notwithstanding the present low prices for raisins, the growers about Fresno are preparing to plant a large acreage of Muscats as soon as the weather permits.

Mrs. Mary Ann Felipe, the oldest person in Solano County, and not improbably in California, died at her home near Fairfield, on the 10th instant, at the age of 106 years.

By the action of the San Diego supervisors that county, outside of the city, will be "dry," so far as saloons are concerned, after February 1st.

Burglars broke open the safe of the Elmina postoffice last week, securing \$600 in money, \$50 in stamps, and valuable papers belonging to the postmaster and other persons.

The Ocean Park board of trustees has adopted an ordinance providing for the closing at midnight of all places where liquor is sold.

The San Francisco, Oakland and San Jose Railway, better known about the bay as the Key Route, has about completed ten new cars, and twenty more soon will be in process of construction.

The citizens of Berkeley will vote on their new charter for the 30th instant. It is believed that the vote will be favorable to its adoption.

The Sisters' Hospital at Chico was destroyed by fire last week Thursday. The financial loss was about \$10,000, with \$6,000 insurance.

The wedding of Donald R. Green, son of the late Will S. Green, president of the College of San Publishing Company, and Miss Mabel E. Prentiss, was lately solemnized at the bride's home in Berkeley.

WITH EYES AND EARS OPEN

A woman friend of mine was in a confectioner's shop, waiting her turn to be served, and her glance was attracted to a little girl, perhaps five years old, led by a servant in uniform.

The child's ingenious charm held her gaze so steadfastly that she did not notice a woman across the shop who looked first at the child and then at my friend, until, with impulsive quickness, the stranger stopped over nervously and spoke to her in a low voice:

"I noticed you looking at that child. She is mine. I never see her except like this, by chance, in a shop or on the street. Her father and I separated three years ago. I don't know why I am telling you this, but—but—" and her lips quivered—"I just had to talk to somebody about it."

And without another word she turned and hurried away into the crowd outside the door. My friend has no idea who the child or the woman are. But for a moment she had stood at the confessional of a life tragedy, where conventionality falls before the flood-tide of emotion; and then—silence.

I often wonder that Californians do not build more houses in the Mission style. Every climate has its architecture, born of the local needs of humanity for comfort within and a pleasing object of the view without. In bleak New England the chimney is the largest architectural adornment, because the fire is the chief necessity of comfort. The roof is steep, because it must shed much snow. In Louisiana the "galley," or verandah, is a work of art, as well as a protection from the sun and a sitting room for the open air.

Out of the same necessities of comfort and utility the Mission fathers built heavy walls (that protect equally against heat and cold), tiled roofs, that have only a little water to drain off—and they built for beauty and for the exigencies of climate. How absurd to see a New England farmhouse in a grove of California palms!—yet how often we do see it. It is a pity that we do not build as we live—in the spirit of our land, and climate, and traditional environment.

I observe that there are talkers and conversationalists in the world—both entertaining—and that I am neither. A good talker is such a man as John Muir, gifted with knowledge, with human charm, and with speech; who, with a friendly group about him, can discourse for hours on subjects that please his fancy, and hold his hearers enthralled. But he is not a conversationalist. He is an original monologist.

Out of the same necessities is not often learned nor profound. He or she (let us say she—it usually happens so) she has a sense of dialogue, of the graciousness of encouraging speech in others as well as of delivering speech gracefully herself. She is as good a listener as she is a ready talker. She encour-

ages confidences, suggests themes for conversation, takes care not to run one subject long enough to wind it, catches at glancing sunbeams of ideas upon the current of thought rather than sounding thought's depths—has, in short, lightness, variety, interplay of wits, as her methods of sustaining interest. Conversation is, with her, a social art. She strives to please, not to inform. She is the life of social gatherings, and her gift adds to the solidity of facts the grace and charm of a human personality.

One of my secret sorrows is my poverty of conversation. I "make" it, but what a poor and paltry product! However, I shall take heart of hope from Madame de Staël's dictum that conversation is an art that can be learned. It is an art worthy of assiduous cultivation. What else in life so binds humanity together as the pleasing gift of speech in the informal intimacies of everyday chatter?

A Book for the Little Folks.

Judge Curtis D. Wilbur of the Los Angeles Juvenile Court has written a book for children, entitled "The Bear Family at Home, and How the Circus Came to Visit Them." In his preface he says: "The stories contained in this volume were first told my children, and in telling them I had the purpose to teach them something at the same time they were being entertained." In both purposes he has been successful, for there is instruction in the stories, and at the same time little folk are certain to find them delightfully interesting. The author says concerning his book, "I feel that if this little volume has any place worth while, it will be largely in assisting parents to invent stories for the entertainment and profit of their children," and parents who read the book will appreciate how suggestive in this way it may be. Bible stories told for childish understanding are one feature of the little volume.

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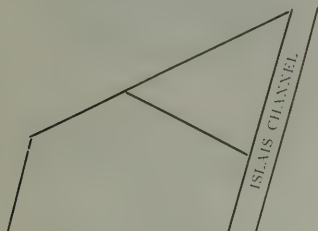
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THE INDIA BASIN ISSUE EXPLAINED

By E. FRENCH STROTHER.

This article is an explanation of the provisions of the so-called India Basin Act for the improvement of San Francisco harbor. It also gives, without comment, the arguments of the principal factions engaged in the controversy over the terms of a new bill to cover these improvements. The subject is timely, because, though the proposed constitutional amendment authorizing the work under twenty-year bonds was defeated at the last State election, the whole matter is up again before the legislature for authorization under seventy-five-year bonds. If the legislature passes favorably on this proposal, a new amendment will be submitted to the people at the next State election. But in the meantime there is a fight in the legislature over important details of the new proposal. In this light the people have an interest, because upon its result depends the character of the act that will be submitted to them for their votes.

The proposal that was defeated at the last election was this: that the State of California buy a tract of waterfront lands in the Mission District of San Francisco, lying at the mouth of and west of the Islais Creek Channel, to be dredged and dyked as an inner harbor, or basin, with docks and wharves to accommodate the resultant shipping. This tract comprises sixty-four city blocks, and is shaped thus:



The cost of acquiring these lands is estimated at \$1,000,000, and of completing the work of dredging, walling, and building piers, wharves, and docks, at about \$2,000,000 additional.

There is little active opposition being made to the broad proposal that the State shall make a basin at the mouth of Islais Creek. The controversy is mainly over the question of the time for making the basin, of the method of raising the revenue to pay for the project, and of the physical limits to which the basin shall extend. The intersecting line in the diagram above represents the dividing line of the controversy on this last point. The whole diagram represents the area desired by the proponents of the sixty-four-block plan. The quadrilateral below the intersecting line represents the area (forty blocks) desired by the opponents of the sixty-four-block plan.

All the lands in controversy are submerged under from eight to sixty feet of water. They were sold by the State to private parties many years ago, as water-lots. They have never been reclaimed, but the taxes have been paid and private ownership maintained.

By the provisions of the amendment defeated at the last State election, the State was to issue bonds to pay for the project. These bonds would, however, be paid for out of State funds, but would constitute a lien on the revenues of the harbor of San Francisco, which would have to pay the interest on the bonds and provide a sinking fund to take up the bonds then and there as they matured. These revenues of the harbor consist almost wholly of rents, dockage, tolls, and wharfage. These last three sources are defined in the "Harbor Rules, Regulations and Rates Adopted by the Board of State Harbor Commissioners" as:

"Dockage.—The charge made for vessels occupying berths at the wharves, or moored in any slip or channel."

"Tolls.—The charge made for merchandise passing over State premises."

"Wharfage.—The charge made for leaving merchandise on State premises longer than the time specified in these rules."

The rents are for the use of piers owned by the State. A considerable revenue is also derived from switching charges of the Belt Line Railroad, which is owned and operated by the State.

The amount of the regular annual revenues is indicated by the following excerpt from the report of the Board for 1907:

RECEIPTS.			
From	1904 1905	1905 1906	Total
Dockage	\$184,724.10	\$193,502.55	\$378,226.65
Tolls	26,165.64	387,449.60	\$67,615.24
Wharfage	8,458.20	6,014.45	14,472.65
Rents	357,016.45	382,914.85	739,931.30
Belt R. R. switch	79,673.75	77,787.25	157,461.00
Sale of old material	4,028.83	3,393.34	7,422.17
Electric lighting	4,292.60	1,861.49	6,154.09
Fire loss account	2,594.30	.....	2,594.30
Interest on bonds	.....	.....	.....
(rent 15 yrs. pd. in advance)	371,673.00	.....	371,673.00
Legal expenses	1,035.81	.....	1,035.81
Fees account	1,000.00	.....	1,000.00
	\$1,283,804.80	\$965,990.36	\$2,249,795.16

The disbursements of these funds for the same period were as follows:

DISBURSEMENTS.			
	1904 1905	1905 1906	Total
Salaries—Administration and collection of revenue	\$ 84,094.85	\$ 84,961.20	\$169,056.05
Maintenance and repair of wharves	251,250.97	181,458.92	432,709.89
Const. acct.	283,894.33	150,015.31	788,909.64
Seawall const.	149,025.10	1,631.77	150,656.87
Docks and dredges	135,870.08	62,086.12	197,956.20
Fire account	5,475.97	5,661.60	11,137.57
Belt Railroad	71,061.92	137,885.37	208,947.29
Union Depot	34,058.00	25,944.78	60,002.78
Damages, sales, etc.	417.79	1,555.23	1,973.02
Cleaning and disinfecting	32,860.21	31,759.37	64,619.58
Starlinging	47,565.14	44,607.32	92,172.46
General expenses	.....	.....	.....
	\$1,095,571.37	\$1,021,505.01	\$2,117,076.38

From this report it appears that the net income from the harbor revenues is small, and that the bulk of the gross annual revenues are already anticipated by regular annual expenditures.

The basis upon which the amendment was defeated at the last election was that these net revenues were so small that they could not possibly pay out the bond issues in the twenty years specified in the act, and that, in consequence, the State would ultimately have to come to the rescue and pay them out of the State treasury, thus throwing the burden of a local improvement on the State at large. An amendment was passed at the last election authorizing the issuance of seventy-five-year bonds for such works as this.

Arguments for Sixty-four Blocks.

The arguments of those who favor the sixty-four block plan are these:

The commerce of San Francisco is expanding rapidly; the opening of the Panama Canal will greatly increase it. The city will soon require large extensions of the water front and increased dockage and wharfage. The value of water front holdings is rising, and, as the State must ultimately acquire more water front lands for these purposes, it is only economy to acquire them now before the price becomes prohibitive.

The mouth of Islais Creek is the ideal location for a new basin for the harbor of San Francisco. It is in the Mission district, which contains more than sixty per cent. of the population of the city. It is approached by level ground, and by actual teaming tests is more quickly accessible to most parts of the city than any other part of the available water front, for such heavy freights as lumber, flour, and other building and food supplies. The

existing docking facilities for these kinds of freight are already inadequate, and must soon be greatly extended.

The proposal that the State acquire the entire sixty-four blocks does not imply that the upper twenty-four blocks shall be dredged, if that be found inexpedient. But if they are not dredged, they should nevertheless be acquired, for this reason: if they are left in private hands the wharves of that part of the basin fronting upon them, and the wharves of the Islais Channel fronting upon them, will be too narrow for practical use, as the street widths are only sixty feet and the private owners would monopolize that much space in unloading their own goods. The necessity of hauling through the streets intersecting this land, if in private hands, would also involve great inconvenience and delay. It would be better that the State acquire the land, fill it in, and provide adequate trucking facilities and temporary public grounds for goods, for general public use.

Arguments for Forty Blocks.

The arguments of those who object to the inclusion of the twenty-four blocks indicated in the upper part of the diagram are these:

The twenty-four blocks are so shallow (averaging about ten feet) that the cost of dredging them would be enormous—a prohibitive, in fact. If the cost objection could be overcome, this part of the basin would still be impracticable, as its shape and its narrowness would prevent the building of practical wharves, because ships would not be able to turn at the wharves.

There is no present need for this work, as the existing water frontage is adequate. What is needed is improved facilities for the existing water front. New wharves and docks are needed, and it is better that money be spent it should be for these purposes and not to build a new basin at a point remote from the present developed shipping center. There is no objection to the purchase of the forty blocks now, as a safeguard against a prohibitive rise in price, but no money should be spent to dredge them at this time.

Putting the cost on the revenues of the port is unfair, as the port charges are already high enough and cannot be raised without detriment to commerce. If such increases are made, they will become an indirect tax upon the people of the State anyhow, as the shippers will simply add them to the price they charge for the commodities paying these charges, and the public will pay them in that way.

Other Arguments Pro and Con.

What there is of active opposition to the whole proposition of making a basin at Islais Creek seems to be on the ground that the proposal is a bad one, and that it is better to spend this time to consider at all a proposal whose practical effects may be so many years in the future.

Above the Islais Creek Channel is a swamp tract that must be drained before the city building out to that district. Both sides of the controversy use this swamp as an argument; one says that it cannot be drained if the basin is made; the other that it cannot be drained until the basin is made. The city engineer's office of San Francisco informs The California Weekly that it can be drained no matter what is done or left undone.

Owners of land on Rincon Hill, adjacent to the project, are charged by one faction with fighting the dredging because they desire to level the hill and dump the waste into this basin. Another faction charges that the lumber companies who own lands west of Islais Creek are fighting for the project because it would enhance the value of their lands; and another faction charges that they are fighting against the inclusion of the twenty-four blocks because they want them for terminal facilities. It is impossible to disentangle these arguments, or to run them to their sources so that

(Concluded on next page.)

THE GRAFT CASES

The Graft Cases.

That it sometimes is difficult, if not impossible, to make a "good dog of a bad cur," might be considered the moral of the present proceedings in the case against Michael W. Coffey, who is on trial under indictment charging him with accepting a bribe to vote for the overhead-trolley franchise, has been set for February 1st by Judge Dunne.

When Detective Burns had so trapped the former dishonored supervisors that they were driven to confess their grafting operations, and when it was recognized that they were but the boughten implements of higher-up and bigger rascals, they were promised that they would not be prosecuted by the present District Attorney (of course, no promise could be made for others) if they would tell the complete and true story of their hoodling operations to grand and petit juries before which they might be called, and, with an unpleasant state prison possibility staring them in the face, they agreed to do so.

Generally speaking, they kept the word thus compulsorily given. Even Coffey kept it when he appeared before the grand jury, but by the time he was called as a witness against Tiley L. Ford he had met with a change of heart. The cause of that change may forever remain buried in the Coffey consciousness, but its effects were evident. That which he had remembered before the grand jury he frequently forgot before the petit body, and even that which he did remember often was remembered with noticeable variations from his former memory. The dog had not stayed good, and the consideration for his immunity not having been given, prosecution followed.

Coffey, represented by his attorney, Franklin Bull, attempted to have the indictment set aside on the ground that it was based on testimony given by himself on promise of immunity, but Foreman B. P. Oliver, Fred G. Sanborn and Jeremiah Denay, all of the jury that indicted Coffey, testified before Judge Dunne that no promise of immunity was made by that body and that Coffey would have been indicted had he not testified, as other evidence sufficed to that end. Accordingly the court refused to set aside the indictment. A demurrer to the indictment was argued and overruled, Coffey pleaded not guilty, and his trial was set for the date above given.

The arduous labor of securing a jury composed of those who "read nothin', know nothin' and think nothin'" of matters in which every intelligent citizen takes a deep interest, continues in the case of the State against Patrick Calhoun. The assertion is made without intent to reflect upon jurors who have been or may be secured in that case, but merely as an unprejudiced statement of what, to a disinterested spectator, would appear to be the fact. Although the trial has been in progress a week at this writing, the three jurors thus far have been secured, and these are subject to peremptory challenge. At this rate a month in all must pass before a jury listens to the opening address of the prosecution. With the vast majority of intelligent men barred by the rules of the game, it is a trying task that is ahead for the prosecution.

After two weeks had been consumed in the process, the jury to try Attorney A. S. Newburgh, indicted for attempting to bribe a prospective juror in the Ruel trial, was completed last Monday, and the opening statement for the prosecution was made by District Attorney Langdon.

The facts connected with this case are too fresh in the public mind to require detailed statement, but it may be recalled in a general way that E. A. S. Blake, who has been convicted of an attempt to bribe John Martin Kelly, a prospective juror, and who is now serving a four-year sentence therefor, confessed his guilt and asserted that Newburgh and Attorney Frank J. Murphy had urged him to make the attempt at bribery. Murphy was

tried and acquitted. Blake testified against him, his evidence was corroborated by Kelly, and William H. Schooler testified that he had offered to act as Blake's attorney at the request of Murphy and Newburgh. It is understood that the evidence against Newburgh will be substantially the same as that against Murphy, and the evidence being worthy of serious consideration at any rate, whether Newburgh will be acquitted or convicted is likely to depend largely upon the quality of the jury.

An interesting side issue in the present trial was brought to a head by an assertion in a morning paper last Monday that the prosecution was preparing to reward Blake for his testimony by giving him a chance to secure a new trial. Bert Schlesinger, Newburgh's attorney, who was given as an authority for the assertion, repudiated it when Judge Dunne demanded an investigation.

Abraham Ruef has been given until February 7th to prepare and file a bill of exceptions.

The committee of seven appointed by Mayor Taylor to investigate the conditions leading up to the graft cases, and the circumstances attending them, has been faithfully at work during a time running into months, and it still will be four or five weeks before it will be ready to make and publish its report. The committee, as may be remembered, consists of its chairman, William Denman, formerly assistant professor of law in the University of California; Alexander Goldstein, president of the Phoenix Seeding and Packing Company, of San Francisco; Rev. W. K. Guthrie, pastor of First Presbyterian Church, San Francisco; Rev. Father D. O. Crowley, of the Youth's Directory, William J. French, editor the Labor Clarion, who is recognized as a conservative leader of labor, Dr. Henry Gibbons, dean of Cooper Medical College, and William Kent, donor of Muir woods to the government.

The committee has been tireless in its labor of investigation, holding no less than two or three meetings every week. Of course, it has no power to subpoena witnesses, but those whose testimony was obtained have been generous in response to its summons issued in the name of the public weal, and have come before it very freely. These voluntary witnesses, both to fact and to public sentiment, have come from all classes, these representing business interests perhaps slightly predominating, and have not been chary of expressing their views. Concerning the majority opinion expressed in these views, as well as the committee's conclusions, it will be necessary to wait until the report appears, which is likely to be at some time during February.

"India Basin" (Concluded)

it can be known why persons who make them do make them.

Governor Gillett and others are now investigating a claim that the title to the lots involved here legally never passed from the State, and that the State can obtain the site of the basin simply by process of law to clear title. The basis of this claim is the almost entirely unaltered character of the tide and water lands throughout California—a controversy so intricate and so far from certain settlement that it seems unlikely to affect the India Basin issue seriously.

Recapitulation.

But, to recapitulate, the following facts appear to stand out clearly:

The broad proposition that at some time a basin should be made at the mouth of Islais Creek is not actively opposed.

Everyone admits that the task of making this basin must be undertaken by the State; that the State must own the land; and that the State must operate the wharves as it does most of the other wharves of San Francisco.

At least forty blocks are necessary to make this basin; more may be desirable.

Under the seventy-five year bonds the revenue of the harbor will suffice to finance the proposition.

Some private interests are certain to profit by the work, however it is done.

The controversy hinges on the choice between forty blocks and sixty-four blocks; on buying the land now or by and by; on dredging the basin now or in the future.

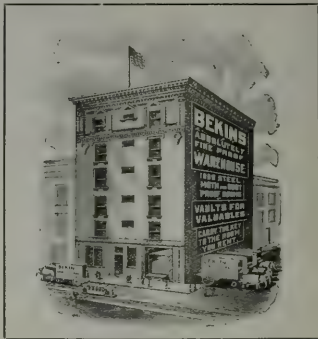
"News Letter" vs. "Life."

Poverty is evidence of inferiority of character, those who are poor generally deserve to be poor. San Francisco News Letter.

Notable examples are St. Paul, Jesus Christ, Socrates, St. Francis of Assisi, Christopher Columbus, and more recently, Tolstoi, and Mayor Johnson of Cleveland, who has lost almost all of his money.

On the other hand, as examples of character in the making, we have Mr. Harriman, Mr. Rockefeller and Mr. Ryan.—Life.

The California Weekly is sure to be read with decided interest and to wield positive influence for good.—Santa Rosa Republican.



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THE most striking peculiarity of Mr. Watson Stubbins in his walk, it indeed can be said to walk. It would perhaps be more nearly proper to say that he forges, each particular step being a decisive forging to the fore. Erect and enveloped in an air which seems to say, "I know how to go on course in life and that is forward, never backward or to the right or left, but always forward," he moves with an eye single to a single purpose and if you think his mode of locomotion is not rapid try to keep pace with him. You will soon wonder at the tireless persistence of the man.

He is a little fellow not more than five feet four inches high, but he is broad of face and form without being encumbered with adipose tissue. In fine, as the men of Stolliker's Prairie affirm, he is a great, big, good natured fellow done up in a little, short skin, rosy as a peachblow potato, and his limbs are so knotted with muscles as to resemble the gnarled branches of an old hackberry.

Being in many ways a notable man and indy fellow his neighbors have not scrupled to take liberties with his name. Watson was early changed to "Wat" and then to "Watty," from which the transition was easy enough to "Squatty" and then, as if his name were to be made doubly indicative of his stature, the "e" was changed to "u" in the name of his inheritance and he became "Squatty Stubbins," forever.

Squatty Stubbins' introduction to the settlers on Stolliker's Prairie took place on a fine morning in April when he drove in with his prairie schooler, with his cows, his dogs and his horses, and deliberately squatted on "Big" Churchill's "covered up" quarter section of land. That individual had already possessed himself of three quarters out of the section and was striving to hold the fourth until his third son should attain a sufficient stature to enable him to pass for being twenty-one and so enter it at the land office, and until the advent of the subject of this sketch Big Churchill's efforts had been successful if not beyond criticism.

Big Churchill was rampant. He drove straight to the newcomer's tent and, in a voice that could be heard half a mile, ordered him to be off and he quick about it, too. "Now look here, neighbor," Squatty said, "I'm ever so sorry to displease ye, I am fer a fact. Ye may not suspicion it, but I am, but Cindy, she likes the claim and so do I and as we've been rent'n a long time and have got forchanded a bit, I thought as how we oughter to take up a claim. Now I call this soil uncommon good, don't you, neighbor? And as for the view I call it positive commandin'. To be sure it may be a bit breezy here at times, but what's a little wind when you can get a view like that. Seems like I'd never get tired of looking across those swells at the Blue Hills melf'n into the clouds over against the sunset. The minute I set eyes on the quarter, and found that Uncle Sam still owned it, I said to Cindy, 'Sis,' says she, 'I found to my quarter section in the county and if Uncle Sam 'll give it to us we'll just go and hold it right down until it's our'n, and here we are neighbor to ye."

After Big Churchill had blustered a little while and had given the object of his wrath twenty-four hours to "get up and dust" in and was about to drive away Squatty Stubbins called to him and said: "Better be reasonable, neighbor. Uncle Sam ain't done so bad by ye after all, letting ye keep three whole quarters when ye're entitled ter but two because yer son Jonas aint twenty-one yet and wont be until next September, but if yer reasonable 'll not disturb the boy on that quarter nor suggest it to anyone else, but we like this claim uncommon well and I kinder think we'll stay bein' as we've come so fur. We'd like powerful well to be neighborly with ye and yer family. Still, if that aint yer disposition, why, no matter. We shant grieve none 'bout it. It's the things we've got and not the things we want that do us the most good, ye know, and Cindy 'n me aint given to borin' trouble. Didn't ye never learn ter look at things that-a-way, neighbor? It's a powerful comertin' reflection sometimes when we can't have our own way," and Squatty Stubbins chuckled and winked in a way that

SQUATTY STUBBINS' TRIUMPH

By A. JUDSON

Written for The California Weekly.

nearby drove Big Churchill crazy.

Big Churchill was regarded as a dangerous man. He was of powerful build, though grown stout of late years, and possessed an ungovernable temper. He had beaten unmercifully more than one of the men of Stolliker's Prairie and was the pet tyrant of the neighborhood. When he found that the claim jumper paid not the slightest regard to his threatenings but went right on putting up a cabin that would do for the summer and breaking prairie he nearly went beside himself and fumed and ranted all over his neighborhood, but forbore to proceed to extremities because, as he said in explanation of his forbearance, "That chumpy little fool is adding four dollars an acre to the land by breaking up the sod and couldn't be doing a better job for me if I'd hired him myself, but just you wait until he is done breaking and then see."

But there were other reasons for biding his time. Big Churchill was haunted by a superstitious dread that the little intruder might be underwitted or crazy, with his soddling and blunking and chuckling, and bubbling good humor. Whenever the men of Stolliker's Prairie came around, as they did, one by one, to visit the squatter and, by way of making their stay agreeable, to discuss with Big Churchill's grievances and the danger of incuring his enmity, the little man only chuckled and winked or puckered up his lips and gave vent to a prolonged whistle.

A profound interest in the outcome of the affair was felt throughout the community. Little else was talked of, and strange stories concerning the intruder, some true but more of them false, began to pass current from store to shop and house to house. Some said that he had chummed with Wild Bill down at Abilene, that he had "killed his man" in a fracas with cowboys on the Solomon, but the theory that gained widest currency was that some of Big Churchill's enemies, not daring to withstand him themselves, had imported a desperado to "do him up," for how else could the little fellow know of that "covered" quarter section so that he drove right to it, and pitched his tent on it without so much as halting by the roadside to inquire the way? At all events he was a crack shot and always went armed as, indeed, many others did. Big Churchill's unrelenting abroad and many difficulties were settled suddenly and finally.

The crisis came, for come it must sometime Big Churchill very well knew or his prestige would be gone forever. Already people were intimating that he would take it out in "caving," but really hadn't any stomach for joining the issue.

It was upon a sultry summer morning when men felt ugly anyway. The stage was to come in that day and half the settlers of Stolliker's Prairie had gathered to take the stage to town. Big Churchill went early and was in the act of telling a knot of admiring listeners what he would do "if that stumpy little villain" did not get off his claim, "in just three days." By that time the breaking word had been done and he was going to "discharge the man that had done it without squabbling over the pay neither," when in walked Squatty Stubbins in time to hear it all, but he gave no sign, received his man and went out.

Big Churchill followed, followed in turn by the expectant crowd, and stood on the porch leering at the little man contemptuously, but

Squatty appeared not to notice him, got into his wagon, gathered up the lines and seemed to be upon the point of driving away without opening his mouth when he laid down the reins and, turning to Big Churchill, said, "Right nice of ye, neighbor, to give Cindy and me three whole days to leave our home. I hope ye aint thinkin' I'm ungrateful, I and he chuckled, ducked his head and winked at the by-standers.

"Three days to leave MY place you'd better say," bawled Churchill in a voice of thunder, "and well it'll be for you if you're gone when the time is up."

"Purty, middin' hard case, neighbor, I'm afeared," continued Squatty. "Pears like yer'll have ter kill me ter git the claim away from me, and then you'll have ter kill the widder ter git it away from the widder. Aint yer afraid it'll be more bother'n it's worth havin' so much kill'n ter do?"

"No, I'm not," yelled Churchill with rising anger, "and if you'll get down off that wagon I'll give you a lesson in manners right now."

"If there's anything I'm weak on his manners," remarked the little man as he sprang to the ground and advanced toward the middle of the road, "besides if a man wants satisfaction for the loss of somethin' that never was his'n he oughter have it and I reckon ther'll be no livin' near ye 'till ye git it."

"A brave man you are," roared Churchill, "standing there ready to six sixooter strapped to ye when I haven't got as much as a pocket knife."

"Anything ter 'commode a neighbor," replied Squatty as he unclasped his belt and threw his revolver into the wagon.

There was a rush from the porch in front of the store and the big man bore down on the little one with the impetuosity of an avalanche and, for the first and only time in their lives, the bystanders saw a dangerous light gleam from the little man's eyes. The blow was struck, but the little man was not there to receive it. No one saw just how he got there, but there he was, riding pick-a-pack on the big fellow's back hugging his throat with the grip of a grizzly. The big fellow plunged and struggled, but the little man, clinging with his arms and legs, rode like a broncho buster and could not be shaken off. His grasp grew tighter and Big Churchill's breath grew shorter and, presently, down he went ker-chunk into the dust of the road, his eyeballs starting and tongue protruding as he face back as a storm cloud. Quickly his arms were crossed behind him, a stout cord whipped out of pocket and hands tied behind him so that, by the time his breath came again, Big Churchill lay as helpless in Squatty Stubbins' hands as a foot-tied hog ready for the shambles.

"Will some gentleman call the next class in manners?" cried Squatty with his customary chuckle, whereat the whole assemblage set up a yell and Squatty deliberately sat down upon his prostrate enemy.

"A brave man ye are, a very brave man indeed, Mr. Churchill," and the speaker left fall his hand, not gently, gathering up a handful of flesh and shaking vigorously, "but if I'd a been nine feet high and big, according to'd a thought twice afore I'd squatted down at me that-a-way, now wouldn't ye? What'd ye say to git'n into the shade?"

Springing to his feet Squatty caught up the hulking mass of mortified humanity and, half carrying, half dragging, dropped it ker-plunk on the ground on the shady side of the store and resumed his seat.

"What a fool ye was, Churchill," he said, "ter tell all over the settlement what ye were cakerlatin' to do to me. Don't ye know that would a jesterfied me in fillin' yer hide so full of holes that it wouldn't hold corn shucks? But yer! I never shot a human 'n all my born days 'nd don't want to less'n I have to ter keep what's mine. It's a heap nicer ter tie 'em up this-a-way and sit on 'em so," and Squatty jounced up and down upon his prostrate enemy.

"I shant have to miss ye up much, neighbor," he continued, "if ye'll agree to a preperisition 'll per pound ter ye directly, but if ye don't agree in the presence of these gentlemen, and of yer own free will, too-well, ye'd a mighty sight better, that's all."

PERSONALIA

Madame Melba is an ardent woman's suffragist.

Clarence H. Mackay, multimillionaire and president of the Commercial Cable and the Postal Telegraph companies, is a Socialist.

William Faversham's new play, "The Barber of New Orleans," is based on a rather obscure recent novel called "The Code of Victor Jallot."

Max Pemberton's next novel will be called "The Show Girl" and will deal largely with bohemian life in Paris. It will be published early in the spring.

Frederic Doy is the name of the man who wrote the "Nick Carter" stories. He is now in a hospital in New York suffering from a nervous breakdown caused by overwork.

Oscar Hammerstein has found the strain of managing grand opera in New York and trying to launch it in Philadelphia so great that he is on the verge of a nervous breakdown.

Dr. Arnold Genthe's book of remarkable photographic studies of "Old Chinatown," mentioned in this column last week, is illuminated by letter-press written by Will Irwin.

Blanche Bates used to teach kindergarten in Los Angeles. She is now starting under Los Angeles' management in "The Fighting Hope." She is in private life Mrs. Lieut. Milton F. Davis.

H. J. Heinz, of "57 varieties" fame, is a little apple-dumpling of a Pennsylvania Dutchman, with curly hair and twinkling eyes. He is a native of Pittsburgh, which is still the home office of his business.

Eugene Walter, whose play, "Paid in Full," made such a hit, has novelized Charles Somerville's successful drama "The Wolf," and has succeeded better than most playwrights succeed who dramatize novels.

Senator La Follette of Wisconsin made his public debut as an editor on January 9th, when the initial number of La Follette's Weekly Magazine, of which the Senator is editor in chief, made its appearance on the news stands.

C. S. Wood, lawyer and poet of San Francisco, persuaded Childe Hassam, the famous New York artist, to visit the Harney Desert, from which he recently returned to New York with fascinating studies in color of desert plains and mountains.

Mrs. Carrie Chapman Catt, president of the International Suffrage Association, celebrated her fiftieth birthday at her home in New York on January 8th. Mrs. Catt sails on February 12th for England to arrange for the international meeting to be held next April.

Judge James B. Dill, the author of the liberal corporation law of New Jersey and the man who received a \$1,000,000 fee for bringing about the organization of the steel trust, is known to his boyhood friends as "Little Jimmy Dill." He is little over five feet high, and smokes cigars nearly a foot long.

President Roosevelt, President-elect Taft, and Andrew Carnegie are among the members of the Uncle Remus Memorial Association which is out for funds from the country at large to erect a memorial to the late Joel Chandler Harris. Contributions should be sent to Col. R. J. Lowry, of the Lowry National Bank, Atlanta, Ga.

Bliss Carman, the poet of the wilderness, lives in the wilds of a New York apartment house and buys his poetically savage breakfasts at a delicatessen shop around the corner. By the way, he really looks like his published photographs.

By the way again, Ambrose Bierce doesn't.

The point in the United States probably farthest from a telegraph or a railroad is in the Harney Desert. The nearest town—Ontario, Oregon—is 187 miles distant.

"Squatty Stubbins' Triumph" (Continued).

"Ye are ter leave me and my family in unperturbed possession of our claim, hey?"

"Ye ain't never ter strike a little" man than you be 'cep'n he strikes first, hey?"

"Ye ain't ter go home'n scold yer wife and whale yer children out'n er vengeance 'cause I'm a sitt'n on ye."

"I hear, Churchill, as how yer mean ter yer folks when they go sort o' 'gin ye, which aint accordin' ter reason, and ye've got ter quit it, hey? What'd ye say? Speak up peert like and let these gentlemen see what fine manners ye've got."

The big fellow was sulky and disinclined to reply until the little giant gave one of his captive's arms a twist that nearly wrenched it out of its socket, when he blurted out a dogged promise and was allowed to go his shamefaced way, not much injured physically, but mortified profoundly.

"I'd rather be at ins than outs with ye, neighbor," declared the little man at parting, "and the day'll come if ye will let it when ye'll like me first class. I aint savin' no, maliciousness up again ye. Life's too short."

Squatty Stubbins drove off homeward exhibiting no signs of anger and only chuckling and ducking his head when the crowd cheered.

The season wore away into fall and the fall into winter and little more than a week intervened before the coming of Christmas. There had been winter weather to speak of. The corn had been gathered and husked and what could be spared had been hauled to market and sold and most of the proceeds spent, for the crop had not been good and the times were hard and the people poor, yet there was to be a Christmas tree and festival at the school house on Stolliker's Prairie. The settlers had not lost heart and were determined to make merry in spite of slim pickings.

Ever since the memorable occasion above mentioned, Big Churchill had been in a semi-somnambulistic condition, rarely went off the farm, spoke only in monosyllables and infrequently, but was at all times deeply meditative and more industrious than theretofore, not as unkind to his wife as he had been or as harsh with his sons, but kept to himself most of the time and was not the boisterous, domineering tyrant that he had been. When at last he suggested that a few hams of venison nicely roasted would not go badly at the festival Christmas eve his wife quickly noted it as the first symptom of a reawakening of the heart and mind of her husband.

So it chanced that early next morning the horses were harnessed to the spring wagon, a supply of victuals, a roll of blankets and the guns were put in and Big Churchill and his stalwart sons set off for the Blue Hills for a deer hunt.

"Father," complained Mrs. Churchill as the men were on the point of starting, "I am afraid that we shall run short of wood while you are away if it should in the cold. There is not much chopped and the logs are so big that the children and I will not be able to do anything with them."

"Pshaw, mother," the husband replied, "you are always borrowing trouble. We'll be back in three days, or four at the most, and nicer weather than this you never saw. Don't worry."

(To Be Concluded.)

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LYRE AND LOOT

Reflections.

When a woman is merry, light-hearted or glad,
She looks at herself in the glass;
If she happens she's worried or peevish or mad,
She looks at herself in the glass;
In fact, if she's pretty or if she is plain,
If she's ever so modest or ever so vain,
If she's wearing a rainy-day skirt or a train,
She looks at herself in the glass.

If her age it is twenty or fifty or more,
She looks at herself in the glass;
If she lives on an income or works in a store,
She looks at herself in the glass;
If her hat is on crooked, don't worry or fret,
Or if by some chance on quite straight it is set,
If it's not on at all, it's a pretty safe bet,
She looks at herself in the glass.

If a maiden's expecting her sweetheart to call,
She looks at herself in the glass;
And after they've said their good-by in the hall,
She looks at herself in the glass;

Her cheeks they are crimson, her hair is a mess,
Her collar is wilted, as you may well guess,
And the print of an arm marks the waist of her dress,
When she looks at herself in the glass.

—Yonkers Statesman.

Fighting the Sandman.

Come put your arms about my neck and say
your lay me down,
The little birds are all asleep and far away in
town
The lights are blinking, winking, dear, as bril-
liantly as stars,
No more the stilt stand and moo besides the
pasture bars,
The chickens have all gone to roost, the
mother chicken hides
The little bats o' fluffy chicks beneath her
feathered sides,
And so it's time you hugged your dad and said,
"my soul to keep"
And kissed your dad and cuddled down and
drifted off to sleep.

Yes, God knows more than papa does; no,
baby, cows can't fly,
Yes, I have known you all your life; no I
can't touch the sky;
Yes, mamma's putting sister girl to sleep while
I sit here;
No, dear, there are no bogie men, there's
naught for babes to fear;
Yes, dear, the moon that peeps at you is very
round and bright;
No, sweet, I don't believe the man in it can
say good night.
You see he cannot hear so far, he's such a
ways away;
Yes, dear, of course he likes to watch you say
your, "Now I lay—"

Yes, mamma used to go barefoot—yes, when
I go to town
I'll bring you home a rubber ball—for good-
ness sake lie down!
Do you know it is ten o'clock and you are not
asleep?
And sister girl is dreaming now all in a cud-
dled heap?
And I am yawning—oh-heigh-oh—gee! but
you're wide awake!
What's that you say— one question more—well,
baby, for your sake
I'll answer that one question more, but let me
tell you this—
What's that you say? Of course, I will give
you another kiss!
—Judd Mortimer Lewis, in Houston Post.

The California Weekly is a gem in thought
and most excellently edited. It will be a
power for good in California.—Quincy Inde-
pendent.

SHEAR WIT

Johnny—Let's play horse. Bocker—All
right, I'll be an auto.—New York Sun.

In addition to a fat man's other troubles
every one expects him to be good natured.—
Peoria Herald-Transcript.

The newly wedded one: "The happiest
moments of my life were spent at the Falls."
The divorced one, carelessly: "Niagara—
or Sioux?"—Puck.

"Did you ever notice," remarked the Ob-
server of Events and Things, "that most of the
mail orders in a department store are female
orders?"—Yonkers Statesman.

"Any retail places around here?" asked the
salesman in the strange town. "There's the
woman's club over there in the town hall,"
drawled the cynical old postmaster.—Boston
Post.

"Sometimes," said the official, "I really yearn
for a private life." "Yes," answered Senator
Sorghum. "The great objection to a private
life, however, is that it cannot be pursued at
public expense."—Washington Star.

Professor (to his aged cook)—You have
now been twenty-five years in my service,
Regina. As a reward for your faithfulness, I
have decided to name the bug I recently dis-
covered after you.—Meggendorfer Blatter.

Their wedding invitation read: You are in-
vited to attend the marriage of Mr. Augustus
Clay Johnson and Miss Chloe Matilda Baker
at the house of the bride's mother. All who
cannot come may send.—Youth's Companion.

Speaking of his funerals, Mr. William Cook
of Baltimore says "that one at \$49 is a
wonder." With such inducements confronting
them, it is impossible to understand how the
people of Baltimore can resist.—Houston Post.

Fluffy Young Thing: "I'd like to prepay
the express on this package." Express Com-
pany's Agent: "What's the value?" Fluffy
Young Thing: "Nothing, sir. It's a bundle of
letters. I'm sending them back to him."—N.
Y. Sun.

Teacher—"Now, children, remember that
whatever you sow, that shall you reap. If you
sow turnip seed you'll get turnips, and if you
sow—Small Janet (interrupting) "Please
teacher, if I sow bird seed I'll get canaries?"
—Philadelphia Record.

The pony had just thrown the tenderfoot. A
cowboy asked the bruised man, "What threw
you?" "What threw me? Why, she bucked
something awful! Didn't you see her buck?"
"Buck?" said the cowboy, "Rats! She only
coughed."—N. Y. Tribune.

The college President: "Then you don't
want your name mentioned in connection
with your gift of \$200,000 to our college?"
The old millionaire: "Well, er—er—you
might say that you give my name without
my consent."—Brooklyn Eagle.

When Mark Twain was a young and strug-
gling newspaper writer in San Francisco, a
lady of his acquaintance saw him one day with
a cigar box under his arm, looking in a shop
window. "Mr. Clemens," she said, "I always
see you with a cigar box under your arm. I
am afraid you are smoking too much." "It
isn't that," said Mark, "I'm moving again."

The absent-minded college professor was
dining with some friends, when he suddenly
remarked: "Oh, by the way, Mrs. Chopsticks,
have you seen your little boy, Willie, lately?"
Mrs. Chopsticks: "No, professor, I haven't
seen him since 10 o'clock and I can't imagine
what has become of him. In fact, I am very
much worried about him." Professor: "Well,
seeing Martha pour me out that glass of water
just now reminds me of something that I had
on my mind to tell you some time ago, but
which unfortunately escaped my memory. It
was just about 11 o'clock, I think, that I saw
little Willie fall down the well."—Cleveland
Leader.

The California Weekly will be a mighty
power for good and will tend to drive the
boughten weekly press to the wall. The Sentin-
el bespeaks for it a career worthy of the men
behind it.—Lodi Sentinel.

The California Weekly is turning out to be
a strong paper and will stand for the people
against the Southern Pacific Railroad in poli-
tics. The Republican party certainly needs
such a power. Long life to it as long as it
lives as it now lives.—Ukiah Dispatch-Demo-
crat.

People who believe in the best in all things
should subscribe for The California Weekly.
There is no taint of higher-up or railroad in-
fluence about it, and it is altogether whole-
some.—Ventura Free Press.

We do not approve the name "California
Weekly," but we wish to commend the publica-
tion in both its spirit and its letter.—Santa
Cruz Surf.

California sorely needs such a State weekly
as The California Weekly. It is neatly made
up and printed and bristles with interesting
matter.—San Rafael Journal.

Anyone who reads and thinks, who loves
spicy editorials and instructive articles, can-
not fail to appreciate The California Weekly.
It is one of the nearest publications in the
United States.—Crescent City News.

NOTICE

In the Superior Court of the City and County of San
Francisco, State of California. In the matter of the
Application of Leavitt Lumber Company, a corporation,
for a change of Name.

Leavitt Lumber Company, a corporation, having filed
its application praying for authority to change its said
name to Castle Lake Lumber Co.,

It is ordered that all persons interested in said mat-
ter appear before this Court at ten o'clock a. m. on the
1st day of February, 1909, at the Courtroom of the
above entitled Court, apartment No. 8, to show cause
why the application of said Leavitt Lumber Company
should not be granted. Let a copy of this order be
furnished for four successive weeks in The California
Weekly, a newspaper of general circulation printed in
the City and County of San Francisco, California.

Dated December 11, 1908.

GEORGE A. STURTEVANT, Judge.

J. B. Richardson, attorney for Applicant, Bacon Bldg.,
Oakland, Cal.

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OUR SCHOOL FOR CITIZENSHIP

The Preamble.

The Constitution of the United States can be read from beginning to end in less than half an hour, and yet tens of thousands of American citizens have lived under its protection, and died out of its jurisdiction, without ever having found time to read the document or sense what it contains. As good a thing as the reader of this can do is to read it, if not for a first time, then for the fourth, twenty-fifth or hundredth time. One's familiarity with that document can never become too intimate.

Let the reader be pressed for time let him at least make acquaintance with the preamble to the constitution. It is the best part of the document. It is the soul of it. All else are vestures, organs, members, instruments through which the soul must act, shine out, make its power felt. Let us study the preamble. There are only fifty-two words in it, an admirable specimen of condensation and clear statement.

"We, the people of the United States," is the way the preamble opens. Not the fact that it does not say, "We the States of the United States." Neither does it say, "We the people of the several States in these United States." What a world of eloquence, rhetoric, disquisition, choler, not to mention human blood, would there have been if all Americans living under the constitution had truly sensed the opening phrase of that preamble! This constitution was authorized and adopted, through accredited representatives, it is true, by the people of the United States, and between the people and their national government there stands no State government or allegiance more than there stands a city or county government. This is not in any proper sense a government of States. It is a government of people, each individual directly accountable to the central government in all respects in which the central government has a direct, palpable interest. We are, therefore, Americans before being Californians, San Franciscans, Sacramentans or what not. Suffer that concept to sink into the understanding. It will save much confusion of thinking hereafter.

"In order to form a more perfect union," the instrument goes on to say, a union as perfect as possible without altogether obliterating State lines. There were those in the constitutional convention who wished to obliterate State lines, but it was wisely determined to leave those lines unchanged for the reason that there are concerns of State interest that are not of National interest, just as there are concerns of interest to counties and towns that are of no consequence to the State. Where the central government is concerned there practically are no State lines, as where the State is concerned there are practically no county lines. The analogy is nearly complete and is steadily becoming more so.

"Establish justice, insure domestic tranquility, provide for the common defense, etc." The most difficult of these is to establish justice. It once required four years of war at the cost, directly and indirectly, of half a million lives, besides billions of accumulated wealth, to insure domestic tranquility, but it was insured. It costs scores of millions a year to "provide for the common defense," yet the provision has been adequately made, but the establishment of justice still lacks much fulfillment. It is a theme, at this moment, absorbing the best thought of the Nation. But more of that when we come to consider the judiciary.

"Promote the general welfare." This has played a great part in the liberalization of public policies and extensions of governmental services to the people. The incorporation of this clause in the preamble was almost providential. It has advanced the common good as nothing else could have done.

"Secure the blessings of liberty to ourselves and our posterity." This, also, is an unfinished task. The blessings of liberty are such everyday matters with us that we can scarcely realize that there was a time when men did

not possess them, and yet more gallons of human blood have been spilled in the name of liberty in the history of the world than the Sacramento River pours gallons of water into San Francisco Bay in twenty-four hours.

Real liberty, liberty to employ one's activities in such a direction as he would, and secure for such activities the recompense they are justly entitled to—that is about the hardest blessing to secure and to maintain after being secured. Always some man or body of men are striving to reap where they have not sown, to impose half requited tasks and enforce them with the whip of inexorable necessity. Yet it was for these high purposes that "We, the people," did "ordain and establish this constitution for the United States of America."

It may sound like raising a needless alarm to declare that the problem of the preservation of liberties essential to popular welfare is as pressing now as in the days of the constitution makers, but so it is. The greedy hands of avarice are stretching out for special privileges and not in vain. The issue is also up to us.

PLEASE NOTE:—This is to remind you that EDGAR C. HUMPHREY is the pioneer specialist in property from San Mateo to Menlo Park and about the Stanford University. Homes for sale and lease. Acres for sale. Offices, Call Building, San Francisco, phone Kearny 4656; Palo Alto, phone Palo Alto 229; residence Menlo Park, phone Palo Alto 217.

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In taking this pledge it is distinctly understood that I in no way obligate myself to vote for any particular party, any definite candidate or any certain measure. I am voting myself only my Country, and pledging myself solely to the faithful performance of the duty I owe to her as a citizen.

Signed

Age

Address:

WHY TAKE THE FOREGOING PLEDGE?

Those taking the foregoing pledge, signing and sending it to this office, will be enrolled upon The California Weekly's "School for Citizenship," which will be a permanent feature of this paper. It will entitle the person sending in his name to have answered, either through the columns of the paper or by letter, any rational question he may ask concerning public affairs, and, generally, by the person best equipped to afford the desired information. It will also entitle the signer to such special literature as may be issued from time to time by the school. While this pledge is open to persons of all ages it is especially desired that it be taken and sent in by young men lately become voters or who will cast their first votes two years hence. It will take but a moment to clip out the pledge, sign, enclose in an envelope, stamp and address to "School for Citizenship," office The California Weekly, 26 Montgomery Street, San Francisco, and it opens the way for a liberal education in citizenship.

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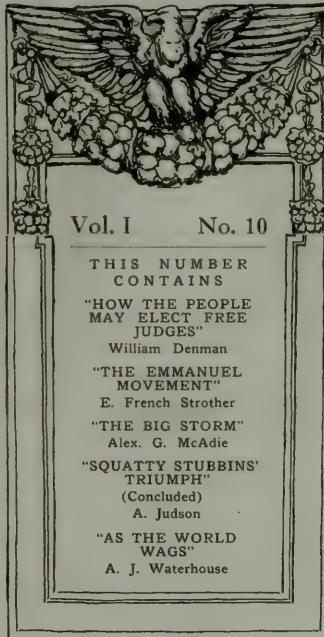
THE TERMS OF FRIENDSHIP.

There may have been a delicate diplomatic suggestion in Prime Minister Katsura's remark to Commissioner Loomis that Japan hoped to become an industrial nation and "supply the markets of the Orient" with manufactured goods. Was that a hint that Japanese emigration must be confined to the Orient, its commerce will go there, too?

Never mind. Commerce, in the long run, follows the lines of profit. We can get the trade of Japan whenever we make an intelligent effort for it. Probably Germany will beat us to it, as has already happened in many parts of South America, by making a more intelligent effort, more promptly, but that handicap will be made neither less nor greater by any political issues between America and Japan. It is due merely to the German habit of respecting expert opinion. If a German wants to find out anything, he sends a specialist to make a scientific investigation. If an American wants to find out the same thing, he either jumps at the conclusion himself, on the basis of his own experience and traditions, or he takes the judgment of some other business man. The Englishman sends a "gentleman" to look the ground over. Naturally, the German is the one who finds out the truth. But that advantage is not especially a Japanese situation, and we shall learn to overcome it in Japan only as we learn to overcome it elsewhere. Meantime, if the boycott is as gentle as Marquis Katsura's suggestion of it, we need not worry. Besides, the trade of China is the final grand prize, and we should in any case have to compete with Japan for that.

Paramount to all commercial considerations, the two things to be attained are exactly the ideals professed by Marquis Katsura—friendship between the two nations and separation of the two populations. Between the American nation and the Japanese nation there should be nothing but the warmest of friendship. Our national and international purposes are the same, and the destiny of the Pacific is committed jointly to us. We should co-operate, not quarrel, in that supreme historic task of the twentieth century. But a white population and a brown population, regardless of nationality or ideals, can never occupy the same soil together with advantage to either. This is not a fact of temporary prejudice, but is fixed in the eternal nature of things; it is biological, not political, and it will last forever. Japan would feel the menace as acutely as America if there were any likelihood of a large white immigration into its territory. The two races simply cannot dwell together, on any terms which either will accept, and the condition of international friendship is the avoidance of the personal friction which is inevitable from any general mingling of populations.

The social intercourse of the cultured classes of the two nations is delightful, and is more so as the personal culture of the Japanese gentleman surpasses that of the average American. The cordial relations of the nations will be best conserved by committing



them to the care of gentlemen, like Mr. Loomis and Marquis Katsura, who observe the social amenities which, unfortunately, do not as uniformly mark the common industrial and personal contacts of the two races when they occupy the same soil, neither as the social guest of the other. Let us dwell apart, in peace and amity. We cannot dwell together that way. Between brown man and white man, there is no biologic symbiosis.

VICTORY IN DEFEAT.

The Lincoln-Roosevelt League undertook to elect "a free, honest and capable legislature." How far did it succeed, and what is the state of the fight?

The present legislature is apparently "honest" and reasonably "capable." Also it is more nearly "free" than any legislature that has met for a long time. If the Lincoln-Roosevelt League had been as successful at the August as at the May primaries, the legislature would have been positively free of the railroad machine domination, since there are free legislators from many interior counties which did not send free delegations to the Sacramento convention. But defeat in Los Angeles and partial defeat in San Francisco lost these strategic points at the August primaries, and

with them lost the possibility of organizing the legislature. The machine controls the important Senate committees, and Speaker Stanton, though not an uncompromising machine man, had the ways made smooth before him by machine support. In return, the machine was given the advantage in committee assignments, except on the committee on public morals. The machine is still in official control, and to that extent the legislature is not yet "free."

But what an enormous stride has been made! On non-partisan matters, where reform Democrats are added to reform Republicans, the anti-machine element is in definite control of the Assembly and nearly in control of the Senate. It is organized, militant and victorious. And the machine itself is cowed into a timid virtue. The blatant defiance of elementary decency, so characteristic of previous sessions, is conspicuous by its absence, though some of the very men who once led that defiance are still on the floor, and have experienced no regeneration of heart. On as many things as it dares, the machine votes right, and on the others it has forgotten its ancient insolence. The fear of the people is present in all hearts, and by sheer force of that fear, a considerable part of what the Lincoln-Roosevelt League sought in victory has been accomplished by defeat. It is not a secure victory, nor a complete one, but it is a long beginning, and more than justifies the fight that aroused the people of California to cease mere scolding, that the legislature was bad, and to demand that it be good.

It is, of course, not enough to scare the machine into relative decency. No political power which takes its inspiration from the hired political bureau of a foreign corporation can ever truly represent the people of California. The people must not be lulled into fancied security by any temporary gentleness of the dictators' rule. It is a gentleness that lasts only while the revolution threatens. The fight must continue, until the Harriman political bureau is unconditionally deposed from the rule of California. What has been gained is victory, if it encourages the struggle to gain the rest. On the other hand, if the machine, by a mere sop, can still the people's vigilance, then the victory is on the other side.

It has been so long a custom in English courts to strengthen the obligation of an oath by having deponent kiss the bible that antiquarians quarrel as to the time of its origin. There has not been anything in the law that required it and the kissed books have become so insubstantial that a movement is on foot to eliminate that ceremony unless a witness thinks that he can't tell the truth without it, in which event bibles with renewable covers will be used to prevent infection. The sanction of an oath counts for less than it should no matter how administered, but the extreme is reached in our own courts where the clerk chatters off: "You do solemnly-ch-ch-ch-so 'elp-ye-Almightygod," which sounds as much as anything like the last expiring whirr of an alarm clock. The too frequent use of any solemnity reduces it to a farce.

WHO SHALL CHOOSE OUR JUDGES?

The attention of the reader is called to an article elsewhere in this paper, by Mr. William Denman, in which a plan for the non-partisan election of judges is thoroughly considered. Than this there is no more important issue before the manhood of California.

Let the reader of this ponder well the following literally true narration of how a member of the appellate court for the first district of California obtained his high office. Having determined that he wanted the office did this man announce his candidacy and request the suffrages of the people for his nomination and election? Not at all. He made his application to one man and was told by that one man that he could have the place if the superior judge of an adjacent county did not want it, but that the judge referred to had a preferred claim upon the position if he cared to avail himself of it. A justice of the supreme court was good enough to undertake negotiations with this superior judge with the result that the judge retired from candidacy for the appellate nomination and, obedient to promise, it was given to the applicant who now holds the office. The party vote carried him into the position he is now in, but to fill. And this is the method by which "we, the people," fill our judicial positions!

It is matter of common notoriety that the predatory interests, coalesced in California into the Southern Pacific's political bureau, regard the judiciary as the citadel of government. They prefer to possess all departments of our state government, and as often as possible, have done so, but of the judiciary they have taken especial pains to make sure, if not in fee simple absolute, then by selecting types of judicial mind unlikely to prove refractory if tactfully handled. Now and again a judge breaks away from control, forgets or ignores who it was that made him a judge and who it is that can unmake him, and now and again there occurs a popular insurrection, as on behalf of Judges Lawlor and Dunne in San Francisco, and against Judge Carroll Cook two years ago and last year, but aside from these unexpected and unusual interferences with corporate control, the citadel of popular government, in this state and many others, is under the predominating influence of interests prejudicial to the common good. These are hard things to say, but they are true things and so much a matter of course, and thought so little of that the appellate judge himself told how he came to be an appellate judge and told it in a street car.

It is this kind of judge-making that Mr. William Denman and his associates are seeking to terminate. They are seeking by the simplest and most inexpensive of methods to force judicial candidates to stand upon their own merits before voters unaided by partisan appeal or affiliation. It will be time enough to decry the selection of judges by popular choice when popular choice has had an opportunity for selecting a few judges. At all events it never entered into the plan of American government that judges should be selected by the one litigant in the state that has cases in all courts from lowest to highest, retainers to oblige and scoundrels to defend.

A PROPER AND NECESSARY INSULT.

The Legislature of California is perturbed because of the existence of the People's Lobby. So great an insult was never inflicted upon a legislative body in this state. The wrath of gentlemen suspecting themselves to be under suspicion knows no bounds. They are for taking extreme measures to wipe out the indignity. Have not the People of California placed their trust in their legislators? Then why should any self-constituted body of men

THE STAFF

A. I. PILLSBURY.....Editor and Manager
CHESTER H. ROWELL.....Associate
A. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
O. BLACK.....Business Manager

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presume to distrust them? Great is the to-do and great the self-assumption of legislative virtue.

The People of California have placed little trust in their legislatures and the little trust that has been placed in them has often been abused. First the people limited the legislative sessions to once in two years instead of allowing annual sessions, then to sixty day sessions. Then they limited the possible expenditures for attack grabs. Only at the last election did the people eke out an extension of confidence by increasing the pay of legislators and allowing them such length of session as the increased pay will permit. Furthermore the sphere of legislative activity has been limited by legislating directly into the constitution, every such constitutional amendment being, in effect, a vote of lack of confidence in the legislatures of this state.

Millions of dollars have, in the history of the state, passed from the coffers of corporations into the pockets of legislators whom the People have chosen to misrepresent them. Elections to the United States senate have in past times been affairs of barter and sale. Able legal gentlemen, in recent years, have accepted representation from their senatorial and assembly districts and retainer fees from corporations. It is notorious that the predominant power in this present legislature is wielded from the corner of Powell and Market streets in San Francisco.

In view of unquestioned facts whatever of insult to the legislature of California the People's Lobby may constitute is a proper and necessary insult and one that should have been inflicted forty years ago and maintained ever since.

The purpose of this People's Lobby is to let the public know what is doing at the legislature and who does it, to make sure of the record each legislator makes, whether good or bad, and advise his constituents of the fact. Many a legislator who goes wild when away from home would walk the chalk, an exemplary gentleman, if he knew that his constituents would be informed as to his conduct. This surveillance harms no upright legislator. It helps him. There have been good men in all legislatures, but their power for good has been limited by the irresponsibility of those who lost their moral bearings as soon as they reached the capitol, or who are there, not to represent their constituents, but to represent special interests whose retainers they have accepted. Long live the People's Lobby!

EXPLOIT OR CONSERVE.

We shall not know that we have had President Roosevelt's valedictory until President-elect Taft has been inaugurated, but, in default of a better, the President's recent special message to Congress in relation to the Conservation of Our Natural Resources will serve

admirably well. It is a splendid state paper and should furnish the foundation for a century of splendid statesmanship.

We have been a spendthrift nation. We have so prated of "inexhaustible resources" that we had begun to believe in their existence, but there is no such thing and never was. We have exploited where we should have conserved. Barring the wealth that finds its best expression on paper the continent of North America is not intrinsically richer than when America was discovered. Its soil has been skimmed, its forests slaughtered, its rivers ruined for navigation and converted into vast engines of destruction. Its mineral wealth has been squandered. Is it not, as the President says it is, high time for the American people to take an account of what is left them in the form of resources and proceed to live within their means?

The individual man who goes through life careless of making provision for his family when he shall have passed on, merits and receives the contempt of his fellow men. Why should not the nation that is careless of consequences to befall the next generation merit and receive the contempt of more prudent nations? It will and it does. There is not a civilized nation on earth that does not look upon our nation as prodigal.

The cause of conservation of national resources is not going forward without encountering opposition. The exploiter wants his return quickly. He wants to be free to go into a forest, cut down all its merchantable timber, burn the unmerchantable and, with it, burn the soil humus so that the cut-over area cannot bear another crop of timber in two centuries, and scar the ground with logways for the rain runoff to enlarge into gulches for "May not one do what he will with his own?"

He may not. As President Roosevelt affirms in his epoch-marking message, "The ownership of forest land is a public trust." So must we regard the ownership of vast grazing areas, of water power sites, mines of coal and iron. Men whose exaggerated individualistic proclivities have made them predatory, almost anarchistic, will find themselves confronted at every step by doctrines to them new and strange. To them they will smack of Socialism, but they will not be the doctrines of the socialists. These doctrines so new and strange will be found as old as the Common Law and grounded in the customs and policies of all civilized peoples except our own. The basic principle will be that each must so use his own as not to injure another's interests, that a care shall be exercised for the rights of generations yet unborn.

Had Theodore Roosevelt done nothing else to signalize his administration save to call into being the forces that are now making for a conservation, rather than for an exploitation, of our national resources he would have made an imperishable place for himself in the histories of those who have proven benefactors of their race and country.

THE HAVOC OF THE SCIENTIFIC METHOD.

The scientific method took possession of the last half of the last century. It was inevitable that it should assail the beliefs of the fathers and put them upon honor to furnish good reason for the faith that were in them. They were driven to it, but they went at it with a will to learn, to know and to declare the results of their investigations. Every book, chapter, line, verse, phrase, word in the sacred writings were studied, analyzed, compared with the oldest manuscripts and viewed with relation to contemporaneous history. The tombs of the tri-millennial dead were ransacked, their long buried temples uncarthed, cabalistic inscriptions upon tablets of stone and clay translated into the language of to-day and the very

personalities of sacred history were made as living and breathing beings as the characters of Goethe or Shakespeare. Had this work been done before the Ingersolls of America and Europe had wrought their injurious work it had been better, but it was well to have it done and well done.

The founders of the Emmanuel Movement, a good account of which is given elsewhere in this paper, started their enterprise in the belief that the church was losing its hold upon the multitude because it failed longer to answer adequately to their spiritual needs. It is to be doubted if the church is chargeable with that delinquency. But this it has done: It has imposed upon its communicants a heavy burden of thought and study in order to keep pace with the results of applying the scientific method to a testing of the old faiths, and that burden has been greater than many were willing to bear. They have wanted their spiritual needs supplied without mental effort on their part and the church, not being as able as before to hand them their faiths ready-made, they looked to someone who was.

The running after strange gods, isms, healings, wraiths and wills-o'-the-wisp that have characterized recent decades is more the result of mental shiftlessness than of any deficiency in churchly teachings or influence. It is easier to dream than to think, to build castles in air than real houses on good foundations of concrete or stone. While the world stands the multitude will take their religious convictions and spiritual needs ready-made, handed down from the shelf as convenient to put on as a garment.

There probably is and ever has been a scientific basis of fact for phases of mental healing. On this basis shallow enthusiasts have built imaginative temples, towers, battlements of faith for the credulous which the scientific method will throw down when it gets to it and, in its place, will erect a useful, every-day, homely adjunct to other forms of healing.

Let not the church blame itself over-much. Those who have remained with it and have applied their minds to the task in hand have had their essential faiths strengthened, deepened, broadened, rationalized. They see still through a glass but less darkly than before, and do not hope to see face to face until they pass beyond the vale of the narrow temple. The Emmanuel Movement may have a work to do, but furnishing an easy path wherein mental shiftlessness may walk spiritually upheld can hardly be a part of its task. There is a deal called spiritual that is of the stuff that dreams are made of.

Water Power Development.

It may be possible to develop five million horse power from the waters that come down from the Sierra. Its development is enormously important to California. Nothing must be done to prevent that development as fast as the power can be profitably employed, but whose power shall it be in perpetuity? "The waters of California are, and by right ought to be, the property of the People of California." If this be true the people of California should say under what control those waters shall be used. The problem is a big one. The President has called timely attention to it. The demand is for true statesmanship.

Only Six Hundred Years Belated.

Professor John H. Wigmore, dean of the law faculty of the Northwestern University, and said to be the best authority upon the law of evidence, has taken a fall out of our supreme court on its Schmitz-Ruef decision, and especially out of our grave and reverend Chief Justice. He declares that "Such disputations

were the life of scholarship and the law six hundred years ago, but are out of place today." That they are out of place to-day few not so deeply learned in the law as to be unlearned in the affairs of everyday human living will doubt, but Professor Wigmore has conceded some thirteen centuries more to the contemporaneity of our highest court than many will be willing to allow. That court rather belongs to the time when jurists strained at gnats and cummin and omitted the weightier matters of the law such as the establishment of justice. The justices have lost the soul of things in the form and have become a burden grievous to be borne.

Not the Right Moral Attitude.

The most cutting arraignment of our supreme court by Professor Wigmore is contained in the following sentence: "All the rules in the world will not get us substantial justice if the judges have not the correct living, moral attitude toward substantial justice." This is not saying that the attitude of our justices toward justice is immoral. It has reference to the bent of mind, the atmosphere in which they live and move as not being correctly moral. How can we expect anything better?

The power that made these men supreme or appellate justices has no moral attitude toward justice. Its attitude is aggressively immoral and it has made its selections for judicial positions with reference to types of mind, to power of appreciation of favors to be conferred or withheld, that will render appellate courts serviceable to the interests of the makers of those courts when the supreme test comes. It has not been declared that such expectations have resulted in disappointment. Professor Wigmore has gone to the heart of the matter. He has cut to the quick, but he has pointed out a way to remedy the wrong. It is to be done, by educating the legal profession out of vicious habits of thought by dining more liberal ideas into their consciousness through public criticism. Another aid will be the election of a free judiciary by the people rather than its selection by the one litigant that has cases in every court.

Mr. Taft Off Wrong.

There has been no little press humor expended over Mr. Taft's assurance to normal school pupils and teachers at Athens, Georgia, that single life for woman is not an unmixt evil and that marriage should not be her first consideration. Mr. Taft is wrong. The single life is an abnormal life and the married life should be a first consideration with both men and women, but especially with women. A careful study of the records of hospitals for the insane will verify this declaration. The person in whom the connubial felicitates are allowed to dry up bears a similar relation to the normal well-married being that a dried peach bears to one freshly plucked from the bough.

Gate of a Hundred Sorrows.

An International Reform Bureau is to hold a convention at Shanghai, China, February 1st, to consider what is to be done with the opium evil the world over. Some idea of the importance of this convention may be gathered from an estimate lately made that the non-medical use of opium in its several forms costs the world half a million suicides every year and that China alone expends \$200,000,000 a year for the drug. California bears no small share of the common burden. It has scarcely a community that has not from one to a hundred wrecks who have passed through the "gate of a hundred sorrows."

The Deeper Significance : : : : of Living : : : :

This is a time of very general looking to moral standards. We are passing through a period of searching of hearts, the hearts of others perhaps rather than our own, but no character escapes that search either from self or from others, and new and better standards of conduct are being set up as a result of the heart-searching of our time.

When we speak of new standards we use the term relatively, meaning new to our generation only. There are no new standards. Every possible standard from biggest to lowest has been set up and torn down a thousand times in the world's history. The people in their headlong heedlessness forget and their high standards go down, or they bethink themselves and set them up again. We had forgotten. We are now bethinking. That is the whole of our present heart-searching phenomenon.

We are doing better than we did. The last few years of heart-searching and character-scrutinizing have done much to better our standards of integrity, but where shall we look for the best possible standard of integrity that we may set it up and declare our allegiance to it?

It is to the folk-lore and the songs of a people that we must look for the loftiest of their conceptions of what is true, good, beautiful. What we call the Psalms were the songs, the chants, the lyrics through which a wonderful people expressed their loftiest concepts and the deepest yearnings of their souls. In these we shall find some of the finest standards of character and conduct ever set up in this world.

"Lord, who shall abide in thy tabernacle? Who shall dwell in thy holy hill?" chanted the Hebrew people in metaphors signifying the stations of greatest honor, the recompense for the sublimest virtue. Then came the answer clear and strong, "He that sweareth to his own hurt and changeth not."

There is a standard of integrity for you! There is a standard of truth! There is no paltering with half truths in that, no making a truth serve the purposes of a lie because it deceives as well as a lie, no refusing to testify because one's testimony may be used against himself.

Judged by that standard what liars are we all, what prevaricators, dissemblers and what perjurers! And the worst of it is that all these prevarications, dissemblings, perjuries, are graven into our faces, chiseled into our characters, woven into our warp and woof. Judged by this ancient and seemingly unapproachable standard of integrity, is there any danger that our present swelling wave of moral uplift will carry us too high? Is honesty likely to become too common or too severe in type? And what is "common" honesty at best? What does it consist in more than in telling the truth in a straightforward way about ordinary affairs, in refraining from lying through lust of lying; but who is expected to "swear to his own hurt and change nothing of our law."

Our law certainly does not expect anything of the kind. It expressly excuses men from going upon the witness stand to testify against themselves, even when the truth desperately needs to be told. How quickly could Mr. Calhoun, Mr. Ford, Abe Ruef, and all the other indicted gentlemen, clear up every question of fact in the whole miserable graft business if they were to take the stand and "swear to their own hurt," if need be and, "change not," no matter how much they were hurt. Is it a sound law that sets up so low a standard of integrity?

The common-sense world is coming to the conclusion that it is wrong. It had its origin in the application of torture to extort the truth. Eliminate torture, and the reason for the rule of law excusing such testimony ceases to exist. Justice demands now, in America, as high a standard of integrity as the Hebrews set up in Palestine more than 3,000 years ago.

THE WORLD AT LARGE

Reforestation in Great Britain.

The pressing nature of the problem of the unemployed is prompting Great Britain to undertake a systematic reforestation in the "right little" isle. There are 6,000,000 acres of rough land in Scotland, 2,500,000 in England and Wales and 1,000,000 in Ireland, which can be forested without trenching upon agricultural lands or lands valuable for grazing. It is proposed to expend \$10,000,000 a year upon this work until these lands have been forested, furnishing employment to 9,000 to 18,000 men, during the dull season mainly. It is anticipated that the forests thus created will become self sustaining in forty years and enormously profitable in forty years more. To some of our hand-to-mouth statesmen eighty years is a long time to look ahead, but John Bull is contented to wait. Brother Jonathan may well profit by his example.

Historical Work By States.

A number of states in the Union have done splendid work in gathering and preserving historical data relative to their rise from a wilderness to American commonwealths. Wisconsin has expended \$650,000 for a building to house its historical library and museum. Iowa expended \$500,000 for the same purpose. Kansas has been gathering and housing in the state capitol this kind of data ever since it had a capitol, and now Minnesota is moving for a building in which to house its books, pamphlets and other articles which reach nearly 100,000 titles. California should not permit itself to be outstripped by other states in a work so important.

The Wisconsin Central.

Whatever may take place in bringing other transcontinental railroads into a community of interest the Canadian Pacific is likely to stand alone and, by standing alone, to play an important part in the transportation interests of the United States as well as of Canada. A short time since the Canadian Pacific purchased a controlling interest in the Wisconsin Central and now has well gridironed all that country lying east of a line running from Winnipeg to Chicago and, in fine, the whole Lake Superior region, affording an outlet for all this region, over Canadian Pacific lines, to both the Atlantic and Pacific oceans. Is it to be presumed that so ambitious a system as the Canadian Pacific, almost as much American as Canadian, will not someday wish to have an independent line terminate on San Francisco Bay?

Supplying the Purse For Oppression.

It is commonly believed that the Jewish financiers of Europe and America control the purses of all the nations. Russia is a tremendous borrower. It is also the most heartless oppressor of Jewish people the world has known since the middle ages. A strike on the part of the money lenders of Europe would force from the Russian autocracy equal rights for the Jews. Nevertheless we find that the Russian loan of \$280,000,000, allotted to London and Paris, was greatly oversubscribed in both cities. Why so?

A School For Foremen.

Prof. A. Lawrence Lowell, lately chosen to succeed President Eliot of Harvard, has maintained for five years, at his own expense, a free school for young mechanics who have the ambition to become foremen instead of day workers. It is a night school, has courses of study running two years and fits its graduates to take instructions from mechanical engineers and execute them with squads of workmen under their charge. This is a form of industrial education that labor unions have wanted instead of trade schools, but available

only to apprentices. This school has not that restriction, but it is of a type to supply a want seriously felt.

Purify the Streams.

Massachusetts and New York, Kentucky and Ohio, are trying to get together in their respective localities, for joint protection of their interstate streams from pollution by cities and towns along their banks. Dumping sewage into streams is a convenient way of killing people, where the particular person to be killed is a matter of indifference, but inasmuch as that kind of killing is seldom justifiable the practice of polluting streams should be stopped. Our own California Board of Health is taking steps in this direction. Public opinion should help it to take strides.

The Manufacturers Also Object.

Massachusetts has reduced manufacturing in its prisons to the lowest terms consistent with manufacturing at all. It has taken all the profit to the state out of it and its only value is to keep the prisoners moderately busy. So many articles are manufactured that the output cannot amount to a drop in the bucket in competition with any manufacturer, and yet manufacturers are in arms against prison competition. Their opposition is short-sighted. They do not realize that the whole trouble is that prisoners are not competing with free labor as every free man does compete and that the remedy is to get the prisoners back into society on a competing basis as soon as possible. The only reasonable requirement is that prison-made goods shall not undersell free goods, and Massachusetts sells at open market prices only.

Conservation of the Children.

A concerted movement is on foot throughout the East to force upon the national government uniform legislation in relation to child labor in support of what Senator Beveridge of Indiana has been striving for. It is declared that while our nation's resources should be conserved its children are its greatest resource and most need conserving. One in every twenty under sixteen is toiling in some factory, mine or industrial shop of some sort, stunting its body, dwarfing its mind and making it unfit to bear the burdens of citizenship. Money-madness coins the blood of children into dividends with as little compunction as the blood of sheep, hogs or cattle.

Right Relationship League.

The Interstate Conference of the Right Relationship League of America has been held at Minneapolis, Minnesota. The League has a chain of seventy-six stores in Minnesota and their aggregate profits for 1908 were about \$200,000. There is another chain of seventy-four stores in other states and California is to be invaded, the success of the Rochdale stores in this state making it an inviting field. The purpose is to market products as well as to purchase commodities with reduced intermediate charges.

Indulgent Uncle Sam.

Dear old, fond and patient Uncle Sam, having set Cuba to rights again, has suffered the little politicians of the Queen of the Antilles to play once more at the game of government. As with most ill-tempered children, who fall to playing rudely, the game is likely to end in another melee. When it does Uncle Sam will be more foolish than those who love him take him to be if he does not put a stop to that game altogether. Two negro preachers were traveling on a Mississippi steamboat. Between them they had one gold-headed cane and one

silk hat, one wearing the hat and the other carrying the cane. Each half hour of the trip they made an exchange of hat for cane and cane for hat and strutted accordingly. President Gomez and Vice-President Zayas have agreed to a similar arrangement with regard to their respective offices, thus proving that they bear a relation to a dignified republican government that the two negro preachers bore to the earnest and efficient ministry of our time. By this token may they be judged.

Growing Weary of Their Trust.

When, a century and a quarter ago, Maine cut itself off from Massachusetts and assumed the equal station of a state, it promised to provide for and shelter the members of certain Indian tribes that had proven loyal to the colonies during the war for Independence. There are still 750 Indians for whom the state built and maintained substantial homes and to whom a small pension has been paid, but they have let their lands go untilled and have lived on their pensions and odd jobs. A bill is now in the legislature of Maine proposing to sell out their homes and pay a pension only. This will mean semi-starvation or steady work. The fact that there is not a pure blood Indian in the group does not make them take any more kindly to work. In fact, if they were pure white, and had a home and a pension furnished them, it may be doubted if their industrial record would be any better.

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THE EMMANUEL MOVEMENT IN CALIFORNIA

By E. FRENCH STROTHER.

Dr. Elwood Worcester is in California. He is the founder of the Emmanuel Movement, or the practice of mental healing by clergymen of the older religious denominations, by scientific method and the co-operation of physicians. He lectured last Monday at the St. Francis Hotel in San Francisco, before the clergymen and physicians of the city; and explained exactly his faith, his methods, and the results he has achieved.

Invitation of Bishop Nichols.

Doctor Worcester comes to California at the invitation of Bishop F. Nichols, of the Episcopal diocese of California. Last summer Dr. Albert B. Shields, of Boston, a lecturer at Tufts College and affiliated with Doctor Worcester's work, visited this coast. His visit was mainly for recreation, but, because of his known connection with the Emmanuel Movement, he was importuned to make addresses on the subject, so that he gave lectures upon it in many cities in California. His descriptions of the work aroused general interest, and resulted in much inquiry upon mental healing and its relation to religion.

Preventing Use by Charlatans.

Talk having arisen of introducing Doctor Worcester's methods into practice in this state, Bishop Nichols felt called upon to take notice of the general demand for information. He realized that the practice of mental healing is fraught with serious dangers, as well as with possibilities of great good, and he felt that, as the movement seemed certain to spread in this state, it should be introduced under auspices that would guarantee the fullest knowledge of the facts and that would prevent its practice by ignorant men or charlatans. He therefore arranged to have Doctor Worcester come in person to San Francisco, and to deliver to the most eminent men of the church and the medical profession his own statement of his work.

Clergy and Physicians Co-operate.

The distinctive character of Doctor Worcester's method is its co-operation with the established practice of medicine. In this character it differs radically from Eddysism, or Christian Science, which declares that all disease is a delusion, and that medical science is not only of no use, but is actually a hindrance to the sufficient operation of Faith to heal the mind of its delusion that the body is diseased.

Doctor Worcester, on the other hand, fully acknowledges the reality of scientific medicine's power, and advises its use for most forms of disease. But he maintains that a certain class of diseases—called by doctors "functional neuroses," or diseases of the nerves without any appreciable change of nerve structure—can best be treated without either medicine or surgery; and that such treatment rationally falls within the province of the Church.

Only Nervous Diseases Treated.

"Functional neuroses" are, generally speaking, diseases that have their origin in disorders of the mind—produced, for instance, by liquor or drug habits, by worry, or by brooding upon a great misfortune. These diseases do not affect the bodily structure, nor the vital organs. They are mental diseases, purely, and have no existence except in the mind and in the resultant action of the mind upon the nervous system. The treatment of such diseases must be mainly mental suggestion—first, by creating confidence in the patient's mind that the person treating him can cure him, and then by encouraging hope and giving him other things to think about that will lead him to forget his imaginary disease.

When we say "imaginary" disease the reader must not think that such disease is trivial. It is very real; and often amounts to long misery and sometimes ends in death. An "imaginary disease" in such cases is really a disease of the imagination—which, after all, is a large part of our vital spark of life.

Doctor Worcester treats only such diseases as these described above, and he has had genuine success. He insists, before treating any case, that the patient shall be thoroughly examined by a competent physician and if he has appendicitis, or a cancer, or a broken leg, or tuberculosis, he quite properly turns the case over completely to the physician. But if the patient be physically sound, but mentally diseased, Doctor Worcester takes charge of the case, and applies his treatment.

Method of Treatment.

The methods of this treatment have often been described. The principal element of it is inducing a deep sleep (by suggestion, or even by hypnotism) and then, while the patient's nerves are at peace and his conscious self has lapsed into unconsciousness, to speak over and over again to his subconscious self words of hope and encouragement, that will—it is claimed—continue to affect his motives and thoughts when his conscious self emerges from slumber.

Doctor Worcester's practice, so far as the church authorities of San Francisco are aware, has not yet been introduced into any Episcopal church in California. It is, therefore, interesting to know the attitude of that church in California toward the Emmanuel Movement, and the attitude of Californian doctors toward it. So far as we have been able, by investigation, to find these out, they are as follows:

Attitude of Californian Episcopacy.

The state of mind of the western Episcopal churchmen toward the Emmanuel Movement is mainly that of an open-minded interrogation. The subject has been widely advertised and widely discussed, but full and exact details are lacking. When Doctor Worcester supplies these, local opinion will probably crystallize into adoption of his methods or into open opposition to their use. There seems to be a tinge of scepticism in the Californian church attitude, which may be explained by the traditional conservatism of the Episcopal church toward any new doctrine or practice in church affairs. This scepticism may be more than usually strong because of the radical nature of Doctor Worcester's claims. But he is here practically as the guest of the Californian branch of the church, and so is received with at least open-minded tolerance.

Attitude of Physicians.

The physicians' opinion of Doctor Worcester is more positive. Their reception was as friendly and as open-minded as that of the church, and much less sceptical; but they take issue radically with him upon the advisability of clergymen treating disease. They do not doubt the reality of his cures. They agree with his methods of treatment. But they are inclined to the view that, even in the limited field of diseases to which Doctor Worcester confines himself, a physician is the better man to treat such cases.

The physicians' admission of the merit of Doctor Worcester's work is based on two facts: one, his methods are exactly the methods of medical men—in fact, Doctor Worcester would be the first to declare this to men; and, second, doctors generally agree that psychotherapy (as mental healing is called in the profession) has occupied a subordinate place in the research work of medical scientists during the last twenty-five years. The word "research" should be emphasized. In actual practice, physicians do use, and always have used, the devices of mental suggestion used by Doctor Worcester; and one physician in San Francisco informs us that a brother physician in this city—a nerve specialist—can duplicate from his practice every success that Doctor Worcester has achieved in Boston. But in "research"—the work done in laboratories by trained medical investigators for the purpose of arriving at the exact facts upon which everyday practice is based—the medical profession has somewhat slighted the study of nervous diseases. This is not a re-

fection upon the medical profession, because the reason for it is clear and sufficient. In the past, physiology and electricity, and medical science has opened up all the wonderful possibilities involved in the discovery of the germ origin of many diseases, and of the specific treatment of many of these diseases by serums or anti-toxins. Hydrophobia, diphtheria, and tetanus have been practically annihilated. Yellow fever will soon be a matter of history only. Tuberculosis will follow in a few years. And, in surgery, the possibilities of abdominal surgery have opened the way to enormous advances in the methods of saving life. So science has not been neglectful through inertia, but through being so busy with revolutionary advancement along other lines.

Nor has medical science been wholly neglectful even in its researches in nervous diseases. Any doctor can name a dozen men in the profession who have advanced the knowledge of psychological phenomena amazingly in the last thirty years. The courses in the medical schools are laying increasing emphasis upon psychotherapy, and the more advanced physicians of the day are better equipped with knowledge of the subject than Doctor Worcester could conceivably be.

Objections by the Doctors.

The reasons, then, why the doctors object to clerical treatment of nervous diseases are, that they know the subject better than the clergymen, and that, though Doctor Worcester may be wholly discreet in his treatment, there is grave danger that other clergymen who take up his methods may not be so well informed nor so careful. In short, when medical treatment is practiced outside of the medical profession it easily becomes a tool of incompetents or charlatans—an assertion abundantly verified by the fact that in certain nervous diseases the very thing by people professing to practice Christian Science.

The doctors insist that psychotherapy is a medical practice, and should, therefore, be used only by the profession. They concede only this one point: that in certain nervous derangements it is conceivable that the effect on the patient's imagination of the religious tradition of hope and power, which invest the clergyman in his parishioners' eyes with more than earthly authority, may be a desirable aid to the physician's treatment. But it should be only an aid; it should not supersede it, because the physician's more exact knowledge of the general subjects involved is indispensable.

Origin of the Emmanuel Movement.

The Emmanuel Movement had its origin in Doctor Worcester's feeling that the church was losing its hold upon the people. The spiritual message of the church seemed no longer to have the same attracting power nor the old grip upon the minds of men. The "institutional" activities of the church—its reading rooms, social gatherings, and the like—attracted the people, but did not make the spiritual message any more compelling.

Cleansing a man's body of disease opened the man's mind to faith in the power that healed him. And Doctor Worcester believes that this power to heal, in certain diseases, is as much a gift of the apostles of religion today as it was in the days of Christ. He set about, therefore, to put before men to-day the authority of the church in its earliest manifestation of influence and attraction. He would make again its power to heal the body a symbol of its power to cleanse the soul.

Where the movement will end no one can forecast. It will probably spread widely. It has the power to do much good. It has equal power, if ignorantly used, to do much harm. Physicians believe it will tend to help itself, and that the church will abandon it to the medical profession. Conservative churchmen agree with this view, and believe that the church will find other means of making effective its spiritual mission among men.

THE BIG STORM

By ALEX. G. MCADIE, Official Forecaster, San Francisco.

If one could forecast the season in California and be able to say even for a month in advance the probable character of the season, it would be the work of the meteorologists, the state perhaps one fifth of the total value of their crop. Not only the agriculturist, but the stock man, the engineer and the business man would profit by such knowledge. In California, other things being equal, the dry year is a poor year; and, on the other hand, seasons in which the rainfall is generous and well distributed, are years of prosperity.

But note the term "well distributed." The present storm is an illustration of what the term stands for. As these words are written, in nearly all parts of the state, too much water has fallen within a limited period of time. We are glad to get the water and can use it all, but it must be delivered to us in less copious downpours. The present storm may be said to have had its beginning about January 11th, and in the ten days following we have had four disturbances, or barometric depressions, each accompanied by generous rains.

The first indication of such a condition is the fall in pressure along the northern coast. The forecaster, with his reports and with his knowledge gained from reports covering many years, studies the set of the winds along the entire coast. It may be that a report of the conditions of the weather at sea comes to him by wireless from some vessel on the Pacific. In this particular storm wireless reports were missing until January 13th when the S. S. Pueblo sent in the report of rainy weather and high east winds. Later during the storm, reports were received from the S. S. Hilonian, 140 miles out, and the S. S. Queen and S. S. Rose City.

As yet the Pacific is not very thickly dotted with vessels equipped with wireless, but each day brings us nearer this desired consummation. Meanwhile, reports from all of the larger cities in the United States, from Nome, Sitka, Manila, and Honolulu come in by one to the forecaster's desk. He has before him, as it were, a relief map of the lower atmosphere. In it he finds certain depressions and counter depressions. On the Pacific Coast he notes the eastern edge of the big whirl of air as it impinges on the land. Warnings of probable high southeast wind are telegraphed to all prominent points along the coast, that is, to points like Tatoosh, or the entrance to the Puget Sound, North Head, at the mouth of the Columbia river, Eureka, California, Cape Mendocino, Point Reyes, San Francisco and all the southern ports.

Sea captains know the meaning of all flags and can thus judge whether it is desirable to venture north or south. In this storm, warnings were displayed as early as 3 p. m. of January 11th, and throughout the entire period of the storm the eastern edge of the big whirl of air preceding heavy winds by periods varying from two to twelve hours. No storm condition has ever been more successfully handled. Under shipping news one may read in the daily papers of ships that anchor in the harbor aware of the approach of the new storm. So much for the warning.

Rainfall remains to be considered. No one can judge yet of the probable amount of rain in any one storm, but there are certain types of storm peculiar to this season and coast, which the forecaster recognizes as likely to cause heavy rains in the valleys, along the coast and in the foothills and heavy snows in the mountains. Beginning Monday, January 11th, the river interests of the state were warned of the river stages at various points. As the rain continued and the waters rose day by day, all interested could ascertain the rise at the particular points likely to affect their own special interests. As the water approached flood stages warnings were sent out to all communities of the probable height of water twenty-four hours after the receipt of the message.

The warnings given in this storm have saved many lives and much property. For example, it may be stated that some time on January 11th or 12th the head of one of the railway systems, acting upon the advice of the Weather Bureau officials, notified all of the general superintendents from Los Angeles to Portland to exercise unusual care and to take every precaution. This large transportation company has lost many bridges, the waters have risen above its tracks where they have never reached before, yet we have not heard of the loss of life of a passenger. Double track-patrols were ordered and, as stated before, every precaution taken, not only during, but actually in advance of the storm.

Some of the rainfalls have been phenomenally heavy. At San Francisco the succession of storms has caused a rise in the seasonal rainfall from about six inches to fourteen inches. Remember that the total rainfall of a whole season is only about twenty-three inches, and you will see that during this storm we have had nearly one-fourth of the whole year's rainfall.

The question is frequently asked: What do we mean by the "normal" referred to in the daily papers? Simply the average rainfall including all seasons up to the particular hour at which the report is published. Thus the normal up to 5 p. m., January 27th, for San Francisco is 12.06 inches. The rainfall of the present season being fourteen inches is therefore two inches greater than the normal. Some may wonder why, with so much rain, the amount is not more in excess. The explanation is simply that they have forgotten the long dry period during the fall months and the first part of our winter. Individual heavy rainfalls have been chronicled in the daily papers, but the true story will not be known of how the rain fell in this storm until all the reports at the rain gauges in California, kept by the four hundred observers of the Weather Bureau, are received after the close of the month by mail. Then it will be seen that at some points on some days as much as seven, eight or nine inches of rain have fallen in twenty-four hours, and for the storm period at some places amounts ranging from thirty to forty or fifty inches, while in the mountains the unmelted snow still remaining on the ground will amount to 100 or possibly 160 inches at the higher elevations. The tremendous amount of water brought into the state can be roughly estimated.

In a dry January month we have known of a deficiency for the whole state of something like 229,254 multiplied by 155,980 tons of water. On the other hand, a wet winter month, such as the present, brings into the state nearly twice the amount of water here given in a dry month. This means something like 100,000,000,000 tons of water represents the excess due to a rainy period similar in character to this one in the state of California.

Which is Whose?

One of the leading American magazines is edited for "the old lady from Oshkosh," and another for "the Kansas farmer's hired man's fourteen-year-old daughter." Nothing that these two people would not like or could not understand is printed in these magazines.

How Like California!

A man in Ellsworth, Kas., claims that he shipped a carload of straw to Kansas City, and after selling the straw and turning the total proceeds over to the railroad, he still owed the company \$4 on the freight bill.—Exchange.

John, the Orangeman (now dead) was for years an institution at Harvard College. He sold fruit from a small stand near the campus gates, and made vice generations of undergraduates with his Irish wit. A visitor once asked him to translate the Latin motto of the college—"Veritas" (truth). "Sure," replied John, "that means 'to hell with Yale.'"

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

The Teddy Bear to Go?

It is announced that now that President Roosevelt's term of office is about to terminate, and President-elect Taft's term soon will begin, the Teddy Bear, so dear to the heart of childhood, will be displaced by the Billy Possum.

Mayhap they're right who say 'tis so—
To contradict I do not care—
But there's a little maid I know
Who'll not desert her Teddy Bear.
The woolly bear of beady eye
She drags about, wherever she goes,
Or croons a baby lullaby
When deep it growls at phantom foes

Her Teddy is a sight, I ween,
Battered and frayed from feet to poll
Now in the parlor it is seen.
And now amidst the scuttled coal;
And oft it gives me quite a quail,
When she has left it in my care,
To hear her say in accents calm:
'Now, papa, kiss my Teddy Bear'

And if I hesitate, you know,
As one with self-respect must do,
She says in voice of baby woe:
'I love my Teddy—p'ease, don't oo?'
And then I kiss that Teddy Bear,
And take a stomach tonic, too;
For such a task I do not care,
But then, I ask you, wouldn't you?

And so she toddles through the day,
My baby and her woolly friend,
And when to sleep she's tucked away
Her slumber sweet doth he attend.
But first she says her "lay me down,"
And adds, "Teep mama in thy care,
And papa, too," then, all to crown,
'And, Dod, p'ease bless my Teddy Bear.'

So bring your Billy Possums on,
And sell them all as best you may;
Smiles of contempt for Teddies don;
And say they should be tossed away;
Insist such things but come and go
In this great world of toys to spare,
But there's a little maid I know
Who'll not desert her Teddy Bear

Fable of the Perturbed Legislator.

A certain Assemblyman who had gone to the Legislature from San Francisco, and consequently was Honorable with a capital letter, was discovered weeping as if he were a Noble in trousers.

"Wherefore weepst thou?" a Sympathetic Friend inquired.

"Because I—alas!—have been abused, in sulted, affronted and outraged."

"Who did the evil deed?"

"The Secretary of the People's Lobby, the wretch!"

"What did he do?"

"Asked me to explain why I did not vote on a righteous measure, claiming he wished to give me a show to demonstrate that I was decent."

"But have you not been accustomed to having your votes investigated and suggested by Burke, Parker, Hatton and those nice boys?"

"Oh, yes, yes, but they—they—ah, woe is me!"

"They what?"

"They—they—oh, this iniquitous People's Lobby—they never asked me to demonstrate that I am decent!"

Moral:—There are some things which even a People's Lobby should not ask of certain Legislators.

A Perfect Love Lyric.

"I believe," said the Poet, contemptuously, "that I have evolved from my inner consciousness the one perfect love lyric for which a yearful world has waited, the one for which the wooing heart of Cupid-hit humanity has longed, the one which sweetly sings the song

of the lover at all times and under all conditions, the one—"

"And I suppose you want to read it to me?" the Editor interposed. "Well, you can't do it!"

"No, I could not read it so that you would understand all of its manifold perfections; you would miss some of them sure. Just take a look at it, and you will realize why."

The editor was about to throw the manuscript in the basket, but something about it attracted his attention, and he read the following:

To My Loved One. _____** hair
My heart for aye entangles; _____**
Her _____** fingers weave a snare
When'er that hair she bangles _____** eyes,
I look within her _____** eyes,
And would not look above her _____**
Her _____** form with _____** vies—
I love her, oh, I love her _____**

* Insert name of girl—Lillian, Mabel, Alice, or whatever it may be—in possessive case.

** Soft brown, rich black, brick red, as circumstances may require.

*** Slim white, or soft pink. Girls don't have any other kind of fingers.

* Great brown, soft black, cat's green, or whatever the case demands.

** Sylphlike, or rounded—nothing else will do.

*** Naiads, or Juno's, as the girl may vary.

"Read the next verse," said the Poet, as he saw that the Editor was about to throw it away.

"Can't. I'm not feeling well to-day," was the response.

"But don't you think it's fine, a masterly production?"

"Great!"

"And the beauty of it is," said the Poet, as he prepared to back out of the office, "that an ambitious and energetic young man is not circumscribed in breathing his love to the dear girl. By making appropriate changes, he can send out several in a day, thus winning number—Ouch!"

For the Editor had acted, and so the Poet departed.

Further Information Desired.

A recent issue of a health journal contained an article entitled, "How to Lie When Asleep."

But what I wish to know is this—

I write it though my heart must ache
To think how oft the truth we miss—
How not to lie when we're awake.

The Opinions of Rufus.

Don't ask me to 'sauge my grief. Ef you had a child that's likely to be in the Berkeley high school next year you'd know jest how I feel.

I don't know how many children Solomon had, though, jedgin' by his matrimonial bonds, I s'pose there mus' have ben a few hundred, anyway; but they certainly was a heap of experience biled down in his remark 'bout sparin' the rod an' spilin' the child.

Ef the Almighty ever hed made each birds es is worn on some feminine hats, even the women would realize that Providence ain't 'bove jokin' sometimes.

The law permits children to try to break their father's will, but one thing orto be said fer it: It has nothin' to do with makin' them meen 'nough ter want to do it.

Once I knew a man that didn't take an intelligent int'rest in anything, but he made a fine livin'. How'd he do it, you say? Why, by servin' on juries, o' course.

The Good Book mentions a unpardonable sin, an' I've 'bout concluded that it's bein' ketch'd at it.

Soon es you kin convince me that women'll show less sense in votin' than men do I'm

goin' to be dead set 'gainst givin' them any suffrage.

I know some men that are honest, only they don't have time to 'tend to it much.

Sometimes I kinder doubt ef any woman kin really be as good es some of 'em look to be.

Ole Mistah Groun'hog.

Next Tuesday is Groun'hog Day, when that present earth burrower leaves his hole in order to forecast what the spring weather is to be.

Ole Mistah Groun'hog he leab his hole,
An' he wink wid His roon', brack eye,
Foh it's dahn whah He sleep w'ile de wintahs roll.

An' he can't stan' de glare ob de sky;
But ole Mistah Groun'hog he look an' look,
An' ole Missus Groun'hog look too,
Twel—y'one done orto see how dat groun'hog shook—

He yell to his wife, he do:
'De shadder! De shadder! Hit follers me roon'!

Ef yo's 'jectin' to stohms hunt a hole in de groun'!"

But if ole Mistah Groun'hog can't see a ting,
Kase de clouds dey am eberywhah,
Den he dance an' he dance, an' his wife she sing.

An' dey calls all der chilluns dah:
For Ah tells yo', mah bruddahs, de groun'hog knows,

He's de wises' ob all in de groun',
An' de Weddah Bureaus es prophets pose
By watchin' w'eh he is roon'.

An' so ef yo' shadder don't to you cling
On de Groun'hog Day, kick yo' heels an' sing.

How Laws Are Made.

"How do they make their laws on the earth?" Adolphus inquired.

"The method is simple," the Being from Saturn replied. "Their legislature consists of the senate, the assembly, and Parker, Hatton and Burke."

Suppose that a law is under consideration. Some of the assemblymen go to Parker, Hatton and Burke and have a friendly talk with them. Then they depart and do their share toward making the law.

"After that some of the senators go to Parker, Hatton and Burke and have a friendly talk. They then return to the senate chamber and do their part toward passing the law and sending it on to the Governor, who may veto it if he chooses. Thus do they wisely provide against two vetoes."

"I don't understand how you mean," said Augustus.

"Why, one by the Governor, afterwards, and another by Parker, Hatton and Burke, in advance."

"Under such circumstances I should think it would be advantageous to so arrange that the Governor and Parker, Hatton and Burke would be in sympathy in their purposes."

"They usually do. At least, I found it so when I was there."

"Who elects the lawmakers?"

"Well, the people elect the Governor, the senators and assemblymen, but I never was able to ascertain who elects Parker, Hatton and Burke. I think they were just hired."

The Being had to go down town, and the conversation terminated.

Couldn't Live It Down.

A grave and earnest man was he—

He couldn't live it down—

Who strove to live quite righteously

And on all tricksters frown.

But, oh, folks chose him for the sen—

Ate, and—shed tears, some eight or ten—

They placed him on Committee then

On Public Morals—then you pen—

He couldn't live it down!

The Story of the Man Who Slew His Soul.

A man said to himself: I would get rich. So he went to a friend and asked him: How may I get wealthy with honesty? His friend answered: You must strive in hard labor for many years, and give a square deal.

But he said to himself: I will not take his council; that is too much to put in. So he went to another and asked him: How may I get wealthy?

And he said: By any means you can, so you keep inside the law until you get rich enough.

But he asked: How about my principles of honor and justice?

Then the other said: There is but one principle; it is money. And I can show you how to get it.

Then the man said: Show me; for he wanted money.

And the other showed him a paper with secret writing on it. And he took the paper, and went about it to get the money.

But he was so encumbered with the weight of his love of truth, of justice and his personal honor that he could not walk well.

So he said to himself: I will go and lock these in a closet in my home until I have gained my wealth, then I will take them again and wear them.

So he went and put them in the closet and locked the door.

Then he took the paper of crooked device and went for the money.

But when he arrived there an angel was guarding the door. He looked on the angel and came near to fight. But he thought of the paper, slew the angel and took the money.

And when he went on the streets, he thought of the money and the slain angel, and was afraid.

But men hailed him on account of his riches, and he forgot his fears and bought himself evidences of wealth.

Then he said to himself: Now that I am great in the land, I will make myself loved also. I will go now and get my love of truth and of justice, and my honor, where I put them in the closet and wear them once more.

So he went and unlocked the closet door and looked in. But there was nothing there but the blood stains of the angel. E. W.

WITH EYES AND :: EARS OPEN ::

There was a funeral in our neighborhood the other day; obscure, slimly attended, and of so little social consequence that the daily papers made no note of it, but grief is grief whether its tears be shed by a mausoleum or over the plainest of pine boxes.

Eyes of man never looked upon a queerer funeral procession. Two small boys and a yet smaller girl—this was all there was of it, except the cigar-box coffin which a juvenile pall-bearer reverently bore. The wee girl was weeping as if her baby heart would break, and the rest of the procession looked sympathetically sad.

I drew nearer, so that I could look within the odd little coffin, and there, with folded paws which never would interest themselves in mice, lay a tiny white kitten.

"He was all the pet I had to love," said the wee girl to me, and her baby heart again broke.

I took off my hat in reverence as the quaint procession moved on. Why should I not? Is not grief sacred, wherever it may be found, and this grief was genuine. Childish it may seem to you and me, but don't you suppose that somewhere is One to whom even our sorest griefs seem childish? And do you not venture to trust that that One sympathizes with us in our wee woes, nevertheless? Then why not unlaughingly sympathize with the little maiden who had lost "all the pet she had to love?"

The woman on the ferry boat wore a hat which was principally aigret. Presumably there was something which served as a basis for the aigret, but it was invisible because of the feathers which reached their airy length two feet to the rear of the wearer. It was a nice aigret, but the rest of the hat should not have cost much.

The boat approached the pier. All of us who hasted to the front in an unselfish trust that somebody else will have to do the standing on the cars made our grand rush, the woman of the aigret with the rest. Then the trouble began.

The tip of a far-reaching feather landed in the eye of a young woman. She jumped, and landed on a corn a gentleman near her sequestered. He said, "Ouch!" and started to say something else, but apologized for the part of it he did say.

Possibly realizing that she was working destruction behind her, the woman of the aigret turned her head, and a feather tickled the nose of a man by her side. He said nothing, but has a remarkably forceful sneeze.

Another feather disturbed the sweet sleep of an innocent babe. It awoke and wept. I was glad that its mother did not say all she looked. The entertainment was very enjoyable.

After that—

But I don't know what happened after that. The feather that landed in my eye set the tears to flowing so that I could not see very well. I enjoy seeing a woman with an aigret in a crowd, but I have decided to stand a little farther away the next time I run across one.

Well out on Montgomery street the other day I met a straggling wreck of humanity who "struck me" for ten cents—"to get something to eat," he said.

"To get something to drink, you mean," said I.

"Well, put it that way if you would rather," he responded. I gladly would have given more dollars than he requested cents if I had thought that they could permanently have benefited him. They could not, yet when I first knew him, about two decades ago, his income was between \$6,000 and \$7,000 a year, every cent of it earned by the might of his brain, and he stood among honored men, a man.

The story is absolutely true.

"Dad always gives John the best of it, becu'z he's th' oldest. An' my humors Bobbly, becu'z he's th' baby." "And where do you come in?" "Nowheres. I gotta be good."—Cleveland Leader.

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POLITICAL TABLE TALK

By THE WATCHMAN.

The Recall at Los Angeles Los Angeles seems likely to give the recall feature of its charter a real test of utility. Mayor Harper has proven unsatisfactory to many. His election should have proven unsatisfactory to everybody. The reform element in Los Angeles put up a clean candidate in the person of Lee Gates, a sterling Lincoln-Roosevelter. The "organization" Republicans nominated Dr. Walter Lindley, a capable man but with pronounced "organization" affiliations. The Democrats nominated Harper, also of the "organization" stripe. In order to make sure of beating Gates, Walter Parker and his cohorts fell down on Dr. Lindley and threw enough of the disreputable vote to the most objectionable candidate of the three to elect him. The interest that the Southern Pacific's political bureau had in the Los Angeles city election was, no doubt, intensified by the fact that Los Angeles is expending \$23,000,000 in bringing water from Owens valley—a lot of good patronage, if not good graft, with which to hold the metropolis of the South in line for "organization" policies in both political parties.

Put Responsibility Where it Belongs The following is quoted from the San Francisco Star: "Those Alameda clergymen who recently denounced the Alameda Argus as a pro-graft organ should remember that the paper is controlled by a Federal official appointed to public office by President Roosevelt, who has summarily removed Federal officials for less offenses than supporting and endorsing graft. The Star should put the responsibility for this appointment where it belongs: Upon the shoulders of California's United States Senators, upon whose advice, and with whose consent, the President must make his appointments. The President has, until recently, had no one else in California to whom he could look for advice in such matters with the result that he has appointed a federal brigade, with few exceptions, opposed both to himself and his policies."

As Good As Any In discussing the value of the direct primary Everett Colby, the New Jersey reformer, lately declared that, wherever tried, there never has been a political boss who, the day after the primary election, had anything but abuse for the system and for everybody responsible for its being inflicted upon the people. That is a good test of its value.

Land Thieves Still at Work Not only did the gray wolves in Senate and House strive to hamper the administration at Washington from using the secret service for the prevention of land frauds, but the same influences have refused increase of salaries in the land office although all other departments are having their salaries raised. The reason why becomes clear in the announcement of Secretary Garfield that there are 32,000 distinct land cases that need investigation and that the probable value of land taken from the government during the last two years is \$110,000,000. The secretary asks for one cent in the hundred of this sum to be used in recovering what has been fraudulently taken and for the punishment of those who took it. Not if the gray wolves know their business!

Soft Snaps, Short Hours New York City has a bureau of municipal research, a public-spirited body whose prerogative it is to insult the municipal personnel of New York about as the legislature of California is being insulted by the People's Lobby. Among other facts this bureau has dug out of the depths are these: That the city loses \$2,500,000 in salaries paid for work that city employees do not perform by reason of short hours, leave of absence, etc., and that the total loss from inefficiency, waste, neglect of duty, careless-

ness, bad methods and lack of discipline foots up \$20,000,000 a year. The political odd-jobs man is, judged by what he costs and accomplishes, the highest priced labor in the world, but what would the corporate political bureaus do without him?

Use Found For A Muck-Raker Ray Stannard Baker has proven one of the most intelligent investigators into public affairs in the country, but he has been given little chance to do things, only to say things. It will be different hereafter. The Michigan Civil Service League has made Mr. Baker its president and set him at work taking public offense out of corrupt hands that mischievous politicians and making it a public trust. That is a job fit for a Jack-the-Giant-Killer.

Reports Slow In Getting Out The law requires state officers to prepare and publish in August or September their biennial reports to the Governor. In order that he may, in his message to the legislature, call attention to such matters as require special mention, also that the Governor himself may be fully informed as to state affairs. A number of state officers have not yet gotten their reports into the hands of the Governor. Another cause for complaint is that copies of such reports as have been published are difficult of access because each officer does with them what he wishes and there is no repository for them at the state capitol. As much as this matter has been tinkered by the legislature it still needs further tinkering.

Senatorial "Senatorial courtesy" is coming to be almost as much of an opprobrious epithet in Sacramento as in Washington. It is employed to put something through that few care for merely because some member, for reasons entirely personal to himself, asks it as a favor. The mischief of padding the statutes comes of it if nothing else more serious. Eddie Wolfe's "Discovery Day" nuisance was gotten through both houses in this way. The better sense of the members of both houses would have prompted them to vote against it had not "courtesy" been asked for it by both Wolfe and Grove Johnson.

Alien Land Law Likely to Pass There is a fair likelihood that the Drew bill, or something having its essential features, prohibiting the ownership of agricultural land in California by aliens will be passed by both houses, though there is some uncertainty about its getting by the Governor. It will apply to all foreign citizens in order to include the Chinese and Japanese without making invidious discriminations against them. As such aliens can become citizens, while the Chinese and Japanese cannot, there still remains something of a discrimination but it is not believed that this will provoke serious diplomatic complications. This will be a long stride toward making California a white man's country.

The Trocha Not Popular Despite the persuasive power of Grover Cleveland, Johnson and his colleagues irreverently call his "bull pen bill" is not likely to become a law. Its apparent purpose is to enable municipalities to set apart certain portions of their corporate limits to be inhabited by persons undesirable from a moral, sanitary or peace-preserving point of view, but its real purpose is understood to be the corralling of Japanese and Chinese within certain closely defined limits. It savors of Russian methods and goes against the grain of American sentiment.

The Pool-Sellers Probably Hard Hit Indications are that Senator Lewis is bested. Forceful though he is and sympathetic as many senators are with

him personally, the force of public sentiment against race-track gambling is so strong that a majority of the senate will hardly dare stand up against it. The danger now is that something too drastic, or too certainly unconstitutional, may be introduced into the measure to its hurt. Otherwise the bookies and touts of California seem likely to fold their tents and go to Tia Juana to steal.

Hard Sledding For Primary The Sacramento atmosphere is proving unsalubrious for the Direct Primary bill as it came from the hands of the League. The Italian hand of the "organization" is seen to be out against it. The organization wants a bluff at a direct primary bill enacted but not a real one. Leeds of Los Angeles is getting up one and Leeds is an "organization" man. The senate and assembly committees are hostile to "ready made" legislation. They prefer custom made, especially if the customer is so distinguished a personage as Mr. Herrin. Party pledges to the contrary notwithstanding the People of California will be given the shadow rather than the substance of a direct primary law if the "powers that be" can make the shadow serve the purpose of a pretence at keeping a party pledge whose good faith was doubtful from the start.

The First Since Seward Since Elihu Root was elected United States Senator from New York the Empire State has been hugging itself in a delirium of joy that at last it had a real statesman to represent it, the first since William H. Seward. Roscoe Conkling cut quite a figure in the public eye, but he was three parts politician to one part statesman, a "well dressed sneer," and nothing to be proud of except by comparison with Tom Platt. Root is a greater man than was Seward, broader and deeper, with less of vanity and far less of tendency to trim sails to the trend of the wind. New York has a right to be proud of her new senator and when it sends Roosevelt or Hughes to keep him company she may feel proud again with equal justification.

The President's Part In It There are those who cherish resentment toward the President and Secretary Root for their part they have taken in anti-Japanese legislation, but the administration at Washington would have been derelict in its duty to the nation if it had permitted our legislature to jeopardize the good faith of the nation by ill-considered action, or action regardless of the interests of the nation. International relations are for the nation to deal with and the time will come when no doubt as to this will be permitted to remain in the minds of the people of any state. Nevertheless, California must do all it can to educate, not affront, public sentiment throughout the East, to the idea that the Pacific coast must be a white, not a brown, man's country.

The Ethics of Agriculture.

What a New Englander cannot get cities out of or into will hardly pay hauling charges for use as a fertilizer. While other parts of the country are studying agriculture from an economic standpoint the New England institute lecturer is instructing his hearers with regard to the ethical relations of agriculture to the general public as well as to the agriculturist. One demand is for more wholesome novels written with the view of making New England farm life attractive, another for an effort to supplant spiritual and intellectual barrenness with fullness, for the extension of a more generous hospitality to foreigners who, if encouraged, will make New England farms profitable and social life healthful. There is an organized movement having all these purposes in view and it is linked up with the New England Country Church Association.

UP AND DOWN :: THE STATE ::

During 1908 the Coalinga field produced 10,996,781 barrels of crude oil.

It is estimated that since January 1st not less than 1,000 people arrived in this state daily from the East. This is the largest immigration that California has known for several years.

The Italian earthquake, having cut off the supply of Messina lemons, has largely increased the demand for the California product.

Citizens of Palo Alto adopted a new charter for their city by a vote of 355 to 226.

A seven-year-old boy in Napa "held up" and robbed another small lad of \$7.10 given to the latter by his mother to pay for a bill of goods, and the authorities have been puzzled what to do with so young an offender.

One of the Salvation Army dormitories of the orphanage at Lytton's Springs was destroyed by fire recently.

Lime Kiln schoolhouse, near Grass Valley, was burned to the ground, with all its contents, last week. It is suspected that the fire may have been caused by a tramp.

On the edge of Death Valley a San Bernardino prospector recently found a stone nearly as large as a pigeon's egg, which a Tiffany expert declares to be a diamond.

An old man named Nye Buffham, and supposed to be a resident of Laton in this state, was run over and killed by a Western Pacific train at Marysville the other day.

The Californian who seeks cold might find it at Truckee, where the thermometer registered twenty-four degrees below zero recently, and he who enjoys warmth should seek Imperial, where the mercury on the same day stood at more than eighty degrees above.

Negotiations are well under way for the purchase of over 500 acres of land near Bonny Doon on which a large cement plant may be established.

An Oroville jury gave Mrs. R. Diller a verdict of \$30,000 against the Northern California Power Company as damages for the life of her husband, who was killed by coming in contact with a high-voltage electric line which had fallen in the road.

During the year 1908 the Goldfield mining district produced gold of the value of \$26,147,000.

The Fresno grand jury in its latest report favored the "rockpile" as a remedy for hobos.

The Marysville Appeal is forty-nine years old this month, and it is as good as it is old.

It is said that a prospective railroad between Lakeport and Pieta on the Northwestern Pacific will be so far completed as to be in condition to transport passengers by next July.

The Southern Pacific, it is said, now carries thirty men on its lines to "head off" the hoboes who are coming into California.

Eighteen Fresno dealers were arrested on the 21st instant for selling tobacco to children.

John Wasson, a pioneer editor of Southern California, died in Pomona last week. He adorned his profession and served his constituency ably and well.

William A. Blagrove, a pioneer of '49, and one of the best known citizens of Shasta county, died in French Gulch last week Thursday.

The recently incorporated San Joaquin Eucalyptus Company will plant several hundred acres in Merced county to eucalyptus trees.

Oroville's new levee, built since the flood of 1907, has proved a success, and that city has received no injury from the river which flooded it two years ago.

There are under construction in the East, for the Southern Pacific Company, the two largest locomotives ever built. Each will cost between \$30,000 and \$35,000, and, with its tender, will weigh 580,000 pounds.

The Story of the Man Who Built a Great House.

A man built a great house, and he said: I have fashioned this house so that all those who are cultured and love honor will come here and spend their time in richness of heart.

Look about, and you will see that I have fashioned it with great halls in simple beauty. For the scholar I have built a library, for the musician a music room, for the artist a gallery, and every sort of place for those whom I would have come.

And he lit it up with beautiful lights that it might be seen and admired.

Then the name of it went abroad, and those he had desired came; and great was their pleasure with that house.

But down below he built a basement. And in that basement he put tables and wheels of fortune, and all things loved of the evil; and he left the door unfastened. But he said: I will put no lights within, that no one may see what is here.

But after a while there came those who love these things of evil device to look at the lights in the upper house, and longed to get in.

Then they found the unlocked door in the basement and went in, and were jubilant with what was there.

They pulled the tables out from the walls, set light about them, and looked at the windows. And some went and gathered all those whom they knew, together with scarlet women. And the noise of their revels and evil games rose to the house above, together with the smell of their spilled wine so that those who were there were astounded.

Then the man of that house went below and would throw them all out. But the leader of them said: We will be quieter. There is money in it. And he took money and went back.

But the noise of their evil soon rose again, and the guests of the upper house were ashamed and departed.

Then a new reputation of that house went abroad. It was known as the house of the under story.

And those who love the under story came from distances to dwell in that house until it was filled from foundation to top with a great glitter and a show of corrupt wealth.

And the man of that house wondered why those who had been his guests came no more.

But an angel came by in the dawn, and wrote on the walls of that house: As the foundation, so is the house. E. W.

Widowed.

A little quiver of the wasted frame,

A little sighing as of one asleep:

And this is Death, they say—Ah, no!

If Death were only this I would not weep.

He is awake in God, but gone from me:

He did not even know that Death had come

For joy and wonder at infinity—

No, Death is this, in me, a cold and dumb

Withdrawing in of self, an ashen hush

Settling upon my heart, a weight as lead

That crushes all but sorrow in my breast—

His is the living spirit, mine the dead.

—E. F. S.

ADDRESS TO A MUMMY.

By Tom Gregory.

[Under a pyramid in Thebes, Egypt, an embalmed body was found and from the papyrus book of the Dead on the coffin it was learned that the man almost 3000 years ago had gone down the red way splandering his life and wealth in wild dissipation. These lines are dedicated to Mr. Sharboro, the Apostle of Sobriety.]

And so you went the pace—the same old story.

Tho' new, perhaps, three thousand years ago—

When you made Memphis howl and painted gory

Streaks on Thebes' hundred massive gates of stone;

Till bull-god Apis bellowed in his stable And every granite pile became a Babel.

It's true "there's nothing new beneath the sun," even

Our choicest, fairest frailties were caught, Perfected, and practiced over twenty-seven

Dead centuries ago. On second thought, Maybe we only sin reincarnations

Of your once wild, archaic profligations.

However, let that rest. Now tell us, mummy,

Of times and things by Old Nile's sacred stream

Before they left you spicy, dusty, gummy,

To lie through thirty hundred years of dream—

Left you laid out in asphalt and in sadness To sleep with your accumulated badness.

And did you raise the crouching sphinxes, yelling

When day was purpling o'er the Indian Sea; And set the morning song of Memnon swelling

Across the Libyan sands? Did you set free The prehistoric tongues of Egypt talking,

And all the hawk-head gods of Karnac squawking?

You lived and died too early, son. You missed Great Cleopatra's rattle-dazzle day.

You might have rivaled Caesar; might have kissed

The queen from Antony, and thrown some worlds away

Yourself—Melted pearls in acid, drank, and later

Helped Cleo mix a poison for the waiter.

And yet they thrust upon you much preferment—

Put royal beetles on your coffin lid, To hold you in your place of long interment

Piled on your grave a heavy pyramid. Its weight pressed out your life's besetting sin

And held you thirty centuries to sober in. Santa Rosa, January 14, 1909.

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HOW THE PEOPLE MAY ELECT FREE JUDGES

By WILLIAM DENMAN.

There is a growing conviction among students of the government of American States, particularly of the profession of the law, that the selection of judges by popular election is a failure, and that we must return to the method of appointment which is in use in more than ninety per cent of the civilized world. It is not my intention to undertake the discussion of the relative merits of the two systems further than to point out that those attacking the elective method have offered no conclusive, or even relevant, evidence from American history to support the contention that it is a failure. The fact is that in those states where the judicial branch of government is most open to criticism there has never been an election where the selection of judges, on the basis of their judicial capacity, has been fairly left to the direct vote of the people; and such is the citizens' distrust of "special interests," control of party conventions and their nominees, who often become our governors and other elective officers, that there is small hope of any reform of our judicial system which places the nomination of judges in such hands.

Judicial Functions Not Legislative.

Our constitution has recognized three classes of governmental functions—legislative, executive and judicial—and it requires no special training in governmental science to discern that the three functions are different in kind. The functions of the legislature, exercised by both the senate and assembly and the governor, are creative in their nature; they look to shaping the future conduct of the people by the enactment of law for their guidance and control.

About the selection of new social conditions by legislative enactment, whether it be a repeal or a new law, the minds of men are bound to differ, as the constructive imagination in each differs from his neighbor's. Gradually these differences sort themselves, men become grouped in parties, and party government is evolved to make efficient the ideals for which the largest numbers are combined. Party government has a logical basis. Its machinery has reached a high state of perfection, it performs a necessary function in society, and it has come to stay. But its justification is as a piece of machinery to get at a practical solution of questions about which men's minds may differ.

Judges Must Enforce Laws As They Are.

The executive and judicial functions, however, are not all concerned with the future, nor in any proper sense are they concerned with the propriety of existing conditions as created by legislation. They enforce or interpret laws as they are, impartially and regardless of whether they do or do not fit the society on which they are imposed. Now there cannot be any difference of opinion about the method of enforcing or interpreting laws. The judge or officer who, in violation of his oath, fails to recognize a law because it is unpopular or outworn, and tries to compel its repeal by demonstrating its unfitness, properly merits the contempt of thinking men. Partisanship in a judge or in an executive officer (insofar as his functions are not legislative) is as illogical from the governmental standpoint as it is dishonorable in ethics. There is this difference, however, between the purely executive and the judicial functions: The former are within the accomplishment of most trained business men and no great preparation is required for their discharge, nor are any very deep public suffering arising from the incumbency of an incompetent. The latter demand professional knowledge acquired by long training and experience, and high spiritual and mental qualities. A stupid tax collector is made innocuous by his deputies. A stupid, or dishonest, or partisan judge destroys the people's confidence in the stability of our social order.

Californian Judges Mostly Partisan.

Despite these generally recognized truths, it is practically impossible to enter a judicial position in any American State, having California's form of ballot, unless the candidate receives a large number of votes given him for purely partisan considerations. In California, while our bar, from which our bench is chosen, is fairly evenly divided between the two great parties, fifteen out of sixteen judges on our Supreme and Appellate benches belong to the Republican party. There is not a judge in the State who was not the candidate of a party receiving a large percentage of its votes from men who were concerned solely with partisan views as to the exclusion of Orientals or the regulation of tariffs or railroads or some other matter purely legislative in its nature.

California is worse off in this regard than certain other states, for not only is the unthinking partisan voter attracted to a judicial candidate by a party designation, but he is further coaxed into neglect of the judicial offices by the device of the straight party circle, which saves him from looking down the column and noticing that there is a judicial contest.

Partisan Candidates Often Bossed.

The result has been that no man dare become a judicial candidate save through the partisan convention. If the convention be controlled by special interests, he must make terms with the boss who represents the interests. If unbossed, his office often becomes a matter of barter among the delegates, and we have such a spectacle as the Democratic State convention of 1894. The final order of business was deliberately altered, and the nominations for two Supreme judges placed before that of governor to "take the judges out of politics," and then a candidate by the name of Murphy was given one of the judicial nominations so that when Mr. Barney Murphy was placed in nomination for governor against Mr. Budd a great cry was raised that the German vote would knife the ticket if it were filled up with nothing but Murphys. (This is not a criticism of Judge Murphy's qualifications, the point being that he was chosen to "do up" Mr. Barney Murphy rather than for his qualifications.) Naturally such a system makes men of judicial qualifications hesitate to become candidates and tends to intimidate weak incumbents. Worse than this, a judge who is a known representative of vicious interests is likely to be reelected if he can add to the blind partisan vote the solid body of voters of the underworld who, while not numerous enough of themselves to elect, with the help of the straight ticket have in a sense the balance of power.

Compelling Non-Partisan Choice of Judges.

Now we cannot hope to open the eyes of the blind partisan by a mere alteration of the ballot, but to compel intelligent voters to vote rationally. But we can, by taking away their improper and mechanically directed party vote, compel them to make some kind of choice. Even if this choice be the names at the head of the judicial column we can neutralize its effect by rotating the names on consecutive ballots so that each name shall appear an equal number of times at the top, bottom and each intermediate place in the group of candidates, and has an equal chance at the lazy vote.

Remedy: Separate Column on Ballot.

The solution offered is a separate column on the ballot for all judicial candidates' names, with no party designation or rotation of the names on successive ballots as suggested, so that Zion will have the same chance as Aaron at the lazy vote, at the head of the column. The practical statesman at once raises the question: Are there enough voters interested in the judicial election to make rotation so submit the judicial candidates without some such guidance as the party designation? A

study of the judicial elections of the past six years demonstrates that party lines are being ignored by intelligent voters in large numbers all over the State, and that, despite the hampering of the party designation and the straight ticket device, some judges are being elected from the minority party.

In San Francisco in the year 1908 the State Blue Book showed there was not a single Republican executive officer, and yet six of the twelve judges were Republican. In six other counties—Fresno, Humboldt, Kern, San Diego, Shasta and Sonoma—there appear one Democratic and one Republican judge in each county. The six judgeships in Sacramento and San Joaquin Counties are evenly divided between Republican and Democratic incumbents. In nineteen others—Alpine, Calaveras, Glenn, Kings, Lake, Monterey, Napa, Placer, San Bernardino, San Luis Obispo, San Mateo, Santa Cruz, Siskiyou, Stanislaus, Sutter, Trinity, Ventura, Yolo and Yuba—the majority of non-judicial elective offices are held by members of a party differing from that of the Superior Judge.

Splitting Ticket Not Effective.

This vote for the candidate of an opposing party, while demonstrating that the people want non-partisan judges, does not accomplish what the voter really desires. He merely succeeds in making a choice of partisan candidates. When a Democrat votes for a Republican judicial candidate he does it in spite of the fact that he is a Republican. What he wants is the best man he can find regardless of party, and he knows that the chances are that the Republican would be a more worthy candidate if he had not been controlled by a Republican to the convention and rely in part on the partisan vote. This destruction of intelligent choice by the partisan vote, it will be noticed, is successful in all cases save in those counties where the party vote is fairly evenly divided. All the Superior judges in Alameda and Los Angeles counties are Republican, and, as we have shown, fifteen out of sixteen of the State Supreme and District judges.

California Ready for This Reform.

A further evidence of the readiness of California for such an enactment is the attitude of the newspapers throughout the state. In the last three weeks of December the newspaper clipping bureaus returned eighty-seven clippings treating of the proposed measure. But four of the eighty-seven were adverse. Forty-eight of the clippings were editorials favoring the measure, and the balance were either reports of meetings endorsing it, or reproductions of letters advocating it, with favoring headlines.

The Chief Justices of Pennsylvania, Massachusetts, Minnesota, Rhode Island, Illinois, Mississippi, Oregon, Nevada, Wyoming, Arizona and Montana have endorsed it. No Chief Justice has criticized the plan for such a non-partisan ballot.

It has been endorsed by Judge Gilbert, Presiding Judge of the Circuit Court of Appeals of this Circuit, United States Circuit Judge William Morrow, United States District Judge De Haven, Chief Justice Beatty and by more than sixty other judicial officers of California. No United States Judge has made any criticism of such a ballot, and but four letters criticizing the measure were received from judicial officers of this state.

The remedy suggested is merely a change in the ballot. It still permits a nomination by a partisan convention, but it gives such a nomination no advantage over a nomination by petition who runs by virtue of the request of but 3 per cent. of the voters. If any man wants to vote for a judicial candidate because he is nominated by a party he may inform himself of that as he would of any other special qualification. But the State no longer directs him

(Concluded on next page.)

THE GRAFT CASES

After about two weeks devoted to securing a jury, and another week given to the presentation of testimony and the hearing of arguments, the trial of A. S. Newburgh, charged with attempting to bribe a prospective juror in the Ruef case, resulted in an evenly divided jury, six jurors, after five and one-half hours of consideration, favoring conviction and six favoring acquittal.

The evidence in the case varied but little from that on which another jury acquitted Attorney Frank J. Murphy of a similar charge. It consisted of the testimony of E. A. S. Blake, now serving sentence for the bribery out of which these other cases grew, that he attempted to bribe at the instigation of Newburgh and Murphy; the corroboration of this testimony by John Martin Kelly, the prospective juror who was approached; the testimony of William H. Schooler that he offered to act as Blake's attorney at the request of Newburgh and Murphy; and that of about a score of witnesses who swore that Newburgh's reputation is bad. The case will be tried again, after some necessary delay. Thus far there has been nothing in the testimony to indicate from whom the money that was to have been paid to the prospective juror was to have come.

Another week has dragged by in the Calhoun case, and but four more jurors have been secured at this writing, making eight in all, and as these are subject to peremptory challenge, the time for the presentation of evidence still seems far away. The possession of an opinion pro or con the graft cases apparently disqualifies a prospective juror for service, and as most, if not all, intelligent San Franciscans have formed an opinion, it is an uphill task that the attorneys have before them. The exceptions taken by the attorneys for the defense to the rulings of the court indicate that, unless something happens to expedite matters, the opening statement for the prosecution will not be made within another two weeks.

A feature of the Calhoun case is the repeated charges of jury-tampering which are made. Three prospective jurors already have complained of attempts to ascertain their sentiments about the case. In two of these cases the wife of a juror was approached, and in the other an employee. As yet no person thus guilty has been apprehended, but, judging from Judge Lawlor's remarks anent the offense, it will be a "sore day" for such malefactor if he is caught.

Judge Buck of San Mateo county has appointed District Attorney Langdon to act for the state in prosecuting District Attorney Bullock, Sheriff Chatham, Supervisors Blackburn and Coleman and former Supervisors Debenedetti and Eikerenkotter, who are charged with miscellaneous grafting. Mr. Langdon accepted the charge reluctantly, urging that he had no office hands full in San Francisco, but, as he has no discretion under the law, he was compelled to accept the appointment.

The case against V. K. Detwiler, who has been a fugitive from justice since he was indicted for bribery in behalf of the Home Telephone company, was called up before Judge Lawlor last Monday. Upon the statement of Assistant District Attorney O'Gara that the prosecution had not as yet been able to find the fugitive defendant, the case went over one month.

Trinity Church as a Landlord.

Trinity church, New York, has a capital of \$20,000,000, a considerable part of which has been invested in tenement houses. Instead of making its tenements models of health and convenience, it has along badly kept out of the reach of the law and, lately, has fallen below what the law requires, so it is going out of tenement owning and renting and will invest in business property.

(Concluded from Page 155)

to political partisanship as the predominating qualification. It will in my opinion become a serious question to a candidate whether it will not lose him more intelligent votes to take a partisan nomination than it will gain him in blind party adherents.

Advantages of an Incumbent.

Another measure proposed is to place the incumbent on the ticket for re-election without mention of his name, with the word "Incumbent" after his name. The argument for this is that the incumbent should have all apprehension as to his re-nomination removed, and that the voter should have called to his attention the judge on the bench who has the thread of the live cases in his mind so that, other things being equal, he will be returned. Undoubtedly there is a distinct advantage to the public in returning incumbents, and litigants are seriously injured when compelled to educate a new judge to a familiarity with their cases. This plan would also encourage men to become candidates who now refuse because, at the end of the term, they must out of the contest for re-election with a good chance that a landslide for the opposing party would overbalance any credit they may have with voters who remember their good service.

It has been said in opposition that, in the absence of the party vote, incumbency gives a man a sufficient advantage; that the incumbent who, after four or six years' service, cannot get 3 per cent. of the voters on a petition carried about by a Western Union messenger is radically lacking in necessary qualifications and could not be elected, and that the state should leave the matter entirely to the voter without any suggestion. It is apparent that this measure is no essential part of a non-partisan judicial ballot, and it has therefore been cast in a separate bill.

Would Get Better Men as Candidates.

Much unjust reproach has been heaped on the Bar Association for not taking a more active part in judicial elections; and yet the best men in the organization have recognized that, with our form of ballot, the only thing for the association to do is to make a choice of partisans, and that independent nominations would be futile. With an equal chance on the ballot a ticket from the Bar Association fairly chosen (and the machinery for a convention of members of the bar would be easily devised) would undoubtedly give the best candidates available. Men at the head of the profession, who would not for a moment consider becoming candidates under present conditions, would accept as an honor such a nomination; and men who have for years served us faithfully on the bench at grossly inadequate salaries (compared with compensation for similar service at the bar) would at last find in a position attained through the recommendation of the profession the recognized dignity and esteem which in all other civilized countries is accorded the wise and upright judge.

In his "Oxford in the Eighteenth Century," A. D. Godley illustrates the freedom of its academic life with the following curious story that dates back to 1782:

Pastor Moritz, coming late at night into the Metre Tun, saw a great number of clergymen, all with their gowns and bands on sitting around a large table, each with his pot of beer before him. These reverend gentlemen sat all night over their beer, discussing theological and other topics till, when morning drew nigh, Mr. M— suddenly exclaimed, "Damn me, I must read prayers this morning at All Souls," an expression which might have been somewhat surprising to a less charitable observer than Moritz. But the good pastor, unlike the censorious Uffenbach, always tried to make allowances for the English point of view.

The borrowing of novels is declining all over England, being not more than fifteen per cent. of the work done by public libraries. The taste for history, biography and travel is on the wane; readers are all for science and sociology, and new books on socialism are always in demand.

Californians in the East.

New York, January 15, 1909.
Among the Californians registered at the Eastern Bureau of the California Promotion Committee during the past week were the following:

Mr. and Mrs. Dorsey Ash, E. A. Martha, R. E. Walsh, Harry Fish, all of Berkeley; Mrs. W. Proschold, Miss Harriett Barrett, W. E. Lawson, S. A. Weston, W. Cleveland, Philip Cassidy, Walter Ferrycock, Charles Smith, Mr. and Mrs. J. H. Rhul, Miss Mary Reilly, T. Matthews, Mr. and Mrs. Joe Cooke, all of San Francisco; Miss Emma Romero, Miss Susan Clark, William Whiteley, Mr. and Mrs. A. B. Dalton, H. A. Case, of Stockton; Anton Marzanovich, W. J. Walker, Francis Grey, and Charles Atkins, of Los Angeles; Louis Wilkinson, Guy Sloane and Miss Fannie Albers, of San Diego.

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THE whip cracked loudly in the crisp morning air and the impatient horses dashed away, leaving Mrs. Churchill with the stock and the younger children to care for.

Fairer promise for continued pleasant weather nature never held out than on that Monday morning. The sun rose bright, the air was just crisp enough to be bracing and sound traveled further and could be heard clearer than Mrs. Churchill could remember to have noticed before. She could hear the clucking of her husband's wagon long after it had disappeared over the swelling prairie, and the voices from Squatty Stubbins' barnyard sounded so near that the fowls from her own yard crossed the distance in return. Yet Squatty lived at the farther corner of the section. There had not been any winter yet and it seemed as though there would not be any winter at all that year.

As the day advanced it grew warmer. Flies buzzed about the window panes and smoke hung heavily along the horizon as though it were early autumn. There was not wind enough to rustle a leaf and everything animate dozed. Squatty Stubbins rattled by in the afternoon with a monster load of wood. "Fix'n ter give us a bit o' weather, mum," he called in passing, but Mrs. Churchill paid no attention to him (none of the Churchills ever did, though she thought afterwards that he glanced significantly toward the place where her wood pile ought to be, but it might have been her own misgivings that prompted the thought. "Anyhow," she said to herself, "Squatty Stubbins is forehanded with his wood as far as is with everything else, the impudent interloper. He's a hard worker, anyhow. There's that much to his credit if I must say it," she thought half aloud as she went about picking up scattered sticks in nervous anticipation of that "bit of weather" the family enemy had prophesied.

At four o'clock in the afternoon there was perfect Indian summer weather. Then a cold puff of wind came out of the northwest. It was dank and freighted with evil. Everything it touched expected a sudden sinking of the heart. Crimsoned leaves which clung, despite the frost, to swaying poplar branches, let go their holds and floated skurrying over the ground. Puff succeeded puff. Cattle upon the ranges became restive, knuckled their ears roughly with their horns and moved away toward the timber on the river, snatching now and then a mouthful of grass which they munched as they went along. Quail scuttled chattering under the bushes and cuddled in tempting coves among the fallen leaves. Dust rose in the air, peppering the houses inside and out. The wind became a tempest making the young trees along the ravines and wind-breaks switch and writhe and the tall prairie grass snap and rattle. The dust grew thicker, changed to mud and the rain came, steaming into blinding sleet which sivered and sifted each leaf and blade, finally enveloping all things in a coat of mail.

All that night and all the succeeding day the blizzard raged. The cold was extreme and the air so filled with flying particles of ice and snow that one could not see a dozen yards before him. Mrs. Churchill dared to venture to the barnyard only by clinging fast to the post of the iron door to keep from falling, yet the animals must be fed. Her supply of wood was running low, almost gone, yet it was not too warm in the house, which was none too warm at best. Her husband and sons were not reticent in their remarks. "The storm would turn back as soon as the storm struck them and that they did not come filled her mind with a new anxiety.

"Cindy," observed Mr. Stebbins to his wife, "I ain't no ways partial to neighbor Churchill nor his family, but I'd give forty bushels of corn ter know that him and his boys are safe ter home ter night, and give it in welcome."

"Why, Wat, you don't suppose they are out in this blizzard do you?"

"Nigh as kin as I can calculate that's jest where they be, Cindy. They must a' been well inter the hills when the storm struck 'em and if they got scattered or anything like that while out hunting it's gon' hard with 'em sure as 'em are," and again Mrs. Stebbins gave herself up to meditation.

SQUATTY STUBBINS' TRIUMPH

By A. JUDSON

(Concluded)

Written for The California Weekly.

"Cindy," the little man again called to his wife later in the evening. "If you'll jest lay hold and help sling together some grub and things a fellow'll need I'll hustle out in the mornin', throw a jug of wood into the spring wagon, tackle on the mules and if those hunters hain't showed up yet by time its light nuff ter see I'll drive over and drap the wood, fodder the critters for the woman and drive along on the road sort o' ter met them like. Don't 'spect me back 'till I come if its three days or four, fer I aint a comin' without 'em dead or livin'. I didn't run cattle over those hills three seasons, not ter know every foot of 'em and if they are there I'll find 'em and come back safe."

Mrs. Churchill was awakened next morning by what seemed to be the sound of wagon wheels cranching through the snow and ice, but when she sat up and listened she could hear nothing but the screaming wind and so fell asleep again for it was not yet day. But when she did get up and ventured out into the yard there was a goodly pile of wood at the very door and the stock had been fed and watered. Here indeed was a mystery.

Squatty Stubbins' jes nat'ally blundered right on to Big Churchill's camp in the Blue Hills, as he said himself, or he might as well have found it at all, the day was so blustery and the air was so filled with flying particles of ice and snow.

However, the camp was found, and found deserted, for neither father nor sons were anywhere to be seen, but the horses, unfed and unwatered, were shivering under the lee of a bank of clay, tied to a fallen log. It was plain that the camp had been deserted almost since the coming of the storm. Where were the men? Had they perished in that trackless waste of indistinguishable ridges?

The day had been bitterly cold and the wind cutting, but the atmosphere cleared toward night so that Squatty Stubbins could shape his course with confidence. Meantime, he had cared for Churchill's half-famished horses, dragged huge logs together with his team and built a great fire so that the smoke ascended black and beckoningly.

When Churchill's horses had eaten, Squatty saddled one and packed the other with warm blankets and provisions and started up the divide just as night closed down. The storm had quite spent itself and the air became stilled but intensely cold, and with the whitened ice coating over the tangled grass and the stars shining he could see quite well and made good progress.

At the heads of the ravines small bunches of stunted timber grew and now and again as he rode along he stopped at such places and, taking his ax, soon had enough dead and dry brush and logs piled upon some adjacent and conspicuous mound to burn brightly for an hour or two. At each place he left tied to a stake set in the ground a note which read: "I am looking for you. Will be back this way before morning. Follow the fires and they will lead to camp." The time thus lost was made up in a measure by putting Churchill's horses to a trial of their mettle and as they had been so roughly chilled and were eager enough to go so that, by one or two o'clock in the morning, he had followed the divide to the end of the range nearly thirty miles from the camp at the wagons.

As the distance stood he found no trace of Churchill or his sons, but he hoped for

better fortune going back, for he felt certain that upon the breaking of the storm the men would emerge from whatever places of refuge they had found and seek their camp again if they were yet alive and would be likely to see and make for one of his beacon fires.

He was not disappointed. When he had ridden back on the return trail for an hour or two he found one of his beacon fires burning brightly and, crossing now and again betwixt himself and the light, were two tall figures engaged in adding more fuel to the flame. Putting the whip to the horses he dashed up to find the two young Churchill kids patiently awaiting the return of their benefactor, though whom it could be they could not guess, for he had signed no name to the posted notes and the handwriting was unfamiliar to them.

The young men were quite a little frosted and ever so hungry and tired. Having become separated from their elder brother at the coming on of the storm they had wandered until worn out and, finding a sheltered cove at the head of a rocky ravine, they had built a fire under a ledge overhanging the river bank, though they had been compelled to work unceasingly to keep fuel gathered for the fire and had for food only a shot hare which they had fortunately shot.

A pot of coffee was soon on the coals and biscuits thawed by the fire for an early breakfast. Taking one of the rifles from the boys and leaving them to ride, wrapped in warm blankets, when they should have eaten and rested, Squatty hastened along the divide on foot to stretch his legs and maybe catch a deer if the fires should make them curious enough to come out in the early morning," he said as he struck a dog trot down the ridge.

And how tireless the little man was only those knew who had kept him in the order and keep it hour after hour without once stopping to rest, up hill and down, on the trail of a band of deer or "footing it" across the country. An Apache could not have done better.

Coming around the head of a deep ravine, and hearing the smoking remains of one of his beacon fires just as day was dawning a band of deer jumped out. Two flashes of light, two reports from the rifle and two of the beautiful creatures lay dead before him while the remainder went dashing down the ridge to the south, but Squatty had no more than drawn his knife across their throats than his quick ear caught the sound of another rifle shot far down the ridge.

Dashing into the head of the ravine and filling his arms with dry brush and twigs he soon had his fire blazing aloft again and then made off in the direction from whence the shot had come hallooing like an Indian. There was an answering call and soon he came upon Churchill's eldest son vainly trying in his exhausted and stiffened condition to carry the remains of an antlered buck he had shot out of the bunch Squatty himself had depleted. Throwing the buck across his own shoulders and leading the team he came in the order just as the younger brothers came up with the horses. There was another hasty gathering of ice for melting, brewing of coffee and thawing of bread for a breakfast, for the young man, save for a single prairie hen he had shot, had been without food since the morning and had suffered not a little by the biting frost.

Strapping the three deer upon one of the horses and allowing the Churchill brothers to "ride and tie" or cling to the saddle straps, the company filed off toward camp. Squatty Stubbins leading the way and the Churchill boys plodding painfully after.

Impatient for the chase the young men had gone into the hills upon the day of their arrival as soon as they had eaten their lunch, leaving their father to put the camp in order, thus promising to return before dark, but when the storm broke they soon lost their way. They supposed that their father was safe in camp and were greatly concerned when they learned that he was not, for they had seen no trace of him.

It was a long tramp back to camp and the progress made was slow. It was nearly noon before they came in sight of it, and there, sure enough, were the blazing logs and, who should be there before them but Big Churchill himself, swathed in blankets and crouched directly before the fire.

"Squatty Stubbins' Triumph" (Concluded).

A loud whoop was raised by the boys from the top of the hill, and Big Churchill to rise to his feet and hold out toward them. "Well, you ain't dead anyhow," he said as they came up and then, catching sight of the deer, "and I'll be durned if you haint got the venison, too. I'd shake hands with you, Mr. Stebbins, but I can't for my hands are frosted. I don't want you to think that I'm not much obliged for your trouble." That was all he said, but his voice was husky and Ransome declared to his mother that there actually were tears in his father's eyes.

After his sons had gone into the hills on the day of their arrival Big Churchill busied himself with putting the camp in order until after the storm came on, and then, building a great fire and firing a big shotgun at intervals during the night, he waited impatiently with only some snatches of sleep, until the morning when he started in search of the lads, going on foot because he well knew that he would soon freeze if on horseback and must depend for life upon his own physical exertions. For fully twenty-four hours he had maintained a constant marching up and down the range until at last, tired out and thoroughly bewildered, as unable to find camp as he had been to find his sons, coming upon a little clump of trees, he built a fire and fought the battle out under the shelter of a precipitous bank of earth. He had not suffered for food, because he had taken provisions with him, but was more seriously frosted than either of his sons. Upon the breaking of the storm he whistled out again, and seeking the way back to camp and, coming upon one of Squatty's beacon fires, followed from one to the other and so reached camp in the early morning.

The people of Stolliker's Prairie declared with a unanimity entirely unknown in that contentious community that they had not before experienced such a jolly Christmas. There was a well-hung tree at the school house and nearly everyone was there, crowding the little building until there was standing room only. And the women could hardly get around to set the tables for the supper, but when the tables were spread the food they bore belied the poverty that was so generally complained of, and not the least toothsome viand of the feast were sundry hams of venison roasted brown.

When all were seated at the tables, Elder Usher had invoked a divine blessing upon them all and had solemnly exhorted them to ways of peace and charitable neighborliness, Big Churchill delivered the first public address of his life.

"Neighbors," said he, rising painfully to his feet, which were swathed in woollens and had been so badly frosted as not to be confined in any sort of shoe leather. "Neighbors, we don't any of us drink anything stronger than coffee. Anyhow, we oughtn't to and can't here, so I can't offer any toast as they do in books, but there aint nothing I reckon to prevent our eating this here venison to the health of any person we like and so here goes. I propose that each man here, and each woman and all the young ones, shall eat a good, big slice of this venison to the health and happiness of the man that killed it, or most of it, Mr. Watson Stebbins. Time was when that name tasted mighty bitter in my mouth, but it don't taste that way any more."

"Neighbors," he continued, raising his voice and speaking with much earnestness, "this same Squatty Stubbins, sit'n opposite is, in my opinion, the quickest, pluckiest, stoutest and best natured onepotent sinner that ever jumped a claim and held on to it in spite of perdition and high water, in spite of blizzards and bad manners, and that, too, without gettin' unruly arry time or saying a cuss word to nobody."

"He licked me, a thing no man ever does before. I can't tell to this day how he did it, jest for spite I reckon (because it's been a good deal harder to bear than the lick'n) he saved my wife and babies from freezing, drove forty miles through the toughest blizzard ever known in western Kansas, built a campfire big enough for a barbecue to show his enemies where camp was, then put in the night riding fifty miles more and walking the rest of the way, building beacon fires on all the hills to

light home a parcel o' men that would 'a' let him freeze without stirring a peg on 'n their warm beds and snug houses and most likely said, 'good enough for him,' when he was dead; saved the whole unworthy family and then sneaked off home as though he was 'shamed of the whole business and never told a soul of what he'd done."

"Squatty Stubbins," he cried, reaching across the table, "give us yer hand, but don't squeeze too hard because the fingers are only jest thawed out. Big Churchill's yer friend and don't ye ever doubt it for a minnit."

What a tumult there was, to be sure, while the two men stood there shaking hands across the table! The people laughed and clapped their hands and finally broke into a wild cheer, and Squatty, well, he did look too silly and shamefaced for anything, standing there ducking his head and chucking, but the tears were streaming from Big Churchill's eyes, half for joy and half for genuine contrition.

"Yes, neighbors," Big Churchill continued with quavering voice. "I've had a good deal o' time for thinkin' since Squatty Stubbins licked me last summer. I've been all over my doin's from boyhood up. I've licked a heap o' men in my time, first and last. It seemed a mainly sort o' way o' settlin' differences until this little runt licked me. That sort o' give me holt of the tail end o' myself and the more I pulled at it the more meanness I fished up 'till it 'peared like I was about the ornieriest critter God ever made. I thought I was brave, when I was only big and strong. I found I'd been cross to my family, mean to my neighbors and unkind to my durned old man. I'd cheated in boss tradin' and stole wood off'n government land. If I had friends before I was licked I could see plainly that I hadn't any afterwards. It 'peared like every eye set on me looked me through and through and saw what a lot of corruption my hide was stuffed with. I felt that even my wife was a snickerin' at me in secret."

"Folks," he shouted as he braced himself for a final effort, "when I found that my enemy, the man I most wanted to kill, had risked his life to save me and mine, I couldn't understand it. I was dumfounded until Elder Usher told me that he is a prayin' man and then I thought I'd be a prayin' man, too. Friends, if from this day Big Churchill's a better neighbor to ye, wife, if he's a better husband; children, if he's a better dad, it'll be because Jesus Christ, whose birthday we are celebrating to-night, has power to forgive sin and because Squatty Stubbins first licked me and then shamed me into a consciousness of my sinful condition. Squatty, what are ye doin' there looking so simple? Pass me your wife's plate 'till I help her to a slice o' this here venison."

And Squatty Stubbins' triumph was complete.

Macaulay's history brought the author \$100,000 during its first ten weeks' sale.

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PERSONALIA

Sir Gilbert Parker has been elected president of the Sir Walter Scott Society of Edinburgh.

W. C. Morrow, author of "Lentala of the South Seas," used to run a school for authors in Oakland.

C. H. Bledsoe, of Dinuba, Cal., is the inventor of a panoramic camera with which he takes pictures ten feet long by ten inches wide.

Readers of fiction will be pained to hear that Thornton J. Hains, recently acquitted of the murder of William E. Annis, is going to write a novel about it.

Gifford Pinchot, chief forester of the United States, possesses an independent fortune inherited from his father, who, by the way, knew as much about forestry as the son.

The Rev. Robert Collyer, the great Unitarian divine, now 85 years old, and has just published "Some Memories," a remarkable autobiography.

"Buck" Duke, as the president of the American Tobacco company is known in North Carolina, has just purchased a modest dwelling at Fifth Avenue and Seventy-eighth street, New York, for \$1,500,000.

Dr. Simon Flexner, discoverer of a serum for the treatment of cerebro-spinal meningitis, is a Jew. He is the director of the Rockefeller Institute for Medical Research.

It is noteworthy that Miss Ida M. Tarbell is doing an optimistic and constructive kind of muckraking in "How Chicago Is Finding Herself," in the American Magazine.

George Ade is traveling in Europe, and finds Berlin to be "Chicago idealized and starched." He professes to be shocked at the newness of that city, and at the preposterously late hours kept by its citizens.

W. J. McGee, United States Commissioner of Inland Waterways, and an authority on archaeology and anthropology, was a waif in youth and was known only as "Buck" until the tax collector required him to give his initials. He had none, so invented W. J. for the occasion. He signs the two capitals, without periods, as his given name.

Of all the sharp things which have been said about Charles F. Murphy of Tammany Hall none has been more epigrammatic than this by his fellow politician, William S. Devery ("Big Bill") Devery, who is called in New York: "I remember Gas-House Charlie when he was a conductor on the Second-Avenue horse-car line. He resigned the position the day they introduced bell-punches."

Ten years ago, when E. H. Harriman was first elected chairman of the executive committee of the Union Pacific, a request to transfer his private car over the lines of the New York Central was met with the inquiry by one of the officers of that company, "Who is Harriman?" and, after an explanation, by the contemptuous remark, "We don't seem to know Mr. Harriman up here." To-day Mr. Harriman's Union Pacific holds \$14,000,000 of stock in the New York Central and sometimes the officers of the latter company appear to fear that he will play the same part with them that the camel played when he stuck his head in through the door of the Arab's tent.

Sharlot M. Hall, the author of the poem, "The Last Camp-fire," which was reprinted recently in The California Weekly, was born in Kansas, and at the age of twelve years rode on horse-back over the old Santa Fe trail to Arizona, where she grew to womanhood on a lonely ranch remote from the advantages of civilization. On the journey from Kansas she received a spinal injury from which she has suffered ever since. Her later life has been that of a busy woman on a western ranch, and her literary work has been done in the odds and ends of time between other duties. Most of her poems have appeared in Our West, of which magazine she has been assistant editor.

SHEAR WIT

"Do you give your dog any exercise?" "Oh, yes; he goes for a tramp every day."—Leshie's Weekly.

The most popular poem in the Prohibition states of the South just now is said to be "Drink to Me Only with Thine Eyes."—Ex.

A sign hung in a conspicuous place in a store in Lawrence: "Man is made of dust. Dust settles. Are you a man?"—Boston Record.

"There's a finger bowl, uncle, you can use when you've finished your orange." "Oh, I kin put th' skins right 'ere on my plate!"—Yonkers Statesman.

What I want," said the fretful magnate, "is to find some way of forgetting my troubles." "That's easy," answered Dustin Stax. "Get them to put you in the witness chair during a trust investigation."—Washington Star.

Bacon: "What was the matter with your friend?" Egbert: "Why, he looked into the barrel of a gun he thought wasn't loaded." "I should think that would have been the last thing he would have done." "It was."—Ed. L. Toraille.

Terrible Swain (to object of his affection): "For several weeks past I have been trying to speak to you, Miss Rosa, but you never gave me the chance of putting in a word. I therefore gladly avail myself of your temporary heedlessness to make you an offer of marriage."—Ex.

The following schoolboy "howlers" are given by a correspondent: "To kill a butterfly you pinch its borax." "The blood vessels are the veins, arteries and artilleries." "A ruminating animal is one that chews its culs." "Algebra was the wife of Euclid." "The masculine of vixen is vicar."—Ex.

The Tribune building was one of New York's first skyscrapers. A country friend of Whitelaw Reid was told that the editor's office was on the top floor. Knowing nothing of elevators, he climbed. At the top floor he staggered to the office boy's desk and whispered, "Is—puh! ugh!—is—God—?"

"Gentlemen," said the counsel for the defense, "the principal fault of the prisoner has been his unfortunate characteristic of putting the faith in scoundrels and blackguards of the basest description. I have done. The unhappy man in the dock puts implicit faith in you, gentlemen of the jury."—London Globe.

King Darius of Persia, having got his, was hitting the high places on his way home. "Talk about your Marathon runners!" he exclaimed, with a dry, nervous laugh. Though Greece undeniably, in athletics in general, led the world of antiquity, some of the very best sprinters were not of that celebrated nation.—Puck.

"Now, children," commanded the austere instructor in advanced arithmetic, "you will recite in unison the table of values." Thereupon the pupils repeated in chorus: "Ten mills make a cent. Ten cents make a dime. Ten dimes make a dollar. Ten dollars make a magnate. One magnate makes the money."—N. Y. Times.

Mr. De Broker: "I am a defaulter, and I want you to defend me." Great Lawyer: "Certainly, Mr. De Broker; I'll get you off all right. Have no fear. How many millions is it?" Mr. De Broker (with dignity): "Sir, I am short only a few thousand, and I hope to pay that some day." Great Lawyer (to office boy): "James, show this contemptible scoundrel the door!"—New York Weekly.

Two colored sisters living in a suburban town met on the street one day, and Sister Washington, who had recently joined the church, was describing her experiences. "Deed, Mrs. Johnsing, I'se joined de Baptist Church, but I couldn't do all de jining here, 'cause they had to take me to de city church to baptize me. You know there ain't no pool-room in de church here."—Success.

"ALL FOR ONE AND ONE FOR ALL."

By James G. Clark.

All for one and one for all,
With an endless song and sweep;
So the willows rise and fall
On the bosom of the deep;
Louder in their single speech,
More restless as they roll,
Broader, higher in their reach,
For their union with the whole.

Wheeling systems sink and rise,
In one shoreless universe,
And forever down the skies
Myriad stars one hymn rehearse;
Countless worlds salute the sun,
Planets to each other call,
Ages into cycles run,
All for one and one for all.

Kissed by sunshine, dew and shower,
Leaping lily and living sod,
Sea and mountain, tree and flower,
Turn their faces up to God;
And one human Brotherhood,
Pulsing through a thousand lands,
Reaches for one common good,
With its million million hands.

Through all warring seas of life
One vast current onward rolls,
And within all outward strife,
One eternal Right controls.—
Right, at whose divine command
Slaves go free and tyrants fall,
In the might of those who stand
All for one and one for all.

Written apropos the motto of the American Railway Union, 1894.

NOTICE

In the Superior Court of the City and County of San Francisco, State of California. In the matter of the Application of Leavitt Lumber Company, a corporation, for a Change of Name to Leavitt Lumber Co., Inc. It is ordered that all persons interested in said matter appear before the undersigned at the Courtroom of the above entitled Court, Department No. 1, to show cause why the application of said Leavitt Lumber Company should not be granted. Let a copy of this order be published for four consecutive weeks in The California Weekly, a newspaper of general circulation printed in the City and County of San Francisco, California. Dated: February 3, 1909.

GEO. A. STERILANT, Judge.

J. B. Richardson, attorney for Applicant, Bacon Bldg., Oakland, Cal.

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OUR SCHOOL FOR CITIZENSHIP

The House of Representatives.

The makers of the Constitution of the United States planned the House of Representatives as a concession to the almost morbid fear of the common man that his liberties would be endangered unless the common people had a representative body in the government with members coming freshly from them, and elected at such short intervals that their accountability to the people could never be a subject for doubt. It was foreseen that unless such a body was provided the people would not ratify the constitution if submitted to the constitution was that members of the more numerous body of legislation were to be elected every two years instead of annually. It was feared that so long a lease of power as two years might be fraught with danger to the liberties of the people. It is hard for us, at this stage of the world's history, to understand and appreciate the almost mortal fear which our forefathers felt for the preservation of dearly bought liberties. We have grown heedless of them.

It was felt that the House of Representatives must become the repository of the people's rights, and represent a national, rather than a state, spirit in the general government. It was expected that the Senate would be bound to state lines very generally, but that the house would not only speak for the common people, but for the people as a whole.

How far the House of Representatives has fallen short of the expectations of the makers of the constitution only those who have studied the matter thoroughly are prepared to say. Instead of representing the people as a whole members of the lower house represent the districts from which they are elected and too seldom are able to look beyond the confines of their districts. This will continue to be so until, if ever, some revulsion of feeling against a narrowed horizon, or some broadened aspect of patriotism, either prompts states to elect their members of congress at large or prompts districts to select big men from outside their districts to represent them, in accordance with the custom which obtains in Great Britain. There is nothing in the constitution of the United States to prevent the inauguration of either or both of these policies, but there does appear to be considerable in the constitution of politicians to prevent either or both of them. There is at least no present likelihood of anything of the kind occurring.

Nor can we regard the district system as wholly unfortunate. Each member may know his district's interests well and ably defend them when he might not the entire interests of the state and, after all is said that may be for government by ideas and convictions, the direction taken by legislation is generally that of the results of the impacts of clashing interests, rather than ideas, that focus upon the national capital.

The House of Representatives, by its unwieldiness, is scarcely to be regarded as a deliberative body. The work of investigation and deliberation must be done in committee and merely ratified in the House. This enables a few strong members to come into power and, if so disposed, use that power for purposes other than the "preservation of the liberties of the people."

Despite these strictures the House of Representatives has by no means proven a failure. It has only failed to do some things that it was supposed it would do. Instead of being the body wherein legislative measures mainly originate it seems likely to become the body wherein legislative measures will receive their final confirmation or rejection.

The Constitution vests in the House the prerogative of initiating all appropriation measures. This provision was inserted in the belief that where the commons are in custody of the nation's purse the aristocrats, and those ambitions for kindly prerogatives, could not

work any very great evil, but it may be doubted if this provision has been of great practical value. If the Senate cannot originate appropriation bills it can alter and amend, or refuse to concur in measures which the House does originate, and so is not placed in especial disadvantage on account of this limitation.

The trend of events legislative appears to be in the direction of forcing the initiation of legislation upon the executive office, as in the government of Great Britain and on the continent of Europe, leaving it to Congress to alter and amend, and to the House of Representatives, as the more numerous body and holding more direct credentials from the people, to render final judgment.

A movement is now on foot in the House of Representatives to make its "Steering Committee" elective by the House instead of appointed by the speaker. If successful this should make the House more representative and less subservient to special interests than it has been for some years.

PLEASE NOTE.—This is to remind you that EDGAR C. HUMPHREY is the pioneer specialist in property from San Mateo to Menlo Park and about the Stanford University. Homes for sale and lease. Acres for sale. Offices, Call Building, San Francisco, phone Kearny 4656; Palo Alto, phone Palo Alto 229; residence Menlo Park, phone Palo Alto 217.

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I, a citizen of the United States of America, realizing that a free Republic is an impossibility unless the citizen performs his civic duty, hereby pledge myself upon my sacred honor never to fail to exercise my right of citizenship by voting at every election, primary or secondary, wherever it is possible and legal for me to render that service to my country, my health permitting me so to do.

In taking this pledge it is distinctly understood that I in no way obligate myself to vote for any particular party, any definite candidate or any certain measure. I am binding myself only to my Country, and pledging myself solely to the faithful performance of the duty I owe to her as a citizen.

Signed

Age

Address:

WHY TAKE THE FOREGOING PLEDGE?

Those taking the foregoing pledge, signing and sending it to this office, will be enrolled upon The California Weekly's "School for Citizenship," which will be a permanent feature of this paper. It will entitle the person sending in his name to have answered, either through the columns of the paper or by letter, any rational question he may ask concerning public affairs, and, generally, by the person best equipped to afford the desired information. It will also entitle the signer to such special literature bearing upon the obligations and opportunities of good citizenship as may from time to time be issued. While this pledge is of no value to persons of all ages it is especially desired that it be taken and sent by young men lately become voters or who will cast their first votes two years hence. It will take but a moment to clip out the pledge, sign, enclose in an envelope, stamp and address to "School for Citizenship," office The California Weekly, 25 Montgomery Street, San Francisco, and it opens the way for a liberal education in citizenship.

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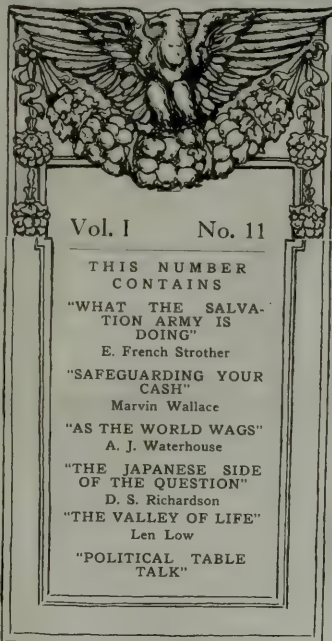
MR. HERRIN'S PROMOTION.

Mr. William F. Herrin holds the probable distinction of being the most thoroughly hated man in California, not excepting Abe Ruef, and yet it is to be doubted if any man will begrudge him his reported good fortune in being promoted in the service of his employer. Indeed, there will be an element of state pride in seeing him elevated to the position of second in command to the Wizard of modern railroading. California's grievance against Mr. Herrin is solely that he has usurped the powers of government that belong to the people themselves. Had he proven a benevolent despot the feeling of antipathy toward him would scarcely be abated, but the quality of his despotism has not been benevolent. It may have been forbearing according to his standards, but it has been benevolent toward the great corporation he ably serves rather than toward the People of California whose free government he has subverted. His destitution is well earned.

Nevertheless, the rise of Mr. Herrin in the ranks of railroad managers will be conceded to be fitting. He possesses great executive ability. His clearness of mind is not to be questioned. Moreover, he possesses that pitilessness of nerve which will enable him, as it has enabled Mr. J. C. Stubbs, to fry the fat out of other people's industries for the benefit of "the Company" without a qualm of conscience or symptom of remorse. Mr. Herrin is a big man and belongs with big men. He will make an able first lieutenant to Mr. Harriman and, should the latter's race be cut short he might even make an efficient successor to the "wizard."

It is reported that Mr. Herrin is to receive a salary of \$100,000 a year. That is not enough. It will poorly compensate him for the things he will have to do as Mr. Harriman's next in command. Whatever his salary as manager of California's politics may have been it has been insufficient to compensate him and his family for what they have had to endure because of his usurpations of the powers of government. It is probable that what he has had to do to California he will now have to do to many states, with an equally broadened field of detestation and resentment. A million a year would not be too much. In fact, California has men, some of them the equal of Mr. Herrin in executive capacity, and his superior in other many attributes, who would not accept the place of first lieutenant to Mr. Harriman for a million dollars a year. Mr. Herrin, all things considered, works cheap, dirt cheap, and Mr. Harriman is a niggardly paymaster.

No doubt Mr. Herrin has governed California as well as possible, if we take into consideration the special interests he was paid to serve, and the human cattle he was compelled to hire to do the pulling and hauling of the political freight. How galling it must be to a man of sensibilities to have to deal with such Judases as may be hired to betray their fellow citizens for political odd-jobs, free rides and a few pieces of silver! Mr. Herrin's couch has been no bed of roses.



But Mr. Herrin is a rising man. There can be no doubt of it. The predatory tendencies of our modern robber barons cannot be satisfied without the use of such men as he. If heaven gives him length of days he will die many times a millionaire, a manager of great enterprises, the author of great iniquities, the usurper of the powers of popular government in many states, the object of the detestation of as many persons as John D. Rockefeller, for, if he die without fewer millions than Rockefeller, he will live wanting that garrulosity of age which has done no little to soften the asperity of public antipathy toward the father of Standard Oil.

THE LIFE OF TRADE.

It used to be said that competition is the life of trade. There are those who would now substitute "combination" for competition in the old proverb, but they are quite too fast. The world has not done with competition nor will it be done with it until all things are involved in a common ruin wrought by dry rot. Competition has been a factor in all forms of human development and must continue to be or there will be no human development. It may be transferred from between individuals

to being between combinations of individuals, from between small combinations to large, from large to competition between the allied industries of nations, but not until all nations are resolved into one nation will competition in some intense form cease to be a factor in affairs. It is written into the constitution of man and had it not been so written man would never have had a constitution.

This is not saying that intensities of competition may not be softened. Any unrestrained force will work harm, but no greater harm is to be looked for from unrestrained competition than from unrestrained combination. The trend of legislation is toward putting restraint upon both competition, and combination. That is the policy of the President, and it has encountered opposition in the United States Senate, which has lately taken stand for the Sherman anti-trust law unmodified and unmodified. The "gray wolves" of that body, who long fought the placing of restraints upon combination, are now fighting against taking off the restraints which the President advised through fear that evils of unrestricted combinations may come upon the people of this devoted land.

There runs a false note through the report of the senate judiciary committee. Whether it is to be accounted for by opposition to the President and his policies or by a knowledge that the Sherman anti-trust law is unworkable and non-preventive of combinations, is not readily to be determined. Whatever the reason, neither the senate committee nor the senate can long stand in the way of such a mitigation, or regulation, of the extremes of competition and combination, as the good of the nation demands. The problem of fair play must be worked out, if not under Roosevelt's presidency, then under that of William Howard Taft.

It is unfortunate for would-be statesmen and more unfortunate for organized labor, that legislators feel called upon to execute political flub-dubs every day in the week in order to keep themselves "solid" with the workingman. They are mush with nearly everyone except workmen, and with sensible workmen, too.

The Springfield (Mass.) Republican attributes the belligerent attitude of the legislatures of California and Nevada toward Japan to the courage put into the two states by the visit of the Atlantic fleet to Pacific waters last summer. And yet the Atlantic fleet is about as far away from Pacific waters as it can be and, in the event of war with Japan, could not possibly reach the Pacific Coast before it would have been overrun with Japanese from Puget Sound to Lower California. The Springfield Republican lacks sagacity and does not know the color which the word, "Japan," imparts to Pacific coast livers. The demand of the Pacific is that it shall be given a fleet equal to that of the Atlantic, after which we may bluster some, but not now.

THE IRREPRESSIBLE ISSUE.

There are times that are opportune and times that are not. There are tactful ways of doing things and blundering ways of how not to do them. The man of sanity will wish to take the tide at its flood and the time at its psychological moment, but no matter how or when we deal with the problem there is an irrepressible conflict between Japan and America over the rights of Japanese who emigrate to our shores. The same issue will arise between the United States and China when China becomes strong enough to stand upon its dignity.

The position that Japan takes is simple, direct, dignified, self-respecting. Were we in Japan's place we should take no other. This position is that, in all countries of the world, the Japanese shall have all the rights and privileges granted to the citizens of the most favored nations. Uncle Sam demands as much for his citizens; why may not the Mikado for his? On the surface the demands of Japan are unanswerable. At bottom they are, with us, impossible.

The one irrepressible concern is that of race, race, race! Every other is of secondary importance.

Not that the Japanese race is inferior. It is not. Neither is the Chinese race inferior. Wherever the Mongol has gone he has shown his ability to hold his own. He has a full share of the graces and powers that God has given to any of his children. We accept him on an equal and accord to his country an equal station among the nations of the earth.

But we point him to Asia, the vastest continent on the globe, and say to the Mongol: All that lies north of the Himalaya mountains is yours. Enter into it and possess it. Make it what you will, so it be orderly, and we will buy with you and sell with you, eat with you, and drink with you, visit with you and pray with you, if you will, but we will not make our beds with you nor take you into our national life as part thereof, and this we deny to you for the one reason of race, race, race!

God knows what there is in this thing we call race, but that race antipathies are cruel, unreasoning, productive of strife, disorder and hatred the blackman of the South can testify. And this we know: amalgamation of white man and black, white and copper, white and yellow, white and brown, is not good. It works degradation. This we also know: emigration, fast or slow, ownership of land, accumulation of wealth, will involve amalgamation of races. Nothing short of a lack of opportunity to amalgamate will prevent it.

Elsewhere in this paper we have given a hearing to the Japanese side of the Japanese question. It is the policy of this paper to do this with every important public issue. There are few arguments advanced in that article to which exception can be taken. It is true that the Japanese now here are useful and equally true that use would be found for ten times as many more if allowed to come. Employing corporations would like to have ten Chinese here where there is one.

The Japanese will assimilate to the best of their ability and become the best American citizens they can. If permitted to come freely they, and their employers, would orientalize this coast in ten years. If restricted inadequately they will orientalize it in a hundred years and Mongolize it in two centuries and a half. Were the element of time the only issue, it were best to waive it altogether. The consummation being the vital issue it needs to be forestalled now.

The ownership of real estate is the crux of the question. Unless they can take root in our soil the Japanese are not likely to enter into the family life of the nation. With roots struck into our soil they are certain to, and what the result will be a hundred years hence

THE STAFF

A. J. PILLSBURY.....Editor and Manager
CHESTER H. ROWELL.....Associate
A. C. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
O. BLACK.....Business Manager

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only God knows, but that it cannot be fortunate to our national life, or productive of amity between the two nations, there is every reason to believe.

We have one race problem in our country. What it has cost us is proper penalty for the wrong against humanity which avarice prompted our progenitors to inflict. To repeat that wrong in any form will be to repeat the punishment in some form adequate to our deserts. Our legislature should limit Mongolian ownership of soil to a space four feet by six. All other anti-Japanese legislation proposed is harassing, demagogic and either vicious altogether or without the excuse of necessity.

A STATE TRAINING SCHOOL.

State Senator Price, representative of the State Board of Examiners in handling the dependent children's fund of California, is pushing through the legislature a bill providing for the establishment of a State Trades and Training School for dependent children. The proposal reflects greater credit upon the Senator's goodness of heart than upon his soundness of judgment.

This is not saying that such a school would not do good. It might easily do a great deal of good, but the expenditure along other lines of a sum of money equal to what it will cost to establish and maintain such a school could be made to accomplish ten times as much good, and at the same time, set the face of the state in a direction opposite to that in which it has already traveled far too far.

It is true, as premised by the introduction of this bill, that children come out of orphanages at fourteen poorly equipped to make their way in the world. They would be scarcely better fitted if they were to remain in a state school until eighteen. Their supreme need is a knowledge of real life and that they can never get in an institution, however well officered, equipped or endowed.

The orphanages of California are fairly good places in which children may be placed while the family is being tidied over a period of adversity. That period should not average more than two years and, where such is the case, no irreparable injury is likely to follow, but children should be absorbed into the family life with the shortest possible stay in an institution of any kind. It is to this policy, and not to the creation of more institutions, that the state should address itself.

The \$125,000 that is proposed to be expended in the founding of this institution would finance a child-placing department, under the supervision of the State Board of Charities and Corrections, for ten years, and during that ten years that department should save the state an equal sum annually from the general dependent children's fund and still have the children better provided for than they are now.

In dealing with the problem of the depend-

ent child California has taken the direction of least resistance, and the measure which Senator Price is pushing is another step in the same direction. It is one that should not be taken, at any rate for those on whose behalf the step is proposed.

The most objectionable feature in the bill, and one that should condemn it altogether unless remedied, is the following: "Children admitted must be sound of mind, free from contagious or other diseases and acceptable to the Board of Trustees in other ways," thus excluding from the further care of the state the type of child that stands in greatest need of that care, and taking under state coddling the type of child that is most certain to find somewhere in the life of the people a niche it can fill. Per contra, nearly every orphanage has children under-endowed mentally, physically defective, diseased, or otherwise unattractive, for whom, if for any, the state should undertake to care after reaching fourteen. Such as these will become wards of society somehow and if the proposed Trades and Training School were to be for their benefit alone much could be said in its behalf.

THE NEW RENAISSANCE.

The United States Commissioner of Education presents a report devoted largely to the progress of industrial education. The report and the subject of it are characteristic of what has amounted almost to a new Renaissance of our educational ideals. The old Renaissance consisted largely of the rediscovery of the sander, freer life of the ancient world, beyond the mists of mediæval superstition. That life lived only in books, and so the best education for life consisted in the learning of dead books in dead languages. But finally the education of the Renaissance became as ancient and as traditional as the trivium and quadrivium of mediæval learning. It still preserved a noble culture, but it lost touch with life. Ancient life had ceased to be the regenerating force, and education had not discovered modern life. Gradually, as classic education waned, modern subjects were introduced—but by books. The telescopes, through which alone ancient life could have been perceived, were turned on modern life, with the result that they rendered it nearly as distant as the ancient life had been. The obsession of "book-learning" was on the schools, and our academic population saw through a glass darkly what it had only to open its eyes to see face to face.

But now comes the new Renaissance—the discovery by the schools of modern life. The industrial part is being discovered first, because it is most visible and most needful. Therefore the reaction seems to be one from culture to materialism. But the Renaissance will not be complete until it discovers the idealism as well as the materialism of modern life. Then we shall have culture as well as "practical" training. But it will be modern culture, the spiritual and aesthetic interpretation of the life of our own times.

WHAT TO DO WITH STATE MONEY.

The State Controller and Treasurer have agreed upon a measure providing for keeping the state's money in the banks, properly secured. Why not? Is there any good reason why the state should transact its business in a way essentially different from that in which other kinds of business are transacted? It might be well for the treasurer to keep a liberal working balance in his strong box, but to have millions withdrawn from circulation and kept idle is no better in theory or practice than to withdraw able bodied men from industrial activity and keep them in idleness. Another gain would be in the facility of effecting exchange over the state, a great saving to taxpayers if not to the state.

Possible Coalition In Congress.

While it is impossible for the House of Representatives to throw out all issues upon the floor, there is a deep feeling of restiveness because of the autocratic power assumed by the speaker, but which the speaker is loth to let go. He has with him the "organization" Republican members, but there is a "right smart" sprinkling of independent Republicans in the house, beside 168 Democrats, and, it is believed, if the insurgent Republicans and Democrats can find common ground to stand on they will be able to force the election, by the house, of a non-partisan steering committee to order the business of the house in place of the speaker and his private steering committee. An effort is making to that end.

Invaliated By Age.

Gentlemen who tremble for the liberty of the press, because the National Government has instituted proceedings against the New York World and its owner for malicious slander in connection with the Panama Canal transaction, aver that such proceedings should not have been instituted because, in order to find a basis for action, it was necessary to dig up a law enacted in 1798. The command: "Thou shalt not bear false witness," is older than the alien and sedition laws of the United States, but it has not been urged in extenuation of lying that the command has now become so ancient as to be invalid. The liberty of the press is to be defended at all hazards. The license of the press to defame without cause and lie without ceasing is quite another matter. It should be curbed even if the Department of Justice has to go back to Sinai and the tables of stone to find a foundation for beginning proceedings.

Pilloried For Plagiarism.

Hannis Taylor, who has flown high as a writer on constitutional law, has been pilloried for Professor Henry County of Edinburgh for having taken holy chapters, not to mention sentences, paragraphs, foot notes, and pages from other writers in order to make up his recent, "Science of Jurisprudence." It is too bad. "Hannis" had such a nice sound to it. "Taylor," of course, is common, though heretofore reputable, but to have "Hannis" smirched by literary grand and petty larceny falls little short of a national misfortune.

The Needs of the Navy.

That the portion of our navy afloat is as good as the navies of other nations few are prepared to deny, but there is evidence to show that the land portion of our navy may have more politics in it than statesmanship, more loggolling than patriotism. The President's effort to have the situation analyzed and illuminated is commendable, only it should have been made before. The points at issue are mainly as to demonstrable facts, as, for instance, whether or not after expending in ten years \$13,000,000 in construction and support of Mare Island Navy Yard there is any certainty that a first-class battleship can be gotten into the drydock and out again. If not then the navy yard at Mare Island was misplaced and the millions squandered. Let the truth be known no matter whom or where it hits.

Will Bring Us Good Citizens.

Should an alien land law be enacted at Sacramento one effect of it will be to encourage a large number of esteemed gentlemen, and model neighbors, who have lived among us half a lifetime owing allegiance to Britannia, to take out naturalization papers. They have paid us the compliment of conducting our affairs of government so admirably as not to require them to bother about our politics. Of all

foreign born persons the English have been slowest to become American citizens, and yet of all foreign born persons the Englishman has most in common with Americans in blood, language, literature and institutions. He should turn his trousers down at the bottom, pick up his h's, and become an American forthwith.

Lincoln Highways.

The pleasure of automobilizing, as much as anything else, perhaps, has suggested the construction of a number of "Lincoln" highways in different parts of the country. One is proposed to run from Washington to Gettysburg. Another is from Chicago to Springfield, Illinois. At Joliet the state has an abundance of good trap rock and several hundred guests at a state boarding house with nothing better to do than to crack up this rock by hand. If the road sinks into the mud, or if the automobiles wear the roadbed out, there will still be men enough in Joliet prison to crack up some more rock. If Governor Gillett is determined to have a state highway why not build a "Lincoln" way from Sacramento to Benicia? The Suisun marshes will afford his engineers a good test of capacity and Folsom has the rock and the men to break it.

What Shall the Memorial Be?

There are three plans before Congress for erecting an enduring memorial to Abraham Lincoln. One is for the building of a great highway from Washington to Gettysburg. Another is to enlarge the capitol ground and surround the front portion of it with a splendid peristyle. The third is for the erection of some sort of edifice on the banks of the Potomac river at the far end of a splendid avenue extending from the capitol to the river. It has developed that the President favors the third idea and this has served to divide the reactionaries in congress about equally between the other two propositions and to make them all implacably hostile to the third. Vox Populi should make it plain that if the Lincoln memorial does not go to the banks of the Potomac a memorial for Theodore Roosevelt will. That will flop 'em.

Hetch-Hetchy Is Hitch-Hitchy.

It is evident that the coveted water privileges in Hetch-Hetchy are not to be had without a determined contest. While, from the standpoint of San Francisco and the bay cities, there are not two sides to the issue it happens that, from the standpoint of the nation at large, there are two sides if not more. Spring Valley has played its cards well. That there are other possible sources of water supply for the bay cities cannot be denied. It would be possible, for instance, to bring water from the Mississippi river, but not very feasible and the bay cities have a right to emphasize feasibility for all it is worth. Fortunately, there is no great hurry. There will be other congresses after this one and it will be ultimately possible to make a good cause good.

The Duty of Doing Jury Duty.

There is an obligation resting upon every honest citizen to take his turn in serving on juries. This obligation is made superlatively hard to discharge by reason of the abnormal and unnecessary burden which custom and procedure have imposed, yet this cannot warrant men lying out of jury duty as delinquent school boys lie out of bad scrapes. If good men will not serve upon juries the jury system must break down, and if the jury system breaks down autocracy in some form must take its place. Therefore, the duty of doing jury duty resolves itself into an issue of patriotism or a skulking refusal to bear one's share of a common burden.

The Deeper Significance : : : : of Living : : : :

The best short story in any language is the story of the Good Samaritan and the second best is the story of the Prodigal Son. Sermons by thousands have been devoted to these two stories and yet they have not succeeded in squeezing dry of their interest and have not lost their power to reach the human understanding or to arouse the conscience to action.

The problem of drunkenness is mainly a problem of adolescence, a problem of the care of youths of twelve to twenty-one years of age. Something like 65 per cent. of inebriates began to use liquor between ten and eighteen years of age and perhaps as many as 75 per cent. began its use under twenty-two, while a resistant, hardy, stable adulthood is rarely reached until twenty-five.

The problem of criminality is likewise a problem of adolescence, a problem of the care of youths of twelve to twenty-one. The average age of persons confined in prisons and reformatories in the United States is twenty-two, notwithstanding that there is a kind of criminality—offenses against girlhood, and boyhood,—mainly committed by men who have passed their three-score-and-ten years of life, thus tending to increase the average.

When Society comes to so thorough an understanding of these two facts as to act upon them efficiently half the crime and drunkenness that afflict our country will disappear as if by magic.

Now let us drop back to see what the author of the Parable of the Prodigal Son knew about this problem of adolescence. "And when he came to himself," he said in the narrative, the prodigal said: "I will arise and go to my father." He did not say that as long as he had anything to spend in riotous living, or as long as he could find employment by which he could supply his bodily needs, but only when he hungered, when he felt that he had filled his stomach with the food that the swine ate—when he was "up against it," as it would be slangily expressed in our day.

So it is nearly always with the boy who is headed wrong, who is following his instincts unhindered because, his head being in a whirl, his conscience untrained, sound habits unformed, he has nothing else to follow. Unless brought up with a short turn, unless he feels the grip of the law upon his shoulder like the jaws of a biting horse, unless something happens to cause him to come to himself he will pursue his heedless course until habits have been formed that he will be unable to correct.

Orpheus sailed safely by the isle of the sirens by filling his own ears with a more ravishing music than the sirens were able to make. Truth needs to be piloted through adolescence in much the same way. Life needs to be so filled with better interests as to leave no room for bar or brothel. What is true of boys is less true of girls only because girls are better looked after during adolescence. When they are not their road to ruin is made shorter and the time swifter.

"And when he came to himself," he arose and went to his father, but he did not come to himself until he had gone hungry. Is it only in adolescence that such folly is committed? Many there are who do not come to themselves until the palsy of poverty and age are upon them. By that time more mischief than an empty stomach has been inflicted. By that time the gnawing of the wolf has devoured character and conscience and there is little to take to the Father but a skin full of bones. The need of our time, when criminality is tremendously on the increase, is to help young persons to come to themselves.

The need of the Berkeley high-school boys, who lately disgraced themselves, were able to come to themselves. A strap applied to the bare back, followed by an order of court to attend school every day, might fetch them. Expelling from school, and washing the public's hands of them, is the equivalent of the Father setting the dogs on the prodigal in the parable.

THE WORLD AT LARGE

Great Revival in Boston.

Evangelist J. Wilbur Chapman, and two dozen assistant preachers with as many solo singers, have attacked greater Boston with energy and are creating an interest not surpassed in many years. Dr. Chapman declares that it is hard starting a revival in New England, but that once under headway it gathers momentum as it goes and sweeps on with greater power than elsewhere. It takes a good deal of heat to warm the hearts of the Yankees but once hot they stay hot.

Hoboes in Convention.

The Sons of Rest held a convention at St. Louis last week with delegates from all points of the compass and as many as could get there. The chief topic for discussion seemed to be as to whether the hoboes or the railroads are to rule in the matter of free transportation. The hoboes were urged to stand firm for the right of free transit. No fault was found as to accommodations. Brakebeams were good enough, but the fraternity viewed with alarm the recent tendency to prevent their riding at all, the consensus of opinion being that unless hoboes can ride on the railroads there cannot be any hoboes. This view is undoubtedly correct. To stop free railroad riding will be to stop hoboeing.

A New Marine Compass.

An inventor at Liverpool has completed and has on exhibition a new marine compass that has several important advantages over the common form. The card is much smaller than in the case of the ordinary ship's compass and is made visible to the eye of the helmsman by means of a magnifying mirror with the result that the smallest deviation of the vessel from a given course is immediately perceptible without eye strain and without difficulty occasioned by rolling or pitching of the ship in rough weather.

Rescuing the Gymnasiums.

When a new school building is erected in New York City it is generally provided with a capacious gymnasium but when the school gets crowded for room the tendency has been to cut the gym up into class rooms, much to the detriment of discipline. The board of education has voted to stop this practice at whatever cost and, per contra, to place as much emphasis as possible upon physical training and, if possible, to make boxing compulsory in order to make the boys "sweat out" their incorrigibility and satisfy their belligerent propensities by battering each other. There is much more than half an idea in that.

Wiley Goes to Chicago.

Dr. H. W. Wiley, chief of the government bureau of chemistry, expects soon to become a resident of Chicago, where he will continue to rap the adulterators of food through the medium of the magazine "What To Eat." Doctor Wiley has made many enemies, and it is conceivable that he has made some mistakes, but it is to be hoped that his change of residence does not foreshadow the success of those who have tried to drive him from an office in which his work has been generally of prime service to the country.

Girls Hardest to Save.

Few cities have given more attention to the redemption of delinquent childhood than has Chicago, and few cities have had greater need for it. The close of the year's redemptive work has, in retrospect, given the child saving agencies much ground for hope, more especially so far as work with boys is concerned. There were over 300 fewer delinquent boys cared for during 1908 than during 1907 whereas, with girls, the decrease was only 22, relatively a much smaller gain although, absolutely,

there are still three times as many delinquent boys as girls handled by the juvenile courts. The age of delinquency among boys is mainly between 11 and 16 years, while, for girls, it runs from 14 to 17, recognizable as the silly age of girlhood and the period during which girls need the most watchful care. Renewed efforts are making to supply that need in Chicago with hopefulness of a better record for 1909.

The Rejuvenation of Turkey.

The better state of things brought about by the "Young Turks" promises to usher into the Ottoman Empire a new era of industrial development, particularly in the direction of railroad building. There are many untapped fields for modern transportation facilities to enter and concessions so valuable are being offered that all Europe is vying for opportunity to pour its cash into constructive work. France, Germany and England are trying to outbid each other, the Mesopotamian plain being looked upon as the greatest prize with Germany on the inside in that struggle.

Amnesty for Lincoln's Assassins.

A member of Congress from Tennessee, who insists that J. Wilkes Booth was not killed by the posse who went in pursuit of him, proposes that Congress prove the fact by declaring, by the forgiveness of Lincoln and the American people, that full amnesty shall be granted Booth and all living persons who aided him in the consummation of the conspiracy to take his life. It is not likely that Congress will take any such action, but it is likely that it will do something more to the purpose—purchase the house where Lincoln died, and two houses adjoining, for a perpetual memorial of Lincoln. The house wherein he died is now as it was then. The other houses are to be removed in order to afford park space to the house having historic value. It will require about \$130,000 to accomplish all this and Congress is expected to appropriate that sum.

Medical Use of Radium.

There is no end of charlatans who hasten to cure all the ills of humanity by the application of each new invention of a startling character, and this has caused many to doubt the claimed efficacy of radium, but Sir Frederick Treves, physician to King Edward, is enthusiastic in its favor and predicts great things when science shall have possessed itself of all the radium it needs, and he regards that as a matter of no great difficulty. The force resident in a small particle of this substance almost transcends the power of the imagination.

A New Kind of Steel.

It is announced by Professor John Oliver Arnold, of Sheffield University, that a new kind of steel has been invented that will possess four times the cutting power of existing steel and yet its manufacture will be so cheap and speedy as to displace all kinds of steel now on the market. That is a startling announcement, but if it is half true it will make such a revolution in the steel industry as will make the Bessemer process a mere incident by comparison.

The Cuban Situation.

A careful investigator from Minnesota, after spending some time in Cuba, declares conditions to be very unsatisfactory in that island, the dissatisfaction permeating all classes, if not for the same reasons. The conservative element openly desires American domination in some workable, permanent form. There is much complaint among politicians because Governor Magoon spent so much money upon sanitation and road building. When he took office there was a surplus of \$11,000,000 in the treasury and the revenues have produced another surplus of \$12,000,000, yet he turns

over the treasury to Gomez with no surplus at all. As for the common people of Cuba their chief concern is that lotteries and cock fighting be legalized so that they may hazard new fortunes and have some fun. That is hard material to make free government out of.

The Balkan Situation.

The idea of an all-Slav, Balkan empire, which has long possessed the affections of the Servians, appears to be vanishing. Austria and Turkey have compounded their respective felonies on a monetary basis which permits Austria to retain Bosnia and Herzegovina, and about all Servia can do is to roll rocks down the mountains on its enemies while the compounding is being effected. As for Bulgaria it also has received a warning from the powers signatory to the Berlin treaty to pay Turkey a reasonable sum for the abandonment of suzerainty and to demobilize its forces along the Turkish frontier or take the consequences. Thus peace in the Balkans is being established on a strict monetary basis.

At the time when General Burnside's force was besieged in Knoxville, Tenn., with an apparent danger of being starved into surrender, a telegram came one day from Cumberland Gap, announcing that "Firing is heard in the direction of Knoxville."

"Glad of it!" Mr. Lincoln. "It reminds me of Mrs. Sallie Ward, a neighbor of mine. She has a very large family. Occasionally one of her numerous progeny would be heard crying in some out-of-the-way place and she would exclaim, 'There's one of my children that isn't dead yet!'"—From "Table Talk of Abraham Lincoln." (Stokes.)

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WHAT THE SALVATION ARMY IS DOING

By E. FRENCH STROTHER.

"Seven uniformed psalm-singers with a bad brass band and a tambourine, disturbing the peace on the main streets Sunday afternoon," is a popular answer. "And an American flag," you add.

Yes, and don't forget the red and blue uniforms, nor the bonnetted "lassie" selling the "War Cry" in the saloons, nor Santa Claus on the street corner in a wig and red coat reminding you to "keep the pot boiling" around Christmas time. Let us say, for the moment, that these things sufficiently describe what the Salvation Army is.

Then, What does the Salvation Army do?

It does a great deal more than give Christmas dinners to the poor and hold prayer-meetings in the jails. It helps the poor every day in the year, it visits the sick, it rescues fallen women, it maintains one of the best orphanages in California, it gives employment to idle men and finds employment for others, it helps ex-convicts to stay straight after they leave prison, and it teaches city failures how to become successful farmers. If a woman is alone in a strange town, the best place she can go to find out where she can lodge safely and cheaply, is to the Salvation Army headquarters.

Let us translate these assertions into terms of human experience. As I sat talking to Major McPhes, in the Army headquarters in San Francisco last week, a German woman wearing the Army bonnet came in and interrupted.

"It's a sick woman this time, Major. Her husband's out of work, and she's done washing until she broke down and had to go to bed. There's three children—two babies and a ten-year-old boy. The boy's been selling papers, until three days ago he used his last cent to buy food, and hadn't anything left to buy papers to sell. I gave him ten cents to start with, and bought her some soup. You've got to do the rest. It'll only be three or four days—but they've no wood nor a thing to eat in the house."

"Get what they need and send me the bill," said the Major, and added to me:

"We never give more than the least that will possibly tide people over. Give them more than that, two or three times, and you make paupers of them. The Army is accused of giving indiscriminate charity. It doesn't. If a person is starving, we feed him without question; but we investigate before we give him anything more."

One day's work of the Relief Department of the Army in San Francisco is torn from the diary of the department and inserted here. The date was December 8th, last.

When Mrs. S., applied at the Relief Department she did not ask charity, she did not ask food, but she asked for work, and she really was finding someone who would care for the tiny babies while she worked.

One week ago yesterday she became the mother of twins, utterly unprovided for. She wanted a baby as other mothers want them, and she planned to prepare for its coming, and to cry of financial panic when her husband lost his position. She went to work for \$1 a day and kept life in herself and him until three weeks ago, when he was laid off. The Salvation Army sent the woman home and provided for her and babies.

Mrs. J. — with a family of six, and a weak husband, destitute with very poor prospects, but struggling bravely to maintain the independence, and only accepting relief on account of the children.

John — aged 60, and looks as though he had stood 80 years' wear, and has just done sixty days in the House of Correction for using a cemetery as a lodging house, applies for shoes, exhibiting a pair of antique extemporized out of a pair of old shoes that were so tight that they crippled him.

A little boy, the last face of one of our street collectors and with a choked voice said, "Please, Mr. Santa Claus, will you bring back my papa? He died and was taken away."

Forty-nine single men applied for assistance.
Twenty women applied for Christmas baskets.

Consider the Army's work for children at Lytton Springs, in Sonoma county. The Golden Gate Orphanage and Industrial Farm for Destitute Children is the name of the work. Here, on 645 acres of rolling farm land, are 200 children from the state of California, all under twelve years of age, orphans and

poor, who are learning to become wholesome, "healthy minds in healthy bodies," and equipped, when grown, for life's struggle. These 200 children, if left alone, would grow up paupers, criminals, and illiterates. Here they live at open-air life. The boys are taught practical farm work. They make gardens, milk cows, raise poultry, and sell all their eggs to the Hotel St. Francis at a cent a dozen over market prices. In 1908 they hatched 10,000 chicks, besides selling a case of eggs a day and keeping enough eggs to supply the farm table. The girls are taught household science. They learn to cook, to make beds, to sew, and all the little arts of home-making.

But better even than learning these useful things, boys and girls alike learn the love and homely spirit that make life liveable. Major Bourne and his wife, who are in charge, are father and mother to all the children, and make the orphanage a "home" and not an "institution."

Rescue Work.

Again, consider the Army's work for the rescue of women who go wrong.

At Beulah Heights, near Oakland, the Army maintains a Rescue Home for women. Here women who have gone wrong, even women from the underworld who desire to reform, are kept from three months to a year, away from temptation and their old associates, learning household arts and strengthening their moral fibre for the struggle to reenter the world in self-respect. Before they leave, a position is found for each one according to her ability to work. The Army officers keep in touch with these women for years after they leave, and 84 per cent. of them are known to stay in the path of virtue. In the eighteen years of its existence, the Beulah Home has been the refuge for hundreds of ruined women who, through it, have found their way back to hope and a life of self-respect. This is one of the most humane and important of all the Army's social betterment works.

If a man appeals to the Army for help in finding work, the officers help him if they can, and if they know him. They keep in touch with the employment officers, and are able to place many men. For instance, last year in the United Kingdom of Great Britain, the Salvation Army found employment (temporary or permanent) for 204,766 persons. In California last year, hundreds were similarly assisted.

But, if the Army officers do not know the applicant, they will not recommend him to an employer. But they will take him into their Industrial Home. Here he is put to work—maybe sorting rags, or old magazines, or mending old shoes or furniture. (The Army collects these cast-off things from the public, works them over into useable articles, and sells them to the deserving poor at prices they can afford to pay. Even once-used tea leaves are collected.)

If the man proves his willingness to work, and his honesty, he remains at the Home, receiving a small wage and his board and lodging, until he advances through positions of trust to a point where the Army can recommend him to outside employers. Thus the man retains his self-respect, helps advance a worthy charity by his work, and is tied over a period of economic stress and returned to a self-supporting position in the competitive world.

Keeping Ex-Convicts Straight.

When a convict leaves San Quentin or Folsom at the end of his term, the state gives him a suit of clothes, a ticket to the town from which he came, and \$5. But he is a stranger in an unknown world, and branded as an outcast. The world has changed and no one will help him, because he has had no chance to find one, and employers generally do not want ex-convicts.

But many ex-convicts will stay straight if they can find work and have their record for-

got. If the record follows them, and drives them from job after job, they lapse into criminality again in sheer desperation. Here the Salvation Army performs a great work.

When a convict is soon to be released, if he asks it, the Army will find him a job with a man who is first fully informed of his record, and who is willing to help him live the live record down. Preferably, the job should be in the country, and where the convict is unknown.

The day the convict is released, the Army officers take him to some quiet place, give him a second-hand suit (for an experienced eye can often recognize a convict by his suit of clothes), feed and lodge him a few days until the very distinct and offensive prison smell leaves him and until the prison pallor begins to leave his face. Then they take him to his new employment, and he is started right.

Last year, 203 California prisoners were helped in this way. In the United Kingdom, 5,626 were so helped last year. The importance of this form of Army work to the country is hard to overstate.

Army as Probation Officers.

Another phase of the Army's prison work is this: it investigates cases of friendless prisoners who it thinks may deserve a parole from prison. If it decides that the case merits it, it puts in operation the machinery for getting a parole, and if successful, acts as the probation officer who is responsible to the state for the conduct of the prisoner on his release. By securing employment for them and keeping them occupied and self-supporting, they have reformed many convicts in this way.

The Army officers are also highly regarded by the criminal courts as probation officers for juvenile offenders who are not incorrigible.

Army Hotels.

The Army maintains a hotel in San Francisco for unaccompanied women. Here a woman can get a clean, safe night's lodging for thirty-five cents or more, and meals on the same scale. This hotel saves many women from the dangers and temptations that await a woman alone in a strange city.

There are besides many hotels maintained by the Army for workmen, where a night's lodging may be had for fifteen cents.

Farm Colony.

At Romie, near Soledad, California, the Army has demonstrated the feasibility of removing city failures to farms. Here, in a few years, these men, on their ten-acre patches, have reclaimed themselves from hopeless economic inefficiency to self-respecting farmers.

Finding Lost Friends.

Last year, in the United Kingdom, the Army found 12,842 persons with whom friends or relatives wished to communicate, and of whom they had lost track. Because of the universality of the Army (it has branches in almost every country on earth), and because of the complete system of intercommunication between the posts, descriptions of lost friends get wide circulation. In one case, a missing German husband whose wife was in Berlin, was located in Johannesburg, South Africa, and compelled by the Army officers to send his destitute wife and children a fair share of his salary.

These are some of the things the Salvation Army does. In California, Arizona, Nevada, Utah, Colorado, and New Mexico (they call it "this Province") the Army last year collected and disbursed more than \$100,000. This money came from public offerings, collections, and the generosity of themselves.

When you give a beggar a nickel you say to yourself, "Buncoed again." When you give the old lady with the black shawl and the crazy hand organ a spare dime you think, "I hope this cheap little tribute to my love for my own mother hasn't led me into being a

(Concluded on Page 168)

SAFEGUARDING YOUR CASH

By MARVIN WALLACE.

When the string of "Walsh banks" in Chicago went the way of frenzied finance to spectacular disaster, the catastrophe taught bankers and public alike that inefficient examination is a costly business. To save the honor of the banking business, and to restore public confidence, the other banks of Chicago assumed all the liabilities of the Walsh banks (amounting to more than \$2,000,000) and paid its creditors dollar for dollar. Then, that they might never have to repeat this expensive advertisement, they formed an association, comprising all the leading banks, for the purpose of providing private examinations of the banks as an extra precaution in addition to the official examination by State and National inspectors.

When the California Safe Deposit and Trust Company closed its doors, San Francisco learned Chicago's bitter lesson. And San Francisco's bankers promptly "went Chicago one better" by introducing a system of private examinations more exacting than Chicago's.

The eighteen leading banks of San Francisco are members of the local clearing house. The smaller banks clear their checks through one or another of the clearing houses. The house itself undertook the work of providing the extra safeguards. It employed Mr. A. Kains, a banker of twenty-seven years' experience as a manager, for the Canadian Bank of Commerce (successively in Toronto, New Orleans, Chicago, New York, and San Francisco) to be its private bank examiner. It gave Mr. Kains complete access to every detail of business of every bank in the clearing house, and required every bank that clears through a member to extend him the same privileges.

Mr. Kains' position is unique in America. He entered into a five-year contract with the clearing house, beginning June 1, 1908. One provision of the contract is that he shall not engage in business in San Francisco for five years after the expiration of the contract if he fails to renew it.

Mr. Kains' duties are these: He examines each bank at least once a year, learns whether its capital stock is paid up, who its officers are and their character, studies its financial condition, its banking methods, the character of its loans, the collateral that secures the loans, and the character of the men who put up the collateral. All this involves not only the most searching investigation of the banks themselves, but of the businesses that borrow the banks' money.

Whenever Mr. Kains discovers any irregularity in book-keeping, any loose or ignorant practice of banking methods, or other bad condition in any bank, he warns the officers of that bank and demands that they correct the evil. If they fail to do so, he then reports to a committee of the clearing house, which exists for this purpose, telling them that an unsafe condition exists in that bank, but not giving details. The committee then uses its offices of warning and persuasion to impress the bank's officers. If this still proves insufficient,

Mr. Kains reports the delinquency in detail, and the committee may, if it seems wisest, expel the bank from the clearing house. This would amount to a public advertisement of its bad banking, and the threat of such action would be sufficient to compel any bank to correct its ways.

Los Angeles has followed the example of San Francisco, and about three months after Mr. Kains' employment, the Los Angeles banks employed Mr. John W. Wilson to perform similar offices for them.

The banks of the state, outside of these cities, have also taken steps to provide like safeguards. At the last annual meeting of the California State Bankers' Association the subject was discussed, and the result was the formation of the California State Clearing House Association. This association, which already has a membership that includes more than 400 of the 300-odd banks in California, adopted a constitution on October 26, 1908. This constitution provides that the state shall be divided into eleven districts for purposes of private examination, as follows:

District No. 1 includes all banking corporations and individual bankers in the city and county of San Francisco that are members of or clear through members of the San Francisco Clearing House Association.

District No. 2 consists of the members of the Associated Savings Banks of San Francisco.

District No. 3 includes all banks in the corporate limits of the City of Los Angeles, that are members of or clear through members of the Los Angeles Clearing House Association.

District No. 4 includes the counties of San Diego, Imperial, San Bernardino and Riverside.

District No. 5 includes the county of Orange and that portion of Los Angeles County which lies east of a line running from the westerly border of Pasadena to the westerly border of San Pedro.

District No. 6 includes the counties of Ventura, Santa Barbara and all banks in Los Angeles county not included in Districts Nos. 3 and 5.

District No. 7 includes the counties of San Mateo, Santa Clara, Santa Cruz, Monterey, San Benito and San Luis Obispo.

District No. 8 includes the counties of Alameda and Contra Costa.

District No. 9 includes the counties of Stanislaus, Madera, Merced, Fresno, Tulare, Kern and Kings.

District No. 10 includes the counties of Marin, Sonoma, Solano, Napa, Mendocino, Lake, Humboldt and Del Norte.

District No. 11 includes all counties not previously mentioned.

The constitution further provides that a Central Board, consisting of one member elected by the members of each district, shall employ competent examiners from a list of nominees submitted by the districts, who shall have functions and powers like those of Mr. Kains. One examiner may have one or more districts as his territory, and the expenses of their employment will be paid pro rata by the banks themselves.

The banking laws of the state are generally considered by bankers to be adequate already, but the practice of appointing bank examiners for political reasons, regardless of personal qualifications or high character, has shown that the state's examinations are not a sufficient safeguard.

Banking is a business done on honor, and the history of banking generally reveals a high standard of conduct. A bank's greatest assets are the honesty of its officials and the confidence of the public. The lack of the first destroys the second. Hence, the bankers, realizing that the black sheep in their business discredit the business itself, have taken these steps to safeguard the banks against the other banks. The method they have adopted in San

Francisco and Los Angeles is about as far as ingenuity can go toward devising a system of enforcing universal honesty. When the banks of the state at large follow their example California banks will be in the front rank of those who have thrown the most modern safeguards around the business of banking.

Of the 588 locomotives in Roumania, 427 use petroleum for fuel.

The first attempt to steer a balloon was made in Paris in 1784.

Some of the largest ocean steamers can be converted into armed cruisers in thirty hours.

The coming of rain would be better

If not so much together;

Let the summer be somewhat wetter

And winter have dryer weather.

—Grass Valley Union.

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who have made it their
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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Little Folk Town.

Oh, over the hills is Little Folk Town,
Where I never again may go,
Where fairies and elfins roam up and down,
O'er the fields of green or the fields of brown,
As all of the Little Folk know.

Brave Jack who slaughtered the ogre golum
In Little Folk Town doth dwell,
It was just as the ogre said, "Fe fo fum!"
That he chopped off his head, which injured
him some,
As little Folk love to tell.

The Babes in the Woods are resident there,
And the robins that covered them, too,
And Goldilocks of the sunlit hair,
And the bigger bears and the little, wee bear—
It is there that such things are true.

There is Red Riding Hood, and her grandma
old,
And sweet Cinderella is there,
And the little ones seek for the fairy gold,
Just all that the wee, little hands can hold,
The gold in the goblins' care.

There's the sight that gladdens, the sound
that thrills,
In Little Folk Town, they say,
Till a lullaby song the daytime stills;
And I'd like to go back o'er the misty hills,
But I can't—I have lost the way.

The Super-Upper House.

First Citizen—"The lower House of the
Legislature is better than usual this session,
the upper House is not bad, but the super-
upper House—"

Second Citizen—"What do you mean by the
super-upper House?"
"Why, Hlatton, Parker and Burke, of course,
you chump."

"What about them?"
"The 'organization' legislators are all about
them. If you don't believe it, take a look into
the big building at Sacramento some day."

The Soulful Quatrain.

"The quatrain is the thing," said the Poet.
"It is so soulful, so inspiring, and it is ap-
proved by the best authorities. Realizing this,
I have written a few. Listen to this, for instance:

"Stark cliffs against a sky of gray;
The seabird's hodelry cry of doom;
The mystic pines that surge and sway
To grasp the Secret of the Whom."
"It doesn't seem to say anything," remark-
ed the Conservative Listener.

"Yes, that is the beauty of it," the Poet
proudly responded. "It leaves the mind grop-
ing, and to do this is the Perfection of True
Art. Listen to this:

"All soulless as the sodden sward,
She sits beside the sombre sea,
'He cometh not,' she sobbeth hard,
'He cometh never. Stung! Te-he..."

"This appears to say more, but it leaves
with the reader a delightful sense of mystery
concerning why she should say te-he if she
was stung; and this naturally raises the re-
lated question of mystery. Why does woman
generally say te-he, anyway? Oh, the possi-
bilities in the quatrain are infinite. Don't you
think so?"

But all the Conservative Listener replied
was: "I forgot how to think while listening
to you."

Fable of the Mastiff and Whiffets.

Attracted by a bit of information dissemin-
ated, the Pack of Whiffets had assembled in
the Barnyard to consider the situation.

"It certainly is true," said the Yellow Cur,
"that the Mastiff is going away. I heard the
Farmer say so."

"Then it will be safe for us to yap at him
all we like if we are careful to keep out of

his way?" inquired the Yellow Cur.
"Perfectly," the Yellowest Cur replied. "I'm
going to do it myself."

So the Pack of Whiffets yapped, snapped
and snarled at the Mastiff from what they
esteemed a safe distance.

But the Mastiff went on his way, injuring
only such Whiffets as got in his path.

Moral—Now that President Roosevelt is
about to go out of office, certain Congressmen
are becoming noticeably active.

She Was Very Commonplace.

She was not "emancipated," and nobody term-
ed her "New."

And I'm really pained to mention that from
clubs she quite withdrew.

She could hear the name of Browning with
no sign of soulful sighs.

And that she had read her Shakespeare she
would rarely advertise.

She had culture, but of culchah she was shy.
I'm grieved to state,

And I've seen her wear a costume which was
three weeks out of date.

"Bridge," she said, "I think that gambling is
a sin and a disgrace."

Oh, I may as well admit it—she was very com-
monplace.

But you should have seen her children as they
nestled by her side,
And you should have seen her husband as he
gazed on her with pride.

And I have a little notion, as they looked on
her dear face,
That they never once suspected she was very com-
monplace.

She was not "emancipated"—but she toiled to
bless her brood.

Quite forgetting sighs for Browning as she
labored for their good.

She was somewhat short on culchah, but she
was as long on home.

That her husband and her children never
cared from thence to roam,

Never cared for crimson blossoms that the
primrose path supplies.

Since they found their highest pleasure in the
lovelight in her eyes.

Full content with humble duties unto which
love added grace—

Oh, it must be quite apparent she was sadly com-
monplace.

Quite old-fashioned! Yet for love of one
whose mem'ry we recall

With a tear that half is starting and is half
inclined to fall.

Let us thank our God, my brothers, of the
morn we left behind.

That he gave to us dear mothers of the good
old-fashioned kind.

The Opinions of Rufus.

I know people that are so fond of heathens
that they contribute lib'rally to them abroad
an' also rear a few of 'em at home.

I dunno es I go much on the reelection that
you never notice 'cept on Sundays.

Ef I was drownin' I b'lieve I'd think more
of a feller that would cuss me an' then help
me out than I would of one that would say,

"Try to swim out, brother, while I pray for
you."

Sometimes I'm almos' glad that I've sinned
middlin' free, fer if I hadn't I'm afereed I'd
fergit to be char'table fer other sinners. As
'tis, lookin' back 'long my stumblin' path, I
don't dare to heave many rocks.

Never say that you're an absolute failure.
After all other hopes is lost, try bein' a critic.

One of the best ways to be sure you're
right is to watch what some other men do, an'
then do the other thing.

Pride goes before a fall, but I've saw it go
so fer before it that the fall never caught up.
'Bout the time you've decided that your
child is a perfec' angel, don't you reckon you'd

better gropin'ly inquire how it happened, with
such a pa an' ma?

Know thyself, an' praps you won't be so
condescendin'ly sorry fer other fokes es you
have ben.

* * *

Origin of the Pussy Cat.

This is the tale as it has been whispered by
father to son through untold generations:

The wail of a soul lost in the nethermost
pit was borne outward and yet outward until,
scaling the brazen battlements of the place
where agony never sleeps, it took form and
substance, and was swept onward through the
black halls of chaos, a shrieking, wailing,
vociferating entity.

Thus borne outward, it came at last to
where Earth, clad in red flame and murk of
clouds, was just awaking from the eternal
slumber of the past, and there did the em-
bodied howl of anguish make its caterwaulful
home.

Thus, my children, did the dear Pussy Cat
come to earth to dwell, and so it is that, waked
from midnight's peaceful slumber by her long-
drawn chain, we heave a bootjack at the music
and ever fall to hit it.

* * *

A Suggested Amendment.

State Senator "Gus" Hartman, who admits that he
is somewhat of a moralist, has introduced a bill giving
a pension of \$25 a month to every family which numbers
twelve or more children.

But one amendment I would add.

If ne'er I'd add another;

Not one cent should the "old man" have,

But all be for the mother.

* * *

Our Queer Laws.

"He refused to testify on the ground that he
might incriminate himself, but he made a mis-
take."

"How so?"

"Why, in thinking that he was guilty. The
jury assured him that he was innocent."

* * *

Look Back and See—

If the thing that didn't happen was not the
one that worried you most;

If the "bad luck" you talk about was not
due to bad management;

If you have no occasion to feel grateful that
you did not get all you deserved;

If the price you paid for pleasure was not
more than the article was worth;

If you have so many more brains than you
need that you can afford to soak any of them
in alcohol;

If the one you once longed to cage in mar-
riage would not have made you rather died by
this time if you had succeeded;

If some things you eagerly desired did not
seem, when attained, very tinsel and tawdry;

If, on the whole, you have not found it
easier to bear other people's woes than your
own

* * *

Good, Better and Best.

Buckwheats on the griddle.

Sausage getting brown.

Life is worth the living

In this Buffalo town.

—Buffalo Times.

And here we have hologna,

Dies' feet and sauerkraut,

Chick sweet and onion stumps

To make a mouse about.

—Scranton Tribune.

And here, beside all those things,

Possuns, and berries red,

If you can't match our berries

You ought to shut your head.

—Houston Post.

But here in California,

Where Spring is joined to Fall,

Green peas, asparagus and—I

Lack time to name them all.

— ("The Salvation Army"—Concluded)

sentimental easy mark." But when you drop a quarter into a Salvation Army collection, you feel, "Well, by George, that money will be spent honestly to do some worthy poor devil some good."

Now why is it that you feel that way? Why will men who would not give any beggar a cent, and who would hang before they would put a nickel in any church contribution box, cheerfully give the Salvation Army all that their charitable impulses can startle out of them, and think it a good investment?

Several reasons: You never hear of a Salvation Army cashier going wrong. They don't play the races nor plead tearfully that "wine, women, and song" started them on the downward path. Any Salvation Army soldier who touches liquor with his hands, even, is stripped of his uniform; and women singing hymns in a hideous Salvation Army bonnet do not lure men to folly.

When you give to the Salvation Army you do not give to a beggar, but to one who begs for the beggars. And the Salvation Army knows beggars as you know your friends. It helps only the worthy or those who are at the extremity of destitution. It gives discriminately, where you could not discriminate.

Again: If you doubt the cashier of a Salvation Army post you can go to him and demand to see his books. No matter who you are, provided you are a reputable citizen of the town, you have the right (extended by the Army itself) to require the cashier to prove to you that he has accounted for all moneys he has received.

Again: The Army itself gets nothing out of it. The supreme Army officer of this "Province" (described above) is Colonel Charles Miles. He has the supervision of a million dollars' worth of property and of the distribution of a hundred thousand dollars every year. He gets \$22.50 a week. The teacher of the Army's Chinese mission school in San Francisco gets \$4 some weeks, but usually about \$2.50. Most Army "officers" and "soldiers" get nothing. They make their livings as other church members do, and give their work to the Army for nothing in spare hours.

Salvationists—Methodists in Uniform.

But reconsider the question: What is the Salvation Army?

It is a church; practically another Methodist church. General Booth was a Methodist preacher. The Army's theology is straight Methodism. About all of it that it preaches on the streets is St. Paul's, "Jesus Christ, and Him crucified." But it cares more for the theology of good works than for the theology of creeds. Its "officers" are preachers; its "soldiers" members; its "posts," churches.

The Swedish minister to the United States, Herr Lagerkrantz, is a member of the Salvation Army. Many of its Californian members are highly successful business men. It is not, then, a noisy band of ignorant cranks that many people think it is. It uses noise to get a hearing from people whom noise and show attract. It works among the poor and the outcasts; and it reaches classes of people that no church can reach. It is a powerful agency for peace, and order, and regeneration. No wonder it has spread in thirty years over the whole earth.

The thimble was at first worn on the thumb and was called "thumb-bell."

For "Middlemarch," George Eliot got \$40,000 and for "Romola" \$35,000.

The right hand, which is more sensitive to the touch than the left, is less sensitive than the latter to the effect of heat and cold.

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WITH EYES AND :: EARS OPEN ::

It has been said of the commuters who come across the bay every morning, that they divide themselves, as to time of starting, into workers, clerks, and slinkers, but, while clever, the saying is not true. It would be nearer right to say that they divide themselves into those who have not enough executive ability to set themselves at work, those who have barely enough and those who find employment for themselves and the other two classes. The persons who do the full day's work in two hours in the forenoon and two hours in the afternoon is no slinker. The writer comes over with the clerks.

A very decent company of people those clerks are! Some are heads of departments, some are rising to become department heads and managers and some have gotten as high as they hope to climb, content if they can keep from being pushed to one side by younger men. And then there are whole flocks of "commutesses" with shining faces, coming in nearly the same little groups, morning after morning, as promptly on time as the trains themselves. Sometimes a commutess dumps out of the ranks to enter double blessedness and sometimes she becomes a commutess again, sits in the same old seat and reads novels as before. What miscarriage of bliss was there? Only imagination may tell for, though commuters go and come from the same station, by the same train and boat, at the same hour, year after year, and know each other as well by sight as each knows his own front door, they rarely become better acquainted for that. How much would a cheery "good morning," given and taken by these long-known strangers, add to the pleasure of the ride across the bay, and what harm could come of it?

They are a reading people, these commuters. Three-fourths of them have something in hand morning and evening, newspapers mainly, but often books and magazines. As a rule the women have the books and magazine while the men have the newspapers, but this does not imply that the women are reading solid stuff and the men trash. The books are mainly current novels and a glance over the shoulder shows that the magazines are opened at the story pages. Perhaps a fourth of all are reading something worth while. Not a few habitually carry the best periodicals and so keep abreast of the world. All deductions made, there is a round hour a day going and coming that may thus be utilized, and what may not a person do for self-culture with an hour each day?

It is mean to listen to what one's fellow commuters say, but one cannot avoid listening if he wishes and generally he does not wish to. It also is an education. For instance, there was the man who saved \$1,000 on the contract price of his new house by giving the job to the lowest bidder regardless of other considerations. Before the recent rains he boasted of it. He isn't boasting now.

Every window in his house leaked like a sieve. He had to lie on his back on boards laid across the stringers under the roof and stick toothpicks through the holes where water streamed in that the leaky places might be found from the outside. When the wind blew from the east the windows and doors pitched on the outside, and when the wind came from the west they pinched on the other. No connection was made between the eaves and the sewer, so all the water the roof caught was poured into the basement and the Chinese cook had to devote his time night and day, while the storm lasted, to bailing out the water out. One portion of his front walk dripped two feet when the wet earth under it settled, and a caved-down bank covered another portion three feet deep with yellow mud. He is no longer quite sure that he saved \$1,000.

The trans-bay commuters and commutesses are interesting folk and the exasperation of it is that convention has ordained that one may not know them better without the prearrangement of a formal introduction.

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POLITICAL TABLE TALK

By THE WATCHMAN.

The Best In 33 Years

A resident of Sacramento, keen of insight and sterling in character, declares the present legislature the best the state has had in thirty-three years, and he has watched them all. The cities have sent better representatives than formerly and lobbying has been reduced to its lowest terms. There are some old hacks there but, with about three exceptions, these are not as blatant as in former years, and their influence is less potent. The reason why is credited to the Lincoln-Roosevelt movement throughout the state, and to the efforts made in San Francisco to establish justice. These efforts have energized the civic conscience of California as not before in a quarter of a century. The political machine is only as good as it has got to be in order to hold power, but the difference between its best and its worst is considerable.

Leavitt Senator Leavitt is a patriot. He reveres the Constitution of the United States. Lieutenant Governor Porter must have been privy to this when he put Leavitt on the public morals committee. Leavitt so loves the constitution that he would not permit the people of California to so far evade the letter of the constitution as to venture to express their preference for United States senator. What inconsiderate use men can sometimes make of their civic consciences when employed at long intervals for brief periods!

The Governor Has the Say

The Ways and Means Committee of the Assembly is practicing a brand new system of economy. Usually the plan has been to pass a million or two of appropriation bills more than the treasury could stand and then leave it to the governor to pick and choose at the close of the session. But that is not the idea this time. Everybody who comes before the committee must call for appropriation. It is told that he has no chance unless the governor signifies his approval in advance. So the interested party rushes down stairs to find the governor and discover whether his bill has a chance for its life. Such self-abnegation on the part of a committee, which of old used to set such store by its official importance, has created wonderment. But if the arrangement results in real economy it will not be greatly objected to by any one.

"Dick" Welch Is Poetic

There is no law in California permitting a town or city to change its name. Senator Savage introduced a bill to meet the new-felt want, the bill providing that when one-fourth of the voters petition for a chance to vote on a change of name the governing body of the city shall accommodate them. If two-thirds vote for the change it shall be made. This looked safe enough, but Senator Welch saw danger lurking and so had the bill amended, much to Savage's chagrin, by providing that the number of voters petitioning must be at least one-half of all. Why this restriction? Those who have known Senator Welch, or thought they knew him, will scarcely believe it when they are told that his reason was that he feared advantage would be taken of an easy law to secure the abandonment of romantic Spanish names of California towns and the substitution of dreary and prosaic names of English derivation. After this it would not create surprise if "Dick" Welch blossoms out as a poet.

A Promising Blacksmith Statesman

One of the men who are fighting their way into prominence in the Assembly is blacksmith Stuckenbruck of San Joaquin county. At the last session his district was represented by Arthur Percival, a lawyer, who gained notoriety by returning to the treasury the per diem his wife had drawn as a clerk without rendering service for it. Percival was a candidate for re-election and it was sup-

posed that in view of this act of honesty his constituents would return him; but Stuckenbruck, the town blacksmith, got into the fight and proved a sledge-hammer campaigner. The country people liked his style and, although the Lincoln-Roosevelt movement gave a majority to Stuckenbruck a Democrat. The blacksmith proves to be a vigorous orator of the straight-from-the-shoulder type, and is putting in some heavy blows for economy and reform. He is likely to succeed in abolishing some abuses connected with junketing committees and the payment of excessive prices for articles purchased by order of the Legislature.

Martial Law With a Vengeance

The military bills introduced in the Assembly by Perine of San Francisco have attracted a good deal of attention, but not more than they deserve, for they contain some extraordinary things. Martial law in California has been nothing more than a name, because there is no authority in our constitution and laws for the suspension, under any circumstances, of the civil authority. But if the Senate measures pass, martial law will become a grim reality. They provide that when the governor proclaims any city or county to be in a state of insurrection the civil officers must, under dire penalties, obey all orders issued by the military. Where constitutional warrant is to be found for this extraordinary enactment no one has arisen to explain, nor does there seem to be any definition of what will justify the governor in proclaiming a state of insurrection. Again, the bills provide for life tenure by elected and appointed National Guard officers. This, too, makes officialdom an astonishment.

What Race Horses Eat

Mr. Stoer sells provender for the race horses at Emeryville. They require much. The sales run into tens of thousands of dollars a year. Therefore, in the opinion of Mr. Stoer, race-track gambling is a thing to be encouraged, not prohibited. But what else do the race horses eat? They eat up the wages of many workers, eat up the characters of many men and women, and "eat 'em alive," eat up other people's money by the tens of thousands of dollars during every racing season, eat up the careers of public officials, eat bodies of suicides and gnaw at the hearts of convicts in their cells—and then go on eating until they have consumed their own hides, hoofs and tails. Their eating is the least of their virtues and Mr. Stoer can not defend their appetites without their eating all that is worth saving out of him.

Lobbyists Not On Register

The Republican majority in the State Senate are overly kind to the Democratic members in so often permitting them to make good records by standing for the morality while the Republicans are placed in opposition. The registering of lobbyists is a proper safeguard. If it had obtained in past decades it would have prevented many a scandal, saved many a legislator from temptations he was not strong enough to resist, afforded publicity regarding public affairs where the public health needed that the light shine in, and it would have made gentlemen of lobbyists instead of lobbyists of gentlemen. The Republican party is being wounded in the house of its friends.

Will He Try to Succeed Himself?

There are whisperings in Sacramento, some of them loud enough to be heard from end to end of the capitol, that James N. Gillett will be a candidate to succeed himself as governor of California. Wouldn't that make a fight, though? The political atmosphere would be thicker with brickbats and bootjacks than Spring Valley is with microscopic microbes. Has Mr. Harriman's reaching out for new fields to conquer disposed him to

foreclose on California altogether? The Lincoln-Roosevelt League needs only such a provocation as this to cause it to sweep the state like a barnyard floor, clean enough but for the dust created in the sweeping.

Non-Partisan Republicanism

The appointive power generally feels that it partisan lines he not observed in the filling of offices the political world will fall apart, but the electorate does not always feel that way. City Attorney McElroy of Oakland is a Democrat. He makes no apologies for being one and betrays no tendency toward recantation, and yet the Republicans of Oakland have, for the second time, nominated him on their ticket for election to the office of city attorney, and he is as certain to be elected as he is to be alive on election day. He has gained, and held, the confidence of all interests so fully that the more politic thing a Republican citizen can do is to nominate him. The political millennium has not come even in Oakland but it is nearer than it was once.

A Mayor Who Has Made Good

Mayor Mott, of Oakland, has his critics, but these Oakland people do see: whereas for many years taxes were high but no public improvements worth mentioning were made, now, though taxes are still high, streets are being paved, parks improved, the policing of the city bettered and fire protection made more adequate. Therefore Mayor Mott will succeed Mayor Mott. It is not always that citizens are ungrateful, or that the tendency to pass the honor around, prevents an efficient mayor succeeding himself.

A Preacher In Politics

There is a report abroad, probably not very well founded, that Mr. William J. Bryan has said that he is willing to make one more race for the presidential office, if his party wants him to, after which he will go into the ministry. Among politicians he has always been something of a preacher, even though, among preachers, he may have been looked upon as a politician. At all events Mr. Bryan has rendered his country better service as a political preacher than he is ever likely to render it in any other capacity. He has a faculty of reaching, and moralizing, the political consciences of men even if he can not herd a majority of them into his own political corral. He can still command a hearing and whoever can do that has vantage ground enough.

Senatorial Calibre

The true size of men is sometimes more adequately measured by the little things they do than by the big ones they attempt to do. The movement for the restriction of child labor has long desired to make the District of Columbia free from the use of employing childhood into cash, and renewed effort has lately been made to that end. A bill passed the senate but with the proviso that it should not apply to children working for the senate. Wasn't that little, though?

The Consular School Idea

Representative Lowden of Illinois is trying to induce Congress to establish a school for training diplomats. The idea is as good as that of establishing a military school at West Point. In fact, a well-trained school of diplomacy might almost make the West Point school a superfluity. Uncle Sam's representatives abroad have compared, as a whole, but illy with the representatives of other nations. As a rule they see little of service before they are out of commission, and doing small politics in the interests of United States senators indifferently prepares them for service. The greatest obstacle in the way of carrying out Mr. Lowden's idea will be the loss of patronage to senators. They will be loth to give it up.

UP AND DOWN : : THE STATE : :

In searching for gold nuggets (several of which were found) on the streets of Georgetown after the rains of last week, one man found a ten-dollar gold piece coined in San Francisco in 1856, and another a five-dollar piece.

While demolishing a barn on his place near Petaluma, last week Wednesday, D. F. Schleth was instantly killed by a falling piece of timber.

Superior Judge Shields, of Sacramento, has been elected a vice-president of the National League of Industrial Education.

Walter W. Cribbens, manager of the Berkeley Independent, and Miss Minnie E. Tafel, of Lakewood, Ohio, were married on the 27th ult. in Berkeley.

J. D. McGarvin and S. O. Walker, both of Los Angeles, have purchased 3,920 acres of land near Tulare of J. La Marche, and will sow the larger part of it to alfalfa.

The Tulare Register recently published an edition devoted to advertising the advantages and attractions of Tulare and vicinity. It was the sort of publication which should find many readers in the East.

By a majority of 15 in a vote of 271 the suburbs of Chico defeated annexation to that city. The electors within the city's limits favored annexation by a vote of 352 to 46.

Samuel Brown, residing near Santa Ana, says the Register of that city sold the guavas on a four-acre tract for about \$100 an acre.

The national plant-introduction garden at Chico has received a consignment of bamboo, amounting to two carloads, from China. The production of paper pulp is the end sought to be attained.

Suits for \$110,000 damages incurred in the loss of the lives of seventeen Greeks were brought in the superior court of Redding, against the Sacramento Valley and Eastern Railroad Company. The Greeks were drowned by the sinking of a ferryboat belonging to the company. The suits were settled for \$8,725.

The Southern Pacific Company is hauling three trains, averaging forty cars to the train, of crude oil out of Coalinga daily. This makes a daily total of more than 25,000 barrels.

The Modesto News is about to construct a fine brick and stone building, modern in every respect, for its occupancy.

The California Company has incorporated in Solano county with the avowed purpose of building an electric line from Tiburon to Sacramento. The proposed line would be ninety-five miles in length, and would pass through Marin, Sonoma, Napa, Solano, Yolo and Sacramento counties.

The ten-acre orange grove of George C. Murphy, near Porterville, was recently sold to C. C. Carr, a Canadian, for \$12,000.

Twenty-eight graduates last week received their diplomas from the state normal school at Chico.

Mr. and Mrs. Klebe, of Lodi, are dead as a result of eating underdone pork infested by trichinae, and their daughter and Mr. Klebe's sister are in precarious condition due to the same cause.

An unknown man was killed on January 29th by coming in contact with the third rail on the Northern Electric line near Nicolaus.

Mrs. Electa Kennedy celebrated the centennial anniversary of her birth in Healdsburg last week Thursday.

The Niles Washington Press says that, judging from present indications, a greater acreage of sugar beets will be planted in Alameda county this year than was planted last year.

George T. Morrison, city marshal of Oakland, was shot and seriously wounded by a burglar whom he was trying to arrest early last Friday morning. It is probable that he will recover.

During 1908 California produced gold worth \$16,853,500. This was eighteen per cent. of all the gold mined in the United States, including Alaska.

YOSEMITE.

By Joaquin Miller.

Sound! sound! sound!
O colossal walls and crown'd
In one eternal thunder!
Sound! sound! sound!
O ye oceans overhead,
While we walk, subdued in wonder,
In the ferns and grasses, under
And beside the swift Merced!

Fret! fret! fret!
Streaming, subdued banners, set
On the giant granite castles
In the clouds and in the snow!
But the foe he comes not yet,—
We are loyal, valiant vassals,
And we touch the trailing tassels
Of the banners far below.

Surge! surge! surge!
From the white Sierra's verge,
To the very valley blossom.
Surge! surge! surge!
Yet the song-bird builds a home,
And the mossy branches cross them,
And the tasselled tree-tops toss them,
In the clouds of falling loam.

Sweep! sweep! sweep!
O ye heaven-born and deep,
In one dread, unbroken chorus!
We may wonder or may weep,—
We may wait on God before us,
We may shout or lift a hand,—
We may bow down and deplore us,
But may never understand.

Beat! beat! beat!
We advance, but would retreat
From this restless, broken breast
Of the earth in a convulsion.
We would rest, but dare not rest,
For the angel of expulsion
From this Paradise below
Waves us onward and . . . we go.

THE MISSION BELLS OF MONTEREY.

By Bret Harte.

O bells that rang, O bells that sang
Above the martyrs' wilderness,
Till from that reddened coast-line sprang
The Gospel seed to cheer and bless,
What are your garnered sheaves to-day?
O Mission bells! Eleison bells!
O Mission bells of Monterey!

O bells that crash, O bells that clash
Above the chimney-crowded plain,
On wall and tower your voices dash,
But never with the old refrain;
In mart and temple gone astray!
Ye dangle bells! Ye jangle bells!
Ye wrangle bells of Monterey!

O bells that die, so far, so high,
Come back once more across the sea;
Not with the zealot's furious cry,
Not with the creed's austerity;
Come with His love alone to stay,
O Mission bells! Eleison bells!
O Mission bells of Monterey!

Note.—This poem was set to music by Monsieur Charles Gounod.

Origin of "Blood and Iron."

The expression quoted, in Prince Otto von Bismarck's famous speech to the Budget Commission of the Prussian Diet, delivered September 30, 1860, gave to him the name "The Iron Chancellor," which clung to him all through life. The paragraphs from which the quotation is made are as follows:

"Our blood is too hot; we are fond of bearing an armor too large for our small body. Germany does not look to Prussia for liberalism, but for power. Let Bavaria, Wurtemberg, Baden, indulge in liberal ideas; no one will assign them the role desired for Prussia. Prussia must consolidate its might and nurse it for the favorable moment.

"Prussia's boundaries, as determined by the Congress of Vienna, are not conducive of its welfare as a sovereign state. Not by speeches and resolutions of majorities are the mighty problems of the age to be solved—that was the mistake of 1848 and 1849—but by blood and iron."

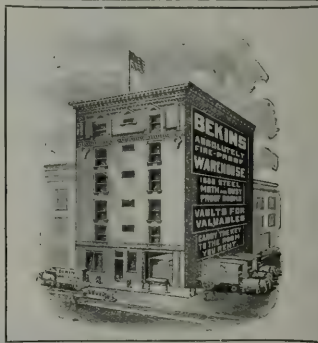
A considerable part of the foreign news service of the New York Times is now sent from Clifton, across the Atlantic by Marconi wireless telegraph.

One-third of the Catholics in the United States reside in New York, Chicago, Boston and Brooklyn. There are 14,235,451 Catholics altogether in this country.

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THE JAPANESE SIDE OF THE QUESTION

By D. S. RICHARDSON, Foreign Secretary Consulate General of Japan.

The trade of San Francisco with Japan exceeds in volume that had with any other country doing business with this port. During the calendar year 1907 the records of the Custom House show that forty-seven foreign countries found a market here for their products, the value of which is given as \$84,207,011. Of this total Japan sent \$20,956,287, or about forty per cent. of the whole. Great Britain, with all her colonies, sent \$8,801,435, and the Chinese Empire, which ranks third on the list, \$7,942,933.

Other countries which for the year in question were as follows:

	Per cent.
Guatemala	\$2,075,524 1/2 of the whole
India	2,259,176 1/2 "
France	2,141,300 1/2 "
Germany	2,101,600 1/2 "
Chile	1,720,000 1/2 "
Australia	1,488,874 1/2 "
Strait Settlements	1,109,881 1/2 "

The following is a table of total imports into San Francisco from all countries for a period of eight years, giving Japan's proportion of it for each year:

	Total	From Japan	Per centage
1900	\$19,422,474	\$8,849,508	45
1901	37,489,952	13,934,597	37
1902	36,079,182	9,005,608	25
1903	39,422,188	10,182,218	26
1904	33,411,228	16,270,190	49
1905	44,249,311	17,239,207	39
1906	49,162,378	16,749,962	34
1907	84,207,011	20,956,287	25

Exports.

During the year 1907 the domestic exports from San Francisco to forty-four foreign countries amounted to \$29,838,469. Of this total the sum of \$8,750,310, or nearly thirty per cent., went to Japan. The next approach to this was Great Britain, which took domestic produce valued at \$4,862,319. These exports for several of the more important countries and given in the order of their magnitudes, were as follows:

Japan	\$8,750,310	20	per cent of total
Great Britain	4,862,319	16	"
China	2,875,000	9	"
Philippines	2,016,689	7	"
Mexico	1,701,365	6	"
Hongkong	1,671,287	6	"
Australia	1,416,659	5	"
Canada	1,103,440	3	"

The following table of domestic exports from San Francisco for eight years shows Japan's proportion of the total.

	Total Exports	To Japan	Per centage
1900	\$27,332,219	\$8,332,394	30
1901	36,734,952	3,777,017	10
1902	38,079,182	3,001,982	8
1903	39,422,188	3,100,682	8
1904	33,411,228	10,475,574	31
1905	44,249,311	18,248,974	41
1906	49,162,378	8,749,908	18
1907	29,838,469	8,750,310	29

It will thus be seen that, for the eight years from 1900 to 1907, inclusive, Japan furnished an average of 32 per cent of the total imports and took 20 per cent of the total exports. It should be evident that this trade is of value to Japan, not only because the balance is in her favor, but because of its magnitude and future possibilities. It is not to be supposed that she will abandon it lightly or sacrifice it to considerations of less importance. To preserve it and the friendship of the American people, she has signified her desire in many ways: Witness her voluntary regulation of the labor and immigration question, her recent accord with the Government of the United States as to future policies in Asia, and her magnificent demonstration of good will in the reception of the American fleet.

Right to Hold Land.

Article VI of the Treaty of Peace, Comity, Commerce and Navigation, concluded May 22,

1882, between the United States and Korea, provides as follows:

"Subjects of Chosen who may visit the United States shall be permitted to reside and to rent premises, purchase land, or to construct residences or warehouses in all parts of the country. They shall be freely permitted to pursue their various callings and avocations, and to traffic in all merchandise, raw or manufactured, that is not declared contraband by law."

The specific provision relative to the purchase of land was not inserted in any treaty between Japan and the United States. It is provided, however, in Article I of the Treaty of Commerce and Navigation of 1894 that:

Treaty Provisions.

"The citizens or subjects of each of the two High Contracting parties shall have full liberty to enter, trade or reside in any part of the territories of the other contracting party, and shall enjoy full and perfect protection for their persons and property."

"In whatever relates to rights of residence and travel; to the possession of goods and effects of any kind; to the succession in personal estate, by will or otherwise, and the disposal of property of any sort and in any manner whatsoever which they may lawfully acquire, the citizens or subjects of each Contracting Party shall enjoy in the territories of the other the same privileges, liberties and rights, and shall be subject to no higher imposts or charges in these respects than native citizens or subjects of the most favored nation."

"The right to hold land, although not specifically stipulated in the Treaty of 1894, is clearly inferable from the wording of the article cited. It is manifestly a 'right of residence.' It is covered by the concession relative to the 'possession of goods and effects of any kind,' by the right of 'succession to personal estate' and the further right to 'dispose of property of any sort and in any manner whatsoever.'"

It was clearly the intention of the contracting parties in the framing of this treaty to put their respective citizens and subjects on that plane of equality enjoyed by the "citizens or subjects of the most favored nation."

The United States does not deny the right to hold land to the citizens or subjects of any nation with which it has treaty relations. Even if an attempt were made to discriminate in this regard between those aliens of the white or African races, who are eligible to citizenship, and those of the Mongolian or Asiatic races to whom the right of United States citizenship is denied, it will be seen that, in practice, the United States recognizes no such distinction. Many Japanese and Chinese are holders of real estate, not only in California, but in other states of the Union.

Koreans May Own Land.

The Treaty with Korea, already noted, specifically concedes the right to purchase land to a people who are racially allied to the Japanese and the Chinese. Any attempt, either by the legislature or national Congress, to deny to Japanese residents the right to acquire land, would not only be in violation of the spirit of the Treaty of 1894, but it would be discrimination of a double nature:

1st. As between Japanese subjects and the subjects or citizens of other nations generally; and

2nd. As between Japanese subjects and the Korean subjects.

No matter how worded a measure of this nature would have the features of class or race discrimination, obnoxious to both the spirit and the letter of American law. It would be clearly unconstitutional.

There is no valid reason or necessity for the enactment of any law denying the right of Japanese (or aliens ineligible to citizenship) to hold land. The advocates of such a measure do not make it clear that such a right means the well-being of the citizens of this state. On

the contrary the advocates of unfriendly legislation of this kind, unsupported by evidences of evil resulting from the present exercise of that right, and indifferent to the mischievous effects of such agitation upon the amicable relations of the two people, fairly lay themselves open to the charge of demagoguery. In their zeal as petty politicians they are apparently willing not only to impose harsh conditions upon the Japanese population of California but seriously to embarrass the Federal Government in its relations with Japan. In other words, the larger interests involved in the harmonious co-operation of Japan and America upon world questions are sacrificed to petty considerations of local selfishness.

Japanese Immigration Stopped.

If there has been, at any time, a fear that the number of Japanese coming to the Pacific Coast menaced in any manner the interests of American citizens, that fear, in the mind of every observing and fair-minded man, has been at rest by the recent violent action of the Japanese Government in prohibiting the further emigration of the laboring classes to the United States and its possessions. Such emigration has practically stopped and laborers are no longer coming to America. The only exception to this is the small number of Japanese laborers who have acquired domicile in this country and are returning to their property here located, and their families. The number is insignificant, as the records of the United States Commissioner of Immigration will clearly show. It can have no influence on economic conditions in this state.

The Japanese now remaining in California, but a fraction of one per cent. of the population, are not animated by any desire to hold land in large quantities. Even if such holdings were dangerous to the interests of the state the number of Japanese land holders now here would make no impression on economic conditions. There is evidence to show, however, that to the extent that the Japanese now hold lands, they are contributing to the development and prosperity of the state. They have gone into and made productive the swamps along the river bottoms and in arid regions requiring irrigation for successful cultivation. Their knowledge of agriculture is such that their operations have constituted a valuable object lesson to American farmers and cultivators.

The Japanese population of California provides an element upon which several of the greatest industries of the state are largely dependent for existence. Millions of dollars are invested in the fruit and sugar industries which would become non-productive but for the Japanese labor. Other industries dependent upon the fruit and sugar business, and giving employment to large capital and much white labor, indirectly owe their existence to the presence in this state of a body of Japanese laborers who can be depended upon to pick and pack the fruit crop when ready.

Japanese Not Competitive Labor.

It cannot be truthfully alleged of the Japanese that they are competitors in the labor markets of this coast. As a rule they do not do things which the white laborer does not care to do. The lines of industry in which they are mainly engaged are those which have been neglected by white laborers. They have created industries of their own, thus adding to the wealth of the state. Where they have found themselves in competition with white labor they have maintained prices and, in many instances, demanded higher wages than those accepted by their competitors. This is true of their employment as house servants where the wages demanded by the Japanese are generally higher than those asked by white girls.

Concerning the charge frequently brought against the Japanese, that they will not assimilate with the American people but retain

(Concluded on next page)

THE GRAFT CASES

Although some progress has been made in the graft cases during the week just past, it has not been rapid, unless the development in the Coffey trial be excepted, nor has it been spectacular.

At this writing ten jurors have been secured for the trial of Patrick Calhoun, charged with bribery. This is a gain of two during the week, or an average of one juror every three days, but the gain has been made at the cost of venire after venire, squabble upon squabble among attorneys, and warning following warm words from the court. In brief, there has been no change in the modus operandi of the case.

Of course every juror thus far tentatively secured is subject to imperative challenge, but it is apparent, nevertheless, that the first stage of the great graft trial is drawing toward its close, and it is probable that the opening address to the jury will be made not later than next week.

Michael W. Coffey, former supervisor, and once supposedly of the "good dog" kind, is not wealthy, he has but two attorneys—Franklin P. Bull and Robert Ferral—to represent him, and progress in his case has been comparatively rapid. He is charged with taking a bribe of \$4,000 from Tacey L. Ford, Abraham Ruef and James L. Gallagher to vote for an overhead franchise for the United Railroads. The trial will take place before Judge Dunne.

Coffey, it will be remembered, is one of those former supervisors who, having been run to earth by Detective Burns, confessed their boodling operations and agreed to lay them bare before grand and petit juries provided they might be immune from prosecution. The promise was given, and the supervisors generally did as they had agreed. Coffey did so before the grand jury, but before the petit jury he proved to have been afflicted with a failure of memory. Because of that failure—that is, because he failed to do as he agreed—he now is being prosecuted.

At this writing six jurors, all subject to imperative challenge, have been secured to try him, and it is not at all improbable that the jury will be chosen by the time this paper goes to press.

The case against A. S. Newburgh, who is to be retried on a charge of attempting to bribe a prospective juror in the Ruef case, was called in Judge Murasky's court last Friday in order that it might be set for trial. By consent of both sides it was continued for a week.

Last Monday, before Judge Lawlor, cases against E. E. Schmitz, Abe Ruef, Tacey L. Ford, Thornwall Mullaly and William M. Abbott were continued for four weeks.

("The Japanese Question"—Concluded)

their national characteristics, forming distinct communities of almost the midst of American communities, the evidence is exactly to the contrary. Nothing can be more manifest than the eagerness with which the Japanese endeavor to adjust their lives and habits in this country to those of their American neighbors. Immediately upon arrival they adopt the American style of dress and commence the study of the English language. In so far as they can, they live in American style in their houses. They are eager patrons of public and private schools and patronize the theatres, churches and public places where something may be learned. They conduct their business according to the customs of the communities in which they live and are solicitous to assimilate and become a part of the new social order about them. The charge that they will not assimilate comes with poor grace from a community which has passed so many obstacles in the way of assimilation as has California. Every state law or municipal regulation which discriminates in any way against the Japanese is obstacle and discouragement to that assimilation which the Japanese constantly seek but which the Japanese Exclusion League says they do not want.

Such were the proposed regulations to deprive the Japanese children of San Francisco of the full rights of the public schools. Such is the direct effect of Assembly Bill No. 14, introduced into the Assembly by Mr. Johnson, classifying the Japanese as Mongolians and fit associates of Indians.

Such will be the effect of the bills introduced into the Legislature designed to deprive the Japanese of the right to hold land, prohibiting them from acting as directors of corporations and authorizing municipalities to segregate them and compel them to live in ghettos.

From the broad standpoint of American citizenship, the present disposition to harass and annoy the Japanese residents of California seems unnecessary and unmanly. They are so inconsistent with the world-famed reputation of the Americans for liberality and fair play that it is difficult to believe that they are representative of any large body of citizens. Japan has made a model of America. She has looked to America as guide and inspiration in her own efforts to emerge from seclusion, feudalism and narrowness. She has believed in the bigness and the broadness of American generosity and the sincerity of American professions of friendship. She has, on the other hand, refused to believe that the professional agitators were representative of the great body of the American people. She has been patient under conditions which wounded national pride and were unjust in their discriminations against her people. She has tried in all sincerity to convince the American people of the good will of her government and people and is still making efforts in that direction. She will omit no action or effort compatible with national honor, to maintain this attitude of good will.

Does it not seem that the Legislature of the great state of California should rise above petty policies in dealing with a great question of this character? If it is not possible for the people of California, as represented by their Legislature, to see that true wisdom and statesmanship call for the closest and most friendly relations with their neighbor across the ocean, should they not, at least, respond to those broad principles of honor and patriotism which have caused the name of America to be loved and respected in all parts of the world?

THE LOST TRAIL.

By Ulric Blair Collins.

[The following lines, "The Lost Trail," were written by Ulric B. Collins in memory of his brother, Willie Collins, well-known and much loved newspaper man, who died in Sacramento on December 29th last.

Ulric Blair Collins is a "Chico boy," and both he and his brother Willie passed their boyhood days here. Ulric is a member of the theatrical profession, and in that work he has achieved fame and success. He lives in New York City under the Featherless.

I know the gorge where the feather flows,
The scrub-oak trees where the foothills bleak,
The midland meads where the poppy blows,
And the heights beyond to Lassen's Peak.

I know the reaches of barren sand
From Cherokee Flat to the lava's marge,
The scrub-oak trees whose leaves are fanned
By scorching winds in the white mirage.

I know the trail to the broken peaks
That lift their fangs by Shasta's springs,
I know the trail the river seeks,
South in his seaward journeyings.

I know the trail o'er the summit brakes,
Past giant pine and low-lean thorn,
I know the trail the vaquero makes,
And the path the mountain sheep have worn.

But where, O brother, shall I seek your trail,
When the dawn is gray and the stars are dim?
I call, but there comes no answering hail
From high divide or from valley's rim.

The fires you lit are cold and dead,
The ashes scattered and sudden wet,
A blurred trail, to the canyon's head,
And the way is blind and I seek you yet.

January, 1909.

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THE President of the Parkersburg bank placed his strong, fat hands against the low desk before him and with a sigh that meant both relief and satisfaction, showed his chair free of the table. The clock had just struck two, the bank doors had been closed an hour. Henderson, who had watched and waited patiently for that significant movement, also sighed, but without relief or satisfaction, and so faintly that it awoke only a partial gleam of hope in his quickened senses. The president arose and turning said in surprise, "Why, you here, Henderson?"

"Yes, Mr. Mercer," answered the cashier, snapping a rubber over a small roll of papers with an air of quiet diligence, "I am somewhat behind on this work, you see, and I thought I would take this opportunity—"

"Oh shucks! Henderson. Why do you close a half day on Saturdays? One of your own innovations, too. Get out into the sun, man—go to the ball-game—You're not behind—put Custer on the bank, Monday. Come, don't make yourself a drudge to the work!"

"All right, Mr. Mercer, I'll be through soon and will leave in a short time," said Henderson cheerily as the president passed through the inner gate and let himself out the side door into the village street.

Fifteen years before Henderson had entered Mr. Mercer's employ as an office boy. Diligence and energy on his part had brought him in that time to the first position in the bank. Until a few months past he had revelled in the conscious security of a well-made life. He turned his face from the street, and his thoughts from his employer. Mechanically he threw open the book before him and ran his eyes over the pages.

"Eighteen hundred dollars, between now and Monday!" The words came in low, painful gasps. He glanced quickly around the office though he knew himself to be alone. The forced expression of calmness had now given way to one of alert, active fear.

"Eighteen hundred dollars!" he repeated, glaring dully at the page before him. There lay the facts; cold, bloodless facts they were without a variation that tended toward hope. No finesse of maneuver could alter the result. He arose, took his hat, came from the hook and stood hesitating in the center of the room. He faced the safe and felt with trembling fingers for the little key in his hip pocket. The noises of the street were for the time quiet and only the faint laughter of some playing children reached him from the growing of the June after-noon. His heart, seemed loud and harsh. He took a step forward, then paused—the key slipped back, the hand came from the pocket, he stood staring straight before him, but he did not see the safe nor yet any of the contents of the room. What he did see was a little gray-haired woman sitting by a plant-laden window, rocking slowly in time to some calming old-fashioned hymn. He saw her as he had seen her a thousand times, gazing out, anxious, wistful, watching for him—calling him in her heart. He felt it now as he had felt it times without number when he had overstayed his regular time. He raised his arm and brushed the damp brow with shaking hand, then as though drawn by some subtle power he turned and, opening the outer door, slipped into the street at the June after-noon. He walked quickly, looking neither to right nor left. The street was quiet and almost deserted, most of the inhabitants dozing in the shade, or away at the ball-game. He felt a vague satisfaction, for he did not care to meet anyone at present. What he wanted was solitude and time in which to think. He knew his mother was waiting for him and that he ought to go home, but he hurried into a side street and out into the country lanes.

The dusty weeds threw great gray splotches over his well-groomed shoes, the briars by the roadside caught in his coat, breaking out little threads of the wool. Not so long ago, with almost old-maidish primness, Henderson would have avoided these but now he felt he could walk in the dust and arise refreshed. Ah, if only the dust would not wear away his very heartstrings! Ah! he felt the violence of his blood as it coursed in him—and he had made it thus!

THE VALLEY OF LIFE

By LEN LOW

Written for The California Weekly.

He crossed the creek bridge and turning into an unused wood-road, hurried up the hill. An hour's walk brought him to the place he sought, a little open glade near the summit. Here was solitude. Many a time had he sought it out in times of peace when he would look out over the valley and the village lying below and dream golden dreams that seemed as far away now as the blue line of the mountains in the distance. Once he had brought his mother here on one of their happy jaunts and had said to her laughingly, "Standing here and looking over the valley below makes me feel like Moses viewing the Promised Land. Is it not beautiful?" "Yes it is beautiful, my son, but full of temptations. Should you pass through the whole of life and climb here in your old age and view it with the same feeling of work well done, then indeed you will have won the reward of Moses." He had heard her gentle words then and had passed them by with a careless remark—how could he fail—he heard them now, thundering, voluminous, shaking him very soon, and he threw himself down on the cool ferns.

The silence of the hillside shadows was deep and insistent, and gradually he felt its calming influence. The sun sank lower and lower, the air grew cooler, yet still Henderson seemed oblivious to all around him. By and by the sun hid itself behind the blue line of the distant range, the shadows merged into heavier gloom. Suddenly he sat up and turned his face across the valley to the faint glow in the west where the sun had gone.

In the fading light he arose and made his way toward the village. A deadly calm had driven from his mind the wild and luring fantasies. He must go to her and tell her all! Some little money she had, how much he knew not; he had never thought of it for years—never had he dreamed the time would come when he should have cause to call for it! Maybe at the sacrifice of their little home and her happiness, he could yet save himself.

He entered the village and hurried toward the little cottage among the oleanthers. Several times he avoided those whom he recognized in the pale light. The vigor of his step faltered as he passed up the walk. Slowly and with trembling hand he let himself into the hallway. There he paused in indecision. He knew she was sitting by the window, expectant, waiting with that unflinching patience that only a mother has. How could he face her! His hand rested on the knob. His heart thrilled and then seemed to pause in its labor as the low, soft tones of a hymn came out to him.

"What though thy inward lusts rebel;

'Tis but a struggling gasp for life;

The weapons of victorious grace

Shall slay thy sins, and end the strife."

His hand released the knob and he shrank back cowering. How he felt his sin now! All these years he had looked with condescension on her old-fashioned precepts and rules; her way of worship had seemed of the antique, her out of date hymns he had tolerated with a manifest sense of impatience. Now as he stood so far from out the fold, so far away from it all, their very simplicity scintillated with a grandeur that awed him. He knew he stood without the gates and that though he could almost have reached forth and touched her, a universe apart he felt just then. He could not face her now as she sat there in the window

singing, often, even in happier days, he had hesitated to encroach upon the harmony of those strange communions.

He crept silently from the hall out again upon the street. Someway deep in his heart he longed to breathe a desire for aid. Impelled by some inward potent suggestion he strode back toward the business center of the village. His mind worked calm and fast. He thought of horrifying the sum, but feared it might arouse a suspicion that would lead to the investigation he wished to avoid. If he could only devise some plan whereby he might keep the knowledge of his position from his mother! He turned into the corridor of the post-office and unlocked his private box. Yes, there was a letter! He tore it open, glancing in a vague way at his name on the envelope. It seemed an unusually long and bulky affair. As his eyes rested on the contents he could scarcely repress a shout. In that second he felt that he was saved; in the few succeeding seconds his heart slowly hardened, the desire for appeal faded and the cold, self-sufficient poise regained itself. With scarcely more than a glance at the contents of the letter he strode away with a step vigorous and animated.

It was yet early, though no light showed about the cottage from the new window, still there by the western window. He opened the door and entered, calling softly, "Still up, mother?" In the dim light he saw her turn quickly and then came the eager, tender words.

"Yes, Jimmie—but you are late! so late I have been a little uneasy, my son. Your luck—"

"No mother, I want nothing to eat. I am sorry you were anxious. You see, mother, I am tired out." He laughed a little uneasily and continued, "I've had a great jaunt up the mountain. 'Twas such a nice day, I wanted to view the valley—look down from Pisgah lights."

"Was it still as beautiful, my son, as in the past?" Someway there was in her voice a note of inquiry mingling with the never-absent tenderness. He did not speak for a second, pondering on her words. Was it still as beautiful? Why, the tortures of the damned had beckoned to him from the dark again! "Was it still as beautiful?" she asked again, coming closer and laying a soft warm hand on him.

"Mother," said he, his voice trembling slightly, "I expect I am what you would call over-worked. It was a beautiful day but—but—" He paused for he feared to speak his thoughts. He felt the spiritual influence of her very presence and he knew from many years close contact, the discerning quality of his mother's intuition. "Mother, it did not look as beautiful as it has in times past, but you know we all have our off days." He paused again, for although he knew no question of hers would come to draw from him that which he did not freely give, he feared his weakness in her presence; and why should he cause her pain, now that he had the power to keep it all secret?

"Jimmie, our lives are not unlike a forest lake; for the most part it is placid and serene, but there are times when the winds rattle the surface, and again a fierce storm will lash it into fury, dissolving all trace of its calm beauty, and one looking upon it then must needs have faith to feel the assurance of the coming calm." How many times had he heard these words, how many times with such meaning—how many times had he really heard them? Never, until now!

"Mother, I have felt the first touch of the storm—I am poor of faith—yet I believe it will pass—and soon."

"So it is always in the Valley of Life, my son. The greater the victory, the greater has been the—she did not say the word for the lake drew him gently to him and kissed the trembling lips.

"I'll go now. In the morning I'll—I'll be myself again." He turned and groped his way slowly up the stairway to his room. He felt with elation that he had passed through it without ever having a suspicion of the great peril he had escaped, though her few words were so direct and suggestive. He closed the door softly yet a little hastily for he could hear

the melancholy words of the song she was singing.

"The music of my heart is gone:
It cannot sing as once it sung.
For grief has murred its every tone,
And all its sweetest chords unstrung."

He turned with a smothered ejaculation on his lips, and petulantly drew down the window shade. There was something so irritable, so pregnant with direct insinuation in the wording of those old lyrics! Had he confessed to her his straight, she could not have selected one with more potent meaning.

He lighted the lamp and drew a sigh of relief as he seated himself by his table. His hand trembled as he took the contents from the envelope. Several legal looking documents, a letter, and two bank drafts that bore on them the face of that great cavalry leader, Phil Sheridan. It was the back pension of his long dead father, coming to the widow after all these years. It had come at a most opportune moment for him! He would use the money for his salvation and later, when he could replace it, he would give her the letter and she need never know of the ignominy he had escaped or the heartaches that had passed her by.

For a long time he sat, staring with aching eyes into the long past. Memories of his father came to him. He remembered the invalid soldier, his long suffering from an old wound, and his final death. How proud he had always been of that hero father—proud of his uniform, of the captain's straps on the coat, won for bravery on the field—proud of the saber he had so often strapped about his own waist while yet his arm was too weak to hold it forth! Involuntarily he now raised his eyes to where it hung above the mantel.

The hours wore on. The rasping discordant note of a cricket in some unknown quarter, the call of a night bird far out in the copse, and the regular tick-tock of the old clock only served to emphasize the deep, impressive silence. Gradually the disturbing element in his thoughts took form, stubbornly his old self gave ground. Could he use this money—blood money it seemed to him now, coming from off the field of battle—without trait from the grave? It was her heritage, and his—but it would be a pollution to use it for his sins, and without her knowledge! If she only knew! But to give her that knowledge might possibly kill her and wound him for life. The words he had so often heard from her in youth, "An open confession is good for the soul," came to him but his pride still rebelled, yet he could not keep down the feeling of degradation, the deep remorse that the thought of using the money conjured. Vaguely at times he wondered if his father had ever to fight such battles—if any had fought thus. The valley of his life was indeed storm-bound—where could he resurrect the Faith to combat this storm and to await a calming peace? Where? But to the Mount of Oblivion! He bowed his head and wept, softly, quietly; no quivering sob, no convulsions of sorrow, but a gentle weeping, almost soothing grief; it caressed it, fondled him, and through it all stood out vivid and inspiring, the picture of his mother sitting in the rocker by the window—the anxious smile, the entrancing caress. He had passed it all by so long with dignitant courtesy, but it now fell upon his soul fostered by the cumulative strength of years.

"No," he breathed softly, "mother, I'll stay in the Valley!" He sat up with a gesture of defiance. The clock slowly twanged the hour once. The dawn was stealing in through the blind.

How often he had waited and watched that morning light come creeping in, forewarned by that old clock! He watched it now as then, revealing the room in changing and intermittent installments. As it fell on the old clock he remembered, how he would wait for that warning click that came before the stroke, the long, sonorous chimes, the final chuckle of content as it continued on in the infinitude of the future; as the light crept up the walls revealing the medley of flower-filled urns that he thinned the wallpaper, he remembered how in his boyish mind he had tried to disentangle them; as it grew stronger, it showed the picture of the immortal Washington in its cheap frame; it glimmered on the war saber of his

father, then it lit up the picture of the wondrous Christ standing and blessing the little children. How often in those silent days, now almost passed from memory, had he lain there looking at that picture, marvelling with a sense of awe if he would be among those that were blessed! He brushed his hands across his eyes at the thought.

In that instant he saw himself for the first time clearly. Clad in a false and tarnished armor of worldly pride he had essayed with impotent effort to withstand the immutable law of Right! His motto "advance at any cost" was trailing in the dust. Barriers hitherto brushed aside by custom and modern devices, now bade him pause. He was no longer the heralded knight but the nameless churl. He felt the call of the supreme surrender! Yes, he would tell her all, he would yield himself wholly to the power of her homely justice. He no longer feared to act, rather he longed to unburden his soul; somehow as he drew the mantle of truth around him, the power to face the world grew strong. Without her knowledge he could not, he would not use this money so miraculously thrown in his way. He would go to her at once. Whatever the path she marked out, he would follow. He arose with a gesture of decision.

Mechanically he took from the table the papers, and carefully replaced them in the envelope. Mechanically also, he read his name on its face. What was there so familiar about that hand-writing—and the stamp and the post-mark!—He turned it over and over and over with distrustful eyes—why, it bore no foreign post-office—it had been dropped in the village post-office! It was her writing! "Mother—Mother!" he groaned in the misery of his soul. He saw, he realized all now—she suspected his situation, she knew by that mother's intuition! She had received these papers unknown to him and had given them to him in his extremity—waiting, wondering, praying for him! For a time he stood numb and bewildered, then came a step, a light tap and then the well-known words, "Jimmie, are you up?"

"Mother, come!" he called. She entered, smiling on him fondly. Her quick eyes saw all at a glance.

"Mother," said he slowly, still holding the envelope, "I did not know you sent this—till now. I was coming to tell you all."

"I know, or almost know, Jimmie!" She held out her hands to him, her face working in little convulsive quivers as she tried to be calm. He drew her to him in a caress that meant years of untasted happiness.

"Mother," said he brokenly, "I've been through the storm!"

"Jimmie, we must all encounter them—none escape. Yet now I am glad—glad, Jimmie!"

"I'll rest a little now, mother, and then we will again go up on the mountain."

"Will the valley appear as beautiful, my son?" said she smiling through her tears.

"I'm sure it will, mother," said he. She turned away, her face radiant with a fulfilled hope. Henderson threw open the blind, letting in the glory of the new-born day. He looked across to where the green sides of the mountain reflected the golden touch of the morning. A deep, serene calm seemed to pervade the valley, it entered his soul. Mingling with the notes of the awakening birds came the voice of his mother in joyous anthem:

(Concluded, Page 175, Column 3)

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PERSONALIA

Speaker Joe Cannon once clerked in a grocery store.

Senator Beveridge was in turn a farm boy, "lumber jack," and book agent.

Caruso has signed a contract for a tour of England at \$10,000 a week salary.

George Meredith declares that the poet Rossetti died of too little exercise and too much ham-and-eggs for breakfast.

John Muir has rewritten his famous dog-story, "Stiiken," and it has just been published as a book by the Houghton, Mifflin Company.

Dr. William Horace Day, pastor of the First Congregational church, Los Angeles, has been chosen president of Pomona College, at Claremont.

Thomas Hardy last week said of Poe that he was "the first to realize to the full the possibilities of the English language in rhyme and alliteration."

Witty Bernard Shaw said the other day, when illness prevented his keeping a public engagement, "Inform the public that I am dead. It will save a great deal of trouble."

The late Rear-Admiral Coghlan's widow will be compelled to work for a living unless Congress raises her pension from \$50 a month, which is the niggardly allowance it has made.

King Edward recently announced at a dinner that the Queen of Spain has bet the Prince of Wales a fan that she will have a larger family than the Princess, who now has six children.

Eleanor Gates, the author of "The Plowman" and "Cupid," is engaged in the business of breeding pure-blooded Arabian horses in the Santa Cruz Mountains. Her writing is a side issue.

The author of "Helen's Babies" is still living. More than that, he has written a sequel to that classic, called "Budge and Toddie." Who wrote "Helen's Babies," anyhow? Oh, yes: John Habberton.

Madame Schumann-Heink has refused to sing the part of Clytemnestra in Richard Strauss' "Elektra" in Berlin if the author insists upon having live bulls on the stage in one scene. She has to wear a red robe, which adds to her alarm.

Ernest Thompson-Seton recently made a plea for the mercy of the court for a trained nurse, formerly employed in his household, who pleaded guilty to grand larceny in the second degree in taking a patient's rings from a trunk to try them on.

Grace Luce Irwin (Mrs. Wallace Irwin), of San Francisco and New York, has written a story of theatrical life in the latter city. Titled "Elektra" in Berlin if the author insists upon having live bulls on the stage in one scene. She has to wear a red robe, which adds to her alarm.

The first volume of the collected works of Ambrose Bierce will be published between now and the first of next month by the Neale Publishing Company. The set will be completed in ten large octavo volumes. It is edited and arranged by Mr. Bierce, and each volume will contain an introduction from the pen of some distinguished man or woman of letters.

Madame Tetravanni made a hit in San Francisco music halls years before London provided her the greatest coloratura soprano in the world. She is superstitious, and carries many small crucifixes given her in the various Italian cities in which she has sung in a little chamois bag hung about her neck in order to preserve the marvelous purity of her birdlike voice. She also thinks that it is good luck to see a hunchback going along on the street. A man hunchback, however; never a woman.

SHEAR WIT

"My boy, do you know the nature of an oath?" "Yes, sir; we got a parrot."—Houston Post.

Mr. Shyboy: "Have you—have you ever been kissed?" Miss Wise: "Gracious! Do I look as homely as that?"—Syracuse Herald.

The reason a woman wants to have her husband's name in the paper is so she can ask him for a new dress and get it.—Chicago News.

One of the Friends: "Pardon me, sire, but why do they call you Satan?" His Diabolical Majesty: "Oh, that's just an Old Nick name."—Cleveland Leader.

A cable from London says the Queen opens and reads all of King Edward's letters. What does it avail a man to be a King?—Chicago Record-Herald.

"What is the price of that fine big range?" "That is \$95. Isn't she a beauty?" "Yes. Gimme a nickel's worth of stove polish."—Poughkeepsie News-Press.

Mother: "Samuel, where are those green apples that I left in the pantry?" Samuel: "They're with the Jamaica ginger that was in the medicine chest."—Lippincott's.

"Don't all those papers make you tired?" the kind hearted gentleman asked the newsboy. "Nope," the mite cheerfully replied, "I can't read."—Youth's Companion.

"I thought your son was going into a lawyer's office to study." "No; he has decided to practice the Unwritten Law; it's the least expensive course."—The Green Bag.

Those burglars who tried to rob Tom Lawson took long chances. If Mr. Lawson had caught them he might have sold them Bay State Gas or Yukon.—New York World.

Washington was crossing the river on the ice. "I do hope that history won't confuse me with 'Oliver,'" he cried. Here with he had the painting executed to nail it.—New York Sun.

"What part of the service is this?" whispered the belated mourner at the funeral of a lawyer friend. "I've just come myself," was the answer, "but I believe they've opened for the defense."—Ohio Law Bulletin.

"I took in \$2 just now," said the first promoter. "Good enough," declared the second promoter. "Shall we issue additional stock to correspond with our increased capital, or shall we have lunch?"—Puck.

"So you have broken your engagement to Charley Nipperson?" "Yes. I simply couldn't stand for his slang. Why, the line of bunk that he handed out was so fuzzy that he had me going half the time."—Chicago Record-Herald.

"You say that local option has been of great benefit to this section of the country?" "Yes, sir," answered Colonel Stillwell. "As soon as a lot of us citizens realized how far anybody would have to go for a drink we organized a good roads movement."—Washington Star.

"Are you really a bishop?" "Yes, I am—really," answered the amused prelate. "Well, I don't believe it," returned the candid 8-year-old daughter of his chess-playing host, "cos I've watched you ever since you came, and your head isn't split down the middle, and you don't walk comeways."—Fry's Magazine.

"Say, do you see the chromo over there in the blue dress?" asked the man of one standing next to him at a dance. "Yes," replied the one addressed, with interest. "Let me give you a tip. Don't dance with her; she walked all over my feet." "No, I'm not likely to. She's my wife."—Yonkers Statesman.

A general superintendent of a western railroad wrote his state solicitor that he believed shipments of liquor were being handled as baggage at certain stations in that Prohibition state and asked how he could break up the practice. The solicitor answered, "Hang on; you do other baggage."—The Green Bag.

("The Valley of Life"—Concluded)

"Sing of the wonders of that love
Which angels play on every chord."
"Yes," breathed Henderson softly, "the valley is surely beautiful."

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OUR SCHOOL FOR CITIZENSHIP

The Senate of the United States.

The framers of our constitution intended to make the Senate the stronghold of aristocracy and the protector of the property interests of the country. They succeeded, at least as to wealth, which has been entrenched in that body from the day of its organization.

This is somewhat less true of such a semblance of an aristocracy as a country that does not sanction peerages and other appurtenances to royalty can maintain. Prior to the Civil War the American aristocracy was clearly definable. It consisted of a few first families in all the Atlantic states from Maine to Florida, with scattering branches as far west as the Mississippi, but after the war there were so many new states created, and these new states sent to the Senate so many men who had no other claim to distinction than that which suddenly acquired wealth gave them, that the aristocracy of the Senate suffered degradation in quality and character. Another source of degradation, moral as well as social, was the election of corporation attorneys to the Senate the better to represent special and predatory interests whose general retainers they held.

Nevertheless the Senate has been and still is the stronghold of wealth and privilege in our government. It was frankly modeled after the British House of Lords and senators would have been given life terms had the convention not felt assured that the constitution would not be ratified by the people if life terms were given. It was the intent of the framers of the constitution to make the Senate the strategic factor in government, and it was therefore given power to confirm or reject appointments to office. The making of treaties can only be done by the co-operation of the executive officer with the Senate, and it sits as a court in trials for impeachment.

The Senate has ever been jealous for its prerogatives. It has constantly and injuriously encroached upon executive functions. It has construed "advice and consent" to the making of appointments into giving it power to dictate what appointments shall be made, and it has advanced its participation in treaty making to a point where its committee on foreign relations virtually assumes to take the power of making treaties out of the hands of the president. It is not democratic in its instincts. It gives precedence to time of service rather than to ability. Its courtesies are elevated into established conventions and it lords it over the lower house, as much as it dares, in the belief that the House of Representatives is lower in rank and so plebeian in origin as to smother it and be regarded.

And yet public issues are more adequately discussed in the Senate than in the House. It acts with less haste and does, in fact, withstand the evil effects of some of those popular waves of feeling that the framers of our constitution were so fearful might sweep government into the vortex of disorder and revolution.

The subservience of the Senate to, or partiality for, great, and often predatory, financial interests has caused the general public to be desirous of making it more immediately answerable to public sentiment. To this end there has come to be a popular demand to have senators elected by the people directly instead of very indirectly through state legislatures. The Senate has persistently refused to do its part toward substituting a constitutional amendment to that effect to the people for ratification. It wants to hold itself as little responsible to the people as possible and, in taking this view, it is only following out the intention of the makers of the constitution.

We, the People, are therefore striving to accomplish by indirection what the Senate prevents our doing by direct amendment of the constitution. Efforts were made, first, to advise legislatures whom to elect to the Senate through resolutions adopted by state conventions. Second, by advising legislatures through direct primary elections. Finally,

Oregon has gone so far as to exact pledges from candidates for the legislature, with what result is fresh in the public mind. It is not impossible that the Senate may head off this method by refusing to recognize the credentials of one elected that way as being subversive of constitutional methods. If these methods fail of their purpose the only recourse will be another constitutional convention demanded by the legislatures of two-thirds of the states of the Union. If such a convention is held the Senate will come out from thence much less the citadel of property and aristocracy than it now is or than the framers of the constitution intended that it should be.

The rise of the common man has not been brought to a halt. Public sentiment will find a way of making the United States Senate subject to its desires, but until something is devised that will register the purpose of the people better than a delegate convention the election of senators may as well remain with the legislatures.

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In taking this pledge it is distinctly understood that I in no way obligate myself to vote for any particular party, any definite candidate or any certain measure. I am binding myself only to my Country, and pledging myself solely to the faithful performance of the duty I owe to her as a citizen.

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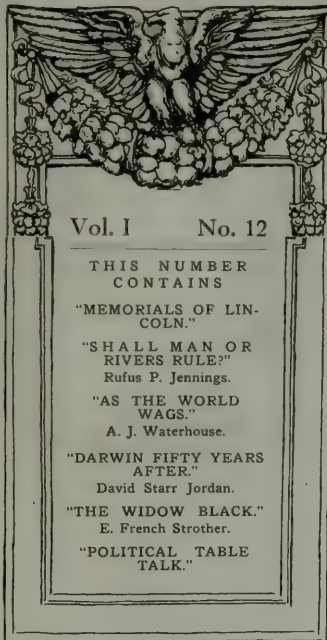
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TWO GREAT MEN.

The world commemorated this week the centennial anniversary of two of the greatest men who ever lived—Abraham Lincoln and Charles Darwin—both born, the one in the wilderness, to ignorance and poverty, and the other at the center of the world's learning, to ease and opportunity, on the same day, February 12, 1809. We may assume, perhaps, that without either of these men, the work of each would somehow have been done. But the wreck of the unfinished part of Lincoln's work, after his death, shows that genius is not so plentiful a thing in the world as always to be at hand when needed. The man who does a great work, even in the fullness of time, is entitled to the glory of that work. And what would the world be to-day, without the work of these two men? What would American citizenship mean to-day if what is now this nation were split up into as many units as it could have developed discordant sectionalisms part at least of them based either on human slavery or on the final wreck and decay of that institution? In the light of what we now contemplate, the alternative is almost unthinkable. Similarly, what would be the mental environment of the intelligent man of to-day if Darwin, or some one, had not given the conception of unity to all living creatures? No such change had come into the perspective of life since Copernicus decentralized the cosmos. It is not so much what Darwin taught us to think about the origin of species, as a scientific problem, as the new way he and the other evolutionary thinkers taught us to look at all questions. There is not a question of law, or religion, or medicine, or politics, or teaching, or family discipline, or house-building, or morals, or dress, or personal taste, or social etiquette, which has not taken new form and meaning since Darwin wrote, and because he wrote. To have thus contributed a new foundation to all the thinking of men is a service which it has been given to scarcely a dozen men to render, since the world began.

Abraham Lincoln stands alone in the affections of the American people, and shares only with Washington in their reverence. When Grant said of him that his fame "will ever grow brighter as time passes and his great work is better understood," he may have supposed that he was speaking from the far perspective of history. But the prediction is already fulfilled, while many of the generation still live that personally experienced the bitterness of the terrible war. Over the memories of that conflict the spirit of Lincoln still broods, the only thing connected with it that no one wishes to forget; the soul of the only man, in that dark time, great enough to fight for the Cause without losing his understanding of those who fought for the other cause. The great work of Lincoln is understood already. And the splendid personality of the man who rose from the people to lead the people; who from illiterate antecedents became a supreme artist in words; who in the fire of a moral enthusiasm never forgot a sanity which ranked even with Washington's;



the man of wit and melancholy; the lovely genius and genial democrat, who never forgot a friend and never did a favoritism for one; whose ungainly figure and homely face seem more than beautiful, transfigured by the love of his countrymen—that personality stands without a rival among all the characters which adorned the greatest century in history.

It is of course only a coincidence that the birth of two such dissimilar men as Lincoln and Darwin came on the same day, and only that accident brings us to consider them together. But the story of the final popular recognition of both is so similar as to be almost more than a coincidence. During the very years that Lincoln was misunderstood and hated by the unenlightened part of the population, in one section of this country, as the destroyer of their homes and institutions, men all over this country and England were being expelled from churches and avoided, as tainted with brimstone, for having perceived earlier than their neighbors the now universally accepted truths taught by Darwin. Time and science have added much to the discoveries of Darwin, and subtracted from his theories a little. But the bigotry which made acceptance of the doctrine impossible, before his time, and was its chief obstacle for many years there-

after, is now dispelled forever. It is a new intellectual as well as political world, in which Truth and Freedom no longer have to be fought for—both are axioms.

TRIBUTE OF IMITATION.

Perhaps the most striking tribute to the moral wave of this time of civic revival is the sudden infection of morality in the ranks of the unmoral. Watch Grove Johnson reform, with his Sunday-closing bills, and reprehension of the virtue of department stores. Watch the political machine, tripping over its own toes in its haste to give all the superficial good government it dares. Watch the Royal Arch, closing its own dives in Bakersfield. Watch the wide-open faction in Santa Cruz, stemming the tide of prohibition with high-license and no-gambling measures. And watch the threat of the race-track sympathizers, in the legislature, to pass what they regard as "blue laws," in the hope to disgust the people with an overdose. It is an orgie of "reform," not all of it sincere, but most of it practically useful, even when it is not genuine.

The "blue-law" threat, though, shows a curious mental backwardness. It belongs to the former age of a decade ago, when Sunday-closed saloons sought revenge by closing down the milk-wagons, too. The saloons have long passed that stage of stupidity. Now they are opposing prohibition with genuine reform; themselves imposing the restrictions they so resented only a few years ago, and making a belated effort to make their business in fact what they had always claimed it to be in principle, legitimate and respectable. They have learned that the temperance movement is serious and permanent, and that their salvation lies not in opposing it, but in falling in with it. If the race-track touts, and the political reactionists generally, had as much sense and moral perception as the barkeepers have developed, we should see the performers conducting their reforms with more virsimilitude.

President Jordan would have admission to college fraternities depend upon success in class work rather than upon failure, thus reversing all precedents and turning backward the tide of tendency. Isn't nature to have any opportunity to run wild at Stanford?

If Miss Jane Brownlee, of Toledo, now in San Francisco pushing her "cause" to the fore, has devised a practical method of teaching morals to children in the public schools, she has proven herself easily the premier benefactress of the new century. When she has developed a plan that will inevitably make her pupils keen to discern and appreciate right from wrong in all situations the next step should be to raise the compulsory education age from fourteen to sixty and enforce the law.

There are 93,000 dependent children in all of the institutions of the United States. California's proportion of such children is probably higher than that of any other state in the Union.

FARMERS, MAGNIFY YOUR CALLING.

There is, seemingly, no department of American life, no factor in American industry, no trend of American sentiment, no tendency in American affairs, that has not been under observation by Theodore Roosevelt during his occupancy of the presidential chair. The Russian peasant speaks of the Czar as the "Little Father," and fondly feels that his welfare will be looked out for by the autocratic head of the Russian nation. How misplaced that confidence has been the current history of Russia shows, but if ever any executive head of a nation was entitled to be looked to as an elder brother, if not a father, it is the present executive head of our nation. And he has done this neither paternally nor patronizingly. His latest message to Congress, relating to American country life, is characteristic of him. It is plain and homely, sound and true, and it deserves to be read and pondered at every American fireside, in country or town.

At the outset he puts his finger on the sore spot in American country life. Farmers have not magnified their calling. Despite the complimentary platitudes which office-seeking politicians have poured out upon their devoted heads, or because of them, the farmers of America have come to look down upon their occupation. They have looked upon themselves as bondservants to their farms. They have confessed that they farmed because they did not know anything else to do and, even though they grew rich at it, they have looked upon their station as socially inferior and therefore undesirable. This has sent their sons and daughters to the cities in droves.

This disposed of the President points out the three particulars in which farming in America needs to be bettered, and he warns the farmers that the government is not to do these things for them, but only to show how they may be done. The first is better farming. This the agricultural colleges are teaching. The University of Wisconsin has taken its whole agricultural department into the homes of the people of Wisconsin, and the agricultural schools of other states can do the same thing if the farmers will show an interest in having it done. It has added \$20,000,000 a year to the productivity of the farms of Wisconsin and can do equally well in any other state.

The second requirement is better business. Farming is as much a business as carriage making, keeping a store or a bank, and needs business methods as certainly. The agricultural schools, the high schools, and even the grammar schools, can teach what needs to be known of business methods on the farm.

Finally, and more important perhaps than either of the other needs, is that of learning how to make life upon the farm a social and an intellectual life. Farming needs to be a learned pursuit. It challenges knowledge at every stroke of the hoe, every turn of the furrow, and the wonder is that farming has not been the most intellectual of pursuits. It can be made such and the schools of the country must help so to make it. The President's message to the farmers of America is a valuable state paper and likely to be productive of valuable results.

DIVIDE AND CONQUER.

Nearly every great commander has a favorite method of attack or defense, and can use no other with equal success. With Alexander it was the phalanx, with Napoleon it was striking the center en echelon, with Grant it was turning the flank of his enemy back upon himself and enveloping the whole in confusion. With William F. Herrin it is dividing the opposition and making common cause with one of the divisions. He is at his old tricks.

THE STAFF

A. J. PILLSBURY, Editor and Manager
CHESTER H. ROWELL, Associate
A. J. WATERHOUSE, Assistant
F. FRENCH STROTHER, Assistant
O. BLACK, Business Manager

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The Lincoln-Roosevelt movement commanded the attention and respect of the moral element in the life of California, and that element, once thoroughly lined up and aroused into action, will control the state. Therefore it must be divided and common cause made with one faction. With which faction the head of the Southern Pacific's political bureau expects to coalesce is not at this time absolutely known, but the likelihood is that it will be with the extreme faction, the faction which, if allowed to have its way, will undo by over-doing. The members of that faction will be children in his hands, but if he can get them into his camp, or get himself into their camp, which will amount to the same thing, he may be able to convince a portion of the people that the Lincoln-Roosevelts have no monopoly of righteousness, no copyright on great moral ideas.

What sort of a moralist this cunning commander is is well exemplified in the enactment of the anti-race-track gambling bill. His "organization" took no part for or against it. "Hands-off," was promised and the promise was kept, with what result is now subject for public gratulation. This form of virtue is not positive in character, but it must have taken a good deal to screw the master of the "organization" to the sticking point, for there can hardly be a doubt, had any California legislature in ten years been left to follow its own instincts unhampered, it would have snuffed out that iniquity as decisively as it did last week. The reason that it was not snuffed out was that the "organization" took it under its protection and added it to the cohorts of redlight districts, deadfalls, battalions of political odd-jobs men and whatever else of moral tatterdemalio goes to make up the personnel of the "organization" push in California politics.

The danger to true reform now is that the "performers" will deliberately overdo the reformatory work with the double purpose of dividing the moral forces of California into two camps and so over-doing good as to cause it to fail of making good. That policy has the merit of acuteness and it has won victory for villainy upon many a well-fought battlefield. Look out for it.

NOT A WET WEATHER PROBLEM.

The reader's attention is called to an article elsewhere in this issue, from the pen of Mr. Rufus Jennings, dealing with the Sacramento reclamation problem. If there are those who have not kept pace with the working out of this problem Mr. Jennings' article will fetch them up to date.

It has been noted that the sound of rain falling on the roof of the Protectors Exchange building in San Francisco was sufficient without a word of advice as to whether or not rain was falling anywhere else, to depress the

grain market a number of points. In the upper San Joaquin valley, where agriculture without irrigation is a failure, a stiff drizzle has been found sufficient to so dampen an irrigation meeting as to take all the enthusiasm out of it. We are a people of moods and tenses, of whimsicalities of mind and infirmities of purpose, which is but saying that we are human, yet except we rise above our ordinary selves we shall not solve the problem of the regulation of our rivers and the reclamation of our interior lowlands.

This is no wet weather problem. It is a problem whose solution must be pressed through dry years and wet in the full knowledge that the extraordinary will come to pass and that occasionally there will be the extraordinary to deal with. At Red Bluff the Sacramento has made a new high-water record two feet above what was ever known before, bridges regarded as safe are gone and new areas have been flooded. To say that it will never occur again is folly. The lumbermen on the headwaters of the Sacramento and Pitt can safely enter into a contract with the valley folk to give them new high-water records indefinitely. Their unhindered slashings and burnings of the forests will insure it.

Yet there are tens of thousands of home-lunners waiting for these lowlands to be reclaimed that food may be produced for millions to consume. It is a man's task and should nerve all legislators, executives, financiers, farmers, as well as those who have no other interest than the common welfare, to pour forth their best energies for the regulation of our rivers and the reclamation of flooded lands. It can be accomplished. The power that harnessed the lightnings and made them obedient can harness the waters and make them obedient, not by piece-meal or patch-work. To deal successfully with this problem the power that would cope with it must say to the owner of timber when and how his trees may be cut, and to the land owner when, how and where his levees must be built. At the risk of individual hardship the common good must be subserved. It is a problem that The California Weekly will not lose sight of, and if it presses it upon public attention with seeming iteration, in dry times as well as wet, it will be because of a firm conviction that the problem can be solved and must be. The greatness of California and the happiness of tens of thousands depend upon it.

A FOOL'S PARADISE.

There are those who would have us believe that all that is needed to bring peace on earth and end wars among nations is for the United States to make junk out of its battlements, obliterate its fortifications, disband its soldiers and say to the world: "Let us have peace." De-lightful! But take a look at the status of this world in which our nation lives. Great Britain has a navy as great as any other two nations and 10 per cent margin to go on. Germany and France each have 600,000 men under arms and navies equal to our own, besides 2,000,000 trained men each in reserve. Japan has 500,000 trained men virtually under arms and a navy equal to our own, besides half a million more trained men in reserve. Russia has reorganized its army on a peace footing of 1,200,000 men at arms and is rebuilding a navy. Does it look reasonable that, surrounded by great nations bristling with bayonets and armor-plated battlements, it would be safe for Uncle Sam to forget how to fight? And can we forget the volatile quality of our own population? No, the policy of the big stick behind the back and the olive branch held out in front, the one we have been pursuing, is wisest and safest.

Plenty of Reasons Why.

During her war with Russia Japan sold her bonds to foreign countries to the amount of \$540,000,000, and these bonds, owing to the good rate of interest they return, were largely bought in the United States. Here, then, are 540,000,000 reasons why our country wants to get on peacefully with Japan and they are all good reasons, too. There are several million more reasons just as good.

The Gould Roads Looking Up.

It has been an open secret for several years that the Gould railroads were about the worst kept up of any railroads in the country and Wall street began to look upon their securities as being in no better shape than their roadbeds and rolling stock, but later reports show an improved condition. What is of especial interest to California is that \$17,500,000 bonds needed for the completion of the Western Pacific have been sold, a substantial indication that the Gould enterprises are looking up.

Supervision of Bond and Stock Issues.

The work of public service commissions in limiting the issue of corporation stock and bonds is something of which we hear little in the West, but in Massachusetts and New York this is becoming an important factor. During 1908 public service companies in the district of which New York city is the center asked permission to issue \$155,000,000 of bonds and stocks, but the commission allowed the issue of only \$70,000,000. New York is looking elsewhere for its water supply.

The Passing of a Great Opportunity.

A year ago any one who had ready money (that the banks didn't have locked up) to invest could buy the best railroad and industrial stocks at prices which made it possible to get 10, 12 or even 13 per cent. interest, but in the last twelve months money and confidence have returned to their former channels to such a degree that it is possible to make only about 5 per cent. on railroad stock, and 8 per cent. on sound industrial stocks. Good municipal bonds are selling on as low a basis as 3 per cent.

They Are Not Suffering.

Mladison C. Peters is a clergyman and not a financier or statistician, but what he says about the overrated wealth of the Jews in America may be as true as it is interesting. There are over 5,000 millionaires in the United States, according to Mr. Peters, but not to exceed 200 bear Jewish names. In New York city, where one person in every four is a Jew, the millionaires number 1,200, but only 110 of them are Jewish. But Jews run about all the big department stores, and they command a wholesale trade of \$1,000,000,000 a year and hold real estate to the extent of \$900,000,000. Though the Jewish people may not be as rich as popularly supposed we may rest assured that they are not suffering for any of the good things that fall to the lot of others in this western world.

The Railroad Demonstration Car.

The work the Southern Pacific Railroad company is furthering, by sending the professors of the Agricultural Department of the University of California, and other experts, through the state giving short addresses and object lessons on how to make farming successful, is worthy of all praise. It is the sort of enlightened selfishness that blesses those who possess it and those who are the objects of it. It has both the quality of mercy and of good sense.

If So Why So?

In the new great dry dock at Mare Island is going to be accessible to the great battle-ships of Uncle Sam's navy, then why has Uncle

Sam given Mr. Chas. M. Schwab such assurances of patronage for his million dollar dry-dock, to be constructed in San Francisco, as to warrant the investment? It is to be hoped that the floods brought down by the interior rivers are not so depositing their sediment in the channel from deep water to Mare Island docks as to fill up that channel as often as it is cleared out, but if they are doing this whose fault is it that this was not foreseen in advance of the expending of so many millions at that point?

Outlawing the Trusts.

The decision of the Supreme Court of the United States, in the case of the Continental Wall Paper company vs. Voight & Sons of Cincinnati, has not attracted the attention it merits. The plaintiff paper company is a trust, confessedly so, and is doing business in contravention of the Sherman anti-trust law. The court held (by a majority of one, however) that the wall paper trust was an outlaw and had no right of action against its debtors in the courts of this land. Once establish the principle that a trust is beyond the protection of the law and there will soon be no trusts. They cannot survive without it. The principle of outlawry of those who disobey the law is a good one to lay down, only it would have been better in this case if Brewer, White, Peckham and Holmes had not dissented from the majority opinion.

Mr. Harriman and the Flag.

Mr. Harriman is quoted as having delivered himself of a touching apostrophe to the American flag. The incident is believable. Why should not Mr. Harriman love the American flag? Why should not Mr. Rockefeller? It has winked at them slyly from many a tall staff while they were gathering other men's dollars into their pockets by agencies which the flag condemns. It winked at Mr. Harriman while he was looting the Alton. It winked at Mr. Rockefeller while his great group was crushing out opposition in certain portions of the country and recouping the loss by charging other portions more than a fair price for its commodities. If there are those who are restrained in their enthusiasm for the flag they are not to be looked for among those who have become richer and more powerful under its protection than kings.

The Cooper-Carmack Trial.

The case of the People of Tennessee against Cooper and son, for the murder of former Senator Carmack, however it may fare before a jury, is likely enough to produce at least one good result. It may make the chivalry of the South see itself as others see it. The street duel is an absurd and wicked survival of a by-gone age and nothing will stop it so quick as hanging a few fine gentlemen for participation in it. If this cannot be accomplished the next best thing is to caricature the notion of honor that this particular form of murder stands for. Ridicule sometimes has more potency than law or religion.

American Goods In France.

France is also revising its tariffs and it is doing it, so far as the parliamentary committee having the task in hand is concerned, in a spirit of hostility to American products in French markets. It will be remembered that President Roosevelt, through John A. Kasson, made reciprocity treaties with France which the United States Senate rejected, at which action France took no little umbrage and her tariff committee is now raising duties on such products as come from America about 20 per cent., while leaving duties on similar goods coming from European countries increased only 5 per cent. It will be a hard blow to us if it really hits.

The Deeper Significance : : : : of Living : : : :

It was Zoroaster, some 4,000 years ago, who said: "Reflection is the path to life, thoughtlessness, to death," and it is as true now as it was then, as true of nations as of men. Thoughtlessness is heedless and heedlessness is blundering and blundering brings disaster and disaster terminates in death with half a life lived and little joy had.

France is the banking nation of the world, and it has come to be so through the saving habits of the French people. The Frenchman puts by something every day, week, month, year of his life, saves some little out of his earnings; a wise monetary system makes these little available for enterprise, and so France can lend the rest of the world something like a billion dollars a year. The French people have found thoughtfulness the path to life, for the French live well. They are the best cooks in the world. They set the fashion for dress. They cultivate art and the drama. Their language is the language of diplomacy and polite society the world over, their architecture is repeated in many lands and their love for France is not excelled by that of "The hill men for their hills." The French have found reflection the path to a very enjoyable life.

The greatest benefit conferred by President Roosevelt upon the country he has so ably served for seven years has been his calling attention to the need for conserving our national resources. We of America have thrown away each year more than the French nation has saved. We have not reflected upon the ultimate consequences of our industrial policies. We have been heedless and blundering and have suffered disaster of our own producing and, unless we mend our ways, those who come after us will perish as miserably as the miserable people of Nineveh and Babylon, of the Pharaohs, of the Nile and Euphrates, of the bones of saved millions that whitened the Mesopotamian plain.

But conservation of resources is not merely a national problem. It is an individual problem as well. A spendthrift people will make a spendthrift nation and a nation cannot be made conservative of its resources unless the people who go to make up that nation are conservative of their resources. The policy of conservation, to be effective for good, must begin at the cradle and end only at the grave. This does not mean living hard, scrimped and meagre lives. It means living full and well rounded lives with an anchor always to windward to hold fast to in the event of a storm. A great proportion of the population of England is within ninety days of being dependent upon charity. It is not so in France, yet the Britisher is conservative compared with the American.

The greatness of America depends upon the conservation of the resources of this continent, but the greatness of Americans depends upon the conservation of the energies and substance of the individual man, woman and child. Except the idea of conservation takes such hold upon the imagination and enthusiasms of individual Americans as the idea of saving takes hold of the mind of the Frenchman, or cleanliness of the minds of the people of Holland the fate of India, of China, of Egypt and Assyria awaits the America of not three centuries hence. The press of population against the power of subsistence will pinch hard in this country within the lives of babies born in 1909. Is it no concern of ours what befalls 1909 babies? Is it not the supreme concern? They are our babies or our children's, in which case we love them the more. To the manager of a corporation, bent on paying big dividends, this is a sentimentalism to be it. No truth has value until transformed into sentiment.

THE WORLD AT LARGE

International Conservation Conference.

In another week there will meet at the White House, in Washington, the first international conservation conference in all history. With our own National Conservation Commission there will meet representatives from Canada and Mexico and the subject will be considered, not only from the standpoint of common interest in streams that lie partly in one country and partly in another, but also from the view point of independent action in Canada and Mexico as well as in the United States. As this is someday to be an ocean-bound republic our interest in conservation of the resources of Canada and Mexico is more practical than might appear at first thought.

The British Business Slump.

Working folk are having hard times in Great Britain. During 1908 the exports of manufactured products fell off nearly \$225,000,000, and the imports of raw materials fell off \$189,000,000. This meant just so much less to do and to do with, and consequently, a falling off in the number of persons for whom employment can be found. The unemployed in the trades unions alone was 9.1 per cent. at the end of the year compared with 2.8 per cent. ten years ago, while the general retail price level of commodities advanced 2.5 per cent. over 1907 and 8.4 per cent. as compared with 1900. The total exports of Great Britain fell off 11.5 per cent. during 1908, whereas those of Germany fell off less than 2 per cent. These facts are giving British economists some hard nuts to crack as well as creating a profound public concern for the future of the working folk of Great Britain.

Progress of Sanitation.

The germ theory of disease, so thoroughly established by Pasteur, is working important results in the French nation. Great impetus has been given to sanitation and, chiefly because of sanitary betterments, there were 58,000 fewer deaths in France during 1908 than during 1907. The vital statistics of France have also been improved by an absolute increase in marriages during 1908 of 8,414 and of births by almost 9,000. The births exceeded the deaths by 11,066 whereas, during 1907, the deaths exceeded the births by 55,007, the first favorable mortality record France has made in many years.

Canadian Banking.

For the first time in the history of banking in Canada the banking assets have come to exceed one billion dollars. There has been a steady flow of investible money into Canada in recent years and an accumulation of surplus, so that the banks are looked upon as being relatively strong, but overburdened with cash deposits. During the whole of 1908 there was a steady decrease in the demand for commercial accommodations so that, by the end of the year, the loans to merchants, etc., were many millions short of what they were a year before. Canada has an asset banking currency and its fluctuations are also of interest. Before harvest last summer the total issue was \$66,697,000, but by October 31st it had risen to \$83,036,000, but as soon as the crop had been moved the bank notes were returned to the banks in the form of deposits and now stand about where they did in early summer. Canada has secured automatic elasticity in its currency in the only way possible—by an asset banking currency.

Spain Retaking Cuba.

Some makers of figures are disquieting those of us who have been hoping for the speedy Americanization of Cuba. Investigation shows a steady inpouring of immigration from Spain, coming to settle in the country, to take the lead in its industry and, as far as may be, in the smaller commercial activities if not in the greater. The Spaniards understand the Cuban people and, notwithstanding the bitterness of feeling of ten years ago, the two elements are very friendly now. There are 200,000 Spanish residents in Cuba and the number is augmented more rapidly than from any other part of the world. In short, Spain appears to be retaking in peace what it lost in war, but without governmental complications that made Spain so much trouble and caused so great a humiliation to a proud but inefficient people.

As Venezuela Looks At It.

Our minister to Venezuela, acting under instructions from Secretary Root, is pushing American claims upon the attention of Venezuela, but with little better success with President Gomez than with Castro. The American concessionaires agreed with the Venezuelan government that, in the event of differences arising, the matters at issue should be determined by the courts of Venezuela and that appeal should not be taken to the United States government. Differences did arise, the courts of Venezuela decided adversely to the Americans but, notwithstanding the contract to the contrary, an appeal was taken to the United States, but on the ground that it was because of pressure put upon the courts by Castro that the courts decided as they did and that fraud vitiated all contracts. Venezuela holds that it would be a reflection upon the honor of the country to concede the subversivity of its courts to Castro and is therefore standing firm against a reopening of the issues. Technically our American claimants have not a leg to stand on. Practically they have been robbed of millions without other hope of redress than Uncle Sam can afford.

Chicago Milk.

Chicago found its infants murdered and its grown-up population cheated by being furnished adulterated, watered or preserved milk and enacted stringent ordinances to cure the evil. Milk was then, and is now, being furnished at seven cents per quart, of which the farmer producers received three and one-half cents. The large dealers undertook to raise the price to eight cents and were promptly indicted for conspiracy to overthrow the Sherman anti-trust law. The farmers to the number of more than 500 got together and served notice upon Chicago that it can have good milk at eight to nine cents per quart, but if it will only pay seven cents it must not be too particular about the quality of the article, its complexion or bacterial count. There is no more difficult problem than that of municipal milk supply and the controversy at Chicago will repay watching with interest.

The Steel Trade.

There is no better index to the condition of industrial America than that afforded by the iron and steel trade, for this is an age of steel. This trade is at heart in good condition, but feverish and not buoyant. There has been a shading of prices, on the quiet, in order to encourage orders, but only a shading, for the

trade is doing its best to hold prices up to the standard. There is a feeling among consumers of steel that the revision of the tariff will be downward and not upward and that by holding off their orders until after Congress has taken action on the tariff better figures can be had. What is true of the steel industry is true of all other protected industries. Business will be on a hand-to-mouth basis until Congress has finished tinkering the tariff.

Electrizing Interurban Traffic.

All over the country efforts are making to electrify interurban railroad traffic and to bring all trains into and out of cities with electric instead of steam power. There are two reasons why this process should be pushed to a speedy consummation. One is that the public good demands an abatement of the smoke nuisance in cities, locomotives being the worst offenders in this particular, and the other is that interurban traffic can be handled more cheaply and more quickly by electric power than by steam. The Illinois Central is likely to be the eastern leader in this reform and to begin its good work at Chicago. It has partly reorganized its engineering department with this purpose in view. As already known the Southern Pacific is moving in the matter on the east side of the bay. When accomplished, as it is likely to be, the municipal atmosphere in all first-class American cities will be much cleared.

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THE FIRST AMERICAN.

By James Russell Lowell.

(From the "Harvard Commemoration Ode.")

Such was he, our Martyr-Chief,
Whom late the Nation he had led,
With ashes on her head,
Went with the passion of an angry grief;
Forgive me, if from present things I turn
To speak what in my heart will beat and burn,
And hang my wreath on his world-honored urn.
Nature, they say, doth dote,
And cannot make a man
Save on some worn-out plan.
Repeating as by rote:

For him her Old-World moulds aside she
threw,
And, choosing sweet clay from the breast
Of the unexhausted West,
With stuff untained shaped a hero new,
Wise, steadfast in the strength of God, and true.
How beautiful to see

Once more a shepherd of mankind indeed,
Who loved his charge, but never loved to lead;
One whose meek flock the people joyed to be,
Not lured by any cheat of birth,
But by his clear-grained human worth,
And brave old wisdom of sincerity!
They knew that outward grace is dust;
They could not choose but trust
In that sure-footed mien's unflinching skill,
And supple-tempered will
That bent like perfect steel to spring again
and thrust.

His was no lonely mountain-peak of mind,
Thrusting to thin air o'er our cloudy bars,
A sea-mark now, now lost in vapors blind;
A broad prairie rather, genial, level-lined,
Fruitful and friendly for all human kind.
Yet also might to heaven and loved of loftiest
stars.

Nothing of Europe here,
Or, then, of Europe fronting morrowward still.
Ere any names of Serf and Peer
Could Nature's equal scheme deface
And thwart her genial will:

Here was a type of the true elder race,
And one of Plutarch's men talked with us face
to face.

I praise him not; it were too late;
And some innate weakness there must be
in him who condescends to victory
Such as the Present gives, and cannot wait,
Safe in himself as in a fate.
So always firmly he:
He knew to bide his time,
And can his fame abide,
Still patient in his simple faith sublime,
Till the wise years decide.

Great captains, with their guns and drums,
Disturb our judgment for the hour,
But at last silence comes;
These all are gone and, standing like a tower,
Our children shall behold his fame,
The kindly-earnest, brave, foreseeing man,
Sagacious, patient, dreading praise, not blame,
New birth of our new soil, the first American.

EULOGY ON LINCOLN.

By Robert G. Ingersoll.

Strange mingling of mirth and tears, of the
tragic and grotesque, of cap and crown, of
Socrates and Rabelais, of Aesop and Marcus
Aurelius, of all that is gentle and just, humor-
ous and honest, merciful, wise, laughable, lov-
able, and divine, and all consecrated to the
use of man; while through all, and over all, an
overwhelming sense of obligation, of chivalric
loyalty to truth, and upon all, the shadow of
the tragic end.

Lincoln was an immense personality—firm
but not obstinate. Obscurity is egotism—firm
ness, heroism. He influenced others without
effort, unconsciously; and they submitted to
him as men submit to nature, unconsciously.
He was severe with himself, and for that
reason lenient with others. He appeared to
apologize for being kinder than his fellows.

He did merciful things as stealthily as others
committed crimes. Almost ashamed of ten-
derness, he said and did the noblest words and
deeds with that charming confusion, that
awkwardness, that is the perfect grace of
modesty.

He knew others, because perfectly acquaint-
ed with himself. He cared nothing for place,
but everything for principle; nothing for
money, but everything for independence.
Where no principle was involved, easily
swayed—willing to go slowly if in the right
direction—sometimes willing to stop; but he
would not go wrong. He was willing to wait.
He knew that the event was not waiting, and
that fate was not the fool of chance. He knew
that slavery had defenders, but no defense,
and that they who attack the right must
wound themselves. He was neither tyrant nor
slave. He neither knelt nor scorned. With
him, men were neither great nor small—they
were right or wrong. Through manners,
clothes, titles, rags, and race he saw the real—
that which is. Beyond accident, policy, com-
promise, and war he saw the end. He was
patient as Destiny, whose undecipherable hiero-
glyphs were so deeply graven on his soul and
tragic face.

Nothing discloses real character like the use
of power. It is easy for the weak to be
gentle. Most people can bear adversity. But
if you wish to know what a man really is, give
him power. This is the supreme test. It is
the glory of Lincoln that, having almost abso-
lute power, he never abused it, except upon the
side of mercy.

Wealth could not purchase, power could not
awe, this divine, this loving man. He knew
no fear except the fear of doing wrong. Hat-
ing slavery, pitying the master—seeking to
conquer, not persons, but prejudices—he was
the embodiment of the self denial, the courage,
the hope, and the nobility of a nation. He
spoke, not to inflame, not to upbraid, but to
convince. He raised his hands, not to strike,
but in benediction. He longed to pardon. He
loved to see the pearls of joy on the cheeks
of a wife whose husband he had rescued from
death.

Lincoln was the grandest figure of the
fiercest civil war. He is the gentlest memory
of our world.

ABRAHAM LINCOLN.

1809—February 12—1909.

By Frederick L. Hosmer.

The prairies to the mountains call,
The mountains to the sea;
From shore to shore a nation keeps
Her martyr's memory.

Though lowly born, the seal of God
Was in that rugged face:
Still from the humble Nazareths come
The saviors of the race.

With patient heart and vision clear
He wrought through trying days,—
"Malice toward none, with love for all,"
Unswerved by blame or praise.

And when the morn of Peace broke through
The battle's cloud and din,
He hailed with joy the promised land
He might not enter in.

He seemed as set by God apart,
The winnepsess trod alone;
Now stands he forth an uncrowned king,
A people's heart his throne.

Land of our loyal love and hope,
O Land he died to save,
Bow down, renew to-day thy vows
Beside his martyr grave!

Centennial Hymn.
Tune:—Hummel.

A BRITISH TRIBUTE.

By Tom Taylor, in "Punch."

You lay a wreath on murdered Lincoln's bier,
You, who with mocking pencil went to trace,
Broad for the self-complacent British sneer,
His length of shambling limb, his furrowed
face,

His gaunt, garbled hands, his unkempt, bristling
hair,
His garb uncouth, his bearing ill at ease,
His lack of all we prize as debonair,
Of power or will to shine, of art to please;

You, whose smart pen backed up the pencil's
laugh,
Judging each step as though the way were
plain;
Reckless, so it could point its paragraph
Of chief's perplexity, or people's pain.

Beside this corpse, that bears for winding
sheet
The Stars and Stripes he lived to rear anew,
Between the mourners at his head and feet,
Say, scurried jester, is there room for you?

Yes; he had lived to shame me from my sneer,
To lame my pencil, and confute my pen;—
To make me own this hind of princes' peer,
This rail-splitter a true-born king of men.

My shallow judgment I had learned to rue,
Noting how to occasion's height he rose;
How his quaint wit made home-truth seem
more true;
How, iron-like, his temper grew by blows.

He went about his work,—such work as few—
Ever had laid on head and heart and hand,—
As one who knows, where there's a task to do,
Man's honest will must Heaven's good grace
command.

So he went forth to battle, on the side
That he felt clear was Liberty's and Right's,
As in his peasant boyhood he had plied
His warfare with rude Nature's thwarting
mights,—

The uncleared forest, the unbroken soil,
The iron-bark, that turns the lumberer's axe,
The rapid, that o'erbears the boatman's toil,
The prairie, hiding the mazed wanderer's
tracks.

So he grew up, a destined work to do,
And lived to do it: four long-suffering years'
Ill-fate, ill-feeling, ill-report, lived through,
And then he heard the hives change to
cheers.

The taunts to tribute, the abuse to praise,
And took both with the same unwavering
mood:

Till, as he came on light, from darkening days,
And seemed to touch the goal from where he
stood,

A felon hand, between the goal and him,
Reached from behind his back, a trigger
prest,—

And those perplexed and patient eyes were dim,
Those gaunt, long-laboring limbs were laid
to rest.

The Old World and the New, from sea to sea,
Utter one voice of sympathy and shame!
Sore heart, so stopped when it at last beat
high:

Sad life, cut short just as its triumph came.
A deed accurst! Strokes have been struck be-
fore.

By the assassin's hand, whereof men doubt
If more of horror or disgrace they bore;
But thy foul crime, like Cain's, stands darkly
out.

Vile hand, that brandest murder on a strife,
What'er its grounds, stoutly and nobly
striven;

And with the martyr's crown crownest a life,
With much to praise, little to be forgiven.

SHALL MAN OR RIVERS RULE?

By RUFUS P. JENNINGS,

President of the River Improvement and Drainage Association of California.

About five hundred miles of navigable streams, with their valleys, drain some thing more than \$300,000,000 acres of fertile land on the floor of the great interior valley of California, and are a potent factor in the commercial possibilities of 52,000,000 acres of land valued at nearly \$1,000,000,000, immediately adjacent to this valley. The products of the agricultural region influenced by the Sacramento and San Joaquin rivers amounts in value annually to more than \$200,000,000.

It is well in discussing California's waterways and their needs to realize the facts set forth above, for through these facts we come to understand the relative value of this territory to the state and the nation. California's waterways are not local in any sense of the term except as to geographical location, for the markets of the entire world are influenced by the production of the vast area influenced by these rivers and their tributaries.

Grants Provided For Reclamation.

Hundreds of thousands of acres of land along the Sacramento and San Joaquin rivers came to the State of California through the Swamp Land Act with the understanding and special proviso on part of the national government that these lands should be reclaimed. When the state parted with these lands to the individual holders it was with the further understanding that each individual should carry out the provision attached by the nation. Individual work of reclamation, however, where the area in its entirety is so vast, must, of necessity, be limited and inadequate, and it is only through extensive co-operation of all those who are interested and affected by such reclamation together with active co-operation of both state and nation to properly conserve the interests of navigation and commerce, that perfect and complete control and reclamation can be effected.

Nature of the Problem.

Through the operations of those interested in the mines of the mountains surrounding the great interior valley, vast quantities of debris have been washed down, choking up the channels; through the devastations of lumbermen in the forests of the mountains and hills sur-

rounding the valley, snow and water conservation has been eliminated, causing periodical floods to overflow the floor of the valley; through diversion of water by irrigators during periods of low water navigability of these streams has been reduced hundreds of miles.

Through this combination of circumstances and of forces has arisen a problem which has engaged the minds of men in all ranks of life, for many years, and the solution of which is engaging the active co-operation of state and nation. It is evident that before a satisfactory solution can be arrived at all of the varied interests which go to make up the sum of causes must be brought into harmony for the general good. Just what shall be done, and the details of the necessary work to be consummated in order that perfect conditions may obtain, must be left to those who have devoted their lives to the solution of engineering problems. In other words present physical conditions must be overcome by physical means.

Mental Problem Greater Than Physical.

But there is something more than physical conditions that have to be eliminated before this great problem shall be solved. There is a mental condition, or rather a series of mental conditions which are in conflict with each other, because of the diverse interests which are affected by the various phases of the problem.

From an engineering point of view the correction of existing conditions, the solving of the entire problem, is simply a matter of sufficient money to do the necessary work along lines laid down in carefully matured plans, this to be followed by such restrictions as will prevent a recurrence of the conditions which have brought about the necessity for this great work. Physically there is nothing in the way of complete reclamation, conservation and protection except the necessary money to carry out plans.

Delay Through Conflicting Interests.

The mental divergence of interests affected by river conditions, for it has really been more of a mental than an actual divergence, has been instrumental, for a long time, in preventing co-operative work toward alleviating the trouble which has injured agricultural, mining, lumbering and commercial operations in thirty-four counties of California. Many efforts have been made to bring about a co-operation between these interests, such efforts being of no avail through misunderstandings and misconceptions of true conditions. It has been fully realized that until such co-operation could be brought about all efforts toward perfect reclamation and conservation would be nullified, even though complete and absolute plans for the physical end of the problem might be formulated.

The several interests which have been working faithfully for complete and harmonious action have had a double task and while efforts have been directed constantly toward the unification of those affected, they have not neglected the solution of legal difficulties which have stood in the way of the work. The first step in this respect was the Caminetti Act which restrained the miners and prevented a continuation of filling river channels with debris. Numerous efforts at reclamation and flood restriction came through other acts which were ineffectual owing to their limitations, and it was only when the Sacramento Drainage District Act became a law that the initial step was taken toward a progressive plan for reclamation and conservation.

The "Dabney Plan."

In 1904 a convention was called to meet at San Francisco of all those interested in river matters, and as a result of that convention the River Improvement and Drainage Association of California was formed, composed of men representing all interests affected by river con-

ditions. At this convention it was recommended that a commission of five engineers be appointed to make a complete and exhaustive study of the situation and to formulate a plan of rectification. This commission, composed of Maj. T. G. Dabney, Henry B. Richardson, Maj. H. M. Chittenden and M. A. Nurse, entered upon its duties and formulated a complete plan, which is now known as the "Dabney Plan."

This plan provides for the complete work of reclamation and restoration of the Sacramento and San Joaquin rivers, and has been generally accepted as an adequate solution of the problems which have vexed California for so many years. The first step toward carrying out this plan was the passage by the State Legislature, in 1905, of an act creating the Sacramento Drainage District and providing

(Concluded on Page 184.)

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

The Frog Chorus.

Residents of South Pasadena and Garvanza are protesting against the frog chorus which booms in their vicinity these damp nights. The batrachians, however, do not seem to mind, but keep right on with the chorus.

It's all a matter of one's taste; at least, I judge 'tis so.

For some folk like that nightly choir and some do not, I know.

But as for me, I'm free to say, I love that chorus deep.

A sort of goblin lullaby that lulls me unto sleep.

The night is tranquil; through the pane on we star winks at me.

As if to say, "You might wink, too, could you see what I see?"

All silent, through the halls of space the round earth onward spins.

Till of a sudden, as by note, the midnight choir begins:

"Oomp oomp oomp,

Oomp oomp oomp,

Here's fun that beats your sleeping.

Oomp oomp oomp,

Oomp oomp oomp,

Fie, if your bed you're keeping!"

Then, quickly as the song began, ensues the reign of quiet:

No single croak, no lonely voice, of all that midnight riot.

But silence, silence, till a frog grown old, rain-proof, non-porous,

Lifts up his voice inquiringly in one brief croak of "Chorus?"

Then all respond, the great and small, Miss Froggie and her lover.

Bass, alto, tenor, air are sung, and Echo sings it over:

And, though Garvanzas do not like that midnight chorus ringing,

I just lie there, with soul at rest, and listen to the singing:

"Oomp oomp oomp,

Oomp oomp oomp,

There's nothing like our chorus—

Oomp oomp oomp,

Oomp oomp oomp,

'Neath star-gemmed heavens o'er us."

* * *

Primer Lesson for Willie.

Do you see the man, Wil-lie?

Yes, you see the man.

Is he a nice man?

Yes, he is a nice Man. He be-ongs to leading clubs and is a High-er-Up.

What has the man in his hand, Wil-lie? Is it a sack?

Yes, it is a sack. Can you read the word on the sack?

Yes, you can read the word on the sack. It is B-O-O-D-L-E.

Can you guess why the man is stand-ing still, Wil-lie?

No, you can not guess why he is stand-ing still. He is wait-ing to be held up.

Does the man like to be held up?

No, he loathes, de-spis-es and ab-hors to be held up.

Why, then, does he wait, Wil-lie?

He waits be-cause there are mil-lions in it, and mil-lions soothe his tor-tured, held-up feel-ings.

Is he not a nice man, Wil-lie?

See what good clothes he wears.

Also, he is a Prom-i-nent Cit-i-zen.

Let us take off our hats to the man, Wil-lie.

* * *

Up-to-Date Definitions.

Mohammedan—A miserable wretch who demonstrates his folly by accepting a prophet in whom we do not believe.

The One True Creed—The one that prevailed in the neighborhood in which you were born and reared.

Political Party—Something that all of us

support for the prime benefit of a few of us.

Actor—Jim Jeffries and a few others whom it is unnecessary to mention.

Actress—A feminine player on the stage who has genius, a form, or a past. Many authorities reverse this order.

Legal technicality—A practical joke on Justice.

Higher-up—A prominent and greatly admired citizen who is in the business of buying stocks, bonds and civic officials at prices not always noted in market reports.

Optimist—A real-estate agent.

Pessimist—Sometimes the individual who buys from the former.

Grand Opera—A place in which to allow your best clothing to be soothed by music.

Perseverance—A much-lauded qualification which probably finds its utmost exemplification in Satan.

* * *

To One I Love.

To one I love, to one whose eyes

Are wells through which my cares are drowned,

Whence I may drink and grow more wise,

Since in sweet love is wisdom found;

To one—there may be fairer maids,

But, ah, our hands in love entwined

When home I go in even's shades—

I fain would write this valentine.

* * *

She may not be so very wise;

I doubt if she be wise at all,

But, faith, the luring of her eyes

Doth hold my very soul in thrall.

Her little hands have power to soothe

The murmur of the daytime care,

And all my homeward path to smooth.

With thought of love that waits me there.

* * *

I'm somewhat old and somewhat gray

My Valentine's sweet love to hold,

And yet it cheers me on my way

To know I never will be so old

But she will still my coming greet

With tender eyes all love-ashine.

Ah, be your days all fair and sweet,

My little one, my Valentine.

* * *

I Know the Place.

I know the place where everything happens just as we wish it to, where Fortune has favors for jubilant chaps, and nothing at all to rue;

Where right in the mouth of every wee mite a spoon of pure gold is found, and people on street-cars are wholly polite, and working-girls richly are gowned; where the glitter of gold no whorship lures, and "higher-up" honesty's clear; where never a doctor kills off his cures, and whisky ne'er follows a beer.

No sunshine is hidden by upper-land mists, and nothing but gladness you'll find, and if you would know where that country exists, of course I will tell. In my mind.

* * *

The Opinions of Rufus.

Don't be too ready to condemn. Like es not God finds considerable many jewels in the human rubbish man tries to throw away.

Praps my Christian Science friend is right in sayin' they ain't no sech thing es disease, but, ef so, I've saw some mighty misguidin' imitations.

I hate to think it, but I'm afeered I've punished my boy sometimes fer bein' too much like his pa. 'Spose you never did sech a thing, hey?

What we want depends on circumstances. F'rinstance, what earthly use could a alarm clock be to the proud pa of a waterprisin' baby?

I ain't pertusin' 'gainst fashion's hipless women, but sometimes it almos' seems to me that 'praps the Almighty knew best.

I've saw folks use up so much force in halluycurin' fer heaven that they didn't seem to have any energy left to do work fer it.

When I hear a man sayin' mean things 'bout women I can't help feelin' that prob'ly he was unforchint in selectin' a mother.

They may be prettier sights in life than a couple lovin' each other more an' more es they grow old, but I haven't seen 'em.

We may be a Christian people, but while Wall street and Fifth avenue almos' surround the East Side of New York you can't make me b'lieve we're overworkin' our Christianity any.

Little girl, don't you worry 'bout it. Some of the homeliest people I ever knew was the best-lookin', and visy verser.

* * *

They Average Fairly White.

I have had my fling at our "statesmen" queer, at the legislative crew;

I've given them many a bitter beer, and, faith, they deserved it, too;

I have mentioned oft, as I well might do, some bill which we all could see

Was duly engrossed by the entry clerk when tagged by the coy S. P.;

I have written of Parker and Hatton, too, by Herrin with might endowed,

How they issued their orders that laws be made, while the "statesmen" all kowtowed;

But I wish to say, and I say again, for it giveth my soul delight,

It is pleasant to write of our statesmen now, they average fairly white.

* * *

Of course there are some of the old, bad gang, the scalpers for William F.;

Whose cars unto all save an S. P. toot are really exceedingly deaf;

There are some who object to a Lobby maintained if it's of the Popular kind,

For they somewhat suspect the style of the goods that sort of a lobby might find;

There are scurvy knaves, as there oft have been, but they hold no balance of power,

And they prove "good dogs" and a shelter seek when Pluvius forecasts "shower,"

But, taking them up and taking them down, I judge it is only right

To say of the statesmen who now make laws, they average fairly white.

* * *

No word's retracted of all I said in the fragrant days of yore

Concerning the rascals by Herrin fed, who nosed at the trough for more,

But it's good to feel, as we all know well, that the men who make our laws

Are not called out by an S. P. bell to weaken the same by flaws;

It is good to feel that decent men in the capitol have a say,

And that the sound of an urgent toot can't summon them all away,

And that's why I've written as best I may this anthem of pure white

To say of the statesmen who now make laws, they average fairly white.

* * *

Sic Transit Gloria Mundi.

Sic transit gloria mundi; so the visions come, and the visions fade.

The hope that we cherished is lying low, And our feet press deep in the vale of shade;

Yet, Knights of Discouragement, break your bars:

O'er shades of the night is the glory of stars.

I dreamed a dream, and it passed away Just as the breath of the morn was near;

I walked where the specters in waiting lay, But the bright sun rose, and the day was clear.

Though hope and ambition sink down to dust, In the day that cometh I place my trust.

Sic transit gloria mundi. When The night creeps down on a world un-

stilled; When Doubt, the mocker, doth leave his den To whisper his message to hearts re-

filled, I heed not, I reckon not—O'er vaporous bars Still gleams and glistens the glory of stars.

("Man or Rivers?"—Concluded.)

means for the election and appointment of officers for the district and defining their powers. Through a decision in the superior court of Sacramento county this act was declared constitutional, and the commission has proceeded along lines laid down in the report of the Dabney Commission.

State and National Co-operation Necessary.

In order that the Dabney plan might be carried out it is necessary that the three parties at interest work in harmony. These are the nation, the state and the land owners along the rivers. Preliminary work toward rectification of channel, as provided in the Dabney plan and sanctioned by the United States engineers, requires the expenditure of \$800,000 and to provide this sum Congressman McKinlay introduced in the Congress of the United States H. B. 3892, calling for the appropriation of \$400,000 by the United States to be available when a similar sum shall have been appropriated by the State of California. A bill appropriating \$400,000 by the State of California, known as the "Boynton-Hewitt" bill, has been passed, and now efforts are making to have the Congress pass the McKinlay bill as an emergency measure, as there will be no rivers and harbors bill this session.

It may be seen that the physical features of the problem have been overcome, so far as ways and means is concerned, for the Dabney plan has been accepted by government engineers to be the physical solution. But the solution of the mental phase of the problem is a matter of much greater difficulty than that of the physical phase. It is essential to a complete carrying out of the plans which have been devised for the reclamation of land and rectification of the rivers, that every party at interest shall use every endeavor to assist in the great work that is before us. Neither the national nor the state government can be expected to carry on this work alone, nor should it be expected that they carry it out together. There is a third party at interest even more responsible for the work than either state or nation, and that is the land owner who will receive the actual and direct benefit through vastly increased values of his land and through safe and continuous crops.

Private Interests Now Harmonized.

Through constant effort the conflicting interests of agriculturists, irrigationists, miners and lumbermen have finally been brought into harmony, and at a meeting held in Sacramento on January 11th, all these interests were combined in a joint committee formed by the Sacramento Valley Development Association, the River Improvement and Drainage Association, the Sacramento Drainage Commission, the California Miners' Association and the irrigation interests, and this joint committee is the harmonious result of these conflicting interests getting together to work for the good of the state.

With this first step toward solution of the mental phase of the problem it is believed that the succeeding steps will be easy. The property owners along the river must come to a realization of the fact that their benefits will be such as to demand from them their share of the necessary expense attaching to the reclamation and protection of their lands. The people of California must realize that the successful restoration of the rivers and the reclamation of the adjacent lands will mean millions upon millions of dollars additional to California's products. The commercial interests of all the people of the state must realize that such a consummation of the long-desired plans will bring increased prosperity to the whole state and consequently increased business to them.

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WITH EYES AND
:: EARS OPEN ::

Some speculation there has been among mankind, from Eden onward, regarding human happiness. What is it? Eve thought it would be found in the possession of knowledge; Solomon, in wisdom; Omar, in the oblivion-bringing fires of wine; Napoleon, in power. The author of our Declaration of Independence felt that he must recognize this universal longing, but asserted only that humanity's unalienable rights included the pursuit of happiness. Most of us are still pursuing. Norman Hapgood has declared that the supreme happiness is to lie on one's back on a sunny hillside in the spring and talk about God.

But I saw a happy man the other day. He was a mechanic, resting from labor after his mid-day lunch. He had quit drinking, quit smoking cigarettes, and his wife had said he was a model husband. Maybe he was as close to the secret as anyone has gotten.

Women take amazing pains to conceal the motives of their simplest acts. There were three of us waiting our turn in the reception room in a doctor's office—two ladies and myself. One of the two was a most matter-of-fact person, but the other was distinctly feminine. She feigned absorption in a book—but did not turn one page in twenty minutes.

Another man came in. Miss Matter-of-Fact glared at him and resumed her magazine. Feminine did not flutter a lash. The man passed Miss Practical by with a glance, and fixed his eyes, eyes of honest admiration, upon Miss Demure. Her fur pressed too closely upon her cheek, she raised her eyes to guide her hand as she removed it, turned them casually to take in the newcomer with a sweeping glance, and dropped them to the book, to rise no more. She was "dying," as she would have said it, to see what he looked like, but she took five minutes to conceal the fact.

What mysterious things have women to conceal? Nothing, literally nothing. But which of these two got the attention of the men? Exactly. Which is what I started out to say.

Our printer has lost his "devil." He was too much of a real boy to last in the sober shops of industry. Shrewd, quick-witted, with abounding spirits, he whistled himself gaily out of a job. He did his work fast, and put in his spare time working off the animal energy of him in mischief. The "ad" setter's black eye is a result of his pleasantry; the elevator man has a few more gray hairs following the descent of a bundle of paper down the elevator shaft to the cage above his head; the printer is out a lot of work and many explanations since the young rascal turned on the fire hydrant to see if it really worked. It did, and the "devil" is now rollicking in new fields of labor. But watch out for him. As a celebrated author once said to me about his son-in-law, whom he cordially disliked, "He has the gall of seven men; but, after all, I'd rather a boy should have energy enough to be impudent than be a spineless gentleman."

I walked down the street with an advertising man. A lady passed and the white ruffle of a spottish petticoat slightly showing around her ankles. "Honi soit qui mal y pense," I murmured. He did not heed me: "Say," he exclaimed, "wouldn't the man make a fortune who could buy all those lines of white ruffle for advertising space?" He did not see the joke, when I said that he was no poet. He was only an advertising man.

The manager of a firm that collects bills had figured out to the fraction of a per cent, the effect of a study day upon his collections. Another friend—one of those blessedly "sentimental" nature lovers—revises the old saying to read, "He hasn't sense enough to go out into the rain." What Nature means to a person is all in the point of view.

Complaint is often made of ministers that they meddle with things they do not understand. I think they do—when they preach theology.

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POLITICAL TABLE TALK

By THE WATCHMAN.

The Silly Season At Sacramento There is a feeling abroad in Sacramento that a great deal of nonsense has been talked, and many foolish things done, in relation to the Japanese issue. On the one hand the affected fear of war with Japan is not taken seriously and, on the other, most of the anti-Japanese legislation proposed is looked upon as being purely demagogic and wholly mischievous. It is surmised that the President has believed that nothing short of a war scare would bring the Legislature of California to its senses and that he has allowed that kind of a scare to creep into the open although with no better foundation than hocuspocus. The real reason why there should be no fool laws enacted by this session, or any other, are good enough within themselves, and certain enough to prevail, without resort to bugaboo. This is the feeling at the capitol.

One Rational Assemblyman There has been just one rational anti-alien measure before the Legislature and that was Drew's alien bill. At first it was aimed at the Japanese alone, but because of its probable conflict with the Japanese treaty, and because of opposition at Washington, it was so amended as to apply to all aliens. That killed it. In the Legislature there are many real estate dealers, and the speaker of the Assembly being one of them, and these gentlemen had no notion of cutting off a possible European demand for American real estate, even at the risk of allowing Japanese to become as well rooted in California as Johnson grass is in the San Joaquin. This phase of the issue affords a double standard for measuring the statesmanship and patriotism of our stem winding legislative vociferators.

Character Sketch of Assemblyman Drew Here is a man in earnest. In his sleeping hours he sees the Pacific shores swarming with incoming Japanese like a plague of locusts, scaling the mountains and spreading over the inter-mountain district in such resistless force that by and by they fix the frontier between Orient and Occident at the serrated edge of the Rocky mountains instead of the three-mile limit off the Pacific Coast. Whether waking or sleeping he wishes to be the humble instructor in the hand of the Almighty to withstand this tendency, and, even at the cost of missing sales of Fresno real estate to remittance men from Europe, he hopes to prevent Asiatics digging their toes into the soil of California with intent to have them take root there. Mr. Drew is sincere, patriotic and earnest, but up against a "demonstration" hard proposition.

That Pestiferous Grove L. Johnson Here is a human puzzle for you! Possessing one of the most keenly alert mentalities ever ensconced in a cranium this man is as useful in the Legislature as a swarm of bees in a prayer meeting. What he means by crowding through the Assembly his pestiferous anti-Japanese bills only Grove L. Johnson will ever know, but of one thing the Legislature may assure itself in advance. He does not mean what he pretends to mean, for he never did act a perfectly sincere thing in his life. Metaphorically speaking, he is always trying to turn jack from the bottom of the deck and generally makes out to do it. He has kicked up a good deal of a hub-bub, and that may be all he had in view from the first. If so he will retire to his closet in the lone watches of the night and laugh himself within an inch of apoplexy. Grove L. Johnson's one, supreme, irremediable, ineradicable misfortune was his being created sharper-witted than other men has made a pest of him. Governor Pardee kept him out of the legislature during his term of office and thereby escaped years of thorn-in-the-flesh. If Governor Gillett had profited by Pardee's ex-

ample he would have found gubernatorial life better worth the living.

Give Praise To Gillett Through this disagreeable anti-Japanese nightmare Governor Gillett has conducted himself with dignity and discretion. He has worked cordially with the administration at Washington to prevent California making an ass of itself and forfeiting the good opinion of the rest of the Union. He has probably succeeded. There is a principle at stake that is vital to our civilization and not a Californian of us all would stop at any limit save that of open rebellion against the United States government, to preserve this Pacific Coast for the Aryan race. But sober-minded patriots dread nothing so much as the vociferous marplots who would exhibit us to the rest of the nation as a commonwealth of jabberwocks. President Roosevelt and Secretary Root perceive the danger to our institutions as well as we do and we can trust them to avert that danger if it can be averted through diplomacy. If it cannot, then war must come and the frontier dividing orientalism and occidentalism must be fixed where it might can place it. Governor Gillett has done wisely. Let him have full credit for it.

The State Board Of Education School legislation is in evidence at every session of the legislature, but this time there are comparatively few bills which propose changes of importance in the school laws. One of the exceptions is the proposition to reorganize the State Board of Education by reducing the representation of the five normal schools to a single member from the whole five and to substitute representatives of the common schools, high schools and colleges, through appointment by the Governor. This is somewhat in line with a constitutional amendment which was voted down last November, but is a bit more rational. There may be some politics in this, too, and probably is.

Taxation Without The Payer's Consent Another school bill is in evidence at every session of the legislature, but this time there are comparatively few bills which propose changes of importance in the school laws. One of the exceptions is the proposition to reorganize the State Board of Education by reducing the representation of the five normal schools to a single member from the whole five and to substitute representatives of the common schools, high schools and colleges, through appointment by the Governor. This is somewhat in line with a constitutional amendment which was voted down last November, but is a bit more rational. There may be some politics in this, too, and probably is.

Is Railroad Policy Shifting to New Lines? The most satisfactory explanation given for the "hands off" policy of the political bureau of the Southern Pacific company relative to the race track is that the manager of that bureau is developing never less of a political policy. Mr. Herrin has always been given credit for great acumen and deserves it. He is not stupid. What can be more natural, therefore, than that he should break away from old, raw methods of subverting free government and seek to employ newer methods to the same end. There is an awakened spirit throughout the country and California is participating in it. Mr. Herrin does not have to be told this nor be reminded how close Theodore Bell came to defeating Mr. Herrin's man for governor. The revolt of the Lincoln-Roosevelt Republican League in 1908 was not lost on W. F. Herrin. Whoever else belittled that movement he did not. What is this new railroad political policy to be? Mr. Herrin is not telling, but unless Mr.

Herrin's supporters are stone blind and adder deaf they will pay him to let Californians govern themselves, and as Mr. Herrin works for pay, and for pay only, he can probably be hired to shift his policy to that line.

The Plaintiff of the Herrin Performers While Mr. Herrin is not telling what his future policy is to be there are straws which show the way that wind blows. Through the hired mouthpieces of the "organization" he will say to the people of California: "My handy men are performers. I can hire the rascals to be honest, or do any other good thing I want them to do, rather reluctantly perhaps, but none the less effectively. As for the reformers, they can't be hired to do anything and there is no foreknowing what they may do. Therefore, good people, let me know what you want real bad and I'll see that you get it. My boys are the fellows to get it for you. As for those Lincoln-Roosevelt chaps, I can prevent their accomplishing any good thing for you, and I will. Trust me. That is the substance of the new S. P. political policy. It is smart and it has the advantage of keeping the "organization" in possession of the jobs and the chief of it in a position to turn a trick now and again for his employers, for Mr. Herrin always earns his wages. But is that free government? Well, not quite. For that reason, if for no other, it is a good policy to fight.

Mr. Herrin's Last Stand The one thing that might make Mr. Herrin's new policy as ineffective as the old is a really workable primary law. That means democracy in the saddle, and, if it required nothing more, it would compel a thorough reorganization of the Herrin political machine. Therefore the last stand of the Herrin cohorts in this legislature will be against the primary bill as it came from the Direct Primary League. It is not impossible that the anti-Japanese rampus was kicked up for the purpose of withdrawing public attention from this issue. Moreover, the League's representative in charge of the bill in the Senate is a recognized "organization" man. Unless the public speak in no uncertain tones it is likely to go hard with the direct primary law at this session of the legislature.

The President And Perkins Senator Perkins is just now shining with a dazzling radiance as the personification of Christian meekness in that he protests his love for the President, no matter what the President does to him, and renews his fidelity to the Roosevelt policy as a good record for himself notwithstanding. When the President bites a piece out of him, a pained look steals over his visage to be sure, but he does not bite back. With tears glistening in his eyes he directs attention to his record and suffers that to suffice. The Senator is a good record. It is like the record that Thomas Jefferson left, which equally encourages the soft-money man and the hard, the protectionist and the free trader, the little American and the greater, Republican and Democrat, Populist and plutocrat. It will be of no use for the President to try to get around the record of the senior senator from California. His only recourse will be to apply a number ten boot to it if he finds it in his way.

Why Not the Chinese, Too? The plea to the President, made by the Chinese Six Companies, to have Chinese accorded all the consideration which government and diplomats are according the Japanese is a hard one to resist on the fact that it is the only possible answer to it is that the Japanese shall be accorded no consideration or privileges, diplomatic or residential, not accorded to the Chinese. If we cannot make flesh of one and fowl of the other there will be nothing for it except to make fowl of both.

UP AND DOWN :: THE STATE ::

The state game and fish commission will turn one hundred dozen quail loose in the vicinity of San Diego not later than February 20th.

The construction of a \$50,000 club house for men students is among projects under consideration at Stanford University.

The engagement of Carl E. Brazier, of the Chico Enterprise, and Ethel H. Bell, of Massachusetts, has been announced.

The Vallejo Times reports that the Southern Pacific company will remodel the steamer El Capitán, plying between Contra Costa and Vallejo, so as to permit the carriage of automobiles and other vehicles.

It is reported that an electric line between Fresno and Hanford soon will be built.

In nineteen carloads of cattle which recently arrived in Los Angeles from Arizona twenty-eight animals either were dead in the cars or were so near death that humane officers found it necessary to kill them.

An Indian named George Allen was shot and instantly killed by Milo Gaudi as the outcome of a fracas near Ukiah.

At the end of a prolonged spree W. A. McGimsey, a well-known resident of Mendocino county, committed suicide by shooting himself.

A company has been organized in Crescent City to extract gold from the sea beach below that place.

About 175 carloads of celery were shipped out of Orange county during the two weeks terminating February 5th.

Bee experts claim that the abundant recent rains insure a large crop of honey in California this year.

Although annexation of the suburb to the south of Chico recently was defeated, the annexationists of that city were not discouraged and are arranging for another vote, which probably will be taken in March.

A colony consisting of eleven residents of Uplands, in Southern California, has purchased 397 acres of orange land in the vicinity of Porterville and Lindsay.

According to a canvass just made the voters of Pasadena number 5,783.

The citizens of Modesto, by a vote of 228 to twenty-seven, have decided in favor of bonding themselves in the sum of \$20,000 for the construction of a modern primary-school building.

E. J. Page, long connected with the Santa Rosa Republican, has taken charge of the Dinuba Sentinel.

A mud turtle caught in the Sacramento river near Hamilton City, the other day, bore, carved in its shell, the initials of C. C. Dunsen and the date, "4th March, 1892," on which he carved them there. The creature was dated again and permitted to go its way.

A band of sixty or seventy Hindus has arrived in Highgrove, Riverside county, with the announced intention of working in the orange groves. It is a species of invasion to which the southerners are not yet accustomed.

The "burning mountain," near San Pedro, is spouting fire and smoke, presumably as the result of burning shale.

Henry P. Carlton, one of the pioneer educators of this coast, recently died at his home in Oakland.

Nine days after he was lost in the mountains near St. Helena, the body of Leslie Tucker, a twelve-year-old boy, was found in James creek. He is believed to have been drowned while trying to cross the stream.

On March 7th the Santa Clara county Pioneers will celebrate the one-hundredth birthday anniversary of Robert R. Hall, their oldest member.

The Imperial Standard estimates that the value of shipments of oranges from that valley this season will amount to \$90,000. This from a valley which not long ago was considered little better than desert.

A dog which was foaming at the mouth, and

therefore held to be mad, was shot in Chico the other day.

Modoc county is experiencing a considerable invasion by home-seekers.

Business men of Lincoln have organized a Chamber of Commerce to promote that city's interests.

Oroville is to have a fruit-cooling and vaporizing plant which will cost \$50,000.

Work soon will begin on a Carnegie library building at Lincoln.

The town of Montague, in Siskiyou county, has just incorporated and elected its first officials.

Napa is to have a \$34,000 high school building and a \$14,000 primary schoolhouse.

A species of worm is reported to be eating the grass from pasture lands in some parts of San Joaquin county.

"Old Grizzly," a mountain in the southern end of Lake county, is giving forth strange rumblings of late, and as it is an apparently extinct volcano, the residents in its vicinity are somewhat perturbed.

A fair quality of coal from the Altherhill mine in Riverside county is being sold down there for nine dollars a ton.

A juvenile court has been established, and its probation committee appointed, in Yolo county.

Sam F. P. Close, living near Visalia, shot her son Floyd in the leg the other day. She was joking—"didn't know it was loaded."

Theodore Lauhle, a seventeen-year-old boy was lost in the hills in the vicinity of Ukiah. He died of exposure before he was found.

The corner-stone of a new Masonic temple has been laid in Pomona.

George Sontag, formerly of the Evans and Sontag gang, is writing an autobiography which he contends will convey a useful moral lesson to boys.

Turlock recently voted for a \$58,000 sewer system, only eleven votes being recorded against the measure.

James ("Kid") Gallagher, a notorious tough, was shot and fatally wounded by Policeman James Glenn at Bakersfield. Gallagher was under arrest, and attacked the officer.

There is talk of an automobile line to connect Ukiah with Blue Lakes, Witter springs, and other Lake county resorts.

Edwin Mellman, a fourteen-year-old Lodi boy, was killed last Friday by falling from a railway train on which he was "stealing a ride."

The following story of Lincoln's enduring friendship and love of old associations is told of his leaving Springfield to take up the duties of President. He was about ready to leave for Washington and went to the dingy little law office which had sheltered his saddest hours. He sat down on the couch and said to his law partner, Herndon:

"Billy, you and I have been together more than twenty years, and have never 'passed a word.' Will you let my name stay on the old sign till I come back from Washington?"

The tears started to Mr. Herndon's eyes. He put out his hand.

"Mr. Lincoln," said he, "I will never have any other partner while you live"; and to the day of his assassination all the doors of the firm were in the name of "Lincoln & Herndon."

On the evening of the Baltimore Convention, Mr. Lincoln and a few friends were seated in his room and he was telling that on that afternoon he had heard the news of the nomination of Andrew Johnson for Vice-President before he had heard of his own as President. The dispatch telling of his nomination had been sent to his office from the War Department while he was at lunch. Directly afterwards he went to the War Department without having gone to the official chamber.

While there a telegram came announcing the nomination of Johnson. "What," said he to the operator, "do they nominate a Vice-President before they do a President?"

"Why," responded the astonished official, "have you not heard of your own nomination? It was sent to the White House two hours ago."

"It's all right," replied Mr. Lincoln. "I shall probably find it on my return."

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DARWIN FIFTY YEARS AFTER

By DAVID STARR JORDAN.

Just one hundred years ago, on the twelfth day of February, 1809, Charles Darwin was born in a wealthy manor house, at Shrewsbury, in Shropshire, in western England. On the same day, in a poor log cabin in Kentucky, was born Abraham Lincoln. These two, more than any other men, have given to the nineteenth century its color, its individuality, its place among the ages.

In 1859, just fifty years ago, and fifty years from the date of his birth, Charles Darwin published the "Origin of Species." One year later than this Lincoln became president of the United States, and his unique personality began to stamp itself on the nation of democracy, and on the world, which is in turn a democracy in proportion as its people are competent units, fit to take care of themselves.

The Altered Face of Science.

The "Origin of Species" has changed the entire face of the science of life and of the philosophy of life, which must ever be the outgrowth of science. It showed to scientific men, with its demonstration of the natural origin of living forms as natural descendants of pre-existing forms, the first clear explanation of the phenomena of orderly change. It did not convince men of the truth of all this. It did far more than this. It showed men how each one who studied must convince himself; and by that process modern biology is built on Darwinism.

Before Darwin, biologists had catalogued, compared and classified, but to their questions of "Why? Why?" no answer could be given. The simple problem of the meaning of likeness in animals and plants seemed without possibility of answer, or only of such answer as, couched in the language of metaphysics, was devoid of actual meaning. That the world of life was divided into multitudes of species, that these species could be classified into groups of various grade by their structure, that long-enduring strains of likeness were traceable among them, that species themselves though long-persistent were not immutable, all these were facts known to every scholar. But that the mighty differences among living things were derived through minor changes, in slow processes of divergence, very few dared to believe.

Those who for one reason or another speculated in this direction were one and all unable to show any adequate causes behind such mighty effects. Hence scientific men, following the fashion of the unscientific, settled down to the idea that each species of animal and plant had risen to begin with by a process called special creation. The scientific world never believed in "special creation." The phrase was recognized as meaningless and the process itself beyond the possibility of definition or of imagination. But anything else was also non-sensical and most modern science kept on with their special work and let it go at that.

Revelations of Nature's Harmonies.

Darwin showed us, what we all had known before, that the unit of variation is lower than the species, and that the species has no kind of permanence different from that of the race or the genus or the family or the tribe. In the world of life, there are no two individuals alike, nor is the same individual quite the same through any two successive periods. If more than two individuals are quite the same, there must be a reason for it. If the members of a group, having a common origin, change in time, and change in space, diverging as they spread over the globe, there must be a reason for this also. That every kind of animal and plant fits the environment whatever it is as the "dough fits the pan" or the river its bed, is also evident, and for this again there must be some reason. That with time and space all forms seem to divide and to divide into branches, is also evident, and this also must have its causes. That again all variant forms we know in all the earth are reducible to a

very few types, is also evident. It is plain that in whatever image man was made, the monkey, the dog, the cat, the bear, the mouse, and even the bird, the turtle and the fish are made in substantially the same image. And behind all this it is the duty of science to insist on knowing the reason why.

"One of the noblest lessons left to the world by Darwin," says Cramer, "is this, which to him amounted to a profound, almost religious conviction, that every fact in nature, no matter how insignificant, every stripe of color, every tint of flower, the length of an orchid's nectary, unusual height in a plant, all the infinite variety of apparently insignificant things, is full of significance. For him it was an historical record, the revelation of a cause, the lurking presence of a principle."

The Clue of Natural Selection.

The clue to all this was found by Darwin in natural selection, the survival under any conditions of the individuals best adapted to these conditions, and the persistence through heredity of the traits of those to whom survival and adaptation were possible.

Darwin showed that thousands or millions of seeds were cast for every plant that matured, hundreds or thousands of eggs were laid for each animal that survived, tens or hundreds of animals were born for each one which came to maturity. He showed that the destruction of the mass with the preservation of the fit was not all the operation of chance, but went on under definite rule. Competition is at work everywhere and favors the individual who can best make headway as young or as adult in the conditions that actually are. The struggle for existence is ever present, is ever varied, the struggle of like with like in a congested district, the struggle of like with unlike, the struggle of all with the varied conditions of life. Out of all this, by natural causes, arose the variety in life as we know it today, the variance of individuals, the differentiation of species, and the fitting of some living forms to all conditions from the snows of Orizaba to the abysses of the deep sea.

Artificial Selection.

Darwin found that species could be altered, divided or modified by conscious and purposeful mating with the destruction of the undesirable. This represents the art called "Artificial Selection," the magic wand by which the breeder effects his creations. For the cognate process in nature, unconscious but none the less efficient, he chose the term "Natural Selection." In his mind "natural" or actual was balanced against supernatural or imaginary, for to him an actual result must ever be associated with a tangible cause.

Animals and plants vary, and in all directions nature selects those whose variations are most favorable for the continuance of the species. More exactly, those individuals unfavorably suited or unfavorably placed are first to die. Those who are left determine the future of the group. Like produces like. Like the seed is the harvest. This is the law of heredity, and the inheritance of our generation is from the individuals which survived in the generation which came before. The bonds of unity among living forms find their explanation in heredity. Homology or fundamental likeness of any sort means blood relationship.

Essential Factors in Evolution.

The essential factors in the procession and divergence of living forms which we call "Organic Evolution" are therefore (1) Variation, which Darwin took as a fact without explanation, (2) Heredity, which he also took as a fact, with an attempt at explanation, as nearly adequate as the scanty knowledge of histology in his day would permit, and (3) Selection. Heredity and Variation are innate, or intrinsic, causes. They are involved in the nature of organic life. Selection is extrinsic, or extrinsic, causes affecting the development of life. The finer analysis of later times detaches from selection another factor indispensable to it, the "räumliche Sonderung" of Moritz Wagner, the condition known as separation, segregation or isolation. It is separation always that renders selection effective. Without some form of separation, the chosen fittest are lost again in the mass. Without geographical separation, we could account for the actual origin of very few of our actual species of wild animals or plants. Without artificial separation, the work of the animal or plant breeder would be without result. So with the process of selection in nature. But all these facts were more or less clearly recognized by Darwin, and to detach natural "separation" as a friction-factor in Organic Evolution from the broader term of natural "selection," is but to cloud Darwin's terminology, without changing the essential meaning of Darwinism.

Since Darwin's time a half century is passed. This is the period of the greatest activity in research yet known in the history of man. Explorers, experimenters, discoverers, observers, philosophers, debaters of all ranks and grades have been busily at work, clearing the air and obscuring the outlook. What now is the status of Darwinism? What today is our conception of Organic Evolution?

Darwin's Basic Hypotheses All Sound.

When a new land is opened to exploration, its first map, sketched from some mountain peak perhaps, shows the general features of the land, but without special detail, unless it be about the mountain peak itself. Such a new land was opened by Darwin in his survey of the methods and processes of Organic Evolution. In a large way, the salient features of the latter were sketched with amazing truthfulness. The rivers run where he placed them. We have his word for valley, forest and cliff, and in all these larger features fifty years have wrought no very material changes. Men have sought to change the map. Shrill voices from every civilized nation have arisen in criticism. Here a forest would be moved, here a lake and there a river. But better studies have shown the largeness of Darwin's vision. These critics could not see the landscape for the brush. Or, dropping the allegory, already too cumbersome, we may see that our knowledge of Organic Evolution has grown by leaps and bounds, but largely along lines laid down or foreseen by Darwin.

The Corroboration of the Microscope.

Since Darwin's time, the compound microscope has opened the secrets of histology. We have given meaning to the "physical basis of heredity." We have learned the process by which two germ cells from two different individuals unite to form a new individual, and we have followed this process through many complex and unforeseen ramifications. We have settled many difficult questions, and we have raised a thousand more, which may yet in turn be settled, but with the same result. We have found reasons why no two germ individuals can be alike, why no two germ cells can ever be alike, and we have some hint as to why characters will be latent in one generation to reappear in the next.

With the microscope and its accessories, we have traced the life history of thousands of species, from the germ cell to adult life, thus adding the third of Haeckel's "ancestral documents," which define for us the actual nature of any animal. These are Morphology, the knowledge of the animal's actual structure, Paleontology, the history of its ancestry, and

(Concluded on next page.)

THE GRAFT CASES

Peter Anthes, Sr., retired mining man, 763 San Jose avenue.

Walter L. Baskette, bookkeeper, 1424 California street.

Joseph Dixon, clerk, 2000 Steiner street.

Joseph E. Emmons, proprietor carpet-cleaning works, 2400 Geary street.

James A. Godfrey, lodging-house keeper, 2014 Webster street.

Arthur S. Holman, life insurance, 2918 Van Ness avenue.

David Holzbreg, jeweler and optician, 1629 Geary street.

Michael Maguire, retired hay-and-grain merchant, 281 Page street.

Walter J. Rock, stationery salesman, 1226 Green street.

John Scollard, shoe merchant, 225 Eddy street.

Robert H. Symington, civil and mining engineer, 228 Liberty street.

Above are the names, vocations and addresses of the twelve jurors who have been secured in the Calhoun case, so far as they may be said to have been secured while every one of them is subject to peremptory challenge. During the week John H. Powers, an architect, who had been passed, subject to peremptory challenge, was excused from the jury on account of sickness.

Thus a first step in the trial of Patrick Calhoun may be said to have been taken, but it is only a step, for after the peremptory challenges have been made there will be other venires, other examinations of prospective jurors and other wearisome and prolonged contentions.

Thus far 770 talesmen have been called into court, 458 have been excused for sufficient reasons, 312 have been examined and cross-examined by the lawyers, and twelve have been provisionally accepted. That is to say, of every sixty-four called, and of every twenty examined, one was chosen, and some of the ones thus chosen will go by the peremptory mandate route.

Under these circumstances, it is impossible to say when this case will be presented in evidence to the jury, but it is a fairly safe guess that it will not be before some more weeks have passed and the total number of talesmen has exceeded a thousand.

The trial jury in the case of M. W. Coffey, the former supervisor who is under indictment for accepting a bribe of \$4,000 to vote for the overhead trolley franchise, was secured last Saturday, and the presentation of evidence to the jury began on Monday. At this writing former-Supervisor James F. Gallagher, the main witness for the prosecution, is on the stand. As he has done in other cases, he has testified to the bribing of the former supervisor in the abstract and, concretely, to the payment of \$4,000 to Coffey for his vote for the overhead-trolley franchise. Gallagher has been subjected to a long and rigorous examination by the attorneys for the defense, the apparent object being to show that somebody—not too directly Patrick Calhoun—was "held up" by the hoodling former supervisors. But far, however, Gallagher has consistently held to the story told by him either in this or other trials.

At the rate thus far maintained the conclusion of the trial should be reached within another week or two.

The most startling event connected with the graft cases, during the past week, was the statement made by Henry Stauff. Stauff was a cellmate of Peter Claudianes in the Alameda county jail when the latter was being held for trial for dynamiting the home of James L. Gallagher, of which he later was convicted. Stauff was under imprisonment for robbery, and, according to his story, he and Claudianes became friendly. He says, in part:

"It was some time before Peter opened up to me. When he did he told me that he had been given money by Tom Gibson, head of the detective bureau of the United Railroads, and that this money was to pay him for getting Gallagher out of the way."

Later Claudianes gave Stauff letters (now in the hands of District Attorney Donahue of Alameda) to Gibson saying, according to Stauff's story, that "he (Gibson) would fix me (Stauff) up all right and that I could go ahead and get Gallagher." When Stauff visited Gibson, however, the detective failed to respond, and so Gallagher was not "got."

Stauff has no character, and his story must be accepted with hesitation, but, on the contrary, it must be remembered that somebody paid Claudianes for dynamiting the residence of Gallagher, and it is not impossible that this statement, even from such a source, may furnish the clue leading to the detection of the guilty, though the guilty in Oakland's dynamite outrages.

The Stockton grand jury has been investigating alleged grafting operations in connection with the police department of that city, and, if rumors are well founded, its report, when brought in, may seriously affect not only certain policemen but one of the city councilmen as well.

The cases in San Mateo county against District Attorney J. J. Bullock, Sheriff Robert S. Chatham, Supervisors John H. Coleman and J. C. Eickencropper, and former Supervisors J. Debenedetti and D. E. Blackburn, all indicted for grafting operations, were called for a hearing last week Thursday. They were set for trial next Tuesday, February 16th.

The prosecution consenting, Judge Lawlor has given Abraham Ruef until next Tuesday to perfect his bill of exceptions. Ruef has added James Pemberton to his line of lawyers.

("Darwin"—Continued.)

Embryology, the history of the stages by which the individual is made up.

With the development of Histology, Morphology and Embryology, we have developed the physiology of all sorts of organisms. We have learned what organs of all sorts can do, and experimental physiology is getting nearer and nearer the meaning of the condition we call life. But with all our increase of knowledge, we are no nearer the end of the problem.

Altered Phases of Darwinism.

The human belief in the heredity of results of use and disuse, and of the impact of environment, accepted by Darwin without question, has been practically eliminated from Darwinism. Inheritance of acquired characters in kind may not take place. The evidence seems all against it. But the thesis that external conditions do not cause germinant reactions is not yet clearly established. The discovery of Gregor Mendel as to dominant and recessive characters has proved a fruitful investigation in the methods of heredity. But no change in the theory of Darwinism is made necessary by it.

The investigations of Dr. De Vries have proved of great importance in suggesting fruitful lines of investigation. With all admiration for the painstaking and illuminating work of De Vries, I do not think that the question of the origin of species has been affected by it. Species in general do not arise through mutation, or the abrupt separation of one individual from the rest of its kind. If any single species should be shown to have arisen in this way, and this is yet to be done, it would not change the general relation of the recognized factors in Evolution, for a mutation, like any other variation, is dependent for preservation on heredity, on selection and on separation or isolation.

Extreme Views of Selection.

Since Darwin's time, natural selection has been exalted as all-powerful by many writers who went, as Darwinians, far beyond Darwin himself. In reaction, other authors have denied to selection, not merely Allmacht, or all sufficiency, but any sufficiency or reality at all. It is enough for our discussion to disclaim these extreme views. Selection must find its place. We know no other cause for the myriad adaptations of life to its environment. We know no other reason for specific adaptation.

The study of the geographical, faunal and geological distribution of life on the earth, which has been pursued with such energy and

(Continued on next page.)

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LYRE AND LOOT

RAILROAD POEMS BY BURDETTE.

The Brakeman's Sweetheart.

My love is like a parlor car,
Perfection all her graces are;
Smoothly, without a frown or jar,

She runs by smiles;
Would she but couple on to me,
How happy then our lives would be,
And east or west—ah, wouldn't we
Make sunny miles!

Her eyes electric lamps eclipse;
To think of running daily trips
With orders from her rose-bud lips—

It makes my head-light!
But sand and steam I seem to lack;
When I'd suggest a double-track,
Her lightning eyes they set me back
Quick as a red light.

I know she dearly loves to tease,
For once when on my bended knees,
I told her with what warmth you please,

How I adored her,—
With gauzy, perfumed fan outspread,
She lightly tapped her lover's head,
And bending over, softly said,
"Shoo, Joe, had order!"

Getting Even.

If I were a railway brakeman,

I'd call out the stations so plain

That the passengers booked for Texas

Would go clear through to Maine,

I'd open the door of the smoker

And give such a mighty roar

That the people back in the sleeper

Would fall out on the floor.

For I couldn't afford a tenor voice

That would murmur, and sigh, and speak,

In the soft, low tones of Aeolian harps

For eleven dollars a week.

If I were a baggage-master,

I'd rattle the trunks and boxes

I'd stand them up in the corner,

And shake their cargoes out;

I would pull the handles out by the roots,

I would kick the bottoms in,

And strew their stuffing around the car,

And make them jank and thum.

For I couldn't afford to wear kid gloves,

And put pads on my feet.

And fondle things gently, when all my pay

Just kept me in bread and meat.

If I were a railway conductor,

As through the train I'd go,

I'd have for every question asked—

This ready reply, "Don't know."

I'd miss connections for lots of men,

I'd run lone passengers past;

I'd tell them 'twas eight, when I knew 'twas

ten.

And declare their watches fast.

For I couldn't afford to be civil

When I knew every man in the load

Would look at my watch and ring, and say:

"He stole them things from the road."

A Spell of Rhyme.

Yard engine "Louisa," B. C. R. & N.,

Was shifting about three P. M.,

When the stoker leaned out of his window to

say,

"There's a cow going down the tea arr ay see

kay."

Pensively halted the cow on the track,

Burrs in her matted tail, bran on her back;

Dreaming of summer, she seemed not to see

The on-coming yard ee en gee eye en ee.

Once more spoke the stoker, "Right close is

she now."

"Bully," the engineer quoth, "for the cow!"

Then reversing his engine he cried, "Shoo, oh

shoo!"

Said the stoker, "Oh, shoot the see oh double

yoo!"

Shrilly the whistle shrieked forth its alarm,
And the stoker threw firewood and coal in a

swarm;
But the cow never heeded, nor thought that
her star

Was setting at four miles an aitch oh you arr.

The yard engine struck her about midships,
And her summer dreams went into total
eclipse;

It scattered her system, most shocking to see,
All over the ess tea arr double ee tea!

TRUE LINCOLN STORIES.

While many were clamoring for the execution of the Rebel leaders, especially Jefferson Davis, Mr. Lincoln said, a few days before his death: "This talk about Davis tires me. I hope he will mount a fleet horse, reach the shores of the Gulf of Mexico, and drive so far into the waters that we shall never see him again." And then he told perhaps his last story—of a boy in Springfield who saved up his money and bought a coon, which after the novelty wore off became a great nuisance.

He was one day leading him through the streets, and had his hands full to keep clear of the little vixen, which had torn his clothes half off him. At length he sat down on the curbstone, completely fagged out.

A man passing was stopped by the lad's disconsolate appearance, and asked the matter. "Oh," was the reply, "this coon is such a trouble to me." "Why don't you get rid of him, then?" said the stranger. "Hush," said the boy; "don't you see he is gnawing his rope off? I am going to let him do it, and then I will go home and tell the folks that he got away from me."

At the White House, one day, some gentlemen were present from the West, excited and troubled about the commissions and omissions of the Administration. The President heard them patiently, and then replied: "Gentlemen, suppose all the property you were worth was in gold, and you had put it in the hands of Blondin to carry across the Niagara River on a rope; would you shake the cable, or keep shouting out to him: 'Blondin, stand up a little straighter. Blondin, stoop a little more. Go a little faster. Lean a little more to the north. Lean a little more to the south?' 'No, you would hold your breath as well as your tongue, and keep your hands off until he was safely over. The Government is carrying an immense weight. Untold treasures are in their hands. They are doing the very best they can. Don't badger them. Keep silence, and we'll get you safely across.'"

To Governor Morgan of New York, shortly after the Emancipation Proclamation, the President said: "I do not agree with those who say that slavery is dead. We are like whalers who have been on a long chase—we have at last got the harpoon into the monster, but we must now look how we steer or with one 'flop' of his tail he will yet send us all into eternity."

Being asked at another time by an "anxious" visitor as to what he would do in certain contingencies—provided the rebellion was not subdued after three or four years of effort on the part of the Government—the President said: "There is no alternative but to keep pegging away."

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PERSONALIA

Maxine Elliott's winter home is at Ocean Park, California.

Gelett Burgess is finishing another Goop book, to be called "Blue Goops and Red."

Madison Gwinn, the Kentucky poet, regretfully denies that he is also a successful broker.

Miss Sara Dean of San Francisco, author of "Travers," a story of the great fire, is in Australia gathering literary material.

Jack London is sick in Sydney, and may call off his trip around the world in the Snark, and come back to San Francisco.

Mrs. Gertrude Atherton expects to remain in California for a year or more to complete the literary work she has now in hand.

Arthur Stringer, the poet, claims that the idea of "The Vampire," George Sylvester Viereck's play, was stolen from his novel, "The Silver Poppo."

Mrs. Frances Hodgson Burnett has written a play, "The Dawn of a To-morrow," in which Eleanor Robson has made a success at the Lyceum theatre in New York.

Emperor William has conferred the decoration of the Order Pour Le Merite on J. S. Sargent, the American artist, in recognition of his pre-eminence as a portrait painter.

Broughton Brandenburg, the writer who was charged with forging the famous "Cleveland letter" of the last presidential campaign, is now charged with having one surplus wife.

President John H. Finley, of the University of the City of New York, is one of the thirty-seven original and only proponents of the name, "The World's Work," for that magazine.

George Ade's latest is "The Fair Co-Ed," with Elsie Janis in the title role. The scene is Bingham College, the hated rival of the Atwater College that figured in "The College Widow."

Doctor Waldstein, Slade professor of fine art at Cambridge University, England, declares that women used false hair 5000 years B. C., and that false teeth, rouge, and razor-date back to 400 B. C.

Next Monday Dr. John B. Deaver, chief surgeon of the German hospital in Philadelphia, will be banqueted by 125 brother physicians and surgeons whose appendices have been removed by Doctor Deaver.

George Gray Barnard is probably America's foremost sculptor and he is so poor that he has lately suffered almost for the necessities of life. The Pennsylvania capitol grafters wiped him off the slate financially.

Horace Fletcher, whose theory of masticating food has achieved world-wide fame, used to belong to the Olympic Club in San Francisco. He has the further distinction of being one millionaire who has a digestion left.

Miss Olga Nethersole believes that Rudyard Kipling is the author of "An Englishman's Home," a war play about which all England is talking. The play was produced in London two weeks ago with no author's name given.

John W. Alexander, the great American portrait painter, once escaped being kicked off General Grant's porch by the general himself only by jumping first. The reason was that Grant hated "Harpers," for which Alexander was then drawing illustrations.

On the occasion of Lina Cavalieri's recent appearance in opera in New York she received a telegram of congratulation from the rival artist, Mary Garden. It was in French and read: "Je vous embrasse avec tout mon coeur." The Western Union operator was not familiar with the idiom and what Miss Cavalieri received was a message that concluded with "I embarrass you and tout my ear. Mary Garden."

SHEAR WIT

The German people have merely handed Emperor William a sort of reign check, as it were.—Yonkers Statesman.

In charity let it be remembered that Mr. Willett is a newcomer to Congress. It was only the gentlemen's inaugural bawl.—Pittsburg Gazette Times.

"Aren't my measurements the same as they were three years ago?" proudly inquired the fat man. "Yes, sir, about the same," replied the tailor. "Chest a little lower down, that's all, sir."

"Oh, mamma," said little Lola, "I've got an awful pain. Won't you please give me some of that medicine with sugar in it?" Quick, mamma, before the pain goes away.—Philadelphia Record.

"Henpeck is a perfect mouse!" "You wrong him." "Bah! He jumps every time his wife speaks." "I know it, but if he was a mouse his wife would jump every time he squeaked."—Houston Post.

The butcher gave his assistant a wild goose to pick. Hearing prolonged profanity from the backyard, he inquired: "What's the matter, Dennis?" "Matter enough! I've feather in the brute is driv in an' clinched."

"He is a mollycoddle, he has no snap!" "Why, papa? I don't see how you can say that!" He may be a mollycoddle, but he certainly has a snap; his father is worth a million and he does not have to do a thing for a living!—Houston Post.

"James, as I passed the servants' hall to-day I saw you kiss one of the maids." "Yes, my lady—when would that have been, my lady?" "About 4 o'clock." "Oh, yes, my lady—that would have been June, my lady."—London Punch.

Winkle: "I wonder what becomes of all the boys who leave the country and enter the great struggle of life in the city." Kinkle: "They make big fortunes, and then tie back in their easy chairs and advise boys to stick to the farm."—New York Weekly.

A boy rushed up to a policeman and said: "Say, there's a man around there what's been fightin' with my father for almost an hour." "Why didn't you call me before?" asked the policeman. "Well," said the kid, "paw was gettin' the best of it up to a few minutes ago."—Bartlesville Enterprise.

"No one understands me!" he groaned; "no one on earth." It is the old story wrung from many a tortured, youthful heart. The sufferer is generally mistaken, but the pain is no less poignant. Yet in this instance the man's complaint was true. Nobody on earth could understand him. For he was an announcer of trains at the Union Station.—Cleveland Leader.

The other-people's-business man persisted in trying to extract information from a prosperous-looking elderly man next him in the Pullman smoker. "Mow many people work in your office?" he asked. "Oh," said the elderly man, getting up and throwing away his cigar, "I should say, at a rough guess, about two-thirds of them."—Everybody's.

Eggs-actly—"Why don't a hen lay eggs at night?" asked little Tommy Wood. "Because, my son," his pa replied, "At night a hen's a rooster."

Each in Season.—In winter dogs leave off their pants. In spring the lambs are dressed. And in the good old summertime The lover's suit is pressed.

A Blunderbus.—He kissed the lady by mistake. She raised an awful fuss. And now he's driven from her side By his own blunder-buss.

Bacteria.—In France they're known as "Parasites," in Germany as "Germs" in Ireland they're called "McCrobes," in Wurttemberg, plain "Worms."—Yonkers Statesman.

The suns plunge over the hill to the water. The stars are sure, God gives and to spare. The man-child thrives, and beauty's fair daughter; So, what it's all for, pray, why should we care?

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OUR SCHOOL FOR CITIZENSHIP

The Presidential Office.

One of the last things that the makers of our Constitution of the United States did, before they looked upon their work and pronounced it good, was to put the finishing touches to the provisions fixing the status of the presidential office. The conviction was that, in the Senate, property had been sufficiently safeguarded, the "first characters" (the aristocracy) assured of the ascendancy, the power and autonomy of the small states preserved against being overwhelmed by the big states, and the sovereignty of all the states protected against encroachment on the part of the national government. It was felt that in the House of Representatives a field sufficiently broad had been afforded for discussion of public affairs and popular representation given as much of a voice as was prudent.

But, it was felt, nowhere in the scheme of government had the nation found a champion able and willing to defend the interests of the nation as a whole. It was to meet this requirement of national unity that the presidential office was established as it was.

Nevertheless, the people of the nation as a whole were not directly trusted by the convention to nominate and elect their president. Another one of a long series of compromises was entered into whereby divergent views were converged upon a policy, quite as disastrous to those who gave as to those who received concessions, and electors were ordained to make the final choice. It was felt that public safety required that the electorate be placed at least one remove from the selection of the executive head of the nation, but "we the people," changed all that without going to the trouble of changing the constitution. We did it by instructing the presidential electors whom to vote for. They have no more discretion in the premises than the steam cylinder in a locomotive allows the piston rod.

Once again it is necessary to recall attention to the fact that we have a government on paper, and a government not on paper. It was intended by the makers of the constitution that the presidential office should represent the interests of the nation in a far-reaching way, but it was not intended that the presidential office should be especially responsive to the popular will, yet such is the fact. There is a reciprocal relation there that would have frightened the constitution makers half out of their wits had they suspected its presence.

Not only is the presidential office more directly responsive to public sentiment, but the president can appeal to, and arouse into active support of his policies, whatever power there is in public sentiment more readily than any other department of government.

Well it is for this reason, notwithstanding the fear of the "man on horseback" who, we have been taught to fear, might, with the support of a militant but erring rabble, subvert popular liberties and establish a dictatorship on the ruins of representative government. The enemy of representative government has not proven to be the man on horseback or the rabble, but special interests entrenched in Senate and House, in courts and legislatures, in conventions and party control. If ever the dreaded "man on horseback" is forced into action it will be these special and selfish interests that will do the forcing by reason of their cunning devices for causing representative government to fail of representing.

A continuous thwarting of the will of the people begets a resistance that is first disheartening, then stubborn and finally vindictive and careless of consequences. It is only when president and public stand together, as they have stood for the last seven years, that the public interests are well considered and predatory interests, entrenched in Congress and the organizations of political parties, successfully withstood, and yet this stupendous fact never entered into the calculations of the constitution makers. They built far better than they knew.

The presidential office is the greatest within the gift of any people on this earth, but it is

not always that great men have filled it. Of two dozen men who have filled the office, not more than one-third can lay claim to greatness, but if great men have not been uniformly selected for that office it has been the fault of temporizing and timid politicians, rather than the fault of the people, that big men were not selected.

The constitution does not contemplate the executive office having more to do with shaping legislation than calling congressional attention to the needs of the country and vetoing measures deemed to be injurious, but it is written in the law of necessity that important legislation must be prepared in advance by executive agencies and submitted to congress for action, as in the government of Great Britain. There have long been measures known, sub voce, as "administration" measures. Ere long important legislation will originate in this way and will better fit the need by being so prepared. It will give the nation, as a whole, a much needed initiative.

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In taking this pledge it is distinctly understood that I in no way obligate myself to vote for any particular party, any definite candidate or any certain measure. I am binding myself only to my Country, and pledging myself solely to the faithful performance of the duty I owe to her as a citizen.

Signed

Age

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A COLOSSUS OF RAILROADS.

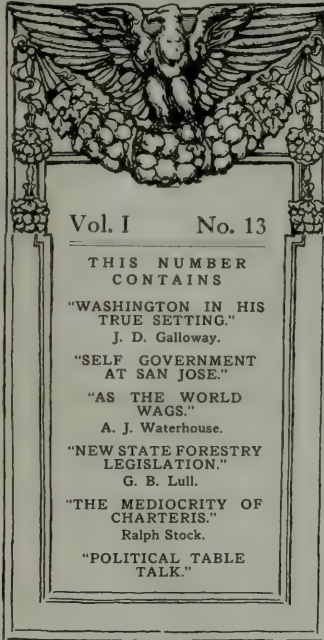
Whoever cares little for his own reputation will care little for the reputation of his state, but whoever cherishes a solicitude for the cleanness and dignity of his own repute will care greatly for the fame and name of the state in which he resides, for the city in which he lives. With what humiliation of spirit, then, must every true Californian, who saw the article, have read what the New York Evening Post had to say under the editorial title: "A Colossus of Railroads."

The New York Evening Post is anything but a reformer. It is conservative to the verge of being old foggy, and representative of conservative moneyed interests. It has persistently opposed President Roosevelt and his policies. It has deplored all manner of muck-raking, and yet the spectacle of the political subservency of California to the "Colossus of Railroads" moves it to pity, and pity is a harder thing for a brave people to endure than hatred. Pity is seldom far from contempt. California, under the domination of Mr. Harriman and his hired man, is looked upon by the Post something as the civilized world looks upon the Congo Free State under the domination of King Leopold. What could be more humiliating than that?

But the Post wisely sees that unless California can free herself from this injurious domination the fate of California awaits many another commonwealth in this union. In control of nearly one-third of the railroad mileage of the United States, the power in Mr. Harriman's control assumes such proportions as this country never saw before, and the advancement of Mr. Herrin, one of the most cunning political manipulators our political system has developed, to second in command is fair warning to other states of what they are soon to face. It means that Mr. Harriman is not to be content with the pre-eminence in American railroading, but in statecraft also.

The concern of the New York Evening Post is not primarily for California, nor yet for other states about whom the tentacles of this octopus are entwining. That paper is the spokesman of conservative capital, of capital that has been carefully accumulated and wishes to be wisely, lawfully and safely employed. This sort of capital, not predatory in its instincts, foresees a titanic struggle between lovers of freedom and seekers after despotic power, and it knows that in that contest conservative capital is as likely to get hurt as predatory. It is this that has prompted the mouthpiece of conservative capitalism to give warning of an evil that portends.

It should be plain to thoughtful persons, no matter in what walk of life, that the battle the Lincoln-Roosevelt League is waging to make California a free state is not being waged for California alone. It is being waged as certainly for Oregon, for Nevada, Arizona, Texas, for all the states west of the Mississippi river and south of the northern tier of commonwealths, for Illinois and south to the gulf and, with no small probability, for New York itself,



hitherto governed by the New York Central which Mr. Harriman is now to govern. It is a great danger that threatens free institutions in the rise of this "Colossus of Railroads." California, more than any other commonwealth in the union, is out on the firing line.

The present is no time for civic slothfulness. The freemen in the legislature, battling for a workable direct primary, for efficient control of railroads within the state, for the initiative that will permit the people to make laws when their representatives refuse to obey the popular will, need help and need it now. Allied with these forces in the legislature are the devoted men who are striving, under the handicap of a technical and unsympathetic appellate judiciary, to convict men of crime who have not the hardihood publicly to deny their guilt.

Does not the heart of every man worthy to be called a man burn within him when he takes these things to heart?

THE RECALL.

The wrestling match Los Angeles is having with the recall of her mayor will be watched with great interest all over the country. The

recall has yet to prove its utility. It has been given a place in many city charters, more because it was felt that it would not be a bad thing to include than because of its practical, positive good that was to be expected of it. Its enemies have looked upon it as a mischief-maker, its friends as a club to hold suspended over the heads of officials who might otherwise grow careless of their responsibilities. Los Angeles is performing a real service by testing the recall. Of one thing we may rest assured the American people are going to govern and if they cannot govern without the recall they will govern with it.

THE TARIFF COMMISSION CONVENTION.

It is too early to say what, if any, good thing is likely to come out of the national tariff commission convention in Indianapolis. There are reasons for fearing that many delegates went there for no other purpose than to support the commission idea in the hope of thereby postponing tariff revision that they may longer enjoy the benefits of special privilege. This element should not dominate. The extra session of Congress should effect at least a provisional readjustment of tariff schedules.

But it is impossible that Congress, so unwieldy as to numbers and so ill informed as to facts, can make a tariff schedule that will bear the test of a discriminating criticism. The result is not what ought to be but what can be effected. It takes the direction of the impacts of innumerable selfish interests, all striving for advantage. It is as much a bargain counter as a political convention composed of delegates out for the best trades that can be made with little concern for the common good.

The commission idea has long been in the public mind, but it has not taken shape because no one has undertaken to shape it. It is for Congress to say what principles shall apply, whether tariff shall be for protection with incidental revenue, or for revenue with incidental protection, but the working out of the schedules by the application of accepted principles should be the task of trained men constantly at work. If the Indianapolis convention shall be the means of establishing such a commission of expert tariff adjusters it will prove itself to have been splendidly worth while.

Judge Graham's idea of a special divorce court is not half bad, but why not make the juvenile and divorce courts one? It is out of the broken family that the juvenile delinquents come.

Last summer's direct primary in Kansas cost the several counties all the way from twenty-eight cents for each vote cast up to three dollars and fifty cents, owing to whether or not the voters turned out. The next reform should be to assess the cost of voting upon those who do not vote in the form of fines. Compulsory voting is coming.

NEW FORESTRY LEGISLATION.

There is no other state in the union so concerned for the preservation of its forested areas, its watersheds and the water-carrying capacity of its rivers, as California, yet, so far as the state itself is concerned, barely a beginning has been made in this work of construction and that beginning had to be made in the teeth of the opposition of the political powers in this commonwealth.

It is time that the true history of this situation were told. About five years ago the California Water and Forest Association appealed to the United States Forestry Service for aid. That service prepared a perfected bill for a forestry law for California. The association approved it and recommended it to the legislature.

As soon as the bill reached the legislature the Southern Pacific political bureau had it pocketed. It meant expense to the company in patrolling its timbered lands, and in safeguarding from fire lands not its own, and the session was far advanced before the fact of pocketing became known. Whereupon a few friends of the measure appealed to Governor Pardee and he exerted executive influence for taking it out of pocket and bringing it up for discussion. Powerful influences were exerted against the measure and those who should have rallied to its support were inactive. Hence the contest narrowed down substantially to the governor and his official family in support of the measure, and the "powers that be" opposed, the governor being aided by a few enlightened enthusiasts from southern California.

Concessions had to be made or defeat sustained, but Governor Pardee was determined that at least a beginning toward a forestry policy for California should be made at that session. Fortune so favored the contest that a beginning was made, but only a beginning. Enough was accomplished, it was thought, to carry on a work of education among lumbermen, timber owners and county officials throughout the state, for the promotion of a mutual understanding between all interests and harmonious effort for the common good. Such hopes have been more than realized. A clearer understanding and better feeling exists among all interests than ever before.

Two years ago a new governor took office, a governor who knew all about forestry from the ax-man's point of view and nothing at all from any other. He early announced his hostility to the whole movement, whereupon he found himself the focus for such emphatic protests from all parts of California as soon changed his attitude and he is now believed to be in sympathy with up-to-date forestry policies.

Elsewhere in this paper will be found an article on proposed forestry legislation from the pen of G. B. Lull, State Forester. Mr. Lull is all right. This paper will vouch for him, but the State Board of Forestry could be improved, though not in the way proposed by Senator Holohan.

There is no need for a state board of forestry, certainly not for one composed of men who know nothing of forestry, but a great deal about politics. The need is for a forestry department in the state government with a state forester in charge, answerable to governor and legislature and to no one else. The state board idea is bad wherever applied. It makes for inefficiency, for lack of responsibility, for increase of political patronage, but there is no pressing need for change at this time. When California comes to its senses it will abolish all its commissions and substitute departments therefor, but until that happy event takes place the state board of forestry may well remain as it is. The need is for more money, more men and more ef-

THE STAFF

A. J. PILLSBURY, Editor and Manager
CHESTER H. ROWELL, Associate
J. J. WATERHOUSE, Assistant
E. FRENCH STROTHER, Assistant
O. BLACK, Business Manager

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ficient control of forested lands, public and private. Mr. Lull presents the case fully. Every true Californian should read and ponder well what he has to say. Then he should write to his assemblyman and senator to push the good bills through and kill the bad one—the one that Holohan is working for.

AS OTHERS SEE US.

The New York Outlook, of the 15th instant, contains an editorial entitled, "Hetch-Hetchy Valley Again." It is whimsical and so weak as to ill behoove so valuable a periodical, and yet it fairly voices easterners' attitude toward San Francisco. Our city is looked upon as having in it no moral health. We have ourselves uncovered a putrid mass of internal corruption and exposed the unsightly sore to the observation of all the world, but we have neither cut the cancer nor purged our municipal system of the rottenness. Until we do San Francisco will not be able to command the sympathy, co-operation and respect of the rest of the nation.

The Outlook demands to know why, if the Spring Valley Water company has been a corrupter of our courts and municipal legislature, San Francisco has not herself swept out of office corrupt judges and supervisors instead of asking permission to wash herself clean in Hetch-Hetchy. It also expresses the fear that if Hetch-Hetchy valley is placed in the custody of San Francisco, for the protection of the purity of the water supply, some new Schmitz or Ruef will make merchandise of the situation and extort injurious tolls of those who would make use of one of the nation's playgrounds.

Who is responsible for the existence of this eastern attitude of mind toward San Francisco in particular and California in general? There are those who will answer very promptly: "Those who uncovered the mass of corruption." Those who say this are themselves corrupt and deserve to be shunned by all men as unclean. These are they who are now preventing the administration of justice in this city. But for such as these the graft cases would long since have come to an end and guilty men would now be expiating their crimes against this otherwise splendid city. More than all else failure to convict and punish confessed bribers and grafters is standing between San Francisco and the procuring of a healthful and sufficient water supply for all time.

The East is too far away to perceive with what heroism, patience and persistence the relatively few are striving to enforce the laws and to uphold the integrity of San Francisco. Not many eastern people adequately know that at every test of manhood the majority of San Francisco's adult men vote right. All that is seen is that graft is not punished, that technical courts sacrifice substantial justice to

immaterial procedure, that a venal press flourishes and that the enemies of San Francisco, within San Francisco, flaunt their infidelity in the faces of all and are not brought to book.

If public sentiment in this city were what it ought to be, if we could see ourselves as others see us, face to face, an aroused public sentiment would overwhelm corruptionists and their apologists in one speedy, condign ruin, and the city by the Golden Gate would stand forth radiant, asking no good thing of the nation that would not be given her.

LEARN AND UNLEARN.

It has been said that the average longevity of an accepted truth is only about eighteen years, by which time we discover that what was supposed to be true was not true, but, at best, only a glimpse at the truth. The longevity of error is much greater. Untruths regarding Washington, very many of them, are a century old and are still doing injury to the character and influence of a man who deserved better things of his country. It is well enough to make statues of Washington, but not wooden Indians, for if ever there was a flesh and blood man it was the Father of his country.

Elsewhere in this paper will be found an article upon Washington the man in a setting befitting a human being. It should help those who read it to get the wooden image out of the mind where it was implanted in childhood and put in its place a living image of a great personality. No one thinks of Lincoln as a manikin and no one should think of Washington as a manikin, or allow his children to form such a conception of him.

Is there not a duty here which patriotism can perform—the rescuing of a great reputation from a false and stilted existence in the minds of men? If we are to do this we must set about it by deliberately unlearning much that we have learned. We must forget that Washington was immaculate, for he was not. He gave way to transports of anger and depths of melancholy and he went on sprees of hilarity and fun-making out in the "quarters" where his negro slaves entertained him and he them. He loved his own case and was a good liver, but never did times or circumstances demand of him that which he was inadequate to supply. He was as far seeing as Lincoln and his judgment was as sound. He was self forgetful only when the good of his country required self-forgetfulness of him. He was the one great English-American—soldier, patriot, and statesman—and we who now live owe it to him to recover his fame from a wooden imagery and make of it a living presence in a land that has no more true heroes than it needs to have in order to keep the nation's aspirations above the muck of mere money-getting.

Once we, in California, had the party designation at the head of our ballot. We took it off and then we put it on again. Now it is proposed to take away the circle for voting a party ticket straight. Let it alone. Cannot our statesmen play thumbs-up and thumbs-down with anything except our ballot? This thing of trying to make men independent who are not independent, discriminating who are not discriminating, is wasted effort. Besides, the right of fumble-fingered and fuddle-brained electors to stand up and be counted is not to be infringed with safety to the public. If they are forced to be independent against their wills they will vote around just for luck and will make the ship of state unsteady on her keel. If the died-in-the-wools are told off and counted out, the balance of power is like enough to be held by persons with balanced minds, as fortunate a condition as may be hoped for. Let the party circle alone.

Paradise Ridge.

Three thousand and seven of the sons of the compatriots of Andrew Jackson were summoned into court and forced to confess their unfitness for the performance of a high duty of citizenship by reason of their having taken an intelligent interest in human affairs. A pronounced compliment to the intelligence of Middle Tennessee was a demonstrated detriment to the administration of justice. But for the existence of Paradise Ridge it might have proven impossible to secure a jury before whom to try the Coopers for the murder of former Senator Carmack. One can picture in his mind Paradise Ridge up among the stunted pines where the people live on cone pines baked in a dutch oven and by stealing one another's mast-fed hogs. San Francisco possesses a Tar Flat and a Barbary Coast, quite too intelligent, but no Paradise Ridge, and therefore may have to try the graft cases before packed juries. Either our laws should be so amended as to permit intelligent men to sit on juries or sheriffs should be permitted to summon jurors from Tailholt, Grub Gulch or Hardscrabble.

Quite Characteristic.

It is reported from Chicago that "Skinny" Madden has been caught in the act of taking a bribe from employers for preventing a strike, Madden being a representative of organized labor. The Chicago Federation of Labor is pressing at Springfield the enactment of a law making it a felony for any person to give or receive a bribe in the course of any labor dispute. The Contractors' Council and the Illinois Manufacturers' Association laugh this proposal to scorn and, per contra, have introduced a bill providing fine and imprisonment for any person convicted of demanding or receiving money for ordering or calling off any strike. As for the briber, nothing is proposed to be done to him. Will somebody please pass around the apple from the tree of knowledge of good and evil that employers, as well as employed, may eat of it and learn that there is no difference in morals between the briber and the bribed?

Grand Prizes Few.

The year 1809 was notable for the birth of great babies. In this particular it stands out conspicuously among all the years of the nineteenth century, a veritable year of jubilee, and yet in all Europe and America, there were born that year only ten babies who afterwards took front rank among the world's great, and not all of these will prove of imperishable memory. They were Lincoln and Gladstone among statesmen; Tennyson, Poe, Holmes, Fitzgerald and Elizabeth Barrett Browning among poets; Chopin and Mendelssohn among musicians, and Charles Darwin, man of science. How many blank babies, or babies that proved to be capital prizes only in their own households, were drawn in the baby lottery that year there is no means of knowing, but there must have been many millions. Nature is prodigal of everything except of geniuses.

Justice Gone Wrong Again.

Major Harvey W. Salmon, of Clinton, Missouri, did bad banking. He was indicted, convicted and sentenced to prison for three years. There was no question as to his guilt, but at the request of the grand jury that indicted him, and by the consent of the court, a stenographer was allowed in the jury room to take down the testimony. The Supreme Court of Missouri could find no law authorizing the presence of a stenographer in a grand jury room and therefore quashed the indictments against Salmon and he is now at large. Two years having gone by, it is not believed that he can again be indicted, tried and convicted.

What will the Lord God Almighty do to that supreme court by and by?

An Index to Jewish Sentiment.

Unkind things have been said and written about the attitude of Jewish people in San Francisco toward the prosecution of graft, and it cannot be denied that there are Jews whose love for money blinds them to higher considerations of morality and public policy, but a good indication of Jewish sentiment toward civic righteousness was lately furnished at St. Louis where Rabbi Leon Harrison addressed a great audience at Temple Israel on "What Lincoln Would Do If He Were In St. Louis." After analyzing conditions in St. Louis, and charging that the responsibilities lay not far from the synagogue where his hearers were then sitting, his audience, unrestrained by considerations for the time and place, broke out into vigorous clapping of the hands. The status of no man toward civic right is to be accounted for by race, creed or color. The issue is one of moral perception and, heaven be praised, there is no church, temple, congregation or club in which the new gospel of a moralized industrial, commercial and political life is not being heard with increasing approval.

Worthy of Special Consideration.

Charles W. Morse was no ordinary male factor. He played the game with millions, wrecked a whole chain of banks and ruined confiding depositors by the thousand. Therefore he is deemed worthy of special consideration. The pillars and pastors of all the churches he ever attended, the high financiers of Wall street, the Guggenheims and other great names with which financiers are wont to conjure, have joined in a petition to admit Morse to bail while the higher courts take their guess at whether or not the proceedings in the case which resulted in his conviction, and sentencing to prison for fifteen years, were according to Hoyle. Backed by such influences it is to be doubted if even a United States court can keep its grip on Morse, and yet he brushed aside all the laws enacted for the protection of banking as though they had been so many spider webs stretched across his path of a spring morning.

How Miscegenation Works.

In Mexico there are Mexicans, in language, complexion, habits of thought, mental and moral character who bear Latinized forms of such names as McManus, O'Neil, Flaherty. Adventurous sons of Erin stray below the Rio Grande, married and reared families, died and left half-castes to succeed to their fortunes. These married Mexican men or women and their progeny was only quarter-blood Irish, these in turn married in the neighborhood and their children were only one-eighth part Irish and so on until nothing Irish remained except a latinized form of the Irish name. So it would be with us if only now and again a Japanese or Chinese married an American. In four generations almost the last vestige of Mongolian strain of blood would be extinct, and no great harm done, except to the immediate descendants who would suffer embarrassment, and, possibly, ostracism, because of that which was no fault of their own. But permit Asiatics to come to us in large numbers, so that intermarriage would become common between the races, and we should rear up a half-caste population of such large proportions as to constitute a grave social problem. This is a principal reason why the many should be kept out and only the few allowed to land, for the few can be swallowed up and, in time, lost sight of. Intermarriage there will be if Mongolian emigrants prosper and grow rich among us, as they are certain to do.

The Deeper Significance : : : : of Living : : : :

Myth has played a great part in the childhoods of races, as great a part, perhaps, as in the childhoods of individual men and women, but as there comes a time when men and women put away childish things, so is it with nations in regard to the peoples with whom fables has filled the air, the hollows in the trees, the caves in the rocks. They are banished.

When one thinks on the universality of belief, in former times, in sprites, elfins, goblins, ghouls, and gods, he is inclined to ask himself if there may not have been some basis for that belief. Paul found the Athenians somewhat superstitious, but he did not try to banish from their minds belief in supernatural beings. He rather added to their store an unknown god that they should come to know. When Jesus took little children upon his knees and blessed them, he told those who had gathered near that the angels of these living children were ever before the face of the Father. What did he mean by that if not that children have invisible watchers and caretakers?

What would the literature of Ibsen be worth but for his mischievous trolls that cause sane persons to do insane things, or that of Hauptmann but for his trolls, or of Goethe without his Wolpurgis nights upon the Brocken? And how shall we commune with the saints, in whose existence we weakly reaffirm our belief, if there are none with whom we may commune? God is spirit. Does it not follow that the world of spirit must be a very real world, and only our world subject to unending change and incapable of perceiving spirit, unreal? Is not belief in an unseen world rational, rather than irrational and whimsical, a world no great way from any of us and which we are likely to step into any day? Even as materialistic a writer as Henry Maudsley, the physiologist, confesses that it may well be that unseen presences, whether of substances or of mind through the half conscious, sleeping ear.

Of course we all know in a vague way that the all-seeing eye of God is ever upon us, but somehow we come to feel that God must be pretty busy elsewhere and that we may be able to slip out of sight if we are real shy. The omnipresence of God is accepted something as we accept wise old axioms, not to be questioned, but not realized as a positive, awesome, never-failing, daily and hourly fact. If the idea of that majestic presence were borne in upon us until we were fairly "up against it," so to speak, it would frighten half of us half out of our wits.

But suppose that we believed, in some vital way, in the possible presence of those who have gone before, or that we also, as well as little children, have our angels before whose faces we stand as they stand before the faces of the Father, how would it be with us then? What would be the walk through life of the young man who felt the presence of his dead mother, elbow to elbow, at his side? How would it be with us, if we were sure, that we are never alone, but have ever at our sides some presence, seeing though unseen?

And what is more likely? Suppose that the world has 2,000,000,000 human beings, with an entire change of personnel three times in a century, and sixty centuries since the dawn of human history, 360,000,000,000 of them, to say nothing of unnumbered centuries struggling out of the mists up to that dawn! An innumerable host of departed spirits surely! And to what better service can a part of them be devoted than to tell us, if perchance they may catch us off our guard and so whisper some good suggestion into our subconscious ear?

The moral of all this is that it is a rational presumption that there is and can be no such thing from cradle to grave as being alone, unwatched and unwarded. If a consciousness of this probable truth could bear in upon us until it touched us at every point and always, it would save our feet from many a slip, our walk through life from many a stumble.

THE WORLD AT LARGE

Workman Capitalists.

The United States Steel Corporation found it hard to induce its workmen to take stock in its enterprises, even upon the most favorable terms, but persistent effort won success and now \$21,000,000 of the capital stock of that corporation is held by its employees. Upon this stock, \$12,000,000 in dividends has been paid. There are relatively few industrial enterprises in America that the laborers working therein could not own in ten years if they were to husband their resources carefully, combine them trustfully and use them honestly. A main trouble is that we are a hard-nosed nation of savers and we distrust management whether in our own hands or others.

A Difficulty in Regulation.

The Illinois legislature is striving to make the lives of trainmen safer and, with that end in view, is considering a bill limiting the number of cars in a freight train to fifty and requiring three brakemen to every such train. The Chicago, Burlington and Quincy railroad objects to this measure and for the following reasons: It has just expended \$4,000,000 in reconstruction work in order that it may haul cheaper grades of Illinois coal to the blizzard states in competition with higher price coal from farther east that can stand heavier freight charges. Great sums have also been expended in powerful locomotives and big freight cars controlled by air brakes so as not to need any "braking" at all. This merely emphasizes the difficulty of legislating intelligently with regard to railroad control. A transportation commission, with discretionary power, seems indispensable.

The Waters-Pierce Ouster.

The Waters-Pierce Oil Company was convicted of violating the Missouri anti-trust law, fined \$50,000 and required either to sever all connection with the Standard Oil Company or cease to do business in the state. It has paid its fine, but asks the court to permit it to do business without ceasing connection with the Standard but under the supervision of the court and in such a way as to guarantee legitimate conduct on its part. That is, the court is to have power to fix the price of oil and to prevent price cutting in one locality in order to crush out competition, then recouping losses by raising the price somewhere else, a policy the Standard Oil, and all of its branches, have employed incessantly from the first. This would prove a dangerous precedent and a step toward state management of commercial business not necessary to be taken, the more especially as Missouri courts are little better to be trusted than Missouri corporations.

Diaz to Run Again.

Porfirio Diaz first became president of the Republic of Mexico in 1877 and held office for four years, after which he held office another four years by proxy, he being the power behind the presidential chair. He was elected president again in 1884 and has held the office ever since, and now petitions are being circulated asking him to run again next year. He is getting to be an old man and not very strong in body, but his hold on the Mexican army and political machinery is so strong that he can hold the presidential office for life if he wants to, and he seems to want to. The commercial interests will want him to continue in office for, in all its history, Diaz has been the only ruler (for that is what he is) able to give Mexico a stable government. Long live Diaz! May he succeed himself again and yet again. But to call Mexico a republic is a joke.

The Jewish Review Coming.

The Jewish Review is one of the highest-class magazines in the world. It has long

been published, quarterly, in London, and circulates all over the Jewish world, but it is about to be removed from London to New York and for the reason that New York has become the world's center for Jewish culture, wealth and influence. One-fourth of the population of New York is Jewish. This incident is significant in showing the advancement of the Jewish race upon American soil. Its predominating portion is in America, not Europe.

Bigger Ships, Deeper Water.

Ship builders see no limit to the bigness of ships that may be successfully constructed, launched and sailed over the seas if only the harbor channels can be made, and maintained, deep enough to float them. French builders desire to construct, French investors to own and French merchants to furnish cargoes for a 35,000 ton merchantman, but the harbor of Havre will not allow so great a vessel to pass in or out over the bar. The French senate is disposed to come to the rescue of the big ship by expending \$20,000,000 in securing a 40-foot channel and it is believed that the other departments of government will coincide with the policy, but to what other port can such a ship take its way? What other harbor has a 40-foot channel?

A Layman's Movement.

The general tendency of the common man to assert himself in all affairs that concern him is manifesting itself in nearly all parts of the United States, in laymen coming to the front in church affairs, assuming a share of the hitherto heretofore imposed upon clergymen and women members, and proceeding to do things for the church and, through the church, for society. The progressive laymen are not inclined to "take orders," as it would be called in politics, but insist upon helping to determine what should be done as well as to do things after agreeing to a program. Some of the older ecclesiastics are a little dubious about letting go of the reins, but the younger ones welcome the new tendency heartily.

Another Transcontinental.

The Canadian Northern railroad started across the continent some years ago, up where the world is small around and where the snows lie deep, but it is pushing ahead and is now laying its plans more definitely to reach the Pacific ocean. Its terminus is now at Edmonton in northern Alberta, but it will push on through the Yellow Head pass and down the North Thompson river to the Fraser and thence to Westminster and to Vancouver. While it will compete mainly with the Canadian Pacific it will be a factor in trans-Pacific commerce as well as transcontinental and will prove a factor to be reckoned with even in California.

The Danger From Dust.

Chicago, in its warfare against tuberculosis and pneumonia, has been making a careful study of the dust problem. It has found that, in the down town streets of that city, twenty inhalations of air will bring into the system from as few as eleven to as many as 370 disease germs, and that during the operation of street sweeping by machine the danger is increased seventy times. The best safeguard yet found is a hand patrol with hose washings into the gutter from which the wet dirt can be removed in wagons. This will cost one-half more than machine methods, but will prove important in life saving, and Chicago seems likely to enter upon the reformed, though more costly, method of keeping its streets clean and preserving its citizens alive.

Liberia.

The attempt to found a prosperous Negro republic in Liberia has not turned out well,

even with Uncle Sam's benignant winking at the enterprise from time to time, which is about all he has done for it. It has between 40,000 and 50,000 civilized inhabitants, largely the descendants of American Negroes, and they are poor and shiftless and, although in a country of great agricultural resources, they have done nothing worth while. It is now proposed that the United States shall take a renewed interest in Liberia and, as a beginning, an appropriation of \$20,000 is asked for to defray the expenses of a commission to go there and make a thorough investigation into conditions.

Liquor Legislation in Indiana.

Indiana has had uppermost in its legislative mind this winter the control of the liquor business. One influence stood for prohibition; one for county option; one for city, ward and precinct option and, as a compromise measure, what is known as the Proctor-Tomlinson bill has passed the lower house and seems likely to become a law. It will give incorporated towns city and ward option, but prohibits the sale of liquor everywhere outside of incorporated towns. This should not prove a bad example for other states to follow.

A Jewish Revision of the Bible.

A new translation of the Scripture is being prepared under the joint auspices of the Jewish Publication Society of America and the Central Conference of American Rabbis. This new version will be a careful revision of the Authorized, or St. James's, Version, with a view to bringing it more closely into the form in which the synagogue has handed down the original text. Errors of translation will be corrected, but the classic English of the old version will be kept intact except where absolutely unintelligible words mar its force.

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WASHINGTON IN HIS TRUE SETTING

By J. D. GALLOWAY.

Not many days have passed since I walked along a brick paved pathway among white oaks at Mount Vernon and stood at last alone before the tomb of Washington. I had stepped from the present into the past; from the life of the struggling city which bears the name of the great president to the quiet of his home on the bank of the majestic river. The single group of visitors which had come with me on the same mission I had allowed to precede me. I had turned off into the garden and in this way succeeded in being alone. A visit to such a place as the home of Washington, where memory should be allowed full play and where sentiment should be given the freest range, is marred by the comment of even the most intimate friends. So by a simple ruse I was enabled to wander at will and without interruption along the paths of the garden and the surrounding lawns and to pass by myself through the house where had lived one to whom the verdict of history has without error awarded the title "great."

They were kindly hands, the hands of women, that restored the estate of Mount Vernon to the form that it held in Washington's time. It is not my intention, however, to add to the numberless descriptions of the place. I lingered in the house long enough to note most of its contents, the key of the Bastille, the furniture, all the little objects which great care has gathered to make complete this place without a visit to which no American's education is complete.

Associations of Mount Vernon.

The summing up of the associations of Mount Vernon is the lesson learned. It is not that we have seen the table at which the president wrote the Declaration of Independence or the library in which he read or the bed in which he slept. It is of no moment to remember that there is a sundial in the garden, that this or that tree was planted on a given date or that the bricks of the stable were brought from England. You purchase from the quiet old lady in charge of the kitchen a book of pictures which tell you all this. What should be found at Mount Vernon, the sense and memory of which should be carried away, is the fact that here dwelt in a time long past, a man to whom was paid the tribute of the greatest part in the history of men and that he played his part well. You have seen the home in which he dwelt, your eyes have looked as his eyes once looked out over the great river and the wooded hills and you have stood, perhaps as I stood, in front of the simple tomb and read the raindrops fell, "Within this enclosure rest the remains of General George Washington." The house and the furniture, the garden with its walks, all the accessories of the place are necessary to recall the memory of the man who lived there, but if the material things alone have filled your thoughts your time has been poorly spent. The material things are necessary, but their value lies only in that they enable us to give a personal interest to a man upon whom the efforts of the nation seem to have been concentrated to render into a false abstraction devoid of personality and life.

Apexes of History.

To the eye of history, viewing the progress of humanity through long periods, the course of advancement presents a uniform aspect. But a close examination reveals a less uniform appearance. The line of advancement, while generally pursuing one direction upward, has parts where the upward tendency is strongly marked and at other places it may run level or perhaps decline downward. Such upward strokes we designate the defense of the Persians at Marathon and the administration of Pericles, the Reformation and the Renaissance of Europe or the Revolution and the American Republic. A downward stroke would be the decline of Rome and the Dark Ages. Be this as it may, the time seem to be times relatively short in the history of hu-

manity into which are crowded events for which past ages seem to have been preparing.

The Revolution Such an Apex.

Thus it was that the long history of the colonies, with its interrelation with European history, finally culminated in the record of the Revolution and the formation of the Republic. A few men in England saw the signs but a dull king and a people willfully ignorant knew nothing of the changes which had quietly taken place. The Revolution came as a period of violent change. The final release of the stored energy of the clouds was made evident in blinding flashes and when the storm had cleared there was brought to view the wreck of many an old opinion and of many an outworn tradition. The world was clear, however, for the growth of a greater and better harvest.

It is not given to the people of any one period to realize to its full import the events in which they have taken part. The span of human life is too short an epoch with the cycles necessary to complete an epoch for an individual to grasp entire the changes which have passed before his eyes.

The life of America has not yet reached a permanence, is yet in a state of flux, and time alone can tell what the result will be. This much, however, is clear. Given liberty of action untrammelled by imposed authority the members of the white race are capable of realizing not completely, but completely as human efforts go, the dream of ages for the happiness and well-being of the individual. Democracy is the sole solution of the problem of the undeveloped race. In the twilight of the race growth, kings and rulers may have been necessary but the goal to which all human development tends is towards equality, not of mentality, but of opportunity, under self government.

Men engaged nor by the stage upon which the play is acted. The white race suffered but a momentary check when a million Russians met defeat at the hands of a million Japanese while the whole world looked on. The few thousand rollers who surrendered to General Washington at Yorktown represented not at all the strength of England and hardly any note was paid to the event except as it affected a British or a French king. Yet of the two events, one is remarkable only for the numbers engaged which appeal to the imagination. The other, trivial in numbers, was the culmination of a series of events the effects of which we feel and which will be felt for ages. It established democratic America which, by reaction, will in time make Europe democratic.

The Dominating Personality of His Time.

Hence it is that America of to-day may stand with bared heads before the tomb of the man who was the dominating personality of the time. Nothing is taken from the fame of his contemporaries by the admission of his preeminence. A long roll of heroic names associated with the forming of the republic is the heritage of the Americans. Others, more brilliant in debate or in knowledge of the detail of fundamental law, may claim attention but, in the varied events of the closing years of the eighteenth century, the name of Washington stands out clear and distinct as that of a great man.

As given in chief of the continental army he carried to a successful conclusion a long war against a powerful enemy. The errors and failures sink into insignificance before this one fact—that of final success in the field. Without this success all else would have been as nothing. Then as leader in the congress which formed the fundamental law of the land he held together the opposing factions when at times the forces of integration seemed weaker than those of disintegration. As the first of the present the monotony of the record of the time attests the merit of his

administration. "Happy are the people whose annals are at times like this."

When Washington turned from the scenes of his labors and his triumphs, the nation was an accomplished fact. To use an old simile the ship had cleared the harbor entrance and with sails set was pointed toward the open sea. The pilot could then give into other hands the care of the vessel and with a sense of work well done retire to his temporal rest which soon passed into rest eternal.

An Aristocrat Fighting for Democracy.

The supreme merit of Washington lies in his recognition of the spirit of his time and his guidance of the people in the path of democracy. He was an aristocrat by birth and he was one of the richest men of his time. His home at Mount Vernon is that of a cultivated gentleman. It is in arrangement and in the decoration which he supervised an example of a style the simplicity and elegance of which the present is glad to copy. He owned slaves and was of the dominant race. Democracy was but a memory of Greece or Rome or the theme of French writers under the patronage of a despot. In his own land and in England was there a semblance of the rule of the people and to this he could have been antagonistic by birth and surroundings. Yet with his clear conception of the tendency of the age and an appreciation of the benefits of liberty to all classes he led a successful war against aristocratic government, rebuked the people who would have made him king and assisted in founding a democracy which has endured. In this he stands almost alone in history.

His precepts and his example have at a distance of over a hundred years the force of laws. The world knows how well he built and the effects of his labors cannot yet be estimated, for the forces which he helped to release and to which he gave direction still continue as the dominating influence of to day.

Foolish Tradition Around His Name.

It is to be regretted that a foolish tradition has grown up around the name of Washington due to the efforts of the generations which succeeded him to make him almost a god. He is represented as a man almost without passions or human frailties. He is placed before children as the summation of all the virtues, and silly stories are told to emphasize his goodness. Therefore to children he has become tiresome for children do not care for such characters. To men he appears as a cold and austere personage eclipsed in brilliancy and in talents by his contemporaries.

The race is still troubled by an admiration for the spectacular and Washington was not spectacular. In the endeavor to make him a god we have only succeeded in making him tiresome. Both conclusions are equally false. Personally he must have been everything but cold and austere, for such a personality could not have held together the many men of diverse opinions in his time.

The tradition should be revised. A man of human attributes should be substituted for the colorless abstraction which we have brought into being and children should be taught, not some silly story of his personal life, but rather of his services to mankind. Of these, search may be made of the records of history without finding any of equal merit.

An Imperishable Memory.

Washington sleeps at Mount Vernon. The great river upon which his eyes rested to the last flows on in summer sunshine or winter storm. It typifies one way the stream of human life passing on its way and leaving no record while the memory of a great man remains a fixed and certain fact which endures. Changing the simile the river becomes the people of this nation, changing as to individuals but continuing to be the same, watched over by the spirit of its great founder.

SELF GOVERNMENT AT SAN JOSE

By AN OLD RESIDENT.

(The problem of self-government in America has got to be worked out in our municipalities. The town meetings were the kindergartens of Democracy. Our municipalities must become our common schools of free government, because it is there that people come together in multitudes immediately concerned for interests common to them all. We may liken state governments to high schools of democracy and national government to the university. It is therefore the purpose of The California Weekly, from time to time, to analyze and make clear the status and tendencies of municipal government in California in the hope that each may learn from the other.)

Since the recent defeat of the charter amendments in San Jose the politicians have been speculating concerning the probability of the Hayes brothers resuming control in that city after the next election. As is known to most readers, San Jose has had about as hard an experience with boss rule as any town in the state. For many years it was dominated by James W. Rea, whose methods of control were brutal in the extreme. Afterwards Rea was supplanted by John D. Mackenzie, who had been his lieutenant. Mackenzie's methods were a little more refined than those of his former master, but they were no more uplifting, and eventually he came to be as thoroughly detested as his predecessor had been.

Enter the Hayes Brothers.

Then came the turn of the wealthy Hayes brothers, who bought the two leading newspapers, and, in the name of reform, entered upon a systematic and successful campaign for capture of control of the county and city. The Hayeses and their faction had the city for six years and gave it a government which it is only fair to say was immeasurably superior to that of the preceding twenty years. But they gathered around them the usual number of camp followers and small-souled politicians; it was inevitable, therefore, that they should try to conciliate by being easy with the offenses of the saloons and the gamblers. The best that can be said of the rule of the Hayeses is that it was free from graft, with which the city had reeked before their time.

Bad State Affiliations.

In state politics, a field which the brothers were tempted to enter as soon as they had established control of the city, they did pretty

nearly everything which was bad and foolish—did it without intending to be bad and without knowing they were foolish. For several years there was offered the peculiar spectacle of successful municipal reformers being in practical alliance with Abe Ruef in state politics. In San Francisco Ruef was a politician; in the state he was never anything but an understudy for Herrin and the Southern Pacific. The lure with which Ruef drew the Hayeses into his schemes and those of the railroad was the promise to make "Black" Hayes Governor; there was never any sincerity in this promise, but eventually Herrin did arrange the nomination and election to Congress of E. A. Hayes.

Reenter Old Machine via Labor Vote.

The downfall of the Hayeses in San Jose city politics came about a year ago, when the opposing politicians made a deal with the trades union people; it is whispered that Justice Lorrigan of the supreme court and John D. Mackenzie, who is now State Labor Commissioner, were the political engineers who arranged this deal, and it was shrewd enough to be their work. According to agreement, the unions nominated for mayor C. W. Davison, a popular young man who had held a minor judicial position, and then filled out the ticket as they pleased. The push politicians formed their part by backing the movement with all their might, and they were followed by a strangely assorted combination of the disaffected; it is said that both the saloon and the anti-saloon voters rallied to the support of Davison; so did the railroad and the anti-railroad people, the preachers, the labor unions and many others.

Having won the election, the Davison party proceeded to remove the police and fire commission, the health board and other officers. Some of the victims of this proscription resigned when they saw the axe swinging, while others stood their ground and forced trial of their cases to their own justification and an unceremonious removal. Several of the best policemen were dropped, especially those who had been diligent in prosecuting petty offenders.

Davison Administration Rebuked.

Mayor Davison's appointments mostly bore the marks of Mackenzie, though some of his selections were good. The city council was made up of labor union men, and soon the ways of the mayor and the councilmen began to diverge; they are now far apart. What the mass of voters think is shown pretty well by the late election held to ratify some seventeen charter amendments. Public feeling perverted this election from its real purpose and turned it into a vote of want of confidence in the administration. San Jose is again in rebellion against its municipal government, and this outcome was foreshadowed by the county convention and election of last fall.

To a certain extent the Hayeses will profit by the blundering which has brought the combination to grief so quickly; but there is a strong element, including some of the real reformers, which would gladly dispense with both Mackenzie and the Hayeses. The future of the local labor movement in politics is another question of interest, though it looks a little as if when they make their next effort the Hayeses and the labor unionists will join forces.

A COMMUTER'S GARDEN.

By Ray C. B. Brown.

The sun shows o'er the eastern hills,
Transmuting to gold the leads;
I drink the morning's bracing thrills
And pace my garden beds.

The sparrows twitter 'neath the eaves,
Nest-building, flit about;
Wistaria waits not for her leaves
But boldly blossoms out

Shy poppies doff their green nightcaps
And show their sleepy heads;
No shame for opiate naps
Brings forth those golden reds.

The narrow yard is packed with bloom
In colors spectrum-wide
From rose with red, romantic gloom
To violets pale-eyed.

Each flower weaves a potent spell
To hold me from my task,
But vainly, for no man may dwell
Without a business mask.

Look! Yonder o'er the yellow bay
The city beckons my gifts,
And up in April's turquoise sky
A smoky finger lifts.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Say This For Him.

Say this for him:
He walked an errand, doubtful way,
From Duty's path turned oft to stray
Where blood-red buds in Passion's dale
The passer lured unto that vale;
Yet, far astray, he still looked back
To where God's light shone down his track,
And, stumbling oft, still strove amain
The best, right path once more to gain—
Say this for him.

Say this for him:
Although he walked in darkest night,
Still turned his soul unto the light.
Still heard in dreams a mother's prayer
Low whispered through the silence there,
And, hearing, turned from Evil's fen,
Again to rise, to fall again,
Once more to rise. God knoweth best
The story of his soul's unrest—
Say this for him.

Say this for him:
There is no depth by him untrod,
There is no height that leads to God
To him unknown. In weakness he
Has felt the might and mystery
Of One eternal, and he has seen
How beauty blossoms from the mean,
As he has cried, "Thee will I trust
Thought sevenfold curse be on my dust."
Say this for him.

Say this for all:
Oh, brother, sister, know you not
That we do share his errant lot?
There is no one so wholly pure
That he may walk with footsteps sure,
Nor is there one so low and base
He is beyond redemption's grace.
For him or her, for you or me,
The need of needs is charity—
Say this for all.

An Oriental Fable.

Sitting in her satin-lined boudoir, Fatima, the beautiful maiden, first sighed heavily, then she rubbed the ring which graced her dainty finger.

Immediately the jinn appeared, but Fatima, being used to spooks, was not alarmed.

"What wilt thou?" the jinn inquired.

Fatima pursed her ruby lips haughtily and in silvery accents vociferated:

"Bring me a man."

(For the heart of a maiden, is it not the same, whether it be found in Orient or Occident?)

"You didn't mention his plans and specifications," the jinn remarked.

"He must be tall, handsome, rich, of irreproachable character but a dark, dark past, and he must be content with part of one drawer in the bureau and considerable of one nail in the closet, loving, yielding but firm—in short, he must be perfectly lovely. Minion, why lingerest thou? Bring him at once!"

"He'll have to be made for the occasion," the jinn muttered as he departed, but shortly he returned with the man, such as he was.

"Why, he is just perfect!" Fatima cried, and fell at once upon the man's neck.

Sixty days later the jinn was sitting in his cavern pondering the subject of mental healing, when a violent shock indicated that Fatima again had rubbed her ring.

"That girl!" the jinn grumbled, "now I'll have to go just as I was beginning to appreciate how easy it is to make a man think he isn't sick when he isn't sick."

He found Fatima in tears, and, "What wilt thou?" he asked.

"The m-man," Fatima sobbed, "ta-ta-take him away!"

"But I thought you said he was perfect."

The poor girl broke down.

"That's the t-t-trouble," she moaned; "he—he—alas—he is!"

Moral:—Girls are not the only ones who

sometimes discover that a dream of perfection may have rusty joints and may not fit our little idiosyncrasies so well as we had anticipated.

A Simplified Spelling Proposal.

A youth who strove to simplify
Our English spelling, error-rife,
Once wrote unto a little maid,
And asked her thus to be his wife:

"Dear Sue," 'twas thus the letter ran)
My rivn soul hath sobd for yu,
And thru the vista that I scan
'Tis yu alon that meetst my yu.
Oft when I've napt I've kist thy lips,
Then wakd and sobd, my soul agrieved
To no it wakld in doomd elcips,
Ily that dashd dream despoiled, deceived.
And thoroly my hart hath sung,
As boroly I rode along:
Yur name was sweetst upon my tung
As actively I sweld that song.
Then rais, O, rais this sadnd hart,
And bles the life yur los wud dam!
Togethr, and no more to part,
Be yu my own, my litl lam."

"Dear sir," the maiden wrote, "I fear
To read your note were too much task,
But pa says if you come 'round here
You're sure to get the 'lam' you ask."

Gentle Woman and the Temperature.

The young woman came into the office glowing, warmed by a rapid walk of half a mile.

"Whew," she announced, as soon as she was fairly in the room, "it's awful close and warm in here!"

It was neither close nor warm, but she threw the window up, and sat down where she could secure the full benefit of the free ozone of the outer air.

Within ten minutes the ozone had become too free. It stirred up her fluffy hair and, for aught I know, reached chilling fingers down her spinal column.

"My!" said the young woman, "ain't this room awfully cold this morning?" and down went the window.

It never occurred to the gentle, feminine mind of her that the alleged closeness of the room when she arrived was due to the fact that she was warmed by exercise, or that the day was no cooler at 9:10 a. m. than it was at 9 a. m.

I have watched the nicer sex until I know that the young woman was representative of her sex, and the questions at once arise, Why does our beloved mother, sister, wife or daughter do this manner of thing? Why does she possess no temperature judgment? Why? But what's the use? It is partly because of a multitude of such inconsistencies and absurdities that we love her and would not be without her, and so we joyously let it go at that.

The Opinions of Rufus.

I ain't no b'liever in the theory that wimmen is nacherally jealous. Consid'in the libral chances we men give 'em, seems ter me it's s'prisin' how little fuss they make.

I've 'bout made up my mind it's easier on the hull to do right than it is to undo wrong. I'm consid'le like the other higher-ups. I desparinly jealous 'gainst bein' held up, but ef anybody persists on holdin' me up so I kin make a millyun dollars or so out of some thousands invested, I'll try to humbly submit to the inscrutable ways of Providence.

I've saw wimmen shy off frum touchin' a sister when I sh'd have thought the sister would have felt ruther grateful.

It's es you say, Silas: There's the same laws fer the poor man an' the millionaire, but the latter don't hev so much 'casion to notice it.

Some things this legislasher has done leads me to look forrard to the time when a man

can hear another called Honer'ble without grabbin' his own pocketbook to see if it's there yit.

"An' yit," says Harriman, thinkin' of the Alton railroad, "some dern ignoramus claim that honesty is the best policy."

What shall it profit a man to gain the hull world an' not be able to make his wife b'lieve the lodge reely was in session?

Seems ter me they's somethin' wrong with the school system that teaches my child what psychology is, but not how to read English so's to make head or tail out'n it.

Justice Complains.

"I am so glad," said Justice, suiting the action to the word, "to remove this bandage from my eyes."

"I should suppose the light of Truth outside would blind you," Equity remarked.

"It does sometimes, but that is a less trouble than the tendency toward being cross-eyed which wearing the bandage gives me. You see, one eye is blinded all the time when the bandage is on, and frequently I have to shift the fold from the other eye, and the strain—"

"But why do you have to shift the fold from the other eye?"

"So as to have a chance to wink at some of the indicted Higher-ups."

Der Kaiser Kissed Him.

Kaiser Wilhelm kissed King Edward, first on one cheek and then on the other, when the two monarchs met in Germany.

Aha, der Kaiser kissed him!

Ring out, ye merry bell,

And say this thing for Edward:

He stood it very well.

Traloo, der Kaiser kissed him!

He kissed him on each cheek,

And Edward bore it nobly,

Though he was feeling weak.

Whoop-la, der Kaiser kissed him!

Ring, bells, and let 'er go,

For Edward ne'er protested—

They say he's fadin', though.

Great guns, der Kaiser kissed him!

I'm gladdest when I sing,

To think, whate'er befalls me,

I was not born a king.

The Other Side.

I jested at kisses an emperor gave,

As a jester e'er may do,

But I saw 'neath the kisses their purport grave,

And I turned to the wider view.

I see them stand in their doubting lines,

Briton and Tueton bold,

Watching their lords for the faintest signs

Of a purpose yet untold.

Shall it be war, or shall it be peace,

Of the pregnant future born?

The red, red flow

Of a tide of woe,

Or the dawn of a sun-kissed morn?

Brothers are these, of the Saxon race,

Nursed at one mother's breast.

Yet each of them views the other's face

With a doubt one-half expressed;

And so they have stood in the doubting lines,

Waiting a monarch's heft.

Shall it be war,

And its red tide, or

Such peace as the gods love best?

They wait and they watch, while the world is still,

Its clamorous voices cease,

Waiting a sign of the kingly will.

'Tis given: The kiss of peace.

BOOK NOTES.

"Jorn Uhl."

This is not a just-out book, but it is a book widely read in its own country, growing in favor on this side of the Atlantic, and deserves to find new friends. It has been by many pronounced the best German novel and Gustav Frensen, its author, has gained a snug place in the hearts of his countrymen. Wherever people are interested in other people, there will be readers who will warm to him because of his keen and sympathetic interest in his kind. He writes whereof he knows.

The scene of the story is the lowlands of Holstein, bordering the North sea where the semi-barren heath breaks down upon the rich marshes, dyked and drained, and reclaimed from overflow. The characters are humble folk, having the virtues and faults common to humanity, but in settings new and strange to those not acquainted with that portion of the Fatherland. It is a good story well told, yet not told according to rules laid down by the critics, who have dealt harshly with the book while the German people have welcomed it as coming from the hands of one who understands the souls of them. The book is so clean that it can be put into the hands of any child, and yet it deals, in part, with primeval sin and its direst consequences.

What startles those of us who have been led to believe that in Germany, where everyone uses liquor, no one is drunken, is that the tragedies of the story revolve about a besotted condition depicted as characteristic of the country, the sufficient cause for the downfall of many a landed gentleman and the beggary of his family. If Jorn Uhl be a true picture of North German life, then the recent rise of the temperance movement in Germany is not without its abundant justification.

But it is not disagreeable truth-telling that alone makes the book a valuable contribution to literature, if not for all time, then certainly for our own. It is its subtle interpretation of German life and feeling. Their half belief in the reality of the realm of shade, the spirit of dark despair which makes adult (not race) suicide more common among Germans than among any other Aryan people, the common, homely, hearty thrift with which they bend to their work and rise superior to the hard conditions among which many of them live.

Gustav Frensen understands the people among whom he has lived and for whom he has toiled, and he has made Jorn Uhl a living, breathing, moving picture of North Germany as it was and is. Dana Estes & Co., Boston.

WITH EYES AND
:: EARS OPEN ::

I know a little girl who, out of her baby consciousness, evolved the vegetarian theory of living.

"I'm not going to eat any more meat," she calmly announced to her father one day at dinner, "and I shouldn't think you would want to."

"But why not?" her astonished father inquired.

"I think the animals like to live, and I don't want them to be killed for me."

Bless her wee, tender heart, what would you have said if you had been that father? Wiped the blood from a rare steak from your lips and assured her it was all right? Probably, but about how many pounds of meat do you suppose it would require to offset in value the all-comprehending love in that late-fledged soul? Assured her that pain and streams of gore and killing were essential to our lives? But how about hundreds of thousands of strong and healthy vegetarians?

The eastern dreamers say of the animals, "These, too, are my little brothers," and treat them with loving kindness. Sometimes I wonder if these dreamers are not in some respects a few rounds higher on the ladder than we.

Did you remark that I am a crank? No, I am as smugly self-satisfied and callous as you: I eat meat.

Now, what would you do about it?

The other day, on the street, I passed a woman who was about to lose an evidently valuable comb. Feeling that she would wish to be aware of the fact, I said to her, as courteously as I knew how:

"Pardon me, madam; you are losing your comb."

First, she clutched at the comb and replaced it.

Second, she glared at me, and continued to glare, while I felt myself growing smaller and smaller.

You see, I had violated the conventionalities, and hers being a soul with conventional boundaries, she felt that I should not be forgiven.

So again I ask you, What would you do about it?

It was an Oakland banker who recently said that President Roosevelt gets drunk every week. You remember what Abraham Lincoln, of revered memory, said of General Grant when that great commander was similarly accused: "Where does he get his whisky? I want to order some of the same kind for my other officers." If Theodore Roosevelt gets drunk every week, let us, in the light of the splendid things he has done, trust that many prominent American citizens will hunt up the brand of whisky he patronizes and make free use of it.

But President Roosevelt does nothing of the kind. Whether the banker manufactured it on the spot, or whether he merely passed it on, the story is false in its inception and untrue in its every development. And to this fact a host of witnesses might be called to testify.

Not long ago I read that short walking-skirts are going out of fashion and that soon women will wear only long skirts upon the streets.

I don't believe it. When I see women, even on rainy days, walking unhampered along the streets, uncompelled to clutch and raise dragging skirts, and, for the first time with my memory, apparently at ease and comfortable, I really do not believe it.

That is, I do not believe it until I take a second thought of the sacrifices woman has made and burdens she has borne at the dictate of fool Fashion, but when I have done this I am not so assured in my disbelief. I have seen woman make of herself a balloon, a winged cherub, a camel, a straight line, and almost

anything that is not human, all at the behest of this same frivolous old Dame Fashion, and, having seen these things, how can I be certain of what else she may do?

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POLITICAL TABLE TALK

By THE WATCHMAN.

The Three Big Issues The three really important legislative issues of this session of the legislature are the direct primary, railroad regulation and the reform of criminal procedure. All have made rather slow progress, as might have been expected. All are being hard-fought, and although the direct primary may perhaps win out on the original lines, compromises on the other two are all but certain.

Axing the Primary Bill The contest over the primary bill is, so far, all in the Senate, and it is now centered around the proposition to exclude from its operation the whole matter of the selection of United States Senators. This is what the organization is contending for, and Senators Wolfe, Leavitt and others are making the fight. They would have been glad to go much further in emasculating the bill; at one time they proposed to exclude, for the next election at any rate, the nomination of state officers, leaving only county and some district officers to be chosen at direct primaries. They also stood out for a majority vote, instead of a plurality, to nominate, a convention of delegates to be called if no majority nomination should be made for a given office at the primary.

Changes Too Raw This was so raw that it provoked a revolt, and the more patriotic Republicans in the Senate decided to band together, and take in Democrats who were like-minded, in order to prevent the Southern Pacific defeating the will of the voters after all parties had pledged themselves repeatedly on the subject of primaries. This Republican-Democratic combination appears to command the situation and to insure the passage, so far as the Senate is concerned, of the primary measure. One of the lines of the bill drawn by the Direct Primary League. The organization, seeing it cannot make ducks and drakes of the whole measure, is now trying to keep out the United States Senator feature, but should it succeed in pulling down a few senators, it would be emboldened, perhaps, to go back to its original program.

Revolt? Horrors! Of course certain Republican newspapers which wear the S. P. collar are appalled by the wickedness of the Republicans in combining with Democrats to secure the fulfillment of Republican platform pledges, but we have reached a tide in political affairs when the public good outranks party advantage in the eyes of the people. Where sincere Republicans and sincere Democrats stand together for the common good inside the legislature, sincere Republicans and sincere Democrats outside the legislature will find no occasion for offense in either of them.

All Sorts of Railroad Bills The fight over the railroad bills, of which there are three notable ones, is interesting. Senator Stetson introduced the bill prepared by Attorney General Webb, which is sometimes called the Governor's bill, because he is supposed to have assented to all its principal provisions. This bill was the outcome, so far as the Attorney General is concerned, of the investigation of railroad rebate practices made by the State Railroad Commission after Federal Commissioner Lane had uncovered the facts showing that within the state, the Southern Pacific and other railroad corporations had been granting rebates to favored firms on oil and many other commodities. There was no punishment of the guilty corporations, and the Attorney General took the position that there could be no punishment of these practices until the laws were tinkered up. Senator Campbell, a Democrat from San Luis Obispo, introduced a bill which follows the lines of the New York railroad law, with the Texas car demurrage law as an added

feature. Senator Wright of San Diego, rather closely identified with the organization, introduced a bill of his own which differs considerably from the other two.

Espee For Maximum Rate Peter F. Dunne, counsel for the Southern Pacific company, argued before a joint meeting of committees against these bills, but more particularly against the Stetson bill. His main point was that the state constitution only grants the Railroad Commission the right to fix maximum rates and that below these figures the railroads can charge as much less as they please; only he does not, ostensibly, claim the right for the railroads to charge one rate to one shipper and another higher rate for the same service to another shipper. Dunne's argument, fairly well backed up with legal citations, especially from the California Supreme Court in the Fresno passenger case, made considerable impression, and the present tendency seems to be to pass only a maximum rate bill. This is what Wright contends for, and Democrats like Campbell and Miller, in the Senate, are disposed to agree with him. The outlook just now does not appear good for Stetson's bill, but he is putting up a hard fight for it.

Resent Commonwealth Bills The bills of the Commonwealth Club were bound to excite the opposition of a large share of the lawyers in Senate and Assembly. Not all lawyers are reformers—far from it—but all lawyers have their own ideas, and usually very set and positive ones, concerning both civil and criminal procedure. They regard this as a subject peculiarly their own—an interest to be looked out for from the point of view of their own comfort, convenience and safety. On other subjects the lawyer in the legislature may be disposed to give the people what he thinks the people want; but when it comes to legal matters he says: "That is my province; I know all about that, and the mass of the people know nothing. Besides, this is the business by which I make my living, and my interests are entitled to be considered. You must show me."

Better Luck for Bar Association It is in the nature of doctors to differ, and all the lawyers are doctors when it comes to reforming court procedure. While some of the members of the Senate and Assembly Judiciary committee may have been favorable to some of the Commonwealth Club bills, the majority sentiment was strongly adverse. As soon as the situation was understood by the representatives of the club they withdrew a considerable part of the bills, leaving in, however, the more important ones. Then it appeared that the bills presented by the San Francisco Bar Association covered some of the same ground, and these bills, being less thoroughgoing than the club bills, and being offered by a body representing the profession, naturally were preferable in the eyes of committee members. It looks now as though some of the Bar Association bills will pass, and also, probably, some of the Commonwealth Club bills. Among the latter, there is reason to hope, is the bill to put an end to the legal farce of trying the grand jury after it has found an indictment, to find out whether or not any member of it had a bias.

Jurors Who Won't Acquit In general, the attitude of many of the legal members of the legislature is indicated by the remark of a prominent lawyer on the Senate Judiciary committee when there came up the bill to cut down the number of challenges allowed the defense from twenty to ten. He said: "There are men in my county who often serve as jurors and who have not acquitted a defendant in twenty years."

Use For the Initiative The lawyers in the legislature control the legislature. Not more than one amendment to our criminal procedure proposed by the Commonwealth Club was to be taken into most, and yet many of them should be. Given the initiative, the Commonwealth Club could take these amendments directly to the people and have them enacted into law at the next election. The public mind, not the legal (which is a different type of mind) could easily be educated within the next two years. Wanting the initiative the reconstruction of criminal procedure on rational lines is likely to prove a ten years' task.

Good For Mr. Kingsbury! An important fight in the legislature is being waged over proposed changes in the state land laws that regulate the sales of lands granted to the state for school and other purposes. For many years the Hydes and Bensons have been having things all their own way in the state land department, but at last they have a Surveyor General who wants to reach better results. He has already headed off the sharks from some of their accustomed raids, thereby earning their enmity and bringing on himself a few hundred suits at law. He has a bill before the legislature intended further to improve conditions, and the fact that the sharks are all fighting it is evidence that it is a pretty good bill. It is currently reported that Walter Parker and Jere Burke are doing all they can to beat the bill, though so far as known the railroad company has no direct interest in the business. A singular and interesting feature of this matter is that Surveyor General Kingsbury, when he was nominated, was looked upon as Walter Parker's candidate, and he was set down by those who gave the subject any thought as one who would be thoroughly dishonest, the son of his predecessors. But his record tends to disprove this presumption and to reveal him as an honest man.

Centralizing Building Work Speaker Stanton has presented to the Assembly an important bill to amend the state building law. It is important because the state is now spending \$2,000,000 a year in construction work of various kinds. Under the old lines of policy, the local hospital, prison, and school boards picked out the architects, received bids, let contracts, and assumed and performed all the other duties of management of the building work. With the establishment of the State Engineering Department two years ago came some degree of centralization, but the present proposition virtually sweeps away the local boards so far as concerns building operations. Building operations are to be conducted from any one office, if this bill passes, by the Engineering Department. This is one of the most vigorous measures of centralization which has yet been proposed in the state government.

Bay Cities, Take Notice Of unusual importance to San Francisco and the other bay cities is the municipal water district bill which Assemblyman Pulifer of Oakland introduced a few days ago. The scheme is to let a number of cities or incorporated towns decide by popular vote, on the initiative of any one of them, whether they wish to go into such a district and co-operate in the procurement of a water supply for all of them. Such a district is to have a governing board made up of the mayors or presidents of the boards of justices, and a general board of members in proportion to the number of voters in each municipality. To purchase water supplies and construct works and pipe lines, bonds are to be voted. Each city or town is to be left free to own and manage its own districting system, and the general board of directors only controlling the sources of supply, main works and pipe lines.

UP AND DOWN : : THE STATE : :

W. F. Axtman, a well-known newspaper man of Chicago, has purchased a controlling interest in the Santa Pasadena Record, and henceforth that paper will be in his editorial charge.

N. F. Ordway, a California pioneer of '49, died at his home in Oakdale last week in his 75th year.

It is announced that the work of constructing the Sacramento and Lake Tahoe railroad will be commenced not later than the first of next May.

At the end of the tenth year of its existence the Geyserville Gazette announces that its eleventh year will be marked by notable improvements.

The recent heavy rains have driven many mountain lions out of the hills, and within the last week or two have been killed at Deer Creek Meadows, one at Ingot, and another at Cohasset.

Editor Ed. S. Leake, of the Woodland Democrat, who was one of the many people poisoned by ptomaines at the time of the launching of the Prometheus at Mare Island, has not recovered from the resulting illness.

A. E. Daswell, agent of the Southern Pacific company at Corning, died suddenly of apoplexy while on duty last week.

The Sacramento Valley Development Association reports that the assessed valuation of property in the valley increased about \$7,000,000 during 1908.

Santa Rosa is preparing to have a fine exhibit at the Cloverdale Citrus Fair.

The forestry service is preparing to turn loose 3,000 Angora goats in Lassen and adjoining counties in order that they may eat underbrush and thus prevent forest fires.

The Square Dealer is the name of a sixteen-page magazine recently started in Berkeley.

W. F. Ford, formerly of Colusa, is the editor. The Contra Costa Standard has changed from an eight-column folio to a six-column quarto, the change being an improvement.

William Avery of Nevada City committed suicide at Brownsville a few days ago. Dependancy over ill health is supposed to have caused the deed.

It is reported that a movement is under way to divide Mendocino into two counties.

James Denman, sometimes termed, "the father of San Francisco's public schools," died in that city last week Wednesday.

J. C. Crome has sold a half interest in the Roseville Tribune to S. E. DeRackin.

Charles H. Loper, tried at Fresno for the murder of Joseph Vernet, was found guilty.

Policeman James Glenn, who shot "Kid" Winsor, alias James Gallagher, at Bakersfield, while arresting him, has been arrested on complaint of Winsor's father.

R. M. Smith, a well-known stage-driver, dropped dead last week just as he finished his "run" from Oroville to Woodleaf.

Arrangements have been made to reopen the old porphyry quarry near Corona.

Mormons will build a church, to cost \$6,000 or \$8,000, in Gridley.

Thomas McCarthy, a miner, of San Francisco, committed suicide by shooting himself, in Stockton, last week.

Two new free delivery mail routes have been established at Oroville.

The contract for Sacramento's much-needed swimming baths has been let for \$31,692.

A cut-off in the Yuba river below Marysville has been completed, and another to connect that stream with the Feather will be begun at once.

It is said that eastern capitalists will erect an electric power-plant at Orangevale.

Oil has been discovered on Middle creek in Shasta county.

Dr. Lorenzo G. Yates, a well-known naturalist, recently died at his home in Santa Barbara.

William E. Daniels, a young man formerly of Santa Rosa, where he was well and favor-

ably known, was killed in the power-house of the electric company at Petaluma, by the bursting of a clutch. He was alone at the time.

The San Joaquin county supervisors have adopted an ordinance providing for working vagrants on the roads and in other public work.

The Modesto News on the 6th instant issued a special illustrated edition which made an excellent showing of the resources of the community in which it was published.

All Fresno teachers, except the male teachers in the high school, have applied for an increase in salary to take effect March 1st.

In a fight between Greeks and Hindus near Marysville two Hindus were nearly killed and others were more or less seriously injured.

Gold in considerable quantity has been found in the foothills between Pleasanton and Dublin, near Livermore.

The Southern Pacific is rebuilding and repairing its track between Armona and Colma.

The lawyers of Butte county have organized a Bar Association.

By defeating the Redding team in the last of a series of games of basketball, the Oroville high school girls won the championship of the Sacramento Valley High School Athletic League.

The Hobo and the Flood.

The Watsonville Pajaronian is sponsor for the following story of the big storm:

Friday a Pike, Pete had an experience at Blanco, a few miles from Salinas, which came near turning his hair to match the name of the station.

He arrived at Blanco just at dark and finding no convenient car, went to the river bank and "made down" under a willow.

At daybreak he was awakened by the splash of water and sat up to find himself on the only dry spot in sight—but the water was still rising.

He had no knowledge of his surroundings—didn't know how deep the water was, how fast it would get deeper, nor how long it would stay deep—so he climbed the tall tree to its tip top and waited.

After waiting there in the rain and frost for two more days and nights, and without anything to eat, a rescue party was attracted by the man's shouts and came down within speaking distance of his island.

"What are you up there for?" asked a new comer. "Why don't you come down?" yelled another.

"I can't swim," yelled the poor fellow.

"Swim? Swim! Why man that water isn't six inches deep—and it hasn't been any deeper; don't you see it's only a swale? Come on down, and wade out."

Sure enough the tree was in the center of a little hollow which had been filled by the overflow from the river, but the man didn't know it until two days of anguish were passed.

"Dragon Stories."

A book of adventurous and romantic interest is "The Dragon Stories," or "Narratives of the Rescues and Romances of Chinese Slave Girls." The two stories (true stories, by the way) are at once thrilling and appealing. They hinge on the rescue work done by the Presbyterian Mission Home in San Francisco, but

their appeal is directly to the heart. The stories are well worth reading. ("Dragon Stories," The Pacific Presbyterian Pub. Co., San Francisco, 50 cents.)

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NEW STATE FORESTRY LEGISLATION

By G. B. LULL, State Forester.

The State Board of Forestry is making a strong effort to secure from the present legislature an equipment for better work in the future along the lines of forest extension, protection and management. To this end it is asking, first of all, for an increase in the appropriation. Two years ago the legislature made appropriations for the State Board of Forestry, to last for two years, as follows:

Salary of State Forester	\$ 4,800
Salaries of two assistant State Foresters	4,800
Support of the State Board of Forestry, including field and traveling expenses	10,000
Printing, binding and ruling	2,500
Improvement and maintenance of California Redwood Park	10,000
Printing	100
Total	\$32,200

The amounts requested to serve for the next two fiscal years are:

Salary of State Forester	\$ 6,000
Salary of Deputy Forester	4,800
Salary of Assistant Forester	4,800
Support of State Board of Forestry	30,000
Printing, binding, etc.	3,500
Improvement and maintenance of California Redwood Park	20,000
Printing, binding, etc.	100
Total	\$68,400

It may be said in explanation of the increases requested that the support fund of the State Board of Forestry during the past two years has been wholly inadequate to meet the rapidly increasing demands for forest work. This is particularly true of the work in planting. The planting of eucalyptus has assumed a prominent place in California and indeed is attracting people from all over the United States. No less than thirty-eight companies have been formed in California and two as far east as St. Louis and Kansas City, to propagate eucalyptus in California. All this has occurred during the past two years and has made demands upon the office that were wholly unanticipated. This has necessitated expenses beyond what the appropriation made when the office was doing almost nothing but routine work could be expected to cover, consequently at the present time the appropriation for the balance of the present fiscal year is almost exhausted. The increase requested will no more than meet the demands for the next two years if the work of the office does not increase over what is being done at the present, a condition which may not be expected to exist.

Salaries Inadequate.

The salary of the State Forester was placed at \$2,400 when the office was created four years ago. This is less than that of the head of any other office of the state. The increase is asked because it is believed that the office has demonstrated its value to the state and that a state forester who fulfills the qualifications demanded by the law performs the duties incumbent upon such an officer should be paid not less than \$3,000 per year.

The increases asked for assistant state foresters are larger, relatively, than asked for the state forester. This follows from the fact that the assistants have been kept at \$1,200 a year for four years. This salary is less than that paid to clerks and even stenographers in most of the state offices and is not sufficient compensation for men qualified to be assistants in this office. The law does not require that the assistant state foresters shall be trained in forestry but in order to carry on forestry work in an intelligent manner it is essential that they shall have at least a rudimentary education along forestry lines. As it happens the present incumbents are both college bred men and both have had before coming here, considerable experience as employees of the Federal Forest Service. It is essential to hold these men in state employ and in order to do so they

must be compensated as well as other officers of equal standing.

Improvements for Redwood Park.

The amount requested for improvement of California Redwood Park is \$20,000. This is the amount biennially appropriated for the maintenance and improvement of the park until two years ago when the legislature cut the appropriation exactly in two. This forced retrenchments in every direction at a time when it was absolutely necessary for the protection of the property to be conserved by fencing it with fire lines, and forced the letting of a contract for the removal of fire-killed timber to a private party when, if the appropriation had been sufficient, the state could have handled it on its own account. It is necessary now, and will be for several years to come, to have an appropriation of at least \$10,000 per year to properly equip the park for the proper use of the people who visit it. The park is a high-priced property. Originally it was purchased for \$250,000 and in the short time it has been the state's property its value has increased to not less than \$450,000 or \$500,000. It is essential from every standpoint to protect this property from fire and to preserve it for the best use of this and future generations. To do so properly it will be necessary to continue the opening of fire lines from which back-firing may be done and to keep the fire lines free from vegetation. In addition to that it is at least desirable that the roads and trails should be extended and kept in passable condition. These improvements cannot be done on an appropriation of \$5,000 per year. All these appropriations are carried by the general appropriation bill.

Bills Affecting Personnel of State Board.

Aside from this bill several forestry bills of more or less importance have been introduced. Senate Bill No. 455, by Senator Holohan, aims to change the personnel of the State Board of Forestry. Instead of the present board, which is composed of the Governor, Secretary of State, Attorney General and the State Forester, he would have a board composed of five members appointed by the Governor. Each of three of these members would be either the president or a member of the faculty of Berkeley and Stanford universities and Santa Clara college, the other two, citizens of the state whom the Governor might select. The argument of the proponent of this measure is that the present Board of Forestry is a political one and that the cutting of the fire-killed timber in California Park was in violation of the principle under which the park was purchased, viz.: that it should be preserved in a primeval condition for the enjoyment of the people of the state. It will be noted that the author of the bill has not taken into account the fact that in order to preserve a tract like California Redwood Park it is essential that fire menaces shall be removed. To accomplish this the Board of Forestry has encircled the park with a fire line to prevent the invasion of outside fires. Following the construction of this line it started the removal of fire-killed timber from that section of the park burned over four years ago. It is well known by every one in California that the cutting of fire-killed timber is a dead tree is the greatest menace to a standing forest because fire will run to the top of it and from there be blown a long distance into the forest. When such conditions obtain it is practically impossible to stop a fire by fire. The only way to stop a fire is by removing dangers of this kind a portion of the trees killed by the fire four years ago have been removed from the park and the balance of them should be. Moreover, the presence of the standing dead trees is a detriment to the growth of young trees on the burned area because limbs are constantly falling and breaking the young trees down, and in the case of coppicing trees like the red-

woods the coppice growth could never hide the unsightly burned trunks of the old trees.

Park for All Generations.

Because the Board of Forestry took the point of view that the park is to be preserved in its present condition for all time, and that its welfare one hundred years from now depends upon the removal of menaces now, it has been accused of commercialism, lack of sentiment and political chicanery. All these conditions S. B. 455 would change. By looking over this bill it can be readily seen that if the Governor should desire to appoint politicians on the State Board of Forestry, under its provisions, he would have the greatest freedom to do so because he is not restricted in his choice to any particular member of the faculties of the institutions mentioned but may appoint any member, even though the most plant, should he so desire. It is hard to see how this bill could remedy conditions even if they were as bad as charged.

Senate Bill 820, by Senator Bills, is one that will meet with no opposition. Mrs. Annie E. K. Bidwell, owner of Rancho Chico, Chico, California, wishes to donate to the State of California for public park purposes, certain lands comprised in her property. These are made up of three streams and their bordering banks. Along the banks of the streams are many large trees which it is her desire to preserve for their beauty and shade value. Furthermore, she wishes that the conditions of streamflow shall be maintained as at present and believes that the state is more able to maintain these than any other party.

Senate Bill 278, by Senator Birdsall, makes an appropriation of \$5,000 for the construction of a water and sewer system in California Redwood Park. Up to the present time the water for domestic use in the park has been obtained from an uncertain supply or carried from the stream. It has become necessary, on account of the great number of visitors to the park, to have a dependable source of water.

Sewage for Redwood Park.

None but the most primitive conditions as regards the disposal of sewage have ever prevailed in the park. This problem has become more and more important as the number of visitors increased until now it seems unsafe to continue longer under the present conditions. If one or two more summers pass without the proper system of sewage disposal the camping grounds may be expected to become disease-infected. At the request of the Board of Forestry the state engineer made a survey at the park last fall and has reported that systems for a dependable supply of water and proper disposal of sewage can be installed for \$5,000, the amount asked for.

Senate Bill 822, companion to Assembly Bill 1006, appropriates \$30,000 for better protection against forest and field fires. It provides for the appointment by the state forester of a county firewarden in each forested county who shall have a monthly salary of seventy-five dollars during such part of the year as he is employed, and for the payment of not exceeding twenty-five cents per hour to the assistants called out by the county firewarden to put out fires. It provides that not more than \$500 shall be expended in any one county in one year and that the expenditure of any money in any county is contingent upon an appropriation by the county supervisors of an equal amount to be expended for the same purpose. This is a very important bill. It is well known that forest fires destroy many hundred thousand dollars worth of property every year. This bill is a remedy for this loss, to a large extent, by the expenditure of only \$15,000 per year. It is largely an experimental measure and is patterned after the plan followed for two years by the Washington Forest Fire Protective Association.

(Concluded on next page.)

THE GRAFT CASES

Last Wednesday the jury brought in a verdict of guilty against Michael Coffey, the former supervisor charged with accepting a \$4,000 bribe to vote for the overhead-trolley franchise.

As outlined in this department last week, the main evidence against Coffey was given by James L. Gallagher, who testified positively that Coffey accepted the bribe, as charged. More indirect was the testimony of officials of the United States mint, of the United Railways company and of Ruef's stenographer and office boy, by whom it was shown that the United Railroads had in the mint the sum of \$200,000 which, at about the time of the alleged bribery, was turned over to Abe Ruef.

The defense introduced no testimony, and all that the jury had to do was to decide whether that presented by the prosecution was sufficient to demonstrate the guilt of the man who before the grand jury acknowledged that guilt—and the jury did it.

The slow work of securing a jury for the trial of Patrick Calhoun suffered a delay of four days last week—from the 10th to the 13th inclusive—on account of the illness of Francis J. Heney, which was due to grip and a threatened nervous breakdown. However, Mr. Heney again was "on deck" last Monday, as was a special venire of eighty talentsmen. Another venire of sixty has since been summoned, making a total of 910 up to last Wednesday.

Forty-eight of the first eighty talentsmen were excused by Judge Lawlor for various sufficient reasons, leaving thirty-two to undergo the test of examination by the lawyers on both sides. The net result of these proceedings was an actual loss of two jurors from the twelve subject to peremptory challenge, Walter J. Rock and Walter L. Baskette having been excused for cause, and Charles H. Syddam, a wholesale grocer on 2201 California street, having been accepted subject to peremptory challenge.

A notable feature of the case has been the approach of friends and relatives of prospective jurors by unknown persons who endeavor to obtain a "line" on the feeling of said prospective jurors anent the case. A curious development of this sort related to Talesman Nordquist, to ascertain whose views a stranger called on the wife of Assistant District Attorney William Hoff Cook last Friday. When Mrs. Cook informed him whom he was addressing he departed in haste. A right-minded public is entitled to hope that some one or more of these busy but anonymous gentlemen yet may be apprehended and compelled to explain his activities.

It is quite safe to say that spring will be well on its way before the Calhoun case will go to the jury.

Last Monday the setting of the case against Adolph S. Newburgh for trial was postponed until Saturday, the 20th instant. At the same time, his attorney, Bert Schlesinger, announced that he then would ask that the case be not tried within three weeks, as another important case would demand his attention during that time.

The trial of the San Mateo county graft cases began last Tuesday before Judge M. M. Dooling of San Benito county. The prosecution is represented by Raymond Benjamin of the Attorney General's office and Assistant District Attorney Robert Harrison of San Francisco, while the attorneys for the defense are Ross & Ross of Redwood City and Walter J. Linforth of San Francisco.

District Attorney J. J. Dullock, of San Mateo county, is charged with misconduct in office in drawing up a secret contract for \$2,992 in favor of the O'Brien Construction company; Sheriff Robert S. Chatham with wilful neglect of duty in permitting a prisoner to leave jail and vote at the general election last fall. The charges against Supervisors John H. Coleman and J. C. Eikenkotter and former-Supervisors D. E. Blackburn and Joseph Debenedit are based upon alleged fraud in connection with the O'Brien contract.

The defendants have pleaded not guilty, and have attacked the indictments on the grounds of prejudice, improper drawing of the grand jury, failure of all the members of that body to vote for the indictments, etc. In brief, San Mateo county evidently is to have a specimen of that variety of administration of law with which San Francisco is so familiar. A motion for the appointment of an elisor in the place of Sheriff Chatham will be argued next Saturday.

("Forestry Legislation" Concluded)

Reforestation Measures.

Senate Bill 1054, by Senator Willis, will have a companion in the Assembly by Mr. Melrose. At the present writing the assembly bill has not been introduced, consequently its number cannot be given. This bill aims to perpetuate the valuable species of forest trees on cutover lands by requiring those who conduct lumbering operations to leave five trees per acre to serve as seed trees. The bill is fathered by the Tri-counties Reforestation Committee of Riverside. It was first suggested by resolution of the National Irrigation Congress at its meeting in Sacramento, 1907. Since that time the state of Maine has submitted to the supreme court the question as to whether such a bill would be constitutional and has received an unanimous answer in the affirmative. It is clear that it will be incumbent upon the state to take action in this direction at no distant date and it would seem nothing more than good business to begin now before the virgin forests are irreparably damaged.

CALIFORNIA.

By D. S. Richardson.

There was a summer land which dreaming lay
Between the purple mountains and the sea;
And, in his rounds, the knowing sun looked
down
Upon no spot so fair. It was the last
Untrodden space of that great western arc
Which restive man had followed round the
world
Since in his heart the wander-lust was born.

In tawny beauty, league on league, it poured
Its languorous, impenetrable golden coast.
Or stretched away in verdant splendor where
The hills to mountains stepped and forests
brushed
Their finger tips against the jealous stars.

As yet, through fertile vales, the crystal
streams
Went singing to the sea; and on the plains
Where crimson poppies flashed like torches in
The tangled grass, the yellow mustard plumes
Bent stately heads to all the scented winds.
And big-eyed deer looked upward unafraid.

It was a virgin land, unexposed by plow
Or woodman's axe or stir of toiling men
With lust of Mammon in their eyes. No cry
Of iron monster, roaring down the vales.
Its primal stillness broke; nor clang of forge.
Nor hum of wheel in busy haunt of trade.
Asleep it lay; nor waked the echoes of
Its drowsy steeps to other sound save that
Of waters falling and the siren song
Caught by the pine trees from the distant sea.

And so, as waits a bride her coming lord,
And sleeps, meanwhile, unconscious of her
charm,
Or aught of human destinies within
Her virgin womb concealed, the fair land slept
The age-long sleep, awaiting still the call
To life and passion, through her valleys heard
When Marshall touched the golden chime of
dawn.

* * * * *
O land beloved! What time mine eyes have
seen
Thy morning to splendid noon advance, and
mine
Of empire start the grizzly from his lair,
Behold, the Earth brings tribute; and thy sons
In beauty stand there, pledged to make
The promise of thy natal hour the rich
Fruition of a glory yet to be.

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THE sonata died away into the wailing of the wind about the ranch house walls, and Charteris turned from the piano to light a cigarette.

The stranger in the deep arm chair across the room stirred slightly, and uncrossed his legs.

"I suppose you know you play magnificently," he suggested, with an affected indifference.

"Only so so," said Charteris, cheerfully. "I thought the same myself once, until I was told on the best authority that there was something vital lacking—technique or something."

"I don't see it," protested the stranger. Charteris shrugged a pair of broad, round shoulders.

"No, you wouldn't," he said, bluntly. "You're not of the elect; you can appreciate but not appreciate; you know when a thing pleases you, but you never pull it to pieces to see if its charm is produced correctly. For instance, you would deal in exactly the same way with these pictures," his glance indicated the walls of the room, "they're all fair; quite good men have said they're fair."

The stranger rose from his chair, and made a slow detour of the room, examining each painting in turn, while Charteris watched him from the piano stool with a quizzical half-smile.

"You think they're pretty good?" he queried at last.

"I think they're uncommonly good," said the other, with a touch of asperity.

"I thought you would," laughed Charteris, exultantly, "but they're not, they're average. So are the two novels I have written, which I daresay you have half-read at some time and thrown aside." He broke off with a short laugh. "You must bear with a hermit's egoism; this is the first time for over a year I ever have talked with anyone who has a thought beyond a cow or a horse. I have only entered on my novitiate to the prairie; give me another two years, and I shall have adapted myself."

The stranger slowly paced the room. "It's nothing to do with me," he said, "I don't know what I did. I think you would rather annoy me—but why—all this?" His gesture embraced the log walls of the room, the dreary glimpse of driving snow through the tiny, double-framed window. "It seems such infernal waste. Here are you, with capabilities most of us would give our eye teeth to possess, burying yourself in a wilderness to raise horses—or is it cattle?"

"Cattle," replied Charteris, "shortorns. I find that with a little care I can raise good shortorns—far better shortorns than pictures, books, or music, and that's something."

The stranger stopped in his stride, and regarded him fixedly. Charteris smiled meadly. "Yes," he said, "you probably think me mad; perhaps I am, but I was sick of it—sick of going just so far and no farther without anything I touched. I did. I think you satisfy themselves with it; others never realize it, but to a few mediocrity is a curse, a direct dispensation, and I am one of these. Never to do anything that matters; never to leave the rut; to feel instinctively but surely that you never will, try as you will, can struggle on the treadmill of life, climbing, climbing, and then to look back and find yourself exactly where you started; oh, I tell you I was sick of it! It's worse than failure; you can at least distinguish yourself by going to the bottom in record time."

Charteris flung the dead cigarette beneath the stove, and continued more slowly—

"One day I realized that I had never done anything big, or strong; that I never showed in the cramped life I was then living, so I left it, and came here where there is room, and sometimes—very especially—I believe I have put one foot over the dead line. I built this ranch from my own plans, and riders have told me it is the best appointed in the West. My shortorns—but I'm doing an unconscionable amount of talking; I'll fill your glass."

The stranger ignored the suggestion. "But surely," he said, "surely there was something else; this absurd conviction of yours was not all that brought you here?"

There was a pause, so prolonged that the stranger was on the verge of a hasty apology.

THE MEDIOCRITY OF CHARTERIS

By RALPH STOCK
(From Black and White.)

"Perhaps not," said Charteris, at last, "I'm not altogether sure myself. Sometimes I think it might have made a difference, at others I am sure it could have made none, but now—it is beside the question—she has been married a year, and is, I believe, happy."

"I thought as much," said the other, quickly, "this is a mood, prolonged, but a mood; it will pass, believe me, and you will go back where you belong."

Charteris' gaze was centered on the white square of window. It was now quite dark, and the cold outside had increased, for the snow clung to the glass without melting. He shook his head slowly, squared his rounded shoulders, and rose from the piano stool. "I don't think not," he said, quietly; "do you feel like bed, and can you sleep between blankets? I'm afraid we don't run to sheets."

They entered a tiny bedroom off the sitting-room, and Charteris carried the lamp to the dressing table. When he turned, the stranger was leaning over the bed examining an oil portrait that hung on the wall. It was a clever piece of work, for the woman's face it depicted was not physically beautiful—the features were too irregular for that—yet the lighting and treatment had given it a mysterious, almost ethereal effect. The stranger's magnetic gaze still examined it intently, his lips parted, his eyes fixed; the tenseness of the attitude arrested Charteris' attention.

"You think it better than the others?" he suggested. "You're right, it is."

"Is this," said the other, without turning his head, "is this what might have made the difference?"

"Yes," said Charteris. "Good-night."

His hand was on the door. The other turned abruptly.

"You must pardon me," he said; "I had no wish to intrude—you see, she is my wife."

Morning broke with the storm still raging. The thermometer registered ten below zero, and the snow fell and drifted in ceaseless clouds.

"A three days' blizzard," commented Charteris at the breakfast table, "straight from the worst quarter. I shall never adapt myself enough to forget my poor devils of riders in weather like this, though they would be the first to resent pity. The cattle will drift south all the way to wire; the wire will be cut, perhaps, and they'll go further south, and the men with them, and on, and on, until the storm is over or they drop. Excuse my grumblings," he added, reaching for the other's cup, "to me there's nothing quite so depressing as a prairie blizzard."

The stranger went over to the window, and stood looking out at the cruel white clouds of driving snow.

"It's very wonderful," he said, slowly, "it makes one feel small; I find myself respecting it inordinately. How long would it take to get to town?"

"Thirty miles, against this," reflected Charteris, "and with a livery-stable horse—about eight hours, if you got there at all; but don't talk of such things."

"I must go," said the other, firmly. "It is good of you to suggest my staying, but I must get back somehow to-day."

"It would be madness," Charteris protested, "you don't know the country, and you don't

know these blizzards; I have no one to send with you."

There was a set abstraction in the other's eyes.

"I know," he said, with quiet insistence, "but I must go. She is in the town waiting, and I said I should be back. She will be anxious."

Charteris rose abruptly, and took down a fur coat from behind the stove.

"Put this on," he said, "you can leave it at the hotel; and remember—if you get off the trail, let the horse take you; don't try to take him—he knows his stable."

Outside, the chill of death was in the air, and the men caught their breath in gasps as they plunged knee-deep through newly formed drifts on the way to the stable.

Presently the stranger leant down from the saddle and held out a fur-mittened hand.

"Good-bye," he said. "It is hardly likely I shall ever have a chance of repaying your kindness, but if you come East—"

"Good-bye," said Charteris, and turned towards the house.

He closed the door, flung his cap behind the stove, and crossed to the window, where he stood restlessly drumming his fingers on the frozen pane. Then he drew a crumpled letter from his pocket, and read it for the second time:

"We are on our way to Japan for the winter. I heard you were here, and made him stop off. I treated you abominably, but I have paid. He is all that he should be, and I have tried so hard to live the mistake down that he has never guessed, but it is quite impossible. I have reached the end, and must see you somehow, somewhere, if you will come. I am at the hotel. . . ."

Charteris sank into the armchair, and gazed stonily into the glow of the huge box-stove, his thin, strong fingers mechanically tearing the sheet of paper into narrower and narrower ribbons, then he opened the door, and thrust them far back among the coals.

The rest of the day he busied himself with the stock, and by ten o'clock that night the storm had cleared. The wind dropped, and a pale moon struggled intermittently through the dispersing cloud rack, shedding a sickly brilliance over the interminable snow plains.

Charteris stood at the open door, heedless of the cold. For the hundredth time he told himself that he had followed the only path of a strong man; but then he knew he was not a strong man. What further proof was needed? That morning he had thrust the disjunct appeal of a disillusioned girl from his mind with splendid finality, and now—he was voluntarily recalling every sentence, every word; dwelling on them, weighing them.

A coyote howled somewhere out in the white night, and others answered. To Charteris' over-wrought brain there was something prophetic in the desolation about him. He slammed to the door with an oath, and half an hour later was in his toughest cow pony on the trail for town.

The faint whinny of a horse floated over the snow, followed by another, and yet another before Charteris found his own beast answering, and brushed the rime from his eyelashes to look about him. Nothing was visible but the same endless expanse of moon-bathed snow, and far off to the right of the trail a solitary stunted tree that he knew to be the "lone pine," a well-known landmark for miles around.

He sat for some time straining his eyes out over the snow, then suddenly turned his horse's head and looped towards it.

In a wide circle round the tree a hard path had been tramped in the snow. Inside it was a horse tethered by the bridle line to one of the lower branches, the remains of a pitiful attempt at a fire, and a heap of snow-covered fur. Charteris knew what lay beneath this last.

The man was alive but unconscious; the cold had penetrated to the skin. Charteris shook him violently, buffeted him with his clenched fists, hurled him from side to side in the snow till the perspiration streamed from his forehead. Then he took a box of matches from his pocket, struck one and applied it to the arm just below the elbow. Nothing was visible but the man's lips; the eyelids fluttered and closed, and Charteris fell on him afresh, rubbing,

("The Mediocrity of Charteris"—Concluded.)

rubbing, until his arms were numb from shoulder to wrist.

"Wake up, man," he yelled, "d'you hear, wake up!"

A dazed comprehension came into the man's eyes, and a twinge of pain distorted his face.

"Ah, it's you, Charteris; stop, man—stop—you're hurting damnably!"

Charteris sank back exhausted.

"Wonderful thing a blizzard," the other rambled on. "Makes a man feel small. Deceptive, too—"

A cackle of muffled laughter came from behind the high fur collar, "I thought this infernal tree was a house—think of it! Then I walked round it. God! how many times did I walk around it?"

Suddenly he sat up and looked around him. Charteris was sitting in the snow, still gasping.

"You're played out," said the stranger. "What have you been doing; when did you come?"

"Can you stand?" said Charteris, "No—then don't get excited; they'll put you right in town. Let me give you a leg up."

He lifted him with difficulty and thrust him into the Mexican saddle.

"Sit there," he commanded, "and try not to go to sleep, and for God's sake don't talk."

The town was asleep when they came to a steaming halt outside the hotel, but the night porter came out to them, and others were soon astir. The stranger sat huddled in a deep leather chair, as far from the stove as it had been possible to wheel him, but the warmth of the room had taken effect, and when the doctor came he was sleeping soundly.

The manager in shirt and trousers ran his finger down the register.

"Call room fifteen," he ordered tersely, "tell the lady her husband is here—that there's been an accident—nothing serious."

Charteris, who was warming his mitts at the stove, turned quickly towards the door. The manager followed and touched him on the shoulder.

"Where are you off to?" he demanded bluntly.

"Back to the ranch," said Charteris.

"What, at this hour? You must be crazy."

"No," said Charteris, "I'm unusually sane, that's all; good night." And he passed out through the swinging doors just before a blue kimono appeared at the head of the stairs.

At the ranch the foreman rode out to meet him. His thin, strong face was grave, and he leant down, flicking his riding boot with his quirt as he rode.

"And the losses?" queried Charteris.

"Nasty snap," jerked the foreman, "and they got tied up in the four mile coulie like a lot of sheep; near spring too, they were weak all right. Fifty per cent, I guess."

Charteris stared away towards the white horizon.

"Ah, yes," he commented absently, "about half, eh?"

Gov. Harmon of Ohio is the latest celebrity to express himself in favor of the six-cylinder car. The Governor looked over the exhibits at the Cincinnati automobile show and decided on a Winton six for his personal service. The car will be delivered at the executive mansion in Columbus this week.

A challenge has been issued by the Buick Motor company to match the model "17" Buick, which is rated at 30 horse-power and listed at \$1750, against any regular or colored five passenger stock car selling for less than \$2500 to a combination hill-climbing speed and power test.

One entire year's output of all the automobile factories in the United States six years ago amounted to forty-six four-cylinder cars. The Cadillac Motor Car company on January 30th turned out seventy-four four-cylinder Cadillac 30 touring cars.

An automobile passenger service which has been running for several years at San Juan, Porto Rico, has proven so satisfactory to the people of the section through which the cars have been run that they are thoroughly converted to this means of transportation.

Automobile Notes.

Mr. Chester E. Weaver, vice-president and general manager of the Studebaker Bros. company of California, who returned recently after several weeks' absence in the East attending the big automobile shows, has the following to say about the permanence of the automobile:

"It seems certain that the automobile is not destined to lose in popular favor as did the bicycle. There is a wide difference between the bicycle propelled by human power and the automobile propelled by a powerful gasoline motor. The bicycle carries but one and requires great muscular exertion, while the automobile takes the entire family out with much greater speed than can be attained by any other means of private conveyance. Besides, it gives the luxurious ease which is so desired by all classes, especially when they are tired from the present day strenuous life."

"All manufacturers have become alive to the fact that one of the essential features in an automobile is construction in such a way as to save fuel, wear and tear and much attention is now being given by these manufacturers to the feature of economy of operation. This necessarily means as light a car as is consistent and has resulted in scientifically considering the question of carbody construction and reducing to a minimum the question of friction."

"The greatest number of sales by any one manufacturer during the show was by the Studebaker E-M-F '30' company and the greatest number of sales consummated on high-grade cars was divided pretty equally between three manufacturers, one of which was the Studebaker company."

Gen. John T. Cutting declares the great popularity of the Oldsmobile comes from the prestige which ten years of building on logical lines by the Olds Motor works has given to it. Oldsmobiles are not made to break world's speed records, but built to negotiate the worst American roads in safety and comfort.

Announcement has been made to all dealers in Pierce Arrow cars of the plans for the 1909 school of instruction conducted by the Pierce Arrow Motor Car company of Buffalo. The plans for the present year include not only classes for chauffeurs and garage men, but also a special period during May for owners exclusively and one during April for colored men.

Forty thousand eight hundred and seventy-two miles on one set of tires with no trouble beyond two punctures is the record claimed by J. L. Martin of Fowler, Ind. They are the largest figures for a single set of its product ever reported to the Diamond Rubber Company.

The Goodyear Tire and Rubber company of Akron, Ohio, has just completed a new vulcanizing room of concrete and turret construction, built over the Cuyahoga river. A modern vulcanizing plant with eight presses, each of which will vulcanize at one time fourteen of the largest tires made, has been installed in this room. In combination with the old vulcanizing rooms this is said to give to the company the largest vulcanizing capacity in the world.

Mrs. K. R. Otis of Cleveland says that although she has driven the Stearns car bought by her a year ago more than 1,300 miles her repair bills have amounted to less than one dollar.

The magnificent reliability and remarkable endurance of the Studebaker automobiles under the most trying conditions in which it is possible to test the qualities of a machine, were again demonstrated in the recent mid-Winter 200-mile endurance run. All Studebaker entries finished with perfect scores and the run going and coming was made without the slightest mishap. The prize winning cars were selected at random from the stock and sent on the journey. Duplicates of these machines are constantly on display in our salesrooms. Demonstrations at your own convenience.

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PERSONALIA

The New York magazine of Charlotte Cushman, the great tragic actress, is now a household name run by a nephew of the same name.

A reason advanced by Speaker Cannon for refusing a bribe of \$100,000 cash once upon a time was his disinclination to sleep with a thief all the rest of his life.

The author of the "Elsie Dinsmore" books, Miss Martha Finley, recently died after forty years' continuous chronicling of the adventures of that impossibly pious child.

Mrs. B. M. Carson, of California, is the author of "From Cairo to the Cataract," a collection of letters describing the Nile region as seen by a "personally conducted" tourist.

Perhaps as picturesque a name as any in letters is Miss Otilie Adaline Liljencrantz. Suggestions for pronunciation solicited. Author of five books. Address, Chicago, Chicago!

G. E. Acheson, the inventor of carborundum, lost a fortune from that product by losing control of the company organized to manufacture it, and has made another from the invention of a new method of making graphite.

After Edison, the most prolific inventor in America is Emile Berliner, of Washington, D. C., who invented the Victor talking machine, the microphone transmitter in ordinary use in telephones, and several hundred other valuable patents.

All Harvard men, who have chanted the verses about "Professor Shaler, scientific mountain scaler," etc., will be glad to know that his autobiography, together with supplemental memories by Mrs. Shaler, will be published in April.

Edison declares that he is "done with business." He doesn't "like the game, the men who play it, nor the rules." Perhaps a bitter lawsuit with his son, T. A. Edison, Jr., over the legal right to use that name as a business asset, accentuated his dislike.

The Outing Magazine for February contains an article, "Along the American Riviera," by Charles Frederick Holder, which describes in detail the lure of California for the lover of outdoor life: its motor roads, camping grounds, trout streams, forest groves, all illustrated sumptuously with full-page photographs.

T. L. Woolwine, the prosecuting attorney of Los Angeles, has fished a few hours from his labor of enforcing liquor laws, to write a novel of the Tennessee mountains, called "In the Valley of the Shadows," to be published by Doubleday Page & Co. His mother, perhaps the local moonshiners suggested a romance of the home of moonshine whiskey to the attorney.

Charles P. Steinmetz, the electrical expert of the General Electric company, and reputed to be one of the greatest living authorities on electricity, is so afraid of the "juice" that he will not throw an ordinary switch with his hands. He uses a long wooden pole as an extra precaution. He is an exile from Germany for political reasons, is a good chemist, and a mathematical genius besides. He is also a dwarf, being slightly over four feet high. His hobbies are parrots, cactus plants, and black cigars.

W. C. Brown, new president of the New York Central railroad, was vice-president when the company began running its swift eighteen-hour train to Chicago. Soon there was a frightful accident, and President Newman ordered the train taken off permanently. Brown, who was on Chicago at the time, telegraphed protests to no avail, and then he hurried back to New York, got the directors together, insisted that the train be restored, and succeeded in persuading them to his view, over the objections of the timid Newman. After that it was plain who was the real head of the company.

SHEAR WIT

"When a girl asks your candid opinion of her, what do you do?" "Give her my candid opinion."—Houston Post.

The Congressional Record had to come to it at last—just had to make room for detective stories.—Florida Times-Union.

"It is strange, my husband has just returned from Paris, and he didn't see half the things I saw when I was there." "I'll bet you didn't see half the things he saw, either."—Houston Post.

Misfit: A young man whose name was Josiah, was in love with a girl named Maria: "Be mine?" piped Josiah; "I'm thine!" trilled Maria—and a divorce is now all they require.—Boston Post.

"I have been taking some moving pictures of life on your farm." "Did you catch the hired man in motion?" "I think so." "Ah, science kin do anything these days."—Louisville Courier-Journal.

Walters: "What do you suppose my boy asked me, last night?" Williams: "Give it up." Walters: "He wanted to know if anything else had harbingers beside springs."—Somerville Journal.

"Why did you give up your missionary labors so soon?" "I found the chief's wife's cook book, and the first recipe started, 'To one fat missionary—' and then I started for home."—Houston Post.

"Do you administer free gas here?" asked the stranger as he entered the dental parlor. "No, sir," answered the attendant. "You are in the wrong place. The barber shop is next door."—Chicago News.

"Come, come, Willie," remonstrated the teacher, "you must say 'they are not' or, if you wish, 'they aren't,' but never 'they ain't'." "Why not?" demanded Willie. "Because it ain't right."—Catholic Standard Times.

"Do you blind men close your eyes when you go to sleep?" asked an over-inquisitive woman. "Certainly not," answered the vice-president of the Blind Men's Club. "We make the janitor come around and close them."—New York Sun.

Man that is born of woman is small potatoes and takes to the hill, and usually about as necessary as a smokestack on a watering cart. He takes pride to himself, in his indomitable will, but it only needs an eighty-nine-cent alarm clock to wake him up in the morning. He stands at the altar with his bride and is pleased with his looks. And all the time her relations are wondering where she ever ran into him. He says unto his fellow-men that he is the boss of his house and what he wants goes there strong. Then he hurries home to button up the back of his wife's waist. His wife takes his name, his creditors take his money, his tailor takes his measure—but none of them take him seriously. Man is merely a matter of opinion—his wife's opinion. And that is a serial without an end.—New York Times.

"54-40 or Fight."

This novel deals with the events that led up to the annexation of Texas and the acquisition of Oregon, but it is unconvincing as history and dull as fiction. We are asked to believe that the Baroness von Ritz, an agent of England, after a few conversations with the hero, who is John Calhoun's private secretary, suddenly decides that the more territory there is under the government of the United States, and the less under English rule, the better off the world will be. So she persuades Sir Richard Pakenham, the British ambassador, to give up his schemes for getting Texas and to agree on the 49th parallel as the Oregon boundary. In spite of the rough-and-tumble title there is not a fight in the book and dreary political conversations take the place of action. The Bobbs-Merrill Company, Indianapolis.

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OUR SCHOOL FOR CITIZENSHIP

The Supreme Court.

If the Man from Mars were to be guided by what our national constitution says about it he would form a most inaccurate and inadequate conception of the power and influence of our national judiciary. The sections of the constitution which refer to it are few and simple in form. No efforts were made in the constitutional convention, to hedge it about with checks and balances, as other departments of government are hedged. Congress says how these courts shall be constituted, and the president, by and with the advice and consent of the Senate, says who shall constitute them, and that is the whole of it—on paper.

Yet the Supreme Court of the United States is the most wonderful judicial body on earth. Congress, president and people have for it almost a superstitious veneration. It is as if the doctrine that the king can do no wrong had been incorporated into our scheme of government and applied to the supreme court instead of to Congress or president. The seats upon which those gowned judges sit are indeed seats of the mighty. Created by Congress and president, the supreme court transcends in final authority both Congress and president, and is negative, in theory if not always in practice, the fundamental principle upon which our government was founded—that the will of the people is the supreme law of the land. That court is hedged away from the influence of the people as far as it was possible to hedge it and it is made as independent of the popular will as it is possible to make anything made of flesh and blood, body, soul and spirit.

And yet the Supreme Court of the United States exercises its autocratic powers with moderation and keeps more nearly in touch with the trend of the popular mind than one would suppose it possible for a body of men so sequestered to do. It lags, but no irreparable harm has come from its lagging behind the popular will. It is conservative without being reactionary, and it is progressive without being radical. When the pro-slavery power was preeminent it resisted the Dred Scott decision. When the nation expanded it so shaped its decisions as not to hamper this young giant of a republic in the use of its limbs. When partisan issues have reached it has divided along partisan lines. When issues involving the rights of man against the vested wrongs of a material age are passed upon to it for determination it divides five to four, with the determining man as often on the side of humanity as on the side of vested privilege. All of which is saying that the members of the supreme Court were mere men before they went upon the bench and remained mere men after they got there, politics, prejudices and all.

In its spirit and function the Supreme Court of the United States is almost as much a legislative as judicial body. It is a top-story council of state, serene in life-tenure of office, not so many in number as to make it the victim of partisan passion or so few as to make it a cabal. It has few great names upon its roster, but it has had a few who were splendidly able and one, at least, great enough to fill a great place at a time of great need.

John Marshall will live among our nation builders as long as Washington, Madison or Hamilton. Without his wise and prudent statesmanship (for that is what it was) our new-fangled government would scarcely have gotten its wheels in motion. His doctrine of the implied powers of government saved the government, for the implied powers of government are far more important than the expressed. They have caused the constitutional garment to grow as the young giant within it has grown, with the result that there have been few rips in the vestment and liberty of man has been little interfered with. If it shall happen that a narrow-between-the-eyes bench shall refuse to walk in the path that Marshall marked out, it will be bad for the garment and worse for the bench. As for the giant, he will take care of himself.

The power the supreme court possesses is not due to the court itself or to the constitution that authorized its creation, but to the

imperative need for such a tribunal to determine crucial issues. The destiny of this nation will never hang on a court decision. In a last analysis that court does no more than register the ultimate decision of the American people, and when it refuses to do that it will step down from its high place and become a mere attendant upon the pleasure of either the legislative or executive departments of government, whichever of these best responds to the popular will.

No other nation allows its supreme court to be as supreme as does our nation. In the British government the House of Lords is the court of last resort, but the House of Commons would force the hands of the Lords if an issue arose vitally affecting the policy of the nation. In France parliament transcends the courts and in Germany the emperor would probably determine the final issue. President Roosevelt has suggested that the executive department should be less hampered by court restrictions, but nothing is likely to be done about it.

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In taking this pledge it is distinctly understood that I in no way obligate myself to vote for any particular party, any definite candidate or any certain measure. I am binding myself only to my Country, and pledging myself solely to the faithful performance of the duty I owe to her as a citizen.

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WHY TAKE THE FOREGOING PLEDGE?

Those taking the foregoing pledge, signing and sending it to this office, will be enrolled upon The California Weekly's "School for Citizenship," which will be a permanent feature of this paper. It will entitle the person sending in his name to have answered, either through the columns of the paper or by letter, any rational question he may ask concerning public affairs, and, generally, by the person best equipped to afford the desired information. It will also entitle the signer to such special literature as may be issued upon the obligations of good citizenship as may from time to time be issued. While this pledge is open to persons of all ages it is especially desired that it be taken and sent in by young men lately become voters or who will cast their first votes two years hence. It will take but a moment to clip out the pledge, sign, enclose in an envelope, and address to "School for Citizenship," office The California Weekly, 26 Montgomery Street, San Francisco, and it opens the way for a liberal education in citizenship.

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DIRECT PRIMARY LAW.

The passage of the direct primary bill through both houses, in substantially the form presented by the Direct Primary League, is now practically assured. About the only thing yielded to the politicians is the concession that county and state conventions shall still meet, ostensibly to adopt platforms, but really to permit the politicians to orate. If these conventions serve merely as innocuous safety-valves for pent-up eloquence, they may be overlooked, as a harmless amusement. If they are abused, to give opportunity to put up programs, they should be abolished, at the first legislative session after the abuse develops.

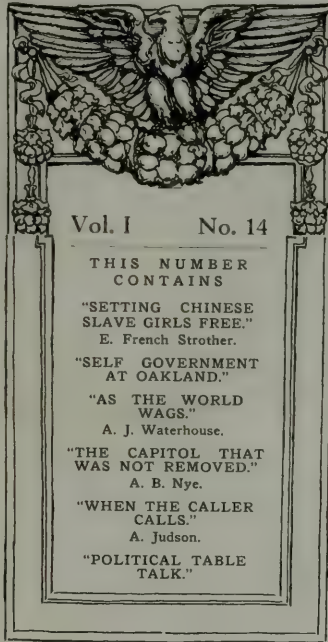
One other feature that ought probably to be modified, at the next legislature, is the provision which prevents one party, when it desires, from endorsing the nominee of another. But the Quixotic futility of attempting to improve that feature, at this session, is illustrated by the fact that the same senate, which voted twenty-seven to thirteen against the machine effort to make the bill worse could muster only nine votes for a motion to make it, in this respect, better. The judgment of the committee of the Direct Primary League, that a bill any more non-partisan than the one presented could not pass, is thus confirmed.

With these minor exceptions, the bill is probably the most thorough and best-considered direct primary law yet presented to an American state. It marks the beginning of the end of boss rule in California politics, and restores to the people control of their own affairs. It is not so much a "good government" measure as a peoples' government measure. "Good government" often smacks of autocracy, and peoples' government is sometimes very imperfect government. That depends on the people. But hitherto the chief obstacle to good government has come from the boss, not from the people. The direct primary will remove that obstacle. Leadership, organization and education must solve the remaining evils.

THE ORPHANAGES.

There is no state in the union where the care of dependent children more certainly needs to be exposed to the light than in California. It is not that there is graft or inhumanity or imbecility of management to be complained of, although there is some of all these, but our present system puts a premium upon dependency and the public has no proper method of keeping itself informed as to the true state of that important charity.

There is in California a body constituted expressly to stand between the public and its institutional life, to keep the public informed as to the condition of the state's charities and to be benefactions, and to aid institutions by its advice. That body is the State Board of Charities and Corrections. Under Governor Pardee's administration it was entirely out of politics. Governor Gillett brought it into politics, but he will not always be governor and the upward tendency of civic affairs will probably prevent his successor following his example in this particular.



Assembly Bill 945 provides in simple terms for a general visitation and advisory relation of this board toward the forty-odd orphanages of the state. That does not go far enough, but will suffice for the present, or until the public can gain, through the board, a fuller understanding of the dependent children's problem upon which to found a radically different policy from that heretofore pursued. In this particular charity California is far behind such states as New York and Massachusetts and her children are the sufferers. The bill should pass.

CRIMINAL LAW REFORM.

Two of the reforms looked for from the present legislature are now assured—the race-track gambling bill and the direct primary bill. Prospects of the third and even more important reform are not so good. While there will doubtless be some laws passed, simplifying the criminal procedure, there will be no thorough-going and comprehensive scheme of reform. The proposition seems too big for the legislature to tackle, off-hand. It does not seem disposed to accept the Commonwealth club bills, nor all of the Bar Association bills.

There is a disposition, on the part of the small lawyers, who make up a considerable part of the membership of both judiciary committees, to cling to the technical procedure in which they have been trained; and there is a prevalent hallucination that the demand for reform is local to San Francisco and grows out of the graft prosecution. Public sentiment, while doubtless as unanimous for this reform as for any other, does not appear to have been crystallized as definitely as that which forced the other two reforms. Consequently, while something may be done, it will not be enough, and the main problem is to prepare now to get more next time.

Possibly the experience of those who promoted the other two reforms may point the way. The Anti-Race-Track League and the Direct Primary League were both state-wide organizations. Both had a multitude of privates, who constituted the propulsive force, and a few carefully selected officers, who did the guiding. Both went before the legislature with definite bills, with a definite plan of campaign, and thoroughly effective publicity organizations. And both won, promptly and easily. A similar organization, to promote the reform of criminal law, might as readily grow out of the nucleus already provided by any one of several existing organizations.

MERE GOODNESS WON'T SAVE.

A number of our exchanges have felicitated themselves, and the state, upon the fact that James N. Gillett, despite his manner of nomination for office, and unwholesome political connections, has not made a bad governor, and they are inclined to concede that all's well that ends well. This is too much to admit. Governor Gillett's mere goodness will not save him. We will go farther. If James N. Gillett had made the best governor in the state's history that fact would neither justify the methods by which his nomination and election were secured nor make fortunate the untoward influences by which he has been, and is, surrounded. We will go farther still and declare that if it could be conceded without question that the Southern Pacific Political Bureau, and its handy men, of whom Governor Gillett is one, could be relied on to govern California more economically and honestly than the people of California can govern themselves it would be unprofitable and unpatriotic to permit that bureau to do the governing. The function of governing is to the body politic what exercise is to the human body, what play is to children, what self-dependence is to independence, the evolutionary impulse to the progress of the human race. The best product of self-government is the power to self-govern. The purpose of government is to make men, not automatons, whereas the political bureau method would make Californians, first subject, and then abject, dependents upon an incorporated plutocratic autocracy. No matter how blameless an executive Governor Gillett might make, his credentials come from the wrong source of power to be accepted by a self-respecting commonwealth.

OUR FIRST CITIZEN.

Before another issue of The California Weekly reaches its readers Theodore Roosevelt will have stepped down from the presidential chair and taken his place as the first citizen of the Great Republic. There is no man living who will dispute his right to that pre-eminence.

There runs an adage that it is not wise to enlarge, or to erect a monument to, any man while he is living lest he do something to forfeit public esteem. In the case of President Roosevelt that risk may safely be taken. He has already done the best—and worst—he will ever do, although if his life be spared, he will be a factor in affairs for many a year to come.

Nor even the seven years of plenty in the land of Egypt were more fruitful than the seven years of his presidency of the United States. No other president in our history has touched so many hearts, quickened so many consciences, started so many good influences to work as he, for, when Lincoln was president, there were not so many hearts to be touched, so many consciences to be quickened, so many agencies to be set in motion and, when Washington was president, there was not a tithe of the number.

There have been presidents whose influence hardly extended beyond officialdom, whose careers scarcely ruffled the surface of affairs within our national boundary, and whose prestige beyond that boundary was nil. Not so with Theodore Roosevelt. There is not a home, a nook, a cranny of humanity within the republic where his influence has not reached, not once alone, but many times, and always for an uplift, for renewed courage and hopefulness, for a stronger demand for justice with a clearer view of what constitutes justice.

Nor has he been content to deal alone with affairs of state. He has touched humanity at all points where it may be helped. He has not alone been the chief executive, the nation's president, but president also of the American people, all of them. He has been a moral steam engine, a conscience dynamo, a civic battery. So strenuous has been his influence that a feeling of weariness pervades the mind of the people, not weariness of the president but of the high pressure he has put upon them, and they would like to float with the current of affairs a little while that they may rest preparatory to another forward movement. They entertain the hope that President Taft may be content to hold fast to what has been accomplished without attempting to crowd events, even beneficially.

If one were to attempt to characterize President Roosevelt's administration with a few propositions it would best be done by affirming his cardinal principles to be: that honesty is the best policy, that publicity is the best purifier, that the human interest transcends the material no matter how important the latter may be. He has believed that business cannot be so hurt by establishing justice as by failing to establish it, that legitimate riches cannot be so injured by regulative measures as by offering profligate wealth to go unregulated.

Whatever may befall Theodore Roosevelt, at home or abroad, he has implanted in the idioms of our language, in the every day thoughts of all our people, the "strenuous life," the "square deal," the "decent citizenship," as well as the "undesirable," the "softly-spoken word," and the "big stick," "race suicide," "mollycoddle," "malfeasors of great wealth." These "sayings" of Roosevelt are part of our lives and will abide. No other man in our history so well deserves to be loved for the enemies he has made as this "first citizen" of our Great Republic. We shall be able to know them by their ill-concealed joy that he is to occupy the presidential chair

THE STAFF

A. J. PILLSBURY.....Editor and Manager
CHESTER H. ROWELL.....Associate
A. J. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
O. BLACK.....Business Manager

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no more. May God give Theodore Roosevelt length of days and renewed capacity for usefulness!

CORPORATIONS GOOD AND EVIL.

Every baby born into the world is inherently a barbarian. It has to be taught justice, truth, mercy, the rights of property and of man, or it will never respect any of those rights. It is a good deal so with that artificial person known as a corporation. Inherently it is predatory. Its management is more answerable to its shareholders for results than for how those results are obtained, and this puts a premium upon over-reaching, sharp practice, predatory raids upon competitive interests and the commonality; but constitute a corporation of right-minded men, with shareholders who feel the same moral responsibility for the conduct of the company's business that they would feel if it were their own, and no one will find in such a corporation just cause for complaint.

The recent municipal experience of Oakland illustrates this truth in a way so striking as to deserve special attention. Elsewhere in this paper will be found an interesting resume of the recent political history of that city. Those who read it will be impressed with the fact that bad government in Oakland was coincident with the existence and activity of bad corporations doing business there, and that good government was coincident with the displacing, or defeating, of those bad corporations and the advancement of corporations endowed with moral character.

Oakland sees a great corporation in possession of a large share of its environs, and growing rich through what Henry George would have called an "uncaptured increment," but an increment which this corporation is trying to earn by legitimate development, and this is being witnessed without envy and without complaint for the reason that the corporation in question deals fairly with the public and will neither bribe public servants nor permit itself to be "held-up" by them.

The Oakland water front has been a bone of contention between that city and the Southern Pacific company for decades during some of which the politician here of that company misgoverned Oakland in its own interests. Along came the Western Pacific, put its business in reputable hands, fought the city's fight for the water front, won it, and gained the confidence of Oaklanders and kept it, with a final result that justice and fair dealing regarding that issue are about to be established between all parties for a generation to come.

During the existence of the Contra Costa Water company, Oakland lived in a nightmare of criminality and was so battered off by political parasites that, although taxes were kept high, little municipal progress was made and civic health and conscience were at low

ebb. The displacement of this ill-constituted corporation by the People's Water company, which substituted reasonable rates for extortionate, fair methods for foul, has restored peace to the east bay cities and public confidence in municipal enterprise.

The contention of President Roosevelt that there are good trusts and bad, moral corporations and immoral, has been exemplified in the municipal history of Oakland and our resume of that history, elsewhere in this paper, is commended to thoughtful readers.

THE REFORMATORY IN DANGER.

California's conduct of its prisons and regard for its prisoners has less to commend it than any other department of state government. The state has, in this particular, been dead to its own interests and as callous to the interests of its erring wards as ever master was to slave. A form of politics, more criminal than much of the criminality the state has sought to punish, has made merchandise of the most solemn obligations that man can owe to man, and the beginning of better things is barely perceptible. It is time something were done for the redemption of the state from this reproach.

A number of citizens, solicitous at once for the honor of California and for the well-being of fellow mortals, have interested themselves in the establishment of a State Reformatory and have asked the legislature to enact the necessary laws and to appropriate \$250,000 to make a beginning. Unfortunately for the bill, but fortunately for its purpose, it is not provided that the State Board of Prison Politicians, with the Lieutenant Governor at its head, shall have the enterprise in charge, but that the governor shall select a commission of five persons to put the measure into execution. Until such time as the state shall abolish all prison and reformatory boards, and establish in their stead a department of penology to deal with the entire problem from delinquent childhood to incorrigible criminality, this is as good a thing as can be done.

But the bill languishes in committee. Lieutenant Governor Porter desires that a commission be appointed to investigate the reformatory idea and report two years hence. This because Mr. Porter does not know about reformatories. It is hardly necessary for the state to wait until Mr. Porter is informed as to the elements of penology. The reformatory is as little a matter of doubt as the hospital for the insane, the home for feeble minded, the public school. Its utility has been demonstrated beyond intelligent question and if the state must await the lagging legs of unintelligent officialdom a new generation will enter upon the stage of action before a reformatory can be established. Mr. Porter may well be eliminated from consideration in the premises. As "doing politics" is to be no part of the undertaking his peculiar talents will not be in demand. Whoever cares for California's name and fame and has not lost power to sympathize with those who have taken a first wrong step, but need not take another, should write to his senator and assemblyman to push along that reformatory measure. It is much to the purpose.

It may be entirely true as claimed by Governor Gillett that his delay of nine days in signing the anti-race track gambling bill was not occasioned by any intent on his part to allow the sharpers nine more days in which to skin the foolish rabbits that may fall into their clutches, but it cannot be denied that the nine days of delay did give those sharpers exactly nine more days in which to finish the skinning. Governor Gillett's attitude toward the race-track gambling issue has not at any time been that of a moral reformer but only that of an unmoral performer.

The Criminal Alien.

All nations suffer from the importation of criminals as all countries in California suffer from hordes floated from the next country. Complaint comes from England that, next to drunkenness, the most prolific source of criminality is the "floating" of criminals from continental Europe. There is no remorse justice in England's affliction for, during the first half century of our national existence, that country shipped its criminal classes to the United States en masse.

Race Riots Rampant.

Omaha and Kansas City have given exhibitions of racial antipathy not creditable to our country, and with no better justification than a difference of race not devoid of consanguinity, for the Greeks are not a different, but only a differing, race. Greece is a feeble nation and not able to protect its citizens in a foreign land, but we may be sure that these two incidents will become subjects for diplomatic negotiations. We are such a lawless people that occasions for such outbreaks should be reduced to the minimum, the more especially until we have shown ourselves better able to deal effectually with our twin criminal masters—the lawless millionaire and the equally lawless mob.

An Opportunity for Independence.

Senator Perkins has long been criticised because of his willingness to "take program" from interests not struggling primarily for the common good, but the senior senator now has an opportunity to put his critics to confusion and to re-instate himself in the good opinion of his constituents. In the nature of things he cannot look forward to another reelection. Why, then, need he longer make friends with the mammon of unrighteousness, why may he not stiffen his backbone until he walk as straight as Roosevelt himself? Here is hoping that he may take full advantage of his opportunity.

Freedom of Speech Returning.

The Washington correspondent of the Indianapolis News ventures the prophecy that with the exit of Theodore Roosevelt there will be a revival of freedom of speech among the statesmen at the capitol. For seven long years they have endured in silence, knowing well that the people would believe the president and disbelieve them and, therefore, not daring to say him nay. What a lot of molly-coddles! Nothing so well became them as their silence and were they now to chatter like magpies nothing would come of it.

Saving Their Faces.

Congress appears determined that the secret service shall not be employed for purposes other than the protection of the president and the punishment of counterfeiting, but it has manifested a willingness to create another secret service, equally as competent, to be placed at the disposal of the president to be used for the general benefit. This is, of course, child's play, about as little creditable to Congress as its stubborn misbehavior in the first instance.

The Capitol That Wasn't Moved.

Those who read the article of the transformed state capitol building at Sacramento will be properly thankful that California did not do so foolishly as to move the capitol of the state to Berkeley. The edifice as it stands is scarcely excelled for beauty anywhere in the United States and it should serve for the transaction of public business for another half century. When more room is needed it may be had by adding a wing to the north end and another to the south and, if opulence requires the facing of the building with marble, that may be done also. The capitol removal move-

ment was an instance of vengeful Southern Pacific politics, as ready to make sport of the ambitions of Berkeley as to punish Sacramento for its refusal to bend the knee.

Her Advantages Inadequate.

Mrs. Charles Eastman saw the Coopers kill Carmack in the street at Nashville and so testified, but her testimony, direct and candid though it was, is not to go unquestioned. The defense is insisting that, inasmuch as Mrs. Eastman is a woman wholly unused to scenes of violence and bloodshed (even though a citizen of Nashville), her testimony must be held to be immaterial if not irrelevant. According to the legal philosophy of the defense, in order to be a competent witness in an affair of honor, one must have been so upon the firing line as to stand unmoved, calm and collected, though men are falling all around riddled with bullets and weltering in their gore. Good joke!

Bring Them Under the Law.

Insurance Commissioner E. Myron Wolfe states that the fraternal insurance associations are now a law unto themselves in this state. There is no more justification for this than for allowing insurance companies of all kinds to be a law unto themselves. All insurance institutions should be under the careful supervision of the law. The doctrine of laissez faire is no better when applied to this activity than to any other. No matter how managed the truths of actuaries cannot be gotten away from, and any attempt to get away from them must result in no insurance for many who pay insurance for others. The only opportunity for cheapening insurance that fraternalism have over insurance corporations lies in curtailing the cost of doing business and in paying dividends to stockholders, but fraternal "wild cat" is no safer than corporate "wild cat" and just as likely to be prowling around.

Getting Products To Market.

Opposition to the governor's pet scheme for giving the "organization" \$18,000,000 to handle in road making has taken the sensible ground that the roads proposed will not help farmers to get their products to market. Of course they will not, and that is the main purpose for the building of good roads. The policy of the state toward good roads is so simple that only a politician need err therein. It is to teach the counties how to build good roads with the materials at hand. Then to build good roads through the mountains where private property cannot be taxed for that purpose. If this policy be followed adequately the state will have quite as much of a road building burden as it will be contented to carry.

The Collateral Inheritance Tax.

It is humiliating that those who receive bequests should so begrudge the state its modest share as to employ all manner of devices for avoiding the payment of the inheritance tax, but such is the practice. There is no natural right to anything that one has not himself created. If society restrains itself from taking all that those who die leave behind it is more because of its goodness of heart than because of any moral obligation. However, our social order has ordained that those shall accumulate who have the capacity and those shall keep who can, but that out of whatever is devised a certain toll shall be taken for the common good. This is a reasonable regulation and the Attorney General and State Controller are doing no more than their duty in asking for further legislation to enable them to collect collateral inheritance taxes. If the law were to penalize those who strive to side-step the law there would be no just grounds for complaint and the general welfare might be advanced.

The Deeper Significance : : : : of Living : : : :

We are not without teachers to tell us how to make our lives long, how to raise fulness of years from three-score and ten to five-score. There are not wanting those who will show us how to make our lives productive, but where shall we look for one to teach us how to fill each hour with a conscious joy of living?

We have been taught many things about this world: that it is a school of preparation for something that is to come hereafter; that it is a fiery furnace for burning the dross out of us so that, at the end, only the refined gold shall remain; that it is a valley in shadow, a vale of tears, a place of sojourn, a battle ground over which the good and ill in us—the dual life—fight for supremacy; but who has taught us that it is a place in which to live, live to the end within itself?

To every person in health it should be a conscious joy to be alive. In giving us life God gave us the best thing he had to give, unless it be immortality, and he could not give us immortality without first giving us life. It is for us to learn to live so wisely and so well as to get the greatest good out of life. Every waking hour should be a conscious, not an unnoted, joy, and any life that does not yield this is not well ordered.

As good health is not the mere absence of illness, but an abounding buoyancy of spirit, so happiness is not the mere absence of misery. We are not satisfied that the food we eat shall not taste bad. We wish it to taste good, and if we "fletcherize" what we eat we shall not be content to swallow a morsel until we have masticated all the good taste out of it. So ought it to be with us in the art of fully living. At the end of life we should be able to exclaim with the President as his administration nears its end: "I have had a bulky time, something doing every minute!"

We ought to swallow our sorrows as we do our quinine—in capsules; but the good things of life should be made to yield all the pleasure they possess before slipping beyond control. There are those who squeeze the last drop of gall out of whatever bitterness comes into their lives, and then try to inject the virus into the veins of those who come near them. It was a wise woman who, having lost a son, declined to receive the visit of an old friend who had lost a daughter, in the knowledge that, by pooling their griefs, they would double the misery of both, and to no good end.

It might not be well to go as far as the widow who, having buried her husband, declined to have him remain with her "to comfort her," because she well knew that the sister would "talk of nothing but John, John the whole time," whereas she wanted to "forget John as soon as ever she could"; but there was a grain of true philosophy in it.

A wife so devoted herself to her husband as to efface herself and exalt him, not knowing that he would be a better man if she had claimed her due each day! A mother so forgets herself in the care of her children as scarcely to have an hour that she can call her own, living a starved life, so far as pleasures are concerned, and bringing her over-indulged children up to be selfish and lazy! An injustice suffered is nearly as bad as an injustice inflicted, for it leaves human affairs as much out of balance. The right to live one's own life should be unalienable even by marriage, by motherhood or in the breadwinning for a family. A witty European visitor declared that the progress of America was due to the women who were so determined to live things in style that they forced their husbands to drudge their lives away making money for them to spend, and it cannot be denied that many an American millionaire will face the Day of Judgment with no better equipment for the ordeal of knowledge of the true proportions of the price of pork in principal markets can afford him.

The perfected schools of the future will teach the art of living as a fine art.

THE WORLD AT LARGE

Steel Coming Down.

The most important event of the week in the East is the breaking out of open warfare between the United States Steel Corporation and independent steel companies. Prices have been materially cut and further reductions are anticipated, but it may be doubted if the warfare will reduce prices below what it is anticipated that the new tariff will render certain. The great corporation cannot hope to force other plants into its ownership for it already has manufacturing power of the country and that is as far as the anti-trust law will let it go. It is likely that the price cutting is nothing more than an anticipation of tariff eventualities designed to stimulate present placing of orders instead of delays thereon until after the tariff is revised to then come with a rush.

McCall to Dartmouth.

Samuel McCall, the brilliant, erratic and somewhat profane "kicker" congressman from Massachusetts, will shortly resign his seat in the House of Representatives to become president of Dartmouth college at Hanover, New Hampshire, and there is a wireless message in the air somewhere that this is being done as a stepping-stone to the United States Senate from the Old Granite state, the noble lords of Massachusetts not being able to make senatorial room for him from that commonwealth. New Hampshire is a political dependency of the Boston & Maine railroad and as the Boston & Maine is a Massachusetts concern the rest will be easy.

Little Father Ousted.

Judge Cleland, of the municipal court of Chicago, has made a national reputation because of the beneficent use he has made of the parole system in dealing with petty criminality. His was a court of a very human man rather than of law and the rest of the judges were so shocked at his refusal to follow legal precedents that they have transferred him to a civil court and he will hand out paroles no more. He refused bail, made it excessively high in the cases of those who needed to sober up, and he suspended sentences right and left, on probation, without a probationary statute to back him up. He heard testimony without witnesses being sworn, unless attorneys requested it, on the ground that the method of administering oaths made a travesty of a solemn ceremony. That his work was beneficent no one denies, but his associate judges declared it to be outside the law whether inside of right and justice or not. His disposal from the criminal bench is not unlikely to so center public interest upon the methods he has successfully pursued as to make the laws better fit the needs of justice.

Inter-National Conservation.

The inter-national conservation convention, that was called together at Washington last week, has concluded its labors and adjourned with certainty that co-operative effort between the United States, Mexico and Canada will characterize the future. Canada has, in fact, followed the conservation policy of the United States very closely. In British Columbia alone 150,000,000 acres of timber lands have been thrown into forest reservations and power rights on the Yukon and its tributaries are granted for only twenty-year terms in order that oppressive monopoly may not result.

John Bull In India.

The unsatisfactory conditions in India are causing investigations to be made into unsatisfactory conditions in the office of the Secretary of State for India. Lord Minto has resigned the office of Viceroy of India for the same reason that Lord Curzon did—that the home office does not trust the man on the ground and continually interferes with or overrules the Viceroy's plans and regulations.

This is coming to be a distinct issue in British politics and it is not impossible that the seat of Indian government may be transferred from London to Calcutta where it naturally belongs.

Liquor Legislation In Indiana.

What, a week ago, looked so promising for rational liquor legislation in Indiana now appears to have degenerated into a general skirmish between Republican and Democratic politicians with the purpose of putting one or the other party at a disadvantage before the voters at home, all real concern for temperance and good order becoming of subordinate interest. That is the way the political mind approaches all subjects and it is as far from the normal, healthful public mind as is the mind of the judicial technical ritualist.

A Wireless Plague.

The development of wireless telegraphy upon the Atlantic coast is being seriously interfered with by amateur telegraphers, mainly sons of rich men who can afford expensive outfits, and for the reason that they keep the air full of chatter that the more important instruments are affected by. It is not impossible that wireless telegraphy may have to be licensed in order to be so regulated as to permit the uninterrupted development of a mechanism of great public value.

Farmers Not Wanted.

The action of Judge Anderson, who is to retry the \$29,000,000 case against the Standard Oil company at Chicago, in dismissing the venire of one hundred men summoned as jurors, because 60 per cent. of them were farmers, whereas the proportion of farmers to the total population was infinitesimal, is to be regretted although the judge cannot be blamed. A jury made up mainly of business men of Chicago would be subjected to outside pressure such as could hardly be brought upon a farmer owning his own farm—the most independent citizen in the world. Still, the judge does well to avoid every appearance of bias. There are problems involved in that case even more important than that of merely punishing the Standard Oil.

The Children's Theatre.

The Children's Theatre, which has proven such a success on the East Side in New York, is to be imitated in Boston. Miss Alice Herts of New York took a troupe of fifty children to Boston and gave a dramatization of Mrs. Burnett's "Little Princess," on Washington's birthday just to show the educators of Boston what the children's theatre really is on the concrete form. The plays are not given wholly by children, but by young amateur performers, ranging from twenty to thirty years of age, with children only in children's parts. They are, however, given for children, except on Saturday nights when the parents may come, and are pure, elevating and artistic, and they are put at a price that all can pay. It is the best antidote to the cheap and low "show" that has yet been devised. If Boston approves other cities are likely to.

The Contingent Fee.

While in Sacramento, an effort is making to safeguard the rights of those who are injured by public service corporations by preventing the defendant from submitting entangling interrogatories to juries, in Albany the interests are striving to outlaw the practice of lawyers taking such cases upon the contingent upon success in securing damages. There is no doubt that both practices have been abused and that both need regulation, but if injured persons were not able to secure legal assistance upon contingent fees they often would not be able to secure such services at all and so would, virtually, be deprived of all remedy at law.

The Treasury Deficiency.

There is no little squealing on the part of banking interests throughout the country on account of the withdrawal of public funds deposited in national banks that they may be used for defraying current expenses. The banks seem to feel a sense of injury that money once placed in their custody should ever be taken away from them, but the fact is that Uncle Sam's necessities are becoming severe. A year ago the banks held \$221,000,000 of Uncle Sam's surplus. On Wednesday of this week the calls upon them had reduced that sum to \$60,000,000 and the likelihood is that it will all be checked out before the tide turns in government income and out-go. It is an issue of more income or smaller appropriations, and the extra session of Congress, to be called March 15th to deal with the tariff, will not be able to get away from it.

What the Railroads Are Doing.

Reports covering 200,000 miles of railroad in the United States show a net average decrease of income over January of a year ago of 3.6 per cent. but an increase of net income of 12.2 per cent., which shows that the railroads are still starving their maintenance in order to maintain their dividends. The Harriman roads are the leaders in this process of squeezing the workers in order to help out the investors. This policy cannot go on a great while longer without putting the roads out of condition to do business for it has been followed since October, 1907. The number of idle cars is steadily, though slowly, diminishing.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "grat" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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SELF GOVERNMENT AT OAKLAND

By E. FRENCH STROTHER.

(The problem of self-government in America has got to be worked out in our municipalities. The town meetings were the kindergarten of Democracy. Our municipalities must become our common schools of free government, because it is there that people come together in multitudes immediately concerned for interests common to them all. We may liken state governments to high schools of democracy, and municipal government to the university. It is therefore the purpose of The California Weekly, from time to time, to analyze and make clear the status and tendencies of municipal government in California in the hope that each may learn from the other.)

Oakland is one of the best-governed cities in California to-day. This condition dates back only about four years, but the struggle to achieve it began in 1889, when the first blow was struck at the corrupt political forces then in control.

Water Company Center of Corruption.

Political corruption in Oakland centered in the old Contra Costa Water company. That company supplied the city with water; the city council had the power to fix water-rates; hence the company wanted to fix the council. And for years it did.

Allied with water interests, in the political control of Oakland, were the Southern Pacific company, which had its interests in waterfront, street openings, and other franchises to "protect"; and the other public-service corporations—street railways and the like—with their quasi-public functions and interests. So, altogether, these allied interests pooled their political fortunes, and entrusted the direction of the saloon vote and the other mechanism of "gang" rule to the political bureau that had its headquarters in the office of the Contra Costa Water company.

The city government that this bureau supplied was, in general, bad. City taxes were high, but street improvements were not made, parks were not acquired, the city's interests were subordinated to corporate interests in the waterfront litigation, the water rate was nominately high and even when it was reduced, the water company enjoined the enforcement of the rates in the courts and kept the city in a turmoil of expensive litigation.

Leaven of Decency at Work.

During all the years when this state of affairs existed, a body of good citizens kept hammering away for better things. Dr. Pardee, William R. Davis, Arthur H. Breed, and many others fought the battles of civic decency, and gradually their blows began to tell.

The beginning of the end of the ring came when William Dingee organized a rival water company to fight the Contra Costa company. The Contra Costa people declared that they would "drown Dingee in his own water," but

he was amply backed with capital, and the result of a bitter fight was that Dingee swallowed the Contra Costa company alive. Dingee was not a reformer—in fact, the company was as bad after he got it as before—but his light on the Contra Costa company cleared the way for reform, by effectually splitting up the compact corrupt organization that had been the political weapon of the "interests." The Dingee management organized a machine even more efficient than that of the old management, but his fight had engendered many internal dissensions, and, at least, had showed that a determined fight could disrupt the ring.

Enter the Realty Syndicate.

At this opportune moment, two events worked for the betterment of political conditions. The Realty Syndicate, composed of broad-gauged business men, men who prefer to get results by honest and businesslike methods, rather than by political manipulation, loomed big in local business affairs. It bought out the water company, it acquired the local traction companies, it built the Key Route. Its business is, primarily, to own vast real estate holdings in Alameda county as an investment against the natural advance in values that must come with a growing population. A good and harmonious city government attracts population. Population increases the value of the Syndicate's property. Ergo, the Syndicate wanted harmony.

If it wanted a franchise, it asked for it on a business basis of fair dealing, and if it could not be got that way, they let it go till it could. This policy soon put an end to grafting in franchises. The Syndicate wouldn't stand for graft—couldn't pay the price of it nor acquire the odium of it.

Water Rates Amicably Adjusted.

The water rates had been the greatest source of public discontent and corruption. Every year the city had spent more than \$40,000 in litigation over rates, and the rates had stayed up. When the Syndicate took over the water company, it entered into negotiations with the city council—a good one, by this time, as will appear below—and the council, through B. H. Pendleton (who arranged the details) agreed upon what is called the "Boston plan" of fixing water-rates. By this plan the company is paid a fixed sum annually for water, this sum being estimated as a certain percentage of profit upon an agreed valuation of the company's plant and cost of operation. At the end of the year, if the number of water users has increased, the lump sum received by the company does not increase, but the increased population spreads the burden out thinner and reduces the pro rata rate. By this process the rate has been reduced 30 per cent. in the last few years, and will be reduced 5 per cent. further next year.

This move eliminated the water question from politics, thus removing the greatest source of political corruption. Incidentally, it saves the city that \$40,000 a year that it used to spend in litigation.

Auditor Breed's Bombshell.

As noted above, the leaven of good government was always at work in Oakland, but it did not spill out over the edge of the bowl until the administration of Mayor Barstow, about eight years ago. This administration was almost wholly bad. The conspicuous exception was Auditor Arthur H. Breed, who was elected by the young men and the decent element. His work in the auditor's office attracted the attention of the public to the reckless extravagance of the corrupt ring. The council passed numberless appropriation bills in flagrant violation of the law, many of them solely to reward political henchmen. Under the charter, the auditor has large veto powers upon financial legislation, and Mr. Breed held

up appropriations totaling more than \$200,000. Public curiosity naturally roused to know what was going on that necessitated such extensive drastic action, and the knowledge of the facts coalesced public sentiment upon a demand for a change.

First Reform Administration.

This demand resulted in the election of Warren Olney, Sr., as mayor, and, as councilmen, the best body of public-spirited men the city had had in twenty years. This administration was clean, and stimulated the hope for better things. It was, unfortunately, however, only the formative stage of reform, and its record for actual achievement was consequently small. But with the election of Mayor Mott, four years ago, together with an equally good

(Concluded on Page 215.)

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Love's the Oil.

When the old machine is cranky, and it doesn't seem to run;
When your fortune is but pranky, and your living isn't fun;
When you're really up against it, as you mention to a friend,
And your "pile," though you've retrenched it, sadly dwindles to its end;
When your sky is clogged with vapor, and you feel somebody lied
When he mentioned—proper caper—"Silver's on the other side";
When, in short, you're very weary of the bog through which you roam,
Shape your course unto your dearie and the love-light of your home.
For I tell you, man and brother,
Here's a truth, if there's no other:
Love will oil the old machine.

Faith, the way is often dreary, as the best of mortals know,
And our eyes sometimes are teary as we wander to and fro.
Hope has castles time will shatter as we pass upon our way,
And the dream that most would flatter was the dream of yesterday.
Weary? Don't I know it, brother? I, myself, have borne a load,
And full oft must bear another ere the ending of the road;
So let's make the moments cheery, when the stars light up the dome,
As we hasten to our dearie and the love-light of our home.
If the old machine does wobble
As it journeys day and night
Through the swamp or o'er the cobble,
Love's the oil to set it right.

Concerning Greatness.

The more I think about it, Ephraim, the more I don't know what constitutes greatness. There is Bijee, for instance; men say that he is great, and yet I can't help setting an interrogation mark after the assertion.

You see, I knew Bijee twenty or thirty years ago. Perhaps he was great then, but people didn't notice it. At that time he was pulling along on sixteen dollars a week, which sum, although it went farther than it has since the trusts have taken us under their paternal care, did not permit high living.

Who do you suppose was the mainspring in the Bijee machine? It was Mrs. John C. Bijee. She was a little woman, but not too small to be combined cook, scullion, wash-woman, chambermaid, seamstress, nurse and several other things in that household. Oh, I tell you she attended to the lares and penates all right.

John C. Bijee would come home at night tired and discouraged, and say that life was without hope, and then that small embodiment of courage and loyalty, forgetting her own heavy burden of weariness, would start in to brace John C. up, telling him that he was all right and would win out yet. She would keep this up until John C. would swell up and say, "You bet I'm a winner!" and so, many a time when he was ready to surrender, she kept him keyed up to the playing pitch, until, at last, success came.

And now they say that John C. Bijee is a great man. I don't know. Perhaps he is, but I would bet a dollar that Mrs. John C. is a greater.

And if you look closely, Ephraim, you will notice that Bijee is not the only one of his kind.

Rainy-Day Philosophy.

One thing I like to think about
Whenever the storm-cloud lowers:
The rains that beat are bringing out
The grasses and the flowers. —

"Man That Is Born."

Man that is born of woman is of few days, and they are not long enough. Wherefore he prolongeth them into the night, and saith, "What a gay boy am I!" But when he awaketh in the morning thereafter, lo, it is different with his head. In conscious superiority he smileth down upon gentle woman, and it is as if she knew not that she smiled, but, behold, in a day and an hour when he knoweth not she hath the merry ha ha on him. For man prideth himself on his reason, and ere he knoweth he is up against it. But woman journeyeth by the light of intuition, and ever and anon when the man and his reason are out of the running she querieth, "Oho, did I not say so?" And, lo, she did say so. Man taketh shekels unto himself, and he is a "higher-up." He taketh none, and he is a "hobo." He taketh pride unto himself that he is a legislator, and his neighbors cry one unto another, "Behold, he is an Honorable. Let us look unto the goods that we have stored." In the brightness of the day he saith unto his servant, Go, and he goeth, but in the darkness of the night a wailing infant crieth unto him. Walk, and he walketh. He taketh unto him self a wife and voweth to love and protect her, and the last condition of that man is worse than the first, for thenceforth he buttoneeth her dress down the back without ceasing. Wherefore was it written, Man born of woman is of few days and full of trouble, for it is even so.

Forget It.

When you get to seeing double,
Seem to note a sea of trouble
All about you boil and bubble,
Just forget it.
When your daily worries haunt you,
With their phantom faces taunt you,
While their specter strives to daunt you,
Don't you let it.

Don't you let the shades of worry
When confronted pitward scurry
In a goblin rout and flurry?

Then forget it.
Recollect that woe, black-shaded,
That woe of future's pence invaded,
How it dwindled and it faded
When you met it?

Man, of woman born, is better
Than Dame Trouble's toil and fetter;
Worry's but a jade, so let her

Most regret it.
Clear your mind, and dose your liver;
For all blessings thank the Giver,
And if still your heartstrings quiver,
Straight forget it.

The Opinions of Rufus.

I've noticed that some folks that have nothin' to say use the most words in sayin' it.

Some po'try reminds me of a china egg: The plans an' specifications are all right, but ef you try to eat it you can't help noticin' they's suthin' lackin'.

The beauty of some people's judgment is that a feller kin rely moidlin' safe on its bein' wrong, and act accordin'.

Some folks say they're grovlin' sinners in prayer-meetin', an' use up the rest of the week in provin' it's so.

I'd bet a dollar the man who prayed, "God, I thank thee that I am not as other men are," was so moral that nobody could pint a scornin' finger at him, but you rickollected how the Nazarene sized him up, don't you? Well, the kid ain't all dead yet.

The poet said, "Frailty, thy name is woman." I reckon he didn't have words 'nough left to tell what the name of man is.

It's gratifyin' to reflect that the old theory that relegation shud be kep' in an' not used to guard 'gainst 'ternal fire hes sorter frozen itself out.

It's middlin' easy to be so long on theology

that you don't have no room left fer relegation. I don't know how deep human sympathy goes, but I've saw lots of it that never gits es ter down as the pocket where our purse is kept.

"C. Q. D."

"Interested" wishes to know the literal meaning of the letters, "C. Q. D." which have been used so freely in press dispatches recently.

I do not know, nor can I say,
For I am much benighted,
But when a bride upon the seas
Would send a message home to please,
I think they mean such words as these:
Cora's Quite Delighted.

But when the ship rocks, to and fro,
To fease a hardened sinner,
And passengers hang o'er the rail,
With interesting faces pale,
No doubt the words tell this brief tale:
Cannot Quiet Dinner.

And when the steward goes around,
With labeled coat or collar,
While dreadful breakers rock and swell,
To tell disabled they'll get well,
I do not doubt the letters tell:
Captured Quickly Dolar.

May Be Something In Dreams.

"I dreamed that she was killed in a railway collision, and went straight to the nearby gate."
"Yep."
"But they wouldn't let her pass."
"Nope?"

No, she was wearing one of those hipless gowns, and the watchman wouldn't believe she was a woman.

An Apparent Exception.

Professor of Physics—It cannot be proved that something is nothing, or that nothing is something. To this rule there are no exceptions, and—What is it, Mr. Thotfulle?

Mr. Thotfulle—Well, I was just wondering how you would account for the State Railroad Commission.

A Gold-Saving Machine.

A gold-saving machine of an original pattern and with the promise of a high rate of efficiency is to make its debut in Nevada City within a few days. It is altogether of Nevada county material and the product of local brains. Grass Valley Union.

I do not know the plan of it, I do not know its style,

But having played the money fool for quite a weary while,

I feel that I've a lesson learned, though somewhat late in life,

Concerning how to save the gold I gather in the strife,

And I've a dollar I would bet Nevada City's plan

Can't beat the game that I have learned while playing "also ran."

Oh, men may make machines galore the yellow stuff to fix,

But of all schemes for saving gold the best is—save your nickels.

There Are Others.

"Bings is afraid that he may be prosecuted for polygamy."

"Why, he is married to only one person, ain't he?"

"That is what he thought for a while, but now it appears that he married her whole family, and there are seven of them."

What Decided the Heirs.

"The heirs finally decided not to contest old Bluffaire's will."

"What was the ground for their decision?"

"Knowing the old fellow's disposition while he was in the flesh, they decided to take no chances with his ghost."

("Slave Girls"—Concluded.)

make real love matches, just like American girls; but, usually, the racial instinct seems born within them to leave their match-making to their parents. As I am their mother, under the law, they look to me, and so I have made dozens of matches and have dozens of sons-in-law scattered throughout the country. And so far I have not had to regret the choices I have made for them.

"A few of the girls are preparing for 'careers.' One has decided musical talent and a distinguished music teacher is fitting her to be an assistant in a conservatory in Shanghai. Another will be a missionary in China.

"But they are very much like other girls. They chatter and joke about the kind of husband they would like, or declaim dramatically of the mighty things they hope to do or be. And they are characteristically feminine in their dislike of coarse work. They would rather sew at day than scrub their rooms half an hour."

But they are happy. It takes only a few minutes' walk through the Home to see that the Mission's work of rescuing these girls from slavery has lit the light of gratitude in all their eyes, and that they all, who were friendless, have found in Miss Cameron a friend.

A LINCOLN STORY.

One day a ragged little urchin was standing on the street longingly eyeing some oranges which were on a fruit stand near by.

A tall man with long legs, loose clothes and a frowning, wrinkled face came striding toward him. His eyes were apparently on the pavement, and he looked cross and out of sorts, as he took long strides, making his coat-tails flap about his legs.

The man suddenly stopped in front of the fruit stand, and, diving his hand in his pocket for some money, he brought a big orange, gave it to the boy and went on his way.

The boy grinned at sight of the fruit and was about to eat it when a bystander told him that the giver was President Lincoln. The boy ran after the President and caught the flapping coat-tails, and as the stern father turned sharply he called, "Thank you, Mr. President Lincoln."

Suddenly the face was transformed, and a beautiful smile covered it. In a thrilling voice the President answered:

"You're welcome, boy. You wanted to steal it while the fellow wasn't looking, didn't you? But you wouldn't because it wasn't honest. That's the right way."



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WITH EYES AND :: EARS OPEN ::

The discharging of human freight from the ferry boats is a slow, tedious, corn-tramping and heel-hitting process. A little wholesome military or school discipline would cut the time in half, prevent disorder and reduce pig-gish propensities to a nullity. If some master of ceremonies were to mount a pedestal and call out in a clear voice: "Fall in, fall in, four abreast, hay-foot, straw-foot, hep, hep, hep," the commuters would learn it in two days, the whole train-bay public in a week, and two or three minutes could be knocked off the schedule time for making trips.

"Within the last two years," complained a commuter to his friend, "I have lent seven hundred dollars to seven friends, merely on their I. O. U.'s, and it begins to look as though I had lost friends and money both. They all avoid me; when brought face to face with one or two of them they have dunned themselves in a sniveling, sheepish way that bodes evil, and the others have a far-away look in their eyes whenever they see me. I can ill-afford to lose the money, but I can less well afford to lose my friends, and I have made up my mind that, if I ever lend any more money, it will be upon approved security." Complainant has been keeping bad company.

A young man just starting in life applied to a bank for a loan of \$100, explaining the reasons why the loan was wanted and the certainty of being able to pay it back, at the same time offering a good name as endorser for his note. The banker heard him patiently and then said: "I'll let you have this money if you say so, but it will only be a convenience to you and not a necessity, for you can get along without it. My business experience teaches me that more good men go to the wall by putting their names upon other men's paper than for any other reason. If you never ask such a favor you need never grant it. My advice is never to ask." His advice was taken and, during nearly thirty years, this would-be borrower has not had to pay another man's debt. That prudent banker got his start in life by playing draw poker.

The Berkeley Club recently celebrated the thirty-sixth year of its existence and, at the same time, paid heartfelt tribute to the memory of Daniel Coit Gilman, who organized the club during his presidency of the University of California. Of the seventeen charter members of the club only Rev. J. K. McLean is living. The club now has about forty members, meets fortnightly at the Faculty Club building in Berkeley, dines together, listens to a paper prepared by one of its members, vivisects it without qualms in rotation around the room, starts for home before ten o'clock feeling that it is good to be alive and to take a lively, if not a performing, interest in what is going on in the world or in what has survived the vicissitudes of forgetfulness to our time.

The California Wine Association is able clearly to perceive the effect upon its commodity of the return to Italy of the sons of that much-shaken land since the great earthquake. This affords some idea of the extent of the exodus and signifies who the wine-bibbers are. As for Americans, they sell their wine and buy beer.

The eyes of the writer have just been focused upon a San Francisco chimney, not different from many a thousand others. Up from it ascends a column of smoke as black as soot can make it and, underneath, the air is snowy with smudge flakes to fall upon everything, to be breathed into the lungs, to turnish everybody inside and out. If that chimney were one-half taller, if the grate or oil burner were adjusted properly and the firing done with skill, those myriad flying particles would be conserved and consumed and (when there is a sun) San Francisco would

be bathed in sunlight instead of lamplack. San Francisco, and the other bay cities, have been strangely unconcerned for the smoke nuisance.

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POLITICAL TABLE TALK

By THE WATCHMAN.

Our Gory Senators The final debate in the state Senate upon the primary law bill was, to use a phrase once employed by Thomas Jefferson to describe an acrimonious discussion in the early days of Congress, "most bloody." Senators Wolfe and Leavitt, leading opponents to the measure, furnished most of the gore, although Willis and others were as savage as they knew how to be. According to Leavitt, it was the Republican party which was called upon to shed its life-blood, for he could not see how there would be any party after the adoption of such an atrocious mug-wump measure, while the blood which Mr. Wolfe was burning to shed was that of his newspaper critics, whom he smote hip and thigh. But he did not go so far as Senator Savage had gone a few days before when he issued a formal challenge to two or three of the Los Angeles editors to meet him with any kind of weapons, carving knives preferred.

Cutten to Rescue of Primary The one unexpected and most telling incident of the debate was supplied by Cutten, the clever young anti-organization senator from Humboldt county. It was simple but effective. The organization planned to substitute for a genuine direct primary a combination of direct nomination vote and party convention, so arranged that whenever the organization desired to throw the nomination into a delegate convention it could do so by getting into the field a sufficient number of candidates to split the popular vote and so prevent any candidate from receiving the legal percentage of the total vote, whereupon it would be necessary to resort to a convention, the delegates to which were, under the plan proposed, always to be elected when a direct primary was held.

"Organization" Law Unconstitutional What Cutten did was to call attention to the form of the constitutional amendment adopted last fall, which read: "The legislature shall enact laws providing for the direct nomination of candidates for public officers, by electors, political parties, or organizations of electors without conventions, at elections to be known and designated as primary elections." The constitution also empowers the legislature to enact laws for nominations by party conventions, but Cutten had no difficulty in showing that this particular provision means straight direct primary nominations, and that to couple up with direct-vote nominations a system of convention nominations, intertwining the two as closely as this scheme contemplated, would almost certainly be to render the whole law unconstitutional and therefore impracticable. What replies to Cutten were attempted were without force, and the bill passed the Senate by the vote of twenty-seven to thirteen.

Primary Law Saved Such an overwhelming majority in the Senate is expected to insure its passage in the Assembly, and it does not seem that the hard fight which will probably be put up by the railroad group can avail them anything. As it went through the Senate the bill was substantially in the form in which Senator Wright introduced it, which means the form in which it left the hands of the drafting committee appointed by the Direct Primary League of California. The features relative to the election of United States Senators are unmodified, although there is a quite general misunderstanding to the effect that this is not so. The misunderstanding is due to the contradictory reports which have been printed concerning the intentions of the reformers and the performers in regard to the bill.

Changing County Officers' Pay Forty-one out of the fifty-eight counties of the state have bills relating to fees and salaries of their officers on the way

through the legislature. In 1901 fifty-two counties—all but five of the counties then existing—had legislation of this kind. In 1903 there was a partial cessation of the sort of law-making, and only sixteen counties had their salary schedules changed; but in 1905 bills passed affecting forty-four counties. In 1907 the whole county government act was codified, and it is impossible to say exactly how many counties changed the rates of compensation of their officers. But there are some counties which have not missed a session for many years in getting their schedules changed, generally in the direction of allowing more officers, or more deputies or higher pay.

Legislation A Farce Of course, pretty frequent changes in these matters are necessary, but such legislation is a great bother to the legislature, and, withal, it is a good deal of a farce, since it does not represent the judgment of the legislature at all. Each county delegation is left to fix its county government schedule to suit itself, and neither the majority of the members nor the governor would think of interfering with this prerogative. And usually the home delegation does about what the county officers ask for, so that it amounts to the county officers' legislating for themselves.

Counties Should Fix Salaries It is a wonder that the people do not take this business entirely into their own hands by having each county frame and modify its own county charter for all such things as the number and compensation of officers. But the greatest wonder in this connection is that several years ago the people had before them a constitutional amendment of this kind and voted it down—probably through sheer failure to comprehend what it was all about, so that the opportunity which once knocked at the people's door may not return.

An Honest School Census An attempt is to be made to get honest school censuses by requiring census marshals to obtain the signatures of parents or guardians to the enrollment blanks, this being provided for by a bill introduced by Assemblyman Sackett. Those who know say that the amount of "stuffing" which has been done in the taking of school censuses in California is almost past belief. It has gone so far as seriously to affect the distribution of the state school moneys, giving some counties and cities more than they were entitled to and others less. A few glaring cases of fraud have been exposed, but in the vast majority of cases there has been no exposure, though school superintendents and trustees have been pretty well aware of the facts. Of course, in most instances the census marshals were not officially instructed to stuff but did so either because they were very much per name, or because they thought they would render themselves unpopular with their employers if they failed to show a considerable increase from year to year.

State Pension System Coming? We may have a state pension system before we know it, as the bill to provide pensions to state hospital employees after twenty-one years of service has been passed by the Assembly and is now with the Senate. It is strongly suggestive of the way in which some things are done by the legislature that this bill, which is a financial measure of the first importance, was referred only to the Committee on State Hospitals and did not go to the Ways and Means committee, the responsible financial committee. Other bills, almost or quite as important in the ultimate pecuniary consequences which they will have been disposed of in the same careless way. Thus are the foundations laid for heavy burdens for posterity to carry, and even for this generation in years not far ahead of us.

Lots of New Laws Some thirty Assembly bills and over sixty Senate bills have passed both houses and are going to the governor. To that, however, he has not exercised his veto power at this session. It looks as though the statute book, which has been growing steadily, will be large again this time. Not only is the number of bills in excess of any previous session, but both houses show inclinations toward industry which portend the passage of most of the measures which have been introduced—provided they are not voted down—leaving less than the usual number to share the fate of those of whom it is recorded that they "died on the files."

Junkets at \$5,000 Per Over The disposition to appoint hold-over committees, usually consisting of members of both houses, to sit between sessions and investigate one thing or another supposed to be of interest to the state, is growing by what it feeds on—literally so, because it feeds on public moneys. Each one of these committees is authorized to spend money for "necessary expenses," and usually the term is liberally construed. Five thousand dollars is the amount most often set aside, and when that sum is judiciously applied in working up a new banking law, the money may not be misspent. But what shall be said of a resolution like that which passed the Assembly the other day to authorize a hold-over committee which shall consider and report on the subject of the division of the state into game districts, and spend \$5,000 in performing this arduous labor?

City Advantages Not Cheap It has perhaps been a misfortune that township governments have never been organized in California, in view of the number of measures at recent sessions to create sanitary districts, boulevard districts, library districts, lighting districts, fire protection and various other districts. These are all attempts to exercise municipal functions without being burdened with municipal governments. It is a deceptive theory that all the municipal improvements and facilities may be enjoyed, or come any cheaper, without incorporating. Several sanitary and high school districts can testify that their rates of taxation are equal to, if not in excess of, those of the adjacent cities which they have kept out of in the belief that they would find it more economical to do so.

Trouble For Tax Amendment The revised taxation amendment to the constitution has been before senate and assembly committees almost a year since the session began. It is doubtful if this measure will be re-submitted to the voters. Or, if submitted, it may be in such shape that the people will be more reluctant than before to adopt it. The interests want to fix the amendment up so as to make it as light as possible for them.

Hungry For Local Sops When the state takes on itself what should be a local burden it always hears from it in new demands. Some years ago Stockton found itself in danger of floods from the overflowing of certain streams and channels in time of high water. To protect a navigable channel under the control of the federal government, that government consented to construct a diverting channel, if Stockton would give the land. But the city thought it might as well work the state for the purchase price of the land, and it succeeded in doing so. Now Stockton has decided that it needs a system of levees, and is calling on the "east" state to build them. Assemblyman Beardslee has introduced a bill appropriating \$700,000 for the purpose. This makes Sacramento and other cities which have built their own levees at vast expense sit up and take notice.

UP AND DOWN : : THE STATE : :

John Neilson, who had been a resident of Yreka since 1849, died at his home in that place recently.

George Christensen, a sixteen-year-old boy of Tustin, near Santa Ana, was recently arrested for forging checks varying from \$45 to \$350 in face value.

Fresno is to vote on the question whether or not saloons shall be licensed in that city.

The people of Escoter are taking steps looking to the incorporation of that town.

Juan Martinez, a ranch hand, died near Escondido last Friday as the result of being impaled on a barbed-wire fence three days.

Dudley Morton, with a corps of assistants, has been detailed by the federal department of agriculture to investigate pear thrips and find a method of destroying the pest.

Citizens of Corning have organized a library association.

It is asserted that more sugar beets will be planted in California this year than ever before. A pumpkin-flour factory is a unique industry which has just been added to those of Hanford.

Packing-houses in Hanford are employing full forces in stemming and packing raisins.

It is reported that a Fresno Japanese has made a large start toward capturing the potato market. He has 200,000 sacks.

Cabbages have been shipped from Orange county since about the 15th instant.

The Farmers' Union is making rapid strides in organization in the San Joaquin valley.

Citizens of Los Angeles will vote on the recall of Mayor Harper on March 26th instead of March 25th, the day first selected.

Superior Judge Frank R. Devlin has resigned that office to resume the practice of the law. His successor will be Judge A. J. Buckles.

Near Oroville F. Brown, a miner, found a ten-dollar gold coin of the mintage of 1852 in his sluice-box.

In Sparks, Nevada, the other day, Mrs. Frank Tutts horsewhipped Policeman Wees. She claimed he had slandered her.

The California Game Commission has turned a number of Hungarian pheasants loose near Yuba City.

Timothy C. Coughlin, a newspaper man of Alameda, and Miss Mary C. O'Brien, of San Francisco, were married in the latter city last week.

Modesto is endeavoring to secure the state industrial school provided for by an act of this legislature.

The Conroy hotel at Auburn has been sold to Albert F. Ford, J. D. Meredith and J. B. and Fred Lander.

George Mitchell of the Pacific Coast at three-cushion billiards from Walter Johnson of Los Angeles. The score was 100 to 96.

Edward Mellarky, who had resided at Smartsville, Yuba county, since 1853, died there recently at nearly ninety-five years of old age.

B. T. ("Bart") Alford, formerly a Democratic leader in Fresno, died in Los Angeles last week.

Lee Lambert of Stockton, was killed by the tangling of his clothing in a fly-wheel of a pumping-plant which he was operating near Oakley, thus dragging him into the machinery.

Ned McGann, a miner, killed himself last week in the presence of about one hundred school children of Richmond by cutting his throat.

Modoc citizens have voted saloons out of that county, with the exception of Alturas, which is an incorporated town.

A recent ordinance adopted by the Chico trustees permits saloons to remain open on Sundays, but compels their closing between midnight and five a. m.

Captain J. H. Roberts, a well-known and wealthy citizen of Sacramento, died in that city last week.

Of the sixty graduates of the Chico normal school in 1908, fifty-five now have positions as teachers, with an average salary of eighty dollars.

It is reported that a company has been organized to purchase 18,000 acres of land in the vicinity of Hemet, Southern California.

The Southern Pacific company is about to install a motor service on its line between Sacramento and Colfax.

A report that distemper is raging among horses in the vicinity of Marysville is emphatically denied by the Democrat of that city.

The Hughson Weekly Courier is the name of a newspaper started in Stanislaus county by F. G. Tregent.

It is announced that the Southern Pacific will raise and double the width of its road bed between Sacramento and Davisville.

Truckee—and it is in California—has just entertained itself with a snow carnival.

The little city of Winters is adding to its attractiveness by planting walnut trees along its streets.

Captain A. J. Comstock, a resident of Oskaloosa, Iowa, was run over and killed by a railway train in Moorpark, in this state, last week.

Glen, the nineteen-months-old child of Mr. and Mrs. J. B. Draper, was drowned in the cellar of his parents' home at Arroyo Grande a few days ago.

The peace officers of Stanislaus county are about to purchase bloodhounds with which to run down fleeing criminals.

J. T. Fonte, of Niles, has purchased the Newark Register and will change its place of publication to Centerville in Alameda county.

Two men were killed and two others made seriously ill, near Bishop, Inyo county, by eating wild parsnip.

John Drury was instantly killed, near Bakersfield, the other day, by falling from an oil derrick to the ground, a distance of seventy feet. Another workman, named Mobre, also fell and was seriously injured.

To—

I've sought for beauty all of my many days.

But found it ever lonely—colors in the sky, A shadow on the hills, or lights thrown brilliantly

Below the rising curtain of the dawn; always In solitude I found it, and in ways

Apart from comradeship in my delight, Half-sensed for want of one who might

With me, in mute rejoicing, praise. This void of me thou comest now to fill,

Thy hand in mine, our hearts together beating.

Watching together morning's glories fleet—

ing.

Together sunlight fade beyond the hill.

For such dear fellowship no more I seek.

Heart answering heart, to thee I turn and speak.

—E. F. S.

Health Insurance.

Health Commissioner Evans, of Chicago, is striving to educate the people of that city in ways of self preservation against those epidemics of la grippe, pneumonia and tuberculosis, which assail that city at the breaking up of winter. We have been having a wet time of it and the same preventives so efficacious there might be employed with advantage here. They are, moderation in eating and drinking, reasonable exercise in the open air, ventilation of the houses and offices, avoidance of over-heated places and of excessively heavy clothing. They cost nothing but if generally observed would almost insure against epidemics of all kinds.

(Concluded from Page 214.)

council, the better element was in a condition of practical relations with politics that enabled it to accomplish many needed public improvements. Mayor Mott has proved to be a great harmonizer of discordant elements; he is sound morally, while being also a skillful poli-

tician. As a result, every bond issue he has proposed has been voted by the people. Street improvements have been made, the police and fire protection increased, the sewer system greatly extended, and parks acquired. There has been a careful expenditure of the money from these bonds, and general public satisfaction with the results achieved. Much of the credit for these results is due to the city attorney and the city engineer, who, with the mayor, constitute the board of public works.

Thus Oakland has achieved a sound state of moral health in politics. Graft is eliminated. Public works are being extended. The situation is one of great encouragement for those who believe that the American people are able to solve the problem of democracy in the cities.

In a later article, the issues of the approaching municipal election in Oakland will be explained, and the subject of the water-front negotiations and their satisfactory condition to date will be elaborated.

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THE CAPITOL THAT WAS NOT REMOVED

By A. B. NYE.

The state capitol building, of which California has always been proud, has been modernized and largely reconstructed but not exactly rebuilt. Most of the work has affected only the interior. The exterior lines have been little changed. The statuary which used to be such a conspicuous adornment of the roof has nearly all disappeared, and is a good loss; the roof has been raised a few feet to permit a fourth story to be built in, but this did not necessitate a change great enough seriously to interfere with the architectural effect. One noticeable exterior alteration is the cutting of a row of small windows in the frieze to give light in the new fourth floor rooms, but while this was by no means an improvement, architecturally viewed, it detracts from the appearance of the building rather less than might have been expected. On the eastern front there has been an alteration which has been a detriment and for which not as good an excuse can be offered; the large windows at one end of the Senate and Assembly chambers have been bricked up, and while they were of no value for lighting purposes, being always closely curtained when the legislature was in session, the outside view now gives the same painful effect as the dull and sightless orbs of a blind man.

It is well that the graceful lines of the capitol have not been materially altered and that it still remains, after more than forty years, California's most beautiful public building. It is something like a miracle that in the earliest '60s, when things in California were still crude, a local architect was found who could design this building and a commission, legislature and governor who would let him greet it. Reuben Clark, when he was chosen as the man fitted to execute this work, was regarded as the most promising young architect in San Francisco, and tradition says that he was not anxious to undertake the task, which compelled him to abandon his general practice; if he had forebodings, they were more than justified, because he did not live to see the completion of the work, and, to quote again from local tradition, which in this instance may or may not be correct, he was so harassed by the delays and vexations of official action that he lost his reason before he died. Nevertheless, Reuben Clark left behind him a splendid monument and a claim to the gratitude of patriotic Californians.

It required ten years and approximately \$2,000,000 to build the state capitol, and even then it was left, as most public buildings are in the first instance, far from completed when it was occupied; various improvements have been made from time to time, and with the latest and most extensive overhauling, the pile now represents a total outlay of three millions. At the legislative session of 1905 there was appropriated for the work \$352,000; in 1907 there was added \$20,000; and as these lines are written the legislature is in the act of appropriating \$75,000 more for furnishings and equipment.

Those first two millions came hard, for California in those days was not only relatively

poor, but during a portion of the time the capitol was building was carrying her share of the burden of a great civil war and was also straining her resources to assist in constructing the first transcontinental railroad. In that period state taxes went three times as high as they are to-day. But when finished the capitol stood a monument to honesty as well as genius, for it did not contain a foot of unsound brick work or a pound of poor cement. We can congratulate ourselves that the reconstruction accomplished with the appropriation of 1905 was similarly honest; there again the state received its money's worth, or perhaps a little more, for the contracts had been let just before the San Francisco earthquake and fire, and the contractors, after the great rise in prices, made no money, and in some instances suffered considerable losses.

But we are still waiting at the door and it

slowly lifted those who would trust themselves to it to the upper stories; two electric elevators have now been installed, and beside them, much after the fashion of a modern office building, the new stairways ascend. In fact, it is the complaint of persons who disapprove of the way in which the capitol has been overhauled that it is now a compromise between a city office building and an old-style capitol building.

But perhaps this is giving too much importance to the few criticisms which have been made. The fact is that a general overhauling of the building was a necessity, for it was neither sanitary, comfortable nor safe; the plumbing and heating systems were wretched, and, as was found when the old roof was removed, the ends of the large timbers by which it was supported had rotted away and before many years it would have fallen. Steel

trusses and beams have been put in; steam heat and modern plumbing have been installed; light has been admitted to the basement rooms, which are now available for use for the first time; and thirty-eight additional rooms have been made; this is equivalent to an addition of about 30 per cent to the accommodations of the building. For the first time there are rooms specially devised for use by committees of the legislature. In short, the capitol has been greatly improved as a place in which to transact the state's business, and it is not extravagant to expect better legislation and administration.

In the Senate and Assembly chambers the changes have been extensive and in the direction of improvement. By lowering the ceilings

a few feet the acoustic properties have been slightly improved without any sacrifice of appearance; the galleries have been remodeled, and although the effect of this is to make the chambers look smaller, the gains are greater than the losses.

The next serious problem in connection with the capitol is going to be what to do with the rapidly growing state library. In the recent reconstruction it has been provided with a considerable increase of room, at some sacrifice of convenience, but within the next ten years it is going to demand such improvement in its accommodations as can only be afforded by the construction of a special building for its uses.

"Peter Adams."

When Charles Frohman asked Barrie to make a play of "The Little Minister," Barrie refused. Some days later, however, he dropped into Frohman's office, and said, "I'll make a play of the little story if you'll give me the little woman I saw act at the Empire last night." The "little woman" was Maude Adams, for whom nearly all of Barrie's plays have been written. While he was writing "Peter Pan" he always spoke of that character as "Peter Adams."



THE CAPITOL AS IT APPEARS TO-DAY.

is time to enter and observe the interior changes. The entrance is certainly less impressive. The broad doors which stood always open have disappeared, and there is a revolving door in which one must turn like a squirrel in a cage. Yet this is practical and utilitarian, for now the halls and corridors are kept at a comfortable temperature in winter, when they used to be swept by pneumonia-breeding draughts. But the two grand stairways at right and left of the entrance have been abolished, and this is where the reconstruction most rates on sentiment. Every citizen of Sacramento was proud of those stately stairways with their massive carved newels, and it was a violent wrench to their feelings when this grandeur was sacrificed to provide the much needed additional office room. The new vestibule is handsome in construction and material, the latter being limestone with large panels of rich onyx, but it is hardly consistent with the rest of the interior, though it will look more in keeping when the walls of the corridors have been coated with marble; the reconstruction stopped before that point was reached because the money gave out.

In old times there was a stairway, a little less grand than the two stairways at the main entrance, at either end of the main corridor; these, too, have disappeared and their place has been taken by offices. Also, in old times there was a single creaky elevator which

THE GRAFT CASES

A week makes but slight difference in the drama entitled, "What Shall We Do With Calhoun?" which now is being played in San Francisco. The minor actors and supernumeraries, represented by an ever-lengthening procession of talemens, shift, but the star actor and his leading support do not vary either in person or character. Something like two-thirds of the talemens are excused for cause, and after the remaining third is run through the mill of legal examination, little or nothing remains of it. An occasional detective, going about his work of attempting to ascertain the sentiments of prospective jurors, is heard from. Opposing attorneys squabble and say unkind things of one another, and his honor sits there, with something approaching infinite patience, and listens to it all.

Except that James Granville, a retired machinist, has been passed, nothing definite has been gained in the Calhoun case since the last publication of this journal. Eleven prospective jurors have been found, another must be secured, and peremptory challenges will reduce the total number to an unguessable extent, after which the present wearisome work must be resumed. As about a thousand talemens already have been summoned, and as the end is by no means in sight, it is possible that the record of delay made in the Ruef case last fall may be exceeded.

The verdict finding former-Superior Michael W. Coffey guilty of accepting a bribe of \$4,000 to vote for the overhead-trolley franchise, was found in thirty-five minutes, after three ballots had been taken, the first two resulting in eleven votes for conviction to one for acquittal. Judge Dunne announced that sentence would be pronounced February 27th.

Coffey's attorneys have announced that the case will be appealed, and so delay before prison doors close upon him may be anticipated. Coffey, whose vocation is that of sack-driver, is a poor man, and it may be presumed that the delay will not be extended indefinitely.

Last Tuesday Judge Murasky named March 15th as the time for the beginning of the trial of Adolph S. Newburgh charged with attempting to bribe a prospective juror in the Ruef case. District Attorney Langdon announced that he wished the case tried as soon as possible.

Now comes the grand jury at Stockton and takes its part in the general graft situation by filing charges against City Councilman W. T. Shepard, Chief of Police Frank B. Briare, Captain of Police John Craig and Policemen Michael Carroll and John Garou. Shepard is charged with accepting a twenty-dollar bribe, while the policemen various grades are alleged to have accepted "gifts" from dive-keepers, etc. It is asserted that if the policemen resign their positions they will not be prosecuted.

"The Spell."

By William Dana Orcutt.

An interesting novella. Its plot is admirably complicated and it holds the reader's attention to the end. But the story is marred by being based wholly upon the improbable hypothesis that a red-blooded man would practically desert his bride in the sixth week of their honeymoon in order to indulge in an intellectual play of study in a Florentine library. The improbability, together with dialogue such as was never heard even in Boston, the home of the hero and heroine, weakens what is otherwise a very well written, if not too absorbing, story. The characters are a bride and groom; the familiar "toilet woman," with a permanent and dark hair; a little old millionaire uncle, who messes matters while he messes benignity; an old flame of the deserted heroine who looks as if he might live things up (but doesn't); a gossiping lady friend (an Italian countess from Milwaukee, in this case); and an old librarian who acts as the peace-maker in the reconciliation. A curious mix-

ture of good plot and improbable characters. Harper & Brothers, New York, \$1.50.

FROM OUR READERS.

Editor, The California Weekly:

Will you permit me to correct one or two mistakes in a recent issue of your estimable weekly under the heading of "Will bring us good citizens?"

First: If the proposed alien bill, to which you refer, becomes a state law it will have but little effect upon the question of British aliens holding real estate, under the existing international treaties. Apart from that, California can use all the capital available, in developing her wonderful resources, and we cannot yet afford to prevent the investment of any capital, for legitimate purposes, even though it be "alien" money.

Second: You state that the English are the slowest to become naturalized Americans. This, like so many other statements made by the public press about the English people in particular, is entirely incorrect. In San Francisco there are, approximately, 6,000 "naturalized" British, and the great majority of them vote (usually but once, however) for clean and honest administrations. At the time of the great fire the Italian vote was about 600, whilst the total number of British and Italian residents were nearly the same. London has nearly 7,000 permanent American residents, and only 120 have become naturalized Britishers. It must also be remembered that in San Francisco, as in most other large commercial centers, there are thousands of representatives and employees of British corporations and financial institutions who are sent out here by their employers for a specific purpose, and not with the idea of becoming settlers, or even permanent residents.

Third: You may be interested to know that in 1906, in Alameda county, the British born vote was larger than the vote of all other alien nationalities put together. Their vote also, throughout the entire country in November last helped materially in piling up a majority for President Roosevelt's successor. It has been estimated that there are now about 140,000 British born permanent residents in California, the number of males of mature age being probably 60,000, of whom about 35,000 are American voters by "choice," but it has yet to be ascertained that there is a political "boss" among this entire number, and whilst it is true that they do not "blow their horn" or "boreen" effusively, they do their duty at the polls just the same. That these 35,000 British voters exercise a great influence in the community, goes without saying. If, however, the English were public office seekers they would do the same as some other aliens do, and stay in some state where they could be naturalized in "six months" or sooner. The average Englishman is not a notorious office seeker, nor political job chaser, but a law-abiding, home-loving citizen, and although he has perhaps not as much to gain in becoming a citizen as some other nationalities, still, statistics will show that Englishmen are not as slow to become naturalized as is generally supposed. Further, he can, if necessary, turn up his "sleeves," as well as his pants, and either fight or work, as occasion demands; and it is these very qualities, omitting entirely the question of nationality, that has done so much toward the building up of our California industries and of San Francisco in particular.

I enclose my card, and remain,

Yours truly,

Ten Years Naturalized Britisher.
Palo Alto, Cal., Feb. 17, 1909.

"The Missioner."

In "The Missioner," E. Phillips Oppenheim has written a delightful piece of light fiction, in which the plot moves swiftly to an effective climax and a happy ending—the whole so deftly told that its improbabilities are forgiven and forgotten, and the reader's eagerness to follow the story to the end. The scene is in England, and most of the characters are from "high life," but the book is refreshingly free from snobishness. The book does not "point a moral," and is, for that reason, perhaps, more "interesting" as a story than most of our recent dissections of morbidity in the guise of fiction.

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OH Ray! Oh Ray!" The wind rushed so swiftly up the canyon and whistled so shrilly under the wide spreading eaves of the little station at Hartwell that the agent had to call a number of times before he could make himself heard. "Well, what is it Bob?" answered Raymond Harper, who had been tugging some heavy sacks of wool into order at the farther end of the warehouse.

"Here is a pretty picnicking for our birthday, old fellow," his brother replied. "I am dreadfully sorry for mother, she had such a fine supper getting for us and just as likely as not we will not be able to eat it until along towards midnight. The line has gone down somewhere up on the mountain and the superintendent wants us to go up anywhere and find where the trouble is. Get out the velocipede and I'll run over and tell mother. It is getting dark already and we must be off."

"When the Caller calls, a fellow has got to go, you know."

When Robert returned his brother had the velocipede on the track and all the equipment needed and the two brothers at once set off up the railroad with all the expedition possible. The pace was a good one, too, for the wind was blowing a gale at their backs, so helping them and, besides, there was not a man on the division who could pump a railroad velocipede with Raymond Harper, and yet Ray was barely out of his teens and at work upon the road only during vacation times.

As Ray plied the lever Robert, sitting behind him watching the telegraph poles as they glided by them, in order to find where the trouble was when they should come upon it, could not help feeling proud of the manly proportions of his big-bodied, stout-limbed brother working away as easily and apparently as tirelessly as the machine itself. He often fell to wondering why, he chanced to hear one day than Ray, and for as many years the bread-winner for the family, should be so slender and poorly in health while Ray should never have known an ache or a pain and be hardly appreciative of his superabundant health and strength.

But Ray had always been a good boy and willing enough to help during vacations from school. Another year at the university and he would be a civil engineer with a place awaiting him in the employ of the company under the kindly eye of Mr. Armitage, the resident engineer. After that Ray could support mother and, well, Mary would not have to wait for him any longer. It was a wonder how patiently the girl had waited for him almost ever since he came to town, although there was no lack of other suitors, but it was so expensive sending Ray through college that Robert could not think of marrying until Ray was equipped for the duties of life. And Mary, too, was to have taken supper with them. She always had on that evening in the year, for the double birthday was a commemorable event in the little family. Anyhow Mary would be over to stay with mother until their return. There was comfort in that thought for she would be cheerful and not let mother worry.

So they rushed on long, Ray pulling hard but steadily at the lever and Robert scanning the telegraph poles as best he could through the thickening darkness, but his eyes were keen and he noted every one. Sometimes he had to get off the machine and dash through the wet bushes where the line left the track to make a cut-off across a curve, Ray picking him up as he came around on the velocipede. And when they crossed the high trestle that spanned the canyon and valley the poles and wires were right underneath so high was the trestle, and it was a long one, too, as well as high.

"Did it not make you feel sort of shaky, Ray, going over that trestle in the wind and darkness?" inquired Robert.

"It would be an ugly place to meet a train, that is sure, but the truth is my mind was so occupied that I was not thinking of the trestle at all."

"What were you thinking about, Ray?"

"Oh, I was thinking what a load I have been to you all these years that I have been to school and how sort of selfish it will be for me

WHEN THE CALLER CALLS

By A. JUDSON

to go on another year, making you and Mary defer your happiness just for my sake."

"We shall not be deferring our happiness, Ray, not at all. We see each other a good deal as it is and Mary is as proud and hopeful of you as I am. But there! I am glad we have gotten off that trestle. I felt nervous about it all the way over. Those rocks down there would be so hard and cruel and the wind blew so that it almost took us off, machine and all."

"But when the Caller calls a fellow has got to go you know," said Ray. It was a saying that the men had who run over the mountain. "It is just the sort of night for the Caller to be out and I hope the train boys will not have a hard time of it to-night. The roadbed must be soft as mush after all this rain and it will be dark as pitch in the heavy timber. Wasn't it a good deal such a night as this, Bob, that father's engine went over the grade?" It seems to me that it was, but the horror of his death came upon us so crushingly that I hardly remember any of the incidental circumstances."

"Yes, it was a good deal such a night and the wind blew a hurricane through the pass, as it is doubtless raining now," replied Robert. "It is a hard life the train men lead and I wonder at their living it as heedlessly as they do. Perhaps it would make them cowards if they lived otherwise, but take that saying of theirs that, 'When the Caller calls a fellow has got to go.' With them it is little more than a 'josh' that has grown out of having a caller go around at division headquarters to wake the men when it is time for them to go out with their trains and they say it without much regard to the deeper significance which they have superstitiously given it, but as for me, while I do not especially fear the visit of the angel of death I never see a train start up the mountain on a night like this, or hear an order going over the wire for one to start down, that I do not experience a sinking of the heart."

"Are there any trains likely to come down while we are out, Bob?"

"No, twenty was two hours late at Packards, the last place we heard from her when the wires went down, and there is nothing betwixt her and the Summit but the work train and that will be needed on the other side until the storm is over. From the other way nothing will be allowed to pass Hartwell until we get the line open and twenty gets down the mountain, so we are all right."

"Glad that that," remarked Ray. "I'd hate to knock a train off a grade with this velocipede," he laughingly added.

"A little later the searching eye of Robert Harper missed a telegraph pole and the machine was brought to a standstill. A slide had occurred, but it was below the track this time and it had carried away a telegraph pole and grounded all the wires. The earth was cleared away, the pole righted sufficiently to leave the wires clear of the ground and strongly braced with some old ties Ray found by the side of the track and, after an hour's hard work the men were ready to start for home. Then the lantern went out. Somehow Ray had forgotten to notice if it needed filling in the hurry of starting out and there was nothing for it but to pump their way back in the teeth of the wind and rain in the darkness, though it was down grade all the way, which would help them."

"There must be a 'hoodoo' on for sure to-

night," said Ray, as he took his seat on the velocipede and bent himself to the lever. "If that Caller is not out for us he will catch some poor tramp or trackwalker that we will knock over going down in the darkness. How I could have forgotten to look to the oil in the tank of all nights is more than I can comprehend."

"Yes, that night of all nights! How everything does seem, after the event is over, to have conspired, from the beginning of all things, to the culmination of that particular event!"

"R-r-ring!" went the telephone in the little cupboard of an office at the round house just over the summit.

"Hello! Well, what is it?" replied the foreman, placing his ear to the receiver.

"The line is working again and here are orders," returned the operator at the station. "Send Nat Adams with 227 down the mountain at once. The superintendent wants him to go ahead of twenty and reach Hartwell as soon as possible and report so, as not to delay her here. I'll hand him the orders as he goes by."

"Just my luck!" exclaimed Engineer Adams as he began to draw on the overalls he had taken off preparatory to going to supper, for he had only just pulled the work train onto the siding and put the locomotive into the stall for the night. "I half expected something of the kind and I am hungrier than a bear, but when the Caller calls, a fellow has got to go, you know." Hey there, Johnson!" the engineer called to his fireman, who was just stepping from the cab. "Give me plenty of coal and back her out. We've got to go down the mountain ahead of twenty."

In a few moments the great ten-wheeler was moving past the station with half a dozen flatcars lumbering after it with brakes set to give the engine the steadiness as it plunged down the mountain grade.

"It is an ugly ride we are to have, Mr. Adams," the fireman remarked as he threw open the furnace door, sending a lurid flash athwart the bending pines and into the roaring canyons, while thrusting in a shovelful of coal.

"It cal." "We'll take supper with Abraham to-night if there's a washout along the grade anywhere."

"Don't like it any too well myself," replied the engineer, "but when the Caller calls, a fellow has got to go, you know."

"The Caller is out to-night all right," returned the fireman as he threw in another shovelful of coal, "and if he don't get us it will be because there is somebody else more full of luck than I am. There is seldom a night like this that he does not pick up somebody on the division and generally on the mountain."

"You ain't afraid, are you?" demanded the engineer with rising warmth.

"Perhaps I am and perhaps I am not, but anyhow I am hungrier than a grizzly and will make the grub suffer if we ever do get to Hartwell."

"The superintendent was onto his job tonight," declared the engineer, "when he ordered me to take the train down the mountain. Better us two than ten coaches full of passengers who are not paid for taking chances on their lives as we are."

"Jewhiz! What was that?" cried the fireman staggering to his feet amid a shower of broken glass and flying splinters.

There had been a lurch, a crash and a swaying of some of the machinery on top of the locomotive, but she had kept the track and went rushing ahead.

"We jarred a small tree loose and it fell right across the headlight, swung around and pitched clean over the boiler and down the bank," replied the engineer, "and I reckon I have smashed things good. There is no headlight is out. I wish you would take the lantern and go forward, Johnson, and see what the wreckage is."

The fireman did as he was bidden and soon returned, reporting that the headlight was gone, the smokestack stove in, the boiler mashed flat on top of the boiler and that the whistle had disappeared entirely, besides crashing in a corner of the cab, but everything else seemed to be working all right.

"It is not to my taste to go down this moun-

(“When the Caller Calls”—Continued.)

tain like a blind demon in the darkness, but I guess there is nothing else for it,” said the engineer. “Won’t you just tie that lantern up in the far corner of the cab, Johnson? It may be better than no headlight at all.”

“Strange,” said it,” remarked the fireman, “but that blamed tree had to fall to-night of all nights, and not a second sooner or a second later but just when we were ready at hand to have it smash the mischief out of old 227. It has been standing there on the point for ten years getting ready to fall all the time.”

“Slightly lucky thing for you and me,” returned the engineer, “that it fell just as it did. If it had been a second sooner in falling most likely you and I would by now be at the foot of the point with old 227 on top of us, and if it had waited until we had gone by, and then fallen, who knows but what it would then fall on twenty up in the bottom of the gulch, locomotive, coaches and all? There is good luck as well as bad in the way things happen. I am a thinking, a providence to look out for us as well as a Caller to catch us when our time comes.”

The man who looks out for the time comes. The man who comes to before he does for the good one will never be fit to run a locomotive. That would make cowards of us all.”

“Heavens! What was that? Did you hear it?” called the engineer with a startled voice. “I heard nothing but the screeching of the wind through the high trestle as we were going over,” replied the fireman.

“It sounded enough sight more like the scream of a human being than the screaming of the wind,” returned the engineer, “but I saw nothing and felt nothing strike the locomotive and perhaps it was nothing but the wind which gets a fair sweep there. Somehow I’ve been ‘seein’ things at night all the way down the mountain.”

“Hello! What’s wrong here?” called the engineer as he finally drew up at the little station of Hartwell. “No lights and depot closed.”

Grabbing the lantern he sprang from the cab and ran around in front of the locomotive. He held the lantern high with one hand and shaded his eyes with the other, then reached forward and pulled off the pilot a fragment of a trackman’s velocipede and a cushion that had been held in place by the heavy machine. “The Caller was out sure enough, Johnson,” he said to the fireman, “but not for such as you and me.”

Another moment and the engineer had vanished around the corner of the station and across the street to the Harper cottage. Through the half drawn curtain of the dining-room he saw “Bob’s girl,” as the men on the division knew her, and the mother of the Harper boys sitting waitingly by a table neatly set. He rapped lightly at the door, then pushed it open softly. “Mary! I am Nat Adams. I want you a minute. Be quick. Bring the keys to the station. Wait here for her. Mrs. Harper. She will be back directly.”

Mary’s cheeks blanched slightly but, warned by a glance from the engineer, she rose quietly, took the keys from the nail on the wall and, throwing a cape over her head, stepped out into the night.

“Can you be brave, Mary, my woman? I must send a report to the superintendent’s office and Bob is not here. You are the only one who can send it and twenty is waiting at the top of the mountain. You must be brave. The boys went up the canyon to fix the line didn’t they?”

“Yes sir. Has anything—”

“Don’t ask me now. Send the message first.”

The girl unlocked the station door, lighted a lamp and sank, deathly pale and trembling, into the operator’s chair. Bob had taught her telegraphy and she had taken his place at the instruments sometimes when he was busy elsewhere.

“Now, Mary, send as I dictate, send every word and send it quickly and strong. Keep your mind on the sending and remember that the boys have a mother who will need you to night.”

With barely a gasp for breath the key was thrown open and “J. D.” the superintendent

Automobile Notes.

To warm drivers’ hands in cold weather an English inventor has devised a steering wheel with a core carrying two electrically heated coils, insulated from each other and from the outer rim.

A man declares that, while he is using considerably less lubricating oil in his engine than heretofore, he has found on the inside of the final exhaust pipe a greater accumulation of oil deposits thereon. He concludes that the explanation comes from a considerable difference in the gasoline of five years ago and that of to-day. Gasoline of a few years back was a regular distillate of crude petroleum and was only a small percentage of the total bulk worked upon.

With the enormous increase in demand makers of gasoline found that the percentage would not yield enough and were obliged to work out a means of producing greater quantities. The result of this is that a percentage of the gasoline of to-day is manufactured from heavier oils rather than distilled from petroleum as a base. This leaves a residue that may account for the above situation at the final exhaust.

Several new races have been added to the program to be contested during the annual Florida beach carnival, which is to be run this winter on the Daytona end of the beach on March 23d, 24th, 25th and 26th. One of the new races is to be one of 200 miles, with the competing cars divided into four classes, according to the piston displacement of their engines. The other new race will be the Florida stock car price class race, also of 200 miles. The two miles a minute speed crown race is also on the program. In this the winner receives the gold speed crown and his choice of \$300 cash or plate, and the qualification is that the winner must equal 120 miles an hour for two miles. The two-mile record holder is Victor Demogot Darracq, who covered the distance in 1906 in 58.45 seconds.

ent’s call, went over the line. When the response came, “I am ready,” she said.

“I have brought 227 down the mountain. The track is clear unless at the mouth of tunnel seven where we caught a tree falling, brought down by the rain and wind and added jar of the train, I guess. It crushed the headlight and stack and knocked off the whistle and bell so we came down in the dark without power to give warning. The Harper boys were up the canyon fixing the line and we must have caught them on the trestle I reckon for I thought I heard a cry as we went onto the trestle and we brought part of the velocipede in on the pilot, but we could see nothing and concluded that the noise we heard was only the wind rushing through the trestle trusses and so came on. Better have the boys on twenty look for them in the bottom of the canyon. Bob’s girl, God bless her, is sending this for me. Nat Adams.”

Mary arose from the table, drew her cape tightly over her head, for it was raining again, and started tottering for the door. “Think only of the mother, my woman, think only of the mother to-night and I’ll be over directly after twenty gets in,” said the engineer as he went to pull his train in on the siding.

“The Caller called the Harper boys to-night.

(Concluded on next page.)

“I heard somebody say that Dunnough is weak-minded.”

“Well, I shouldn’t wish to say that, but—”

“But what?”

“He was selected as a juror in the trial of a notorious case.”

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PERSONALIA

Mme. Marcella Sembrich has retired from the operatic stage.

Reynolds, the cartoonist, was a circus acrobat when he was a small boy.

B. F. Yoakum, president of the Rock Island railroad system, began life as a nursery salesman in Texas.

Caspar Whitney has severed his connection with The Outing Magazine, of which he has been editor for the last eight years.

Andrew Jackson is dead. He was one of New York's oldest policemen and volunteer firemen, and died two weeks ago, aged seventy-eight, in Rahway, N. J.

One man, Mr. Henry M. Alden, has been editor of Harper's Magazine for forty years. He has worked out its contents for most of that time without the assistance of any one but an office boy.

One of the sons of John La Farge, the great American artist, is also an artist. Another, John La Farge, Jr., is a Jesuit priest and professor of modern languages at Loyola College, Baltimore.

Rudyard Kipling's most intimate friend in the United States is F. N. Doubleday, his American publisher, who, several years ago, nursed the author through the attack of typhoid fever that nearly ended his career.

When Booker T. Washington delivered a eulogy of Lincoln before the New York Republican Club, on February 12th, in the Waldorf-Astoria, one of his auditors was the grandson of his former owner, A. H. Burroughs.

George Ade has said that he got his sense of humor from his father. "You see, Dad once went out and settled down in a little Indiana town of a few thousand inhabitants. After a while he started a bank. He capitalized it at \$25,000 and called it the First National Bank of North America."

James Whitcomb Riley's first bid for national fame was a hoax on the literary public which he perpetrated by writing a poem called "Leonanie," and publishing it as a recently discovered poem by Poe. The joke was accepted as genuine, and caused a great stir until Riley permitted the facts to be published.

An English writer declares that Mrs. Humphrey Ward, Marie Corelli, Hall Caine, Rudyard Kipling, and M. Barrie realize \$100,000 apiece from their novels; that H. G. Wells, George Moore, Robert Hichens, Edna Phillips, Maurice Hewlett, and Quiller-Couch average from \$10,000 to \$20,000 a year from their writings; that more than a hundred English novelists get \$1,500 apiece from each novel; but that \$90 to \$300 is the average return from an unknown author's first novel.

Didn't Call It Riding.

This is one from Macklyn Arbuckle, in "The Round Up," in Young's Magazine:

"I remember once," said Mr. Arbuckle, "being on a crowded car in Chicago. A man hung to a strap near me. He was a polite man, and to let people on and off he kept on the move. Now he ran to the front of the car, now to the rear, now to the middle, wherever there happened to be most space. And it was plain that all this hustling and jostling and rushing to and fro made him angrier and angrier as time went on."

"He restrained his rage till he came to get off. Then, all of a sudden, it overpowered him."

"He turned to the conductor and yelled, very red in the face:

"'Gimme my money back!'

"'What for?' said the conductor. 'You've had your ride.'

"'Ride, do you call it?' barked the man 'Why, I've walked the whole blessed way.'"

("When the Caller Calls"—Concluded.)

Johnson," the engineer said as he stepped into the cab and placed his hand on the throttle. "When I thought more'n likely he was looking for you and me. I tell you, Tom, we men on this mountain ought to be more ready to go when the Caller calls than what we are. Mighty few of us are as ready to stand face to face with God as are those boys lying on the rocks under the trestle down in the canyon, but it will be hard parting, it will be hard parting for their mother and Bob's girl."

The engineer and fireman had forgotten their desperate hunger and for more than an hour paced restlessly up and down in the darkness under the spreading eaves of the station waiting for twenty and the story it should tell. By and by the headlight showed around the point of the hill, the whistle blew and the great train came rushing up to the station. The watchers instinctively made for the baggage car so sure of finding there what they sought that they did not notice two figures darting from the train farther back and hurrying across the street in the darkness, but presently one of the operators stationed at the summit, who had come down to take Bob's place until it could be filled from headquarters, rushed past them into the office to report the arrival of twenty.

Over at the cottage Bob's girl was kneeling at the head of the couch doing her best and bravest to calm mother and prepare her for the worst when twenty should come in. Then footfalls were heard down the walk, quick, nervous, decisive. Mary knew them. Springing up from the couch upon which the little gray bit of half conscious, moaning womanhood was lying she threw open the door and fell, crying and laughing, into the out-stretched arms of her betrothed while by them leaped, limpingly, the stalwart Ray to snatch his mother from the couch and kiss her back into consciousness and thanksgiving.

"We thought we'd killed you," called Nat Adams from the door a few minutes later, "and how on earth was it that we didn't?"

"You will never come nearer it and not do it," Ray replied, for, now that there was not such need for restraining herself, "Bob's girl" was weeping her fright out in an adjacent room in her lover's arms. "It was only a flash cast along the side of the mountain as your fireman opened the furnace door to put in coal that saved us. Bob saw it, screamed and jumped. I threw my weight against the lever, stopped her in two turns and undertook to get the machine off the track, but you knocked it out of my hands and down the canyon, taking me with it, scratching me up a good bit and spraining my ankle. It was a close call for there were not two seconds for Bob and me betwixt that flash of light and resurrection morning."

They had their annual, double-birthday supper after all, with a hungry engineer and fireman for guests, though a trifle late in the night, but the incident had run in no wise abated among the trainmen who run over that mountain division the saying that, "When the Caller calls, a fellow has got to go," or diminished their superstitious belief that when the Caller goes out of a night he gets his man before morning. And yet those who know Nat Adams best declare that he is a great deal more fit and ready to answer his call than he would have been at any time previous to the night when he didn't kill the Harper boys on the high trestle across the rocky canyon at the foot of the mountain.

INVICTUS.

By William Ernest Henley.

Out of the night that covers me,

Black as the pit from pole to pole,

I thank whatever Gods may be

For my unconquerable soul.

In the fell clutch of circumstance

I have not winced nor cried nor cried:

Under the bludgeonings of chance

My head is bloody, but unbowed.

Beyond this place of wrath and tears

Looms but the Horror of the shade,

And yet the menace of the years

Finds and shall find me unafraid.

It matters not how trait the gate.

How charged with punishments the scroll.

I am the master of my fate:

I am the captain of my soul

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OUR SCHOOL FOR CITIZENSHIP

Inferior Courts of the United States.

The Supreme Court of the United States was provided for in the constitution, but the character of the courts below the supreme was left to the discretion of Congress. These inferior courts are now district courts, circuit courts and circuit courts of appeal.

There are now eighty-two district courts in the United States, with eighty-eight judges to supply them, some districts requiring two or more judges to dispatch the business brought before them. The salary of district judges is \$5,000 a year and the tenure of office is during good behavior.

California has three district judges, John J. DeHaven and William C. Van Fleet of San Francisco and Olin Wellborn of Los Angeles, the state being divided into two districts.

Next above the district are the circuit courts, of which there are nine, but there are twenty-nine circuit judges, each receiving a salary of \$7,000 per year. The original idea was that one of the justices of the supreme court should sit as a circuit judge, and it occasionally happens that one of them does so sit, but Justice McKenna, who has a right to sit in the ninth circuit, never does. The supreme court has so much to do that its justices have little inclination to seek occupation outside their own special office. The ninth circuit includes California, Alaska, Arizona, Idaho, Montana, Nevada, Oregon, Washington and Hawaii. The circuit judges belonging to the ninth circuit are William B. Gilbert of Oregon; Erskine M. Ross, of Los Angeles, and William W. Morrow, of San Francisco.

Between the circuit and supreme court is the circuit court of appeals, of which there is one in each judicial circuit. The court consists of three circuit judges, if there are so many in the circuit, but, if not, then of two circuit and one district judge, and any two of the three constitute a quorum. If the supreme justice for any circuit be present he presides over the circuit court of appeals, but otherwise the presiding judge is the circuit judge whose commission is the oldest. All appeals from the circuit or district courts, that do not go directly to the supreme court, are heard by the circuit court of appeals. This is looked upon as a safe, strong court, about as likely to be well advised as to the law as the supreme court itself and in many cases its decision is final.

The makers of the constitution long debated the need to have United States courts inferior to the supreme court, some claiming that the state courts would suffice for all purposes except a court of last resort, but the spread of nullification made it evident that the United States could not have gotten along without inferior courts of its own if it cared to have its authority respected.

Comparison between the United States and state courts cannot avoid being odious, especially to the state courts. Like the supreme court the inferior courts of the United States are, and are designed to be, beyond popular control. These judges are presumed to occupy a serene height superior to all waves of feeling, secure against loss of their positions and independent of all interests, political or financial. However, judges on these benches, as well as those sitting in state courts, owe their positions to the influence of whatever political power dominates and, as that power is mainly financial, the United States courts may be relied on to safeguard property interests in accordance with ancient, conventional and traditional precedents. If public opinion has any effect upon those tribunals it is by virtue of a moral atmospheric pressure and not by any direct method of making the will of the people the law of the land.

The United States courts are more efficient than the state courts in the administration of justice. Their hands are not so tied by bad code provisions written by criminal lawyers elected to the legislature. Their procedures are less technical and more direct. Their practice is nearer that of the common law as it was when our country separated from the

mother country.

The quality of the United States judiciary is well exemplified by the attitude of the great interests toward it. If the great corporations have a law that they desire to enforce, they will, if they can, have proceedings instituted in the United States courts, but if they wish to nullify a law they will have actions begun in the state courts.

Collis P. Huntington once declared that he had never been defeated in an action where he could found his contention upon the common law and, whenever he could so found his contention, he got his case into the United States courts if he could.

While there is not as much complaint of inefficiency in the administration of justice by United States as by state courts the United States courts are not beyond criticism. They are ultra conservative, often prone to exalt the letter above the spirit of the law and to prefer that which is written in books to that which is written in the constitution of human society.

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THE PLEDGE OF CITIZENSHIP

I, a citizen of the United States of America, realizing that a free Republic is an impossibility unless the citizen performs his civic duty, hereby pledge myself upon my sacred honor never to fail to exercise my right of citizenship by voting at every election, primary or secondary, wherever it is possible and legal for me to render that service to my country, my health permitting me so to do.

In taking this pledge it is distinctly understood that I in no way obligate myself to vote for any particular party, any definite candidate or any certain measure. I am binding myself only to my Country, and pledging myself solely to the faithful performance of the duty I owe to her as a citizen.

Signed

Age

Address:

WHY TAKE THE FOREGOING PLEDGE?

Those taking the foregoing pledge, signing and sending it to this office, will be enrolled upon The California Weekly's "School for Citizenship," which will be a permanent feature of this paper. It will entitle the person sending in his name to have answered, either through the columns of the paper or by letter, any rational question he may ask concerning public affairs, and, generally, by the person best equipped to afford the desired information. It will also entitle the signer to such special literature bearing upon the obligations and opportunities of good citizenship as may from time to time be issued. While this pledge is open to persons of all ages it is especially desired that it be taken and sent in by young men lately become voters or who will cast their first votes two years hence. It will take but a moment to clip out the pledge, sign, enclose in an envelope, stamp and address to "School for Citizenship," office The California Weekly, 26 Montgomery Street, San Francisco, and it opens the way for a liberal education in citizenship.

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WE GO FORWARD.

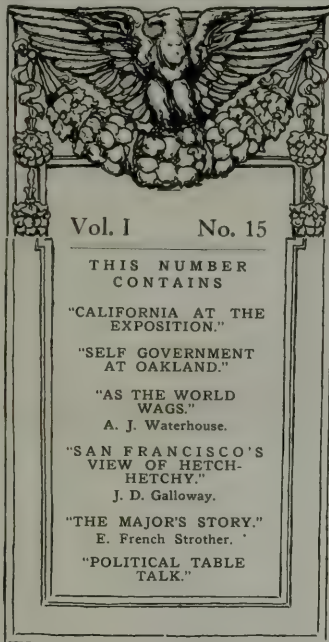
If there are those who anticipated that President William Howard Taft would remain silent in his inaugural address concerning those great issues that have constituted the Roosevelt policies they know better now. If there are those who conceived that the incoming administration would be content to rest upon its oars, or mark time in its tracks, while predatory wealth returned to its depredations with a new hunger for gains ill gotten they will now perceive that their greedy wish was father to an ignoble thought. We go forward. The moral wave sweeps on. The buccaneers of commerce and industry are to be withstood and commerce and industry are to be moralized, if not democratized. However much the Napoleons of finance may sulk in their tents there is no reason why the man in the ranks should be downhearted because of the inaugural proclamation of President William Howard Taft.

From Washington to Roosevelt our government must proceed upon the theory that if the great were subsidized, unhindered, and uncontrolled their prosperity would filter down through their fingers into the outstretched, if not suppliant, hands of the American mass in equitable share. It has not worked out that way. The policy of fostering without controlling vast enterprise has made financial feudal chiefs more powerful than kings, commonwealths, legislatures and congresses, more powerful than anything except the united determination of the human mass led by a dauntless man who understood the mass and whom the mass understood. Before that power these chiefs have stood suppliant and whining, and there they may stand until they consent, and submit themselves in good faith, to wise regulation in the common good.

For there is no good except the common good, and no policy that is wise for the nation to follow that is not, first of all, wholesome for the man and woman who must eat their bread in the sweat of their faces. The common good demands largess from no lords, but only a just share of the joint earnings of ability, capital and labor co-operatively employed.

Great organizers we must have. No policy can be sound for all that discourages the spirit of honest initiative and enterprise. The rewards, not the booty, of ability must be great, and we need cherish no fear that they will not be. Ability can care for itself. It is the humble worker to whom God gave little executive capacity who must be looked out for. As these are they who have chiefly been remembered during the administration of President Roosevelt, so are they the ones who chiefly will not be forgotten during the administration of President Taft. Theodore Roosevelt knew whom he was recommending to the American people for his successor, and the American people knew him, too. Only the predatory were seemingly in doubt, and they are now undecided.

It is impossible that our political life shall rise above the moral standards set for it by our commercial and industrial life. How im-



perative is it, then, that our commercial and industrial standards of morality shall be high? They can be kept high only by wise laws equally enforced, and if the great and strong can be made to obey them the common man will not deny their validity. It has been a joy to the world that the American nation has, for seven years, been headed by a moral force. It will give renewed joy to the world to know that it is so to be headed for (probably) eight years more. To the American public that joy will prove exceeding great.

The declaration of President Taft, that the general government must be given power to enforce, upon its own volition, and without the employment of state machinery, such rights as may have been given to aliens in this country by treaty stipulation, may cause some to stumble, but nothing can be clearer or more certain. The giving of that power has been too long delayed, but in the exercise of it some new lines may have to be drawn with reference to what are and what are not proper matters to be determined by treaty stipulation. Those issues will have to go to the Supreme Court of the United States for exposition, not

to legislatures, labor councils or the sandlots.

THRESH THE ISSUE OUT.

There exists a general conviction that San Francisco and other bay cities should own their own system of water supply, that the Sierras must sooner or later be looked to as an adequate source and that the Tuolumne river is the place to look; but it may be doubted if many persons who share conviction would find themselves able, on demand, to make a convincing argument in support of their convictions. This ought not to be so. We shall not be able to convince others of the justness of our contentions unless we are ourselves convinced and by considerations of a convincing character.

It is the purpose of The California Weekly to deal with public affairs of importance, frankly, fairly and fearlessly. It will so deal with the Hetch-Hetchy water proposition. As a beginning we this week present a paper prepared by Mr. J. D. Galloway who, on behalf of the project, very distinctly sets forth the arguments upon which the city mainly rests its case and does it in specific form. We invite those who hold contrary views, or who wish to supplement what he has said with further arguments to the same effect, to prepare articles for our columns, making them as brief and much to the point as possible. We shall publish such of these as we can find room for, if worthy of publication, as soon as room can be found for them in our columns, reserving the right to comment editorially upon whatever may be said.

There is no material interest of greater importance to the bay cities than this of an adequate and permanent supply of pure water, but no wrong step must be taken, and no wrong, that can be avoided, must be inflicted either upon the nature-loving public or upon other water interests. Great enterprises can seldom be carried forward without inflicting some hardship, but such injuries must not be wanton or unprovoked. Every intelligent citizen has a right to know the whys and wherefores of the issue from beginning to end. Mr. Galloway has made a splendid beginning. Who will follow?

Judge Dunne was absolutely right in holding, in the sentencing of Coffey, that the tempted deserves far less punishment than the tempters. It is the man who lies awake o' nights scheming ways of converting public privilege into private gain, in disregard of law and equity, that should be shown no mercy. He stands in a similar relation to graft that one who lies in wait for his victim stands toward murder.

While President Taft's address is explicit as to what predatory capital and enterprise may look for from his administration it is not less assuring to capital and enterprise pursuing industry and commerce with only a legitimate gain in view. Any business that his attitude will hurt needs to be hurt and hurt so that it will feel the hurt through and through.

THE SCHMITT VIEW OF LEARNING.

Assemblyman Schmitt of San Francisco is a statesman, according to his lights which, unfortunately, are tallow dips. Order is heaven's first law and also that of Schmitt. When he observes the manifold activities of the university professors, and finds that they are not fastened to their jobs by cast-iron contracts, it gives him a pain. The Schmitt view of order requires that professors, like other hired men, should either work by the piece, by the hour or at day's pay, and that the manner thereof should be nominated in the bond. He would have the university instructors standing around masticating toothpicks waiting for eight o'clock to begin work and knocking off at the stroke of the clock.

Doubtless he would have no objection to collective bargaining, and to a walking delegate to guard their rights and see to it that no one of them set a pace that the slowest man on the job could not follow. He would purchase the philosophy of a Howison by the yard and the genius of a Loeb at so much per kilowatt hour, and he would hold them to their bargains with irrevocable contracts. The Schmitt view of dealing with a thing as intangible as learning is inadequate, which is bad. The Schmitt vote is in a minority of one, which is good. May it ever be so.

But what really ails Schmitt is that certain of the professors at the state university have taken a keen, a moral and a highly intelligent interest in affairs among which they live, and have lent their aid to enable the public to discriminate between right and wrong, between the law of justice and the law of corporation-constituted courts. They have dared to be free citizens and to commend the graces of a free citizenship to others, things that, according to the Schmitt view, they were not hired to do and therefore should not do. There is where the shoe pinches Schmitt. There are other shoes pinching in the same place but whose owners are too discreet to squeal audibly. Schmitt has thrown discretion to the winds and exhibited himself by the light of his tallow dip.

The best thing that Schmitt and the legislature can do is to suffer the state university to be conducted by the Board of Regents and President Wheeler. When men give their lives to learning, and to imparting it to others, they do about all that can be gotten out of them by God or man, contract or no contract, and that is what the university faculty is doing. Here as nowhere else, not even excepting in the pulpit, there is imparted to those having ears to hear the sincerity of truth, as little colored by prejudice, partisanship and selfish interest as possible with vessels made of clay but filled to the brim with an honorable enthusiasm for service. Anyone not so filled will soon be gotten rid of.

The facts which students learn at our universities will not be the most valuable things they will carry away with them when they graduate. The moral and civic enthusiasms communicated to them by absorption will rank first, but how can there be such enthusiasms without liberty of thought, action, speech, opinion? There cannot.

Nor does Schmitt understand the constitutional provision relating to the university any better than he understands the activities of instructors as subject matter for contract. The constitution declares that the university shall be "independent of all political or sectarian influence," that is, above and beyond the reach of such influence—out of reach, for instance, of the grip of Schmitt. What constitutes the University of California if not its president and professors, its instructors and students? These are they who are to be independent, not dependent, free and untrammelled, not held in leash by legislators or their bosses. Schmitt

THE STAFF

A. J. PILLSBURY, Editor and Manager
H. H. ROWELL, Associate
A. J. WATERHOUSE, Assistant
E. FRENCH STROTHER, Assistant
O. BLACK, Business Manager

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has read that provision upside down. As a bud Schmitt was properly nipped at Sacramento. May no more of his ilk put forth.

THE MOUTHS OF THE MANY.

The earning capacity of the American unskilled multitude is higher than that of any other country, but it is so low as properly to be called poverty, and yet it is the supplying of the mouths and the backs of the multitude that furnishes the foundation for the industry and commerce of the nation. The wants of the rich may be many, but there are relatively so few of the rich that supplying them with cottons, shoes and woollens would create a demand for few factories, as carrying them to and fro would require few street cars and not many trans-bay ferry boats. It should be clear enough that upon the purchasing power of the many depends the prosperity of the country.

The cost of living has greatly increased since the dawn of the new century. No housewife needs to be told this, and no statistics will convince to the contrary. The wages of skilled labor have probably kept pace with the increased cost of living, but with unskilled labor, and the more moderate salaried positions, a year's earnings will buy less now than a decade ago will buy much less.

The farmers of America are not unprosperous. The last ten years have been fat for them. Crops have been good and prices advancing. It is not their turn to complain. But it is not so with the mouths of the many. They are hard pressed to be filled, and their cry for consideration should not go unheeded.

The increased production of gold, and consequent cheapening of the standard of value, will doubtless account for a percentage of the increased cost of living, but not all, or even the main burden of it. We must look elsewhere for the cause.

The main justification of the protective tariff was that free competition within the tariff wall soon reduced the manufacturer's price below the importer's. That freedom of competition is at an end. Modern centralization of industrial enterprise, and modern combinations in restraint of trade, have eliminated freedom of competition from all markets. The power to "cinch" consumers is little restrained. Either that power must be restrained, and international competition restored, or the protective principle in tariffs must be greatly modified in its application, or abandoned altogether, that world competition may be invoked to check the power to cinch.

Congress will meet in extraordinary session March 15th to revise the tariff schedules. As preliminary to that undertaking every interest has been heard except the interests of the consumers. The mouths of the many have not spoken, but the time will come when they must speak, and the time will come when they will not be without champions to speak for them.

There is reason to fear that the forthcoming revision of the tariff will not be thoroughgoing. It will not reach the mouths of the millions or backs of the many. It will be content with yielding more revenue, which means more taxation. That will not suffice. Failure to so reduce the tariff as to reduce the cost of living will provoke, not avoid, the tariff issue being made the next great issue before the people of America. When that issue comes it will be discovered that the mouths of the many have many voices and many votes. "All the protection that is needed, but not one dollar for monopoly," is the rule for Congress to apply if it would avoid a tidal wave of tariff reform. The handwriting on the wall was not more visible at Belshazzar's feast.

The luck of "Lucky" Baldwin has definitely ended.

Nothing could have been more characteristic of the breadth of the man than President Roosevelt's inviting forty-five nations to participate, next September, at The Hague, in a conference to consider how the resources of the world may be conserved. There is need for such a conference. This world is getting to be so small, and the needs of the human family are so enlarging, that there will not be a square mile of space on the earth's surface that can be devastated without injury or neglected without harm. Theodore Roosevelt has ceased to be our president only to become a world-character. What if he were to devote the rest of his life to the establishment of a parliament of the nations as well as a court? It may well be that just this thing is waiting for just this man.

There are those who do not understand just how it is that Japanese and Chinese cannot become naturalized citizens of the United States. The constitution gave Congress power to establish uniform naturalization laws. Such laws as were enacted while slavery existed limited naturalization to white persons, but the courts have held that such limitation shuts out all not white, no matter what their color might be. The fourteenth amendment declared that all persons born, or naturalized, in this country are citizens, and the fifteenth guaranteed the right to vote to all citizens, but did not change the status of citizenship. Congress has full power to naturalize any race but it is likely to be slow in changing its policy of more than a century. This, however, is not as important as keeping undesirable out.

Robert Wilson, who played the part in the Pittsburg graft scandals which William J. Burns so skillfully played in those of San Francisco, was a Christian missionary before he became a detective. While on the witness stand the attorney for the defense developed the fact that he, Wilson, had permitted himself to be introduced to one of the indicted citizens as Mr. Dolph, and had not immediately declared his identity. Therefore the Pittsburg grafters, caught with the goods on them, should be held innocent, for who can believe any man who makes use of an alias? That is the contention of the defense and there are venemans in San Francisco whose susceptibilities are so fine that they would not believe any one on oath who had assumed a name not his own for any purpose.

An effort is making to induce the great life insurance companies to enter upon a co-operative campaign in public and private sanitation in the belief that so many years can be added to the lives of the insured as to make the expenditure pecuniarily profitable to the companies. This would be a form of selfishness so enlightened as to be luminous.

It Is the English Way.

Many have found fault with England's shrieking sisterhood of suffragettes, and have pointed to the fact that Wyoming, Colorado and Idaho made no such demonstrations in order to secure the ballot, neither did the women of New Zealand, Tasmania and New South Wales, nor yet their Swedish sisters, who have just been given the same rights to suffrage that their brothers have. This is all true, but it is not the English way of accomplishing political results. Nothing short of a great row attracts attention in Britannia and every parliamentary election is little better than a series of riots. The suffragettes are only copying the example of their brothers more closely than would be good form in any other country.

Why the Lock Canal Was Preferred.

In 1905 the Suez sea level canal handled 11,000,000 tons of freightage. The Sault Ste Marie, a lock canal, handled \$37,000,000 tons in only eight months out of that year and, last year, 56,000,000 tons. With a lock canal at Panama sea speed can be made on 90 per cent. of the distance. With a sea-level canal the speed would have to be eight miles an hour. It will be easier to protect a lock canal from destruction of the locks by an enemy than to keep an enemy's torpedo boats out of a sea level canal. The lock canal costs less and can be more quickly constructed. These are the principal reasons why the lock canal was preferred.

Hard Times Babies.

In Chicago, where close tab is kept on the public health, it is found that there is no better index to the state of the times than that offered by the death rate among babies. While times are good homes are less crowded, the milk supply is more ample and purer and medical attendance more abundant, when hard times comes the poor bunch closer in homes, the air gets bad, food deteriorates and the milk supply becomes scanty and poor. A lowered infant death rate in Chicago this winter indicates that business is improving. The pinch of poverty hits the helpless hardest.

How Law Schools Can Help.

The bad condition of legal procedure is due, as much as to any other cause, to the Bourbon propensities of lawyers sent to legislatures to make legal business rather than to prevent it. They do not perceive that such conduct is morally on a parity with physicians who would spread disease rather than support sanitation, purity of foods and drugs. Kent College of Law, at Chicago, has thrown its influence in favor of simplifying the procedures by which justice may be established. If high ideals of the law, as a profession, are to be established anywhere it must be in the law schools. Bar associations are lax and courts are little more to be depended upon.

Senatorial Bourbonism.

An eastern paper has attempted to account for the movement, throughout the West, toward direct election of United States senators, on the ground that the West sympathizes with Senator LaFollette and his band of "young turks" in their struggle against the priority of right which the "gray wolves" assert to places on all the good committees. The West does sympathize with LaFollette and his associates, but that does not half account for the determination of its people to say, directly, who shall be United States senators. The principal cause is the belief that the Senate is governed from Wall street and that Abou Ben Aldrich and Mohammed Ali Hale are grand viziers of Sultan Standard Oil.

Who Will Commend the Commender?

Many a scoundrel gets a certificate for good character because the giver has not the moral courage to refuse what is asked. This may explain the reason why Governor Gillett gave to the Oakland Tribune a flattering letter of commendation, as it probably explains why Senator Perkins, some years ago, poured oil of gladness over the devoted head of the same journalistic strumpet. Neither did the Tribune the smallest good. It is so well known that no person will receive it into his house under misapprehension as to what it stands for, but what of the individuals who gave the commendation? Who is not ashamed for both of them?

Why Call Them Fakers?

The Hetch-Hetchy water project is important to San Francisco and the bay cities. That cause has got to be pleaded at the bar of American public opinion. That public opinion is not likely to be favorably influenced by the methods which hired ruffians employ at the bar of justice, for it is not to the rabble that this appeal must be made. It must be made to the thoughtful, the cultivated, the discriminating, the influential. Then why begin that appeal by calling nature lovers "nature fakers," and by heaping contumely upon the heads of men of unimpaired character, as a number of newspapers have already done? Could anything be more certain to weaken any cause he it ever so good?

Deepen That Canal.

By treaty stipulation it was long since agreed that neither the United States nor Great Britain should maintain ships of war upon the great lakes. It is improbable that this country and Great Britain will ever go to war against each other. It is improbable that the United States and Canada will ever try military conclusions, but neither eventuality is impossible. Great Britain now has access to the great lakes for gunboats and cruisers of considerable draft through the Welland Canal, and the only way to offset that advantage is to so construct the canal connecting Lake Michigan with the Mississippi river that it will be the equal of the Welland canal. This can be done by helping Illinois to make its canal twenty-four feet deep instead of fourteen. Uncle Sam should jump at the opportunity.

A Bad Beginning.

The decision of Judge Anderson, who is trying the Chicago rebate case against the Standard Oil company, that each separate settlement of accounts between the Standard Oil and the railroad company constituted one complete offense, and not each carload, as held by Judge Landis, augurs ill for the outcome of that case. Whatever the law may be common sense knows better. That company could settle for forty trainloads at a time, and so be subjected to a fine of no more than \$20,000, when the profits of breaking the law might be many times greater. It is a bad beginning.

It Might Have Been Worse.

If the decision of Judge Anderson, as to what constitutes a complete infraction of the rebate law, is unsatisfactory we have this to comfort us, it might have been worse. Attorney John F. Miller, for the Standard Oil company, had the hardihood to stand in court and contend that "the offense is a continuous one, never completed until the rate ceased to exist," that is, all the shipments under that rate, from start to finish, no matter how long continued, constituted but one offense and punishable by one fine amounting to not more than \$20,000. Judge Anderson should have committed Attorney Miller to jail for contempt of court.

The Deeper Significance : : : : of Living : : : :

Every step in educational progress has first been taken by great philanthropists, and if philanthropy were to take a step toward establishing a university for gray heads and bald it would be met more than half way.

The University of California is kind to its "pelicans," as it denominates mature women who haunt its class rooms and lecture courses, and there are men in attendance. Berkeley is not thoroughly awake to the opportunities which the university freely offers to those who would freely take, and San Francisco and Oakland slumber on their rights, but here and there one nibbles at the intellectual lunch counter with as much relish as the spent horse at the verdure of the pasture in which he has been turned to spend the rest of his days.

The purpose of a university is, of course, to fit the young for living, but suppose that youth passes, and middle age, that the summit is crossed, and one has gone part way down the shady side of the slope before opportunity offers to drink at the fountain of learning, must one go to the end with thirst unquenched? Not if we can have a university for the aged.

The facilities which any university for youth can furnish for mature years are limited. When Professor Gayley opens one of his classes to the public Hearst Hall is crowded to the doors, and if the adjacent public should suddenly take a notion to attend all lectures and recitations dealing with interesting subjects such classes would be swamped. As it is, the relatively few stragglers who wander in are not in the way and only now and again is the regular university work interfered with, yet the response to the opportunity is sufficient to show that there exists a need that might respond quickly to special offer.

The university for the aged will be devoid of recitations and examinations. No embarrassing questions will be asked, no exacting work of preparation required. It will be a place where one may drink deeply or sip lightly at the fountain of learning, each one absorbing and carrying away what he can. It is not that the knowledge gained is to be put to use. The best use it can be put to is the enjoyment of it. What is education if it be not opening the windows to mind and soul, and what eye is better fitted for viewing an enlarged landscape than one with the flattened trajectory of those who are "going down hill?"

There are those who slide into the class rooms at Berkeley who do not understand more than half the half that the half that they do understand compensates them abundantly. They have gained something new (to them) to think on, to talk over, to arouse interest, to help to keep them young. Some attend the zoology department in the hope of making the acquaintance of birds with which they have been passing strangers all their lives. Others are attracted by English in its many forms of expression, making literature mean more to them than it had meant before, while others find in philosophy a solace if not a means of growth in grace.

What is the twilight of life for if not to gather up the tangled threads of interest that were let go during the hurry of the busy day? And what more advantageously lends a hand in this final duty than a university for the aged, established as an annex to a great university for the youth, where instructors could go at odd hours and discourse, in as simple form as possible, to those who might come to listen? Among these would be many middle aged mothers whose children have grown out into the world, the first hour to themselves they have known. And there would be not a few men, superannuated, perhaps, or pushed aside by younger men, living modestly on the rents of a flat or so, to whom dressing gown and slippers are more than a hindrance and hammer. If so once opulent philanthropist is seeking an opportunity for profitable investment he may find it in endowing an annex-university for the aged.

THE WORLD AT LARGE

Finland Stands Firm.

There is a no more stolidly, even stolidly, brave people under the sun than those of Finland. They know their rights and dare maintain them even in the teeth of the Czar of Russia and the terrible despotism of which he is the putative head. The new diet of Finland (which contains twenty-five women members, by the way) recently convened. It had been forewarned by the Czar what to legislate about and what not to but, despite the warning, the president of the diet, in answer to the warnings, represented to the Czar's representative that the Czar had violated the constitution in spirit and letter. The diet was at once dissolved and a new election ordered and, at the same time, provision was made for a new convention readjusting the relations of Finland toward the empire. This will mean resistance, another hard struggle for the political and personal liberty in Finland, with many a Finnish patriot expiring on the gibbet or rotting in a dungeon.

How Coal Is Wasted.

The recent statement of President Roosevelt, that \$300,000,000 of mineral wealth is wasted every year, has provoked some questioning as to how that can be. The item of coal furnishes a fair basis for comparative competition. On the authority of experts it is stated that steam engines get only 8 per cent. of the thermal value out of coal and considerable part of only 1 per cent. A electric lighting plant gets only 1 per cent. The place of artificial shoring-up and great quantities of finely broken coal are not removed from the mines at all but left on the floor.

Austria and Serbia.

Indications are that the long hoped for pan-Slavic empire in the Balkans will have to be hoped for very much longer before it is realized. The creation of such an empire would deprive Austria of many provinces and so, the better to protect her own integrity, that country lately took from Turkey two more Slav provinces. This so incensed Serbia, the heart of Slavic ambition, that it would sooner take counsel of valor than of discretion, and make war against Austria, which prompts the latter country to say: "Very well, then, we shall take you in, too." England, France and Italy want the situation to remain as it is, except that peace shall take the place of bushwhacking. Russia's sympathies are with Serbia and Germany is the unknown quantity. Austria will carry her bluff to the "calling" point, but will not overstep it unless her statesmen miscalculate. This is the present danger to the peace of Europe.

Alien Ownership in Cuba.

Latest advices are that the alien land ownership bill may not be pushed through the Cuban legislature. Outside pressure against it has been very strong. There are \$2,000,000,000 of foreign capital invested in Cuba and Cuba has ever so little money of its own for investment, but the result of not enacting a law restricting alien ownership is too plain to be doubted. Cuba naturally gives itself to large plantation enterprises and absent land-lords will make of Cuba a land of aristocracy and proletariat, care takers and workers, with scarcely a suspicion of a middle class citizenship without which no country can be other than miserable. Cuban times have fallen in hard places.

The Inter-International Naval Conference.

Not so much attention as it merits has been given to the international naval conference which lately concluded its labors at London. The great nations of the earth have been striving to reach an agreement as to new rules of naval warfare and at least tentative results

have been reached. The insistence of the United States Senate, that nothing relating to foreign affairs shall be consummated without that body's taking a guess at it, has delayed ratification of the agreements, but most of them are not unlikely to be ratified by and by. Cotton is to be non-contraband and vessels are to be subject to arrest and seizure only within the area of blockade operations and not anywhere found on the high seas. Old rules have generally been much softened and restrictions liberalized, making war more of a duel between ships of war and less of a duel between citizens and commercial interests.

Newfoundland Fisheries.

Ever since the Revolutionary War the "rights" or "privileges" of American fishermen in Newfoundland and Canadian waters have been a source of dispute and bad blood, not only between our country and England and Canada, but in our own politics between New England and other portions of the union that cared little for the fisheries. Secretary Root and Ambassador Bryce, however, made a case for submission to The Hague court which it may be hoped will result in a final adjustment of differences. One issue to be determined is as to whether or not Americans have "rights" or only "privileges" in those waters. The second is as to whether or not American fishermen can fish just outside the three-mile limit, inside of bays only six miles across at the mouth, or must stay out of such bays, of which there are many. If Bryce and Root have indeed found a way to a final settlement of this cause for strife it will supply diplomatic glory enough for both of them.

Wireless to Be Revolutionized.

Wireless telegraphy is, seemingly, too new a thing to be subject to revolution in method but, if reports from New York are to be relied upon, something very like a revolution in method of operation is about to take place. Instead of the present method of discharging sparks from Leyden jars, with their alternating flash and pause, there will be substituted a low power, high speed, continuous wave system, much faster in operation, wider in range and with almost absolute secrecy in the sending and receiving of messages without their being either "picked up" by instruments for which they were not intended or interfered with by amateur meddlers with toy machines.

World's Missionary Conference.

Plans have been perfected for holding at Edinburgh, in June, 1910, the first world's conference of Christian missionaries. The world now has 300,000,000 of at least nominal Christians, and about three times as many who are not Christians at all. The subject of the conference will be as to how to make the others Christians also. The work of preparation has been subdivided into eight departments with twenty commissioners in each department and these are to report to the conference. There are some reasons for anticipating that the Roman Catholic organization may send delegates. A principal effort will be to carry abroad less of denominationalism and more of the elements of Christianity to which practically all of the differing sects may subscribe. This is the world coming to be yearly more neighborly.

Financial Symptoms.

For some reason best known to themselves London and Paris have been struggling for preponderance in gold supply, with the result that the United States is being called to furnish the \$50,000,000 of gold that Argentina wishes to borrow from Europe. The tariff revision labors of the extra session of Congress will prevent American securities going abroad much and will tend to bring home some securities already abroad, with the result that

the bears seem to have the best of it in Wall street speculation. The termination of strained relations between Germany and France in relation to Morocco has, however, given confidence to European stability and only Austria and Serbia are now to be worried over and finances do not take that issue seriously enough to depress general business. American tariff revision is now the darkest cloud above the horizon and that also is not regarded as threatening.

Retrenchment by the Burlington.

Whether the railroads are awaiting improvements until they can find out "where they are at" under new conditions, or have gone on a strike against rate regulation, or whatever the cause may be, few of them are making plans for great extensions for the present. During 1907 the C. B. & Q. appropriated \$16,000,000 for extensions and betterments, last year only \$8,000,000 and for 1909 only \$1,000,000, which virtually means that it is marking time.

To Fight the White Plague.

The Illinois state senate has passed, and sent to the assembly, with a probability that it will be accepted by that body, a bill authorizing towns and cities to impose a tax of three mills on the \$100 of assessed valuation for the purpose of building and maintaining tuberculosis hospitals. This is certainly a movement in the right direction and one that the California legislature might imitate with profit. The only way to rid the world of the white plague is to fight it like killing snakes.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription? The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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CALIFORNIA AT THE EXPOSITION

By E. FRENCH STROTHER.

In a room on the third floor of the Hotel St. Francis, in San Francisco, is the nerve-center of California's interest in the approaching Alaska-Yukon-Pacific Exposition. At Seattle, from June 1st to October 16th, will be gathered the wanderers of Western American enterprise and natural glories, and California will lead all sections in the richness of her display.

The California Building.

The California building will be the largest state building on the exposition grounds, and the second largest of all the buildings, far outstripping either Oregon or Washington. It will be in the form of a square, with a wing at either side; the frontage being 230 feet. The central grand exhibition hall will be 140 feet square, and the two wings will be each forty-five feet square. One wing will be a lecture hall, with living rooms overhead for the commissioners, who will reside in the building throughout the summer. The other wing will contain the offices of the commission.

The building, almost completed, is in the Spanish style of architecture, which differs from the Mission style only in the addition of ornate exterior decorations. The color will be cream. Although the building is not intended to be permanent, it is being so admirably constructed, and is so ornamental, that the state of Washington has asked that it be left as a perpetual reminder of California's interest in the exposition, and for the use of the state university, for which the few permanent structures are to be preserved.

California Spending \$100,000.

California has taken the liveliest interest in the exposition. The legislature appropriated \$100,000 to have California represented. Forty thousand dollars is to be expended on the building, which is being constructed under the supervision of State Engineer N. Ellery, after plans by Sellon and Hemmings, the state architects. Governor Gillett is the California commissioner, and, under his general supervision, the actual work of gathering the exhibits and managing the building is being done by J. A. Filcher, secretary of the state board of agriculture, and Frank Wiggins, secretary of the Los Angeles chamber of commerce.

The special exhibits are being prepared under the direction of the following: Robert Furlong, of San Rafael, education; George C. Roeding, of Fresno, agriculture and horticulture; E. Almond Winthorpe, of San Francisco, fine arts; and J. A. Jasper, of San Diego, mining.

Finest Exhibit Ever Prepared.

These exhibits will be the finest that California has ever sent to an exposition, and the most comprehensive. This statement is made on the authority of men who are helping prepare these, have also helped prepare California's exhibits at every exposition since Chicago's.

The educational exhibit will be very full, and it will be along real model lines. At St. Louis it was demonstrated that a hurried public would not linger to examine the written word of the schools. Therefore, the exhibits now being prepared will all be readily visualized. First, a complete set of photographs will illustrate the character of the school buildings, from kindergarten to university. California is notable for its pride in its school buildings. Next, there will be photographs to illustrate inside facilities: classrooms, laboratories, etc. Other photographs will show the athletic accomplishments of the grounds.

Then such display work as drawings, water colors, crayon sketches, etc., done by the pupils, will be shown. Hand-made work of all kinds: patterns, metal work, cabinet work, domestic science and sloyd exhibits will be displayed. Educational materials used in classrooms, such as statuary, shells, stones, floral relief maps, and models are also desired for this exhibit.

California Artists Lending Works.

The fine arts display will be exceptional. The director is an artist himself, and largely through his personal influence the best painters and sculptors of the state have agreed to lend specimens of their work for the display. This is the first time that this has been achieved, and the art exhibit next summer will be a notable feature of California's building.

Naturally, our horticultural and agricultural display will be the most distinctively Californian and the most impressive of our exhibits. Oranges, raisins, prunes—these are typically in our province, and the show they will make will be worthy of their preeminence. In these, as in all the exhibits, the effort will be made to illustrate the industry rather than to advertise particular people engaged in industry, and, except in cases where one concern is completely representative of the business, its display will be subordinated to the idea of so arranging the whole as to adequately illustrate the conditions, processes, and success of each industry in California.

Each Industry Graphically Illustrated.

Thus the eastern visitor may learn how our grapes are grown and our wines made; where and how our distinctive fruits are grown and how they are picked, packed or canned. The processes of the leading industries will be carried out in detail in the building. For the further information of visitors, lectures will be given every half-hour, illustrated with stereopticon slides and motion pictures, the subject so rotated as to describe all sections and all industries of the state. A miniature irrigation system in complete operation will show how the water-supply is handled under the California system.

Other exhibits will illustrate our forest wealth and forestry regulation; our mining processes and mineral resources; our summer and winter resorts, with complete information regarding hotels, transportation, and other conveniences of access to California's scenic attractions.

Reception to Eastern Visitors.

The social side of the exhibition will be carefully looked after. Once a week there will be a reception in the building, to which all notable persons then in Seattle will be invited, and at which California products will be distributed gratis. These social days are always one of California's most attractive bids for popularity at expositions, and are always crowded to the capacity of the delegation to accommodate the visitors.

The chief purpose of the exhibit is, of course, to attract population to California. The virtues of our soil, the benignity of our climate, the desirability of our towns for residence, the adequacy of our schools, the beauty of our scenery, the potentialities of our commerce—all will be put out in their most alluring guise. But, incidentally, we shall achieve more than this worthy and necessary advertisement.

Through comparison with our neighbors of the coast—with Oregon, Washington, Idaho, British Columbia, and Alaska—we shall discover wherein we may improve upon our already remarkable position, and, besides, we shall become better acquainted with our neighbors. In the larger destinies of the future, our interests are at one with the rest of the Pacific Coast, and if we here come to a better understanding of our allies, and to a closer feeling of unity with them—as we surely shall—the results will tend to a greater rate of progress for all.

A Coast "Entente Cordiale."

It is in this fostering of a community of interests on this coast that the exposition will, perhaps, do its greatest good. And in the visible display of our material prosperity and of our artistic and intellectual status it is a satisfaction to know that California will be

worthily represented and that its exhibit will bear comparison with the most elaborate to be made in Seattle next summer.

Facts About Exposition.

The following are some facts about the Alaska-Yukon-Pacific Exposition:

Area 250 acres.

Cost \$10,000,000.

Many permanent buildings.

Oregon appropriated \$150,000.

Value of exhibits \$50,000,000.

Chicago will have a building.

Battleships will be in harbor.

Salmon cannery in operation.

Twelve large Exhibits Palaces.

The United States is spending \$600,000.

Sub-marine boat on Lake Union.

Borders on two beautiful lakes.

Forestry building is of huge logs.

Washington appropriated \$1,000,000.

California is spending over \$100,000.

Wonderful floral and landscape display.

Motor boat display on Lake Washington.

Will exploit Alaska and countries of Pacific.

Five double tracked car lines to grounds.

Amusement street is called the Pay Street.

United States government has five buildings.

All counties of Washington will have displays.

Three mountain ranges visible from grounds.

Highest mountain in United States visible from grounds.

Fourteen thousand gallons of water will flow over cascades each minute.

The Seattle Chamber of Commerce has assumed control of the hotel and lodging house situation, which assures visitors against extortion.

NEW NAPOLEON SIDES.

A vivid and intimate study of Napoleon Bonaparte is contained in the pages of the *Journal of Count Pierre Louis Roederer*, just published in Paris. The author was very close to Bonaparte, having been one of his principal counsellors and ministers, and the *Journal* is made up largely of resumes of conversations between the Count and Napoleon, which Roederer habitually noted down, apparently with the intention of using them in preparation of his memoirs. This plan, however, he never carried out. Some years after Napoleon's fall Roederer had a few copies of the *Journal* printed and circulated among members of his family, but these soon became so difficult to find that historians have scarcely ever referred to them.

The copy of the *Journal* from which the recently published volume has been prepared was obtained by M. Maurice Vitrac of the *Bibliothèque Nationale* of Paris, who has added a preface and complete notes.

Extracts from the *Journal*, quoting Napoleon literally, reveal anew the intensity of his nature and the penetration of his mind.

"There is no more pusillanimous man than I when I make a military plan. I exaggerate all the dangers of all the minor possibilities of the circumstances. I am in a painful state of agitation. But that does not prevent me from appearing quite serene to those about me, and when my mind is made up all is forgotten except whatever may help success."

"If a Frenchman is between the fear of the police and the fear of the devil he chooses the devil; but when he is between the devil and fashion he obeys fashion."

At a dinner Bonaparte said to Roederer:

"We have news from Egypt. Kleber has been killed by a Turk who was handing him a petition. He was killed on the same day, at the same hour, as Desaix. Both were men of great merit. But that does not prevent me from appearing quite serene to those about me, and when my mind is made up all is forgotten except whatever may help success."

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SELF GOVERNMENT AT OAKLAND

Second Article: THE ISSUES OF THE PENDING ELECTIONS.

The problem of self government in America has got to be worked out in our municipalities. The town meetings were the kindergarten of Democracy. Our municipalities must become our common schools of free government, because it is there that people come together in multitudes immediately concerned for interests common to them all. We may liken state governments to high schools of democracy and national government to the university. It is therefore the purpose of The California Weekly, from time to time, to analyze and make clear the status and tendencies of municipal government in California in the hope that each may learn from the other.)

Oakland will hold a general election next Monday for the purpose of electing a mayor, city council, and other officers. The issues to be decided at that election are the subject of this article.

The chief issue is the record of the present administration, headed by Mayor Mott. The mayor and his adherents in the city council are candidates for reelection. Their record is believed to be satisfactory to the people of Oakland in most particulars. Upon one point, however, an issue has been made by Mayor Mott's opponents, under the leadership of Dr. F. F. Jackson, a member of the city council. This issue is over the so-called "memorandum of agreement" with the Southern Pacific company, relating to the water-front of Oakland.

The Original Water-Front Grab.

In 1850, a young lawyer from New York, named Carpenter, came to Oakland. He soon discerned the potential value of the water-front, and determined to control it. He went to the state capital, got an appointment as a clerk, ingratiated himself with the legislators, and had a bill passed transferring the state's rights in the present water-front of Oakland to that town. At the same time he brought about the organization of a town government in Oakland, and had himself elected the first mayor. He took care, however, not to qualify for the office, so that he might be free to apply to the city council for the water-front under the terms of the legislature's grant. The council sold the water-front privileges to Carpenter for a trifle, and he disposed of them in a way that made him a millionaire. Ultimately the Southern Pacific company acquired Carpenter's rights, and built the present mole.

Efforts to Reclaim Water-Front.

As soon as Oakland emerged from being a village it began trying to recover some of its water-front. But the Southern Pacific had it throttled. Numerous attempts were made to have the grants set aside, but the Supreme Court of California decided that the grants were valid, and further determined that all lands back of the shore-line described in the

Act of 1852 were in private ownership. The owner of most of these lands was the Southern Pacific. That company not only maintained its hold upon its mole and adjacent land, but denied the city's title to any of the water-front, and by keeping streets closed, and in other ways, physically prevented any other interest from making use of that part of the water-front which it itself did not use. Thus Oakland's chief commercial asset was kept subordinate to the convenience of one corporation, and the city's natural expansion was hindered.

Western Pacific to the Rescue.

This condition persisted until the Western Pacific Railroad appeared before the city council and asked for a franchise to construct a mole on the water-front. It agreed that, if the city would grant its request for a franchise, it would fight the city's battle out in the courts. The council acquiesced, and the Western Pacific began litigation to verify the city's title to the water-front. In February, 1907, the United States Circuit Court of Appeals decided that the Act of 1852 was valid, and that the city's grants to Carpenter were also valid; but, furthermore, that Carpenter's grant of the wharfing-out privileges was limited to thirty-seven years, and that, as that time had expired, the right to let out the wharfing-out privileges had reverted to the city.

The only appeal from this decision is to the Supreme Court of the United States, and such an appeal would probably fail to change it. As the decision gained for Oakland practically everything it had been fighting for, all that remained to be done was to give practical effect to it. The city council at once granted the Western Pacific a franchise for fifty years to the southernmost strip (1,000 feet wide) of the water-front for its mole, at a nominal rental—just substantial enough to keep its title of landlord clear.

The next step was to settle the details of an agreement with the Southern Pacific by which that company would be within the law as defined by the court's decision. That company does not wish to appeal the case, and its attorneys, working with the Board of Works (the mayor, city attorney, and city engineer) of Oakland, agreed upon a tentative scheme of readjustment. This scheme, in rough outline, was presented to the city council for consideration as a basis of discussion, and is known as the "memorandum of agreement."

The "Memorandum of Agreement."

Under this agreement the Southern Pacific acknowledges the city's title to the water-front; accepts its own position as a tenant, and not as owner; agrees to relocate the shore-line or "low-tide line of 1852," which has long been in dispute, and to accept a location of it much nearer to dry land than it has ever claimed; agrees to grant ways of access to that part of the water-front which the city reserves to its own uses; agrees to deed to the city of Oakland the Broadway wharf and the land on which it stands, thus closing litigation of fifteen years' standing; and makes various other minor concessions. In return, the city is to lease to the Southern Pacific its present mole and wharf frontage, and about 150 feet more in width, making about 1,300 feet in all, on the same terms as the Western Pacific's lease.

Charter Amendment.

The city charter expressly forbids the granting of more than 1,000 feet frontage. The city administration has proposed an amendment to the charter to permit the extra frontage to be granted to the Southern Pacific. Dr. Jackson declares that this grant will reduce the city's holdings to a frontage of 485 feet. The mayor declares that the terms of the amendment expressly provide that 1,085 feet are reserved to the city.

The election upon charter amendments takes place on the publication date of this paper.

and this amendment (besides seven others relating to salaries, the initiative, the referendum, the recall, and the manner of selecting library trustees) will be voted upon. The fate of this amendment may forecast the result of the general election on Monday, as the administration has not been attacked strongly except upon this one point.

Upon this issue Mayor Mott has the support of the best-informed men in Oakland, and of the political leaders of the anti-railroad forces. He is the regular nominee of both the Republican and Democratic parties, and is endorsed by the Citizens' Municipal League. Doctor Jackson is on the ballot as an independent candidate by petition, and as the nominee of the Citizens' Party, organized by his friends, to carry on the fight against the Mott administration.

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who have made it their
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AS THE WORLD WAGS

By A. J. WATERHOUSE.

When I Am Dead.

When I am dead, and men, with voices low,
Remark: "I knew him well. Quite common-
place.
He was not in our set at all, you know.
What 'll you take? Did Blingum win the
race?"
Or, "You don't say! He might have been—
but, then,
His hair was short, the bluff he would not
play,
And so—say, did you hear that Duff again
Was short?" How do the markets look to-
day?"
In short, when I am dead, the world, I hear,
Will still move on in ways that cheer or
grieve,
And will not miss me from my earthly sphere—
But I can scarce believe.
Ah, no, I can't believe. What, after all
My wobbling round, you dare to tell me
that
My utmost wobble was a feeble sprawl!
That none shall murmur, "Wonder where
he's at!"
Come off, I say! This racket and furor
That I term life—and you term it the same—
Is but as powder wholly wasted, for
All it brings down is soon forgotten game?
Go, tell it to marines! This mighty splash
We make, or think we make, does but de-
ceive?
Is but a cipher claiming it's a dash?
Go to! I'll not believe.

Where the Critic Went Wrong.

"A poet," said the Critic, "must portray the
deeper feelings, the profounder emotions, of
humanity, or his work will be found lacking in
that imperfectly recognized quality which is
essential to true poetry."

"But who is to decide whether it succeeds in
such portrayal?" The Poet inquired.
"We will," the Critic responded.
"But don't you fancy that you critics often
go astray in judging the emotional quality of
a poem?"

"No, I think not; at least, very rarely."
"Well, I wish you would give me your idea
of the expression of feeling in a recent pro-
duction of my own."

"Go ahead."

The poet went ahead, as follows:

"Oh, the little white form was strangely fair
As she tenderly laid it low,
And she stood for a moment in silence there,
Alone, ere she turned to go.
Then her voice rang out in a wearisome cry,
Re-echoed by voices shrill,
And the world rolled on 'neath the same blue
sky.

Though the little white form was still.

"Has that the emotional quality?" the Poet
inquired.

"It certainly has, in considerable degree,"
the Critic replied.

"More than if I had simply said, The hen
laid the egg, went away and cackled?"

"The hen?" said the Critic. Then he stop-
ped, thought deeply for a moment, and again
spoke.

"It's on me," he said. "What'll you take?"
So they adjourned.

A Matter of Choice.

There are just two clans on the planet round,
Two clans, and never another.

"Look out for yourself" is the motto of one;
"Of the other, 'Look out for a brother'."

And, seeing as gold is a mighty poor prop
For a coffin, though epitaphs flatter,
Why, you may belong to such clan as you will,
But I will enlist with the latter.

"Did you hear that P. Gasus hasn't written
a line of poetry for more than a month?"

"No, what ails him? Muse fall down on
him?"

"No. He had his hair cut."

Lo, the Commuter!

He riseth in the morning early, for the
alarm clock, it calleth him.

And while he is yet in bed he saith, "Dern
that alarm clock! Will it never let up?" But
when he has arisen, he blesteth the alarm
clock, for his job, he fain would hold it.

And he knoweth 10,000 people who go over
on the boats with him, yet he speaketh not to
one of them save when he steps on his corn,
and the word he speaketh then, it were better
unsaid.

And the man commuter looketh at the neat
girl in gray, and, lo, he wondereth ever and
anon what is her name and if she is as nice as
she looks.

And the neat girl in gray looketh demure,
and what she wondereth no man may guess,
but only a sister woman who also wondereth
things she saith not.

The commuter doth not fight for a chance to
hang to the edge of a United Railways car.

Nor doth the conductor order him to move
up when seven women already have murmured
that he was a brute for moving up when there
was no room.

Wherefore, brethren, though it paineth at
times, it is well to be a commuter.

When Sets the Sun.

When sets the Sun beyond our Gate
I see a million ripples run
To greet him ere the day is done,
Each with a sunbeam as its freight.

He is their lord, his courtiers they,
And so they haste o'er lambent ways,
With lowly-murmured songs of praise,
To hail him Monarch of the Day.

Upon his throne of ashen gray
He listens to their voices blent,
And straight a flush of proud content
Creeps to his face and holdeth sway.

Then all the western world turns red,
Responsive to the monarch's flush,
And unseen artists wield a brush
To crimson-paint the skies o'erhead.

The wondrous fire, the fire of God,
Leaps outward still from cloud to cloud,
Till burns and burns each misty shroud
As 'twere a carpet angel-trod.

And then the gold! Such gold as greets
The eyes of loving ones who stand,
Time-severed from this earthly strand,
And view fair Aiden's storied streets.

Then purple, purple! All the west
Is royal-garbed to greet its king,
And purple is the freight they bring.
The rippling messengers of rest.

A world of sombre sea and shore.
The sun is not; his gold is gone
To 'wait the Artist of the Dawn—
The daily miracle is o'er.

The Opinions of Rufus.

When the fellers that has faint hearts looks
at some of the fair ladies the other kind wins
they orto feel that shyness ain't a unmixed
curse.

The meanness of graspin' wealth is gen'ly
admitted, but its admitted a lot the loudest by
them that ain't grasped any.

Don't you s'pose this would be a blessed
word of we was ready to excuse other peo-
ple's wrong-doin's es we are our own?

A man can forgive a man, and he can for-
give a woman. A woman can forgive a man,
but, es Sister Boggins says, they's some things
you can't expect of a fair sex that respects it-
self.

The old theologians used to say they's a
bourn from which no trav'ler returns, but they

made the unforchnit mistake of leavin' the "o"
out of "bourn."

Speakin' of our talkative friends, did you
ever notice that the cow that moos the most
ain't gen'ly the one that gives the most milk?

David said in his haste that all men are liars,
but I don't know es I blame him fer never
takin' the time to take it back.

I swell up with pride when I think what
wonderful things man has invented since I kin
remember. That is, I do till I notice they
ain't a one of them that tells me why I'm
here or where I'm goin'; then I sort o' un-
swell.

The poet said, "Be up and doin'." "Doin'
who?" asked the higher-up. An' so, Hiram,
you see the difference 'tween vishunary an'
practical interludes.

Our Statesmen's Own Boozeroom.

Speaking of that room in the state capitol
building in which red liquor is said to flow so
freely, and also of the "statesmen" who visit
it—

How clear to his heart is that room in the
statehouse,
Where other dry "statesmen" invite him for
cheer.

That dark little room in our own whisky-
straight house.

Devoted to cocktails, absinthe and beer,
The wide disregard of the law that pervades it,
The utter debauch of statutes—w'at t'ell!—
The brandy that cheers and the whisky that
shades it.

In the queer little boozeroom some "states-
men" know well.

Our queer little boozeroom,
Our law-be-blown boozeroom,
California's own boozeroom

Some "statesmen" know well.

Be a Knocker.

(A modern litany.)

When Wrong is militant and defiant, and
lifts its brazen brow in seeming triumph,
Be a knocker.

When the hand of the briber is gilded by
ill-gotten gold, and justice calls upon her peo-
ple to arm in her defense,
Be a knocker.

When the thing called Law dallies not with
the poor scoundrel who is bribed, convicting
him in short order, but leaves the wealthy
bribing malefactor outside prison doors
through months and years,
Be a knocker.

Against seaptered iniquity that would own
the people by right of purchase,
Be a knocker.

Against all bondage of corruption, whether
its fetters be of gold or iron,
Be a knocker.

Against the higher-up or the lower-down
whose unregenerated existence is a constant
menace to the country we love,
Be a knocker.

Then, having knocked righteously and suc-
cessfully, of all that is good, all that is true
and all that is right,
Be—not a knocker, but a booster.

For, forever and forever, to knock wrong
is to boost right, and the converse of the
proposition is no less true.

She Wanted to Know.

There was a young lady of Worcester
Was fond of a stolid old rooster.

When eggs went up high
She murmured: "Oh, my!

Why don't it lay eggs like it useter?"

His Sufficient Reason.

"Have you carefully examined the bill that
was introduced?"

"I have not."

"Then what makes you so confident that you
are right in opposing it?"

"Why, Grove L. Johnson favors it."

Lying Awake at Night.

You wake in the night with a sudden start. One moment you are sound asleep, the next you never were more wide awake in your life. "I am sorry I waked," you say, "but it doesn't matter, I'll just turn over and go right to sleep again." That's where you fool yourself. You turn over, but you fall to thinking things, and you have to stay awake in order to think them.

In the first place you think of every mean thing you ever did. It is an unpleasant subject, and you would sooner not think of it, but you do, anyway, and soon you begin to feel that your hope of salvation is mightily slim; make up your mind that it would be a waste of effort to save any such individual as you.

But worse is coming: You begin to realize, beyond the possibility of doubt, that all your plans, hopes and ambitions are going to eternal smash. You try to figure out how you can avoid this general catastrophe, but it is "no go;" you are certain that misfortune and you are going to collide in general wreck of your plans.

This is the time that you select for wondering what hour of the night it is. You are confident that you have been awake two hours or more, and yet the clock hasn't struck. Dern that clock! It probably needs repairs, but you will wait a while, and see. You wait, and wait, and wait. Hours creep into eternities, and still the clock does not strike. At last, worn out with infinite waiting, you determine that you will rise and see if there is any dratted timepiece in the house that will tell you what time it is. You do so, and just as you are rubbing your shins after falling over the chair that was in your way, the clock strikes three. Then you sneak back into bed, without turning on the light, and tell your inquiring wife that you got up for exercise.

You lie awake, toss and roll, for a long time, but finally drop off to sleep, and when the time comes for you to get up in the morning you never were so sleepy in your life. You can't sleep when you wish to do so, and you must get up when you can, and—does anybody know an infallible remedy for insomnia?

Prima Facie Evidence.

The Attorney—"You say that the defendant is weak-minded?"

The Witness—"No, I did not assert it positively. I merely said that it looked that way."

"What makes you think it looks that way?"

"He plays the nickel-in-the-slot machines."



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WITH EYES AND :: EARS OPEN ::

"You shouldn't speak so crossly to him," the wife remonstrated.

"Oh, he don't mind; he's a collector," growled the Man-with-Eyes-and-Ears-Open.

"Yes, but he's human."

Of course, he hadn't thought of that.

Consider the case of the much-maligned book-agent. I have seen good housewives discern his presence a block away, by his opening every gate on the street, and his rapidly backing away from most of the doors. These housewives have drawn the blinds, muffled the bell, and hid the baby in a closet till he passed by, rather than open the door and turn him gently but insistently away.

But who knows the book-agent as a human being, as the footsore traveler returned to his lair at the end of day, weary and disappointed and depressed? Here is a very different fellow from the alert enthusiast who besieged your door. For the book-agent is an artist; he has the temperament and the moods. To work, he must feel the fever on him, and he must be keyed just right. Then he is a psychologist, almost a hypnotist.

"How do you approach a person?" I asked once.

"I never know till the door opens," he replied. "If a lady appears—I mean a real lady—I am Chesterfield. I bow low, and say 'Madam, may I have the distinguished honor to be allowed to show you this set of books?'"

"If a rough-neck laborer comes out, I say, 'Have you got this set of books in your house? No? Then you are the biggest fool I ever saw.'"

This man sells to half the people he talks to. He does not know what is in the books he sells; doesn't care to know. "I could sell rusty horse-shoes just as easily, for the same price."

Another of his craft works only two hours a day—from twelve to two. He wears a silk hat and correct clothes, rides to his victim's offices in a cab, and presents an engraved card at the door. He sells no books that bring less than \$500 a set. His commission is 10 per cent., and he averages two sales a day when he will work, and, like most professional book-agents, he has to borrow on Saturday night.

A much humbler agent works the wholesale houses. He slips in, takes off his coat, and tries to appear like an employee. Gradually he "works" the real employees. In one day he was thrown out of the same store three times, but returned, undaunted, through a second-story window in the rear. And yet, in his heart, that man is bashful, timid. He lays off days at a time to nerve himself for the rebuffs he must encounter.

Which is by way of showing that most people are human, even book-agents.

And even the chatterboxes may have some excuse. One of them (a woman) bored me to the limits of patient gallantry one evening. Afterwards I learned that she had drifted out to sea a few years before, from a capsized boat, floating motionless on her back by sheer will, and hearing three companions who could swim cry for help and, exhausted, go gurgling to the depths beside her. She was rescued three miles from shore; and she has been taking ever since to keep the nightmare of that experience from her mind. Since I heard her story I have tried to extend the limits of my patience a little more.

San Francisco will be called "the White City" some day, if the popularity of white glazed-tiled fronts continues. To a casual observer, fully half of the business buildings that are just now being completed are gleaming piles of whiteness. One can weave all sorts of fanciful symbolisms of this fact, each depending on one's digestion, or one's point of view. San Francisco rising pure from the

ashes of political degradation; San Francisco, the moral "whited sepulchre"; San Francisco, the bright city of light-hearted pleasure—or what you will.

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POLITICAL TABLE TALK

By THE WATCHMAN.

Marry at Leisure After a hearing by one of the legislative committees on the subject of divorce, during which diverse opinions found expression, there developed a sentiment in favor of trying to stop the cause rather than to cure the evil. A committee bill was outlined to go back to the old plan of proclaiming the bans, only the scheme would be to modernize by substituting public advertising of the intention to get married for proclamation at the church door or from the pulpit. This is on the theory that "marry in haste, repent at leisure," contains the explanation of many matrimonial failures, as it undoubtedly does. Also, it would give older and wiser heads a chance to break up some foolish matches before they are consummated. To pass such a measure as this and to enforce it would be a statesmanlike act, but it is to be feared that it would be demanding too much of a California legislature, so opposed it is to a general sentiment that these things are matters of private arrangement with which the law should not interfere. As a California young woman put it, "If John and I choose to get married, it is nobody's else business."

Taxation Amendment Is Still In Doubt

It is still uncertain what will be the fate of the taxation constitutional amendment, which has been revised by the State Commission on Revenue and Taxation by making the public service corporations liable on account of outstanding public bonds, requiring them to pay their share of any general property tax levied for state purposes, giving the legislature power to change the rates, and a number of less important amendments. The bankers combined and made an onslaught on the proposed rate on bank taxation, viz.: 1 per cent, with the result that they persuaded the majority of the Senate committee to report an amendment to cut the rate down to six-tenths of 1 per cent.; a minority of the committee stood for three-quarters of 1 per cent. It is possible the amendment may pass both the Senate and Assembly in this form, but it remains to be seen whether, if it does, the reduction in the rate of taxes on banks is going to popularize the measure before the mass of voters.

Good News If It Be True

Supporters of the Stetson railroad bill continue to hope that it has a fighting chance, but that is all they claim for it. The Southern Pacific is leaving no stone unturned to sidetrack the measure and put one of the rival railroad bills to the front. Attorney-General Webb, who is the real author of the Stetson bill, defended it at a joint meeting of the Corporations Committees, dealing specially with the claim of the railroad people that under the present constitution the only kind of rates the Railroad Commission can fix are maximum rates. He showed how the section of the constitution was evolved by the constitutional convention from a number of propositions before it and made a rather strong case of inferential evidence that the constitution-makers thought they were getting away from maximum rates, which had been the basis of much unsatisfactory rate legislation under the old constitution. Incidentally, those who ought to know say the Attorney-General has broken entirely with the railroad, or they with him.

Will the Solons Skedaddle?

No subject has been exciting more interest recently than that of the date of adjournment of the legislature. Senator Wolfe, and some others, talk about March 13th, and desire to pass a resolution now to fix that date. But this strikes against all those who have bills on file, or still in committees, which they wish to pass before adjournment, and they are making the covert charge that there is an attempt to do legislative politics by proposing an impossibly early date of adjournment. They argue

that it would be an especially bad showing for the first legislature under the salary schedule of \$1,000 per session if it should run away without waiting to finish up its work, and they say, with a good deal of truth, that the \$1,000 was only obtained by promising that if the people would vote for it the legislature would stay and complete its work. Again, there are supporters of the direct primary and the railroad rate regulation measures who think they see in early adjournment an effort to beat these bills by indirection. With the exception of the anti-race track bill, the important measures of the session have been held in committee an unconscionably long time—inasmuch that their success is considerably jeopardized.

The Man Who Knows

This legislature, providing the Governor stands for it, will have given the farmers one new thing of no small importance. It has passed a bill to abolish the old three-headed county horticultural commissions and to substitute a single commissioner in each county which has a commission at all. Not only this, but the county commissioners must have expert knowledge, as determined by an examination of candidates to be conducted by a State Board of Horticultural Examiners who were to be appointed by the Governor. Although county boards of supervisors are to appoint the county commissioners, they must select only persons who have successfully passed the examinations held by the state board. County commissioners will be auditors and inspectors, and no more are needed. Thus the consolidation of authority effected by abolishing the old State Board of Horticulture, six years ago, is now followed by a similar centralization in the counties. There was rather formidable opposition to the bill, and but for energetic work by its sponsors it would not have passed. If California has one need that exceeds all others it is for the services of the man who knows to take the place of the man who merely does politics.

Tinkering the Constitution

An even fifty constitutional amendments were introduced in the Senate, and thirty-one in the Assembly. Anthony of San Francisco is the dearest of this kind of legislation, and has proposed to amend the constitution no less than eleven times. If he could have his way there would not be much left which would be recognizable of the charter of liberties of our commonwealth when Anthony should get through, although the constitution of California is nearly four times as long as that of the United States there are those who wish to see it made longer. There are others who would like to make it over new, but not until California achieves freedom from corporation control will it be safe to enter upon the making of a new organic law.

First Blood For Otis

Assemblyman Otis of Alameda county succeeded in getting a favorable report on his bill to give the State Board of Charities supervisory authority over orphan institutions, and it is to be hoped the proposition will succeed, although probably it will encounter no serious prejudice. This movement is prompted by no spirit of enmity toward the many benevolent institutions who are caring for orphans in this state, but rather by a disposition to aid them in better doing the work that is needed to be done while relieving them of some work that can better be done some other way. Every friend to dependent childhood should help Assemblyman Otis with A. B. 954.

Self Government For Our Counties

There is no greater fear in legislation than that of making county government bills. It is a departure from the self-governing theory and a surrender of charter-making to

courthouse rings throughout the state. This is why Assemblyman Drew's bill, authorizing counties to form their own schemes of government by boards of freeholders elected for that purpose, was so promptly voted down, yet Mr. Drew's purpose is sound and right and the tax-paying public will one day come to see it. Some uniformity in the government of counties there should be, but, arising from a skeleton of such a government, the counties themselves should work the problem out as best they may. A demand for home rule for the counties of California is strictly in order.

Acquiring National Forest Reservations

A year ago the United States Senate passed a bill empowering the government to purchase deforested lands in the Appalachian and White mountains suitable for reforestation and then to convert the purchased areas into forest reservations, but Uncle Joe Cannon of the United States Senate Legislation, would not have it that way. Since then public pressure has made him more tractable and he has allowed a bill to go through the House of Representatives permitting the government to make such purchases, not alone in the Appalachians or White mountains, but wherever desired whenever Uncle Sam has the money to buy with. That is likely to be the sticking point, but not always. Our national deficit is likely to be converted into a surplus with the revival of business. There is one danger and only one—that "swindlers" will be formed for selling bare rocks and impossibly bad lands to the government for want of any other purchaser. That will have to be looked out for.

The Organization In The Last Ditch

On Monday afternoon the Senate passed the direct primary bill without a dissenting vote and without debate. Opposition in that branch of the legislature was abandoned as soon as it was proven that the measure had more than two-thirds of the votes. In the Assembly a struggle is looked for. The worst, and only serious, feature of it is that it is likely not to be an open and honest fight. The air is thick with rumors of what the performers are going to do to the reformers, and although the plan of campaign is closely guarded by the organization, it is not doubted that the machine will make the fight of its life if it can see any chance to win by indirection or shifty device. The friends of the bill are preparing to organize the same kind of non-partisan combination which saved it in the Senate, and if they do together as well as the senators did, the victory is as good as won.

Simple Justice To Sacramento

When, four years ago, graft was discovered in the state Senate, Sacramento county, for the first time in half a century, established the precedent of treating legislative grafters like other malefactors, sent true bills against them, prosecuted them, sent two to prison, acquitted one through a faulty jury and chased the fourth out of the state for the good of the state. The organization legislators looked upon this as a piece of effrontery on the part of Sacramento. To discourage the following of so bad a precedent they refused to reimburse Sacramento county for the \$14,597.39 those prosecutions cost, tried to move the state capital and bluffed the county out, two years ago, of having the jury look into the conduct of Hatton, and others, as to their connection with the capital removal bill. A bill has now passed the Assembly to make good this deficiency in Sacramento's finances. If the Senate does not pass it also it will be for one reason only—that it does not want Sacramento county grand juries poking their noses into legislative scandals.

UP AND DOWN : : THE STATE : :

Elk Point, Sacramento county, has a new paper, the "Citizen," edited by Harry W. Preston.

An angle measuring six feet from tip to tip was killed near Mechem Station, in Sonoma county, last week.

Stanley Lawless last week murdered Joe Tomati, and then attempted to commit suicide by cutting his throat, near Oakville, Napa county.

In Modesto, the other day, F. R. Carson was arrested for burglary, tried, convicted and sentenced to a five-year term in San Quentin, all within twelve hours. Carson was not a higher-up.

It is planned to build an electric line from Modesto to Empire, and it is expected that later it will be extended to Newman on the west side of the San Joaquin valley.

William Dunlap, who came to California in 1849 and was a respected citizen of Auburn, died in that city the other day at the age of eighty-one years.

San Jose is to vote on a proposition to issue \$45,000 in bonds to pay for the construction of a garbage-incinerator.

The citizens of Modesto voted for bonds in the amount of \$15,000 for the erection of a fire-department building, \$15,000 for extension of the sewer system, and \$20,000 for extension of water-mains and street work, but voted against the issuance of \$10,000 and \$25,000 for purchase of a city hall site and erection of a building thereon.

Three boys of from fifteen to seventeen years, all claiming to be from Oakland, robbed the depot till at Clements, San Joaquin county, of thirty dollars. They were arrested.

Senora Sepulveda claims the site of San Pedro, Los Angeles county, under the terms of a Mexican grant. The claim has been decided against her in California courts, but she asserts that President Diaz of Mexico will intervene in her behalf.

Joseph Wolfskill, who is growing hickory and pecan trees on his ranch near Suisun, has trees, of both varieties, of such size that he is gathering nuts from them.

The Imperial Standard estimates that not less than 2,250,000 sacks of barley will be raised in that valley this season.

Burglars recently robbed the Anaheim postoffice of six or seven dollars, but left behind them \$600 in the safe.

Mrs. W. H. Beckman and her four children were burned to death in a fire which consumed their house, near Bakersfield, last Friday. It was at first supposed the fire was murdered, but this theory has been dismissed.

The Pleasanton, Alameda county, grammar school was burned to the ground last Saturday, presumably by tramps.

For \$748,950 the Southern Pacific company has let a contract for equipment of an electric-power station at Fruitvale and for motor cars to be run in the cities on the east side of San Francisco bay.

Three colored boys, each one fourteen years of age, were arrested in Modesto last Saturday for burglary.

It is announced that Gilroy will be the division point of a branch railroad to be constructed from that place to the coast line of the Southern Pacific near Metz in Monterey county.

Lindsay is to have a new paper which will be known as the Citirograph, and will be owned and published by Stallings & Porter.

At a depth of 240 feet a vein of sulphur water at a temperature of 106 degrees has been found at Paso Robles.

Henry J. Martens has bought eight sections of land near Bakersfield, and a colony will be placed thereon.

Harold Howard, a fifteen-year-old boy of Los Angeles, committed suicide by shooting himself because he had had trouble with his school teacher.

ROOSEVELT.

By Henry Anderson Laffer.
(Written for The California Weekly.)

His meteor-light is in the skies
Of all the earth. Her peoples turn
Their lifted faces where doth burn
His star of chartless destinies.

No trumpets blared upon his birth.
No heralds uttered forth his name;
But who shall measure now his fame—
One equal with the ends of earth.

Not even the desert-borders bar
The running murmurs of his might;
The kings of lands deep sunk in night
Send gifts and greetings from afar.

Yet not austere his greatness stands,
Nor strange with scorn the gods avow;
The sweat of toil is on his brow.
The stains of earth are on his hands.

Bold, restless, turbulent, and strong,
Bone of a boastful people's bone,
His strength amid the crowd hath grown
To might that cows the eyes of Wrong.

Unwearied, stubborn-tempered, brash,
He holds the gazing multitude
With his rough Saxon hardihood,
And wisdom only seeming-rash.

His was the strength behind the sword
That cleaves the continents in twain,
In Asian lands a bloody rain
Ceased at his timely-peaceful word.

The ancient grace of motherhood
New reverence won from his straight speech,
And all his will is bent to teach
Clean honor and high fortitude.

His might hath brought to needy lands
The munnings treasures of the snow—
Streams that from mountain-caverns flow
Through forests guarded by his hands.

And aye, in truth, what dawn hath found
His loins ungirt for strong affray?
The weary waning of what day
Hath seen him cast his steel to ground?

How filled the high-set tourney-list,
And fought how many a stubborn fight!
How oft he surged upon our sight
Close-locked with his antagonist!

And quiet-blooded wisdom grieved,
And feared of timeless strength would spring
Some evil and disastrous thing;
And, whiles, the doubtful half believed;

As when his quick unbitted tongue,
On short enkindlement of fire,
Cast, sudden-swift, its phrase of fire—
A gage of battle hotly flung.

Yet when we saw him ever rise
From struggle, with some spoil of Good,
And how the nation's honor stood
Yet higher in far peoples' eyes,

We could not choose but grant him praise,
And deem in ways occult, unguessed,
Of hoary sages unpossessed,
He held the End within his gage;

And secretly the gods of birth
A subtle strength had yielded him,
And made him equal to the dim
Young giants of the elder earth!

To-day he passes among men—
Unscripted, lays the sceptre by—
His beacon fades upon our sky—
The President is Citizen!

"Letters of a Japanese Schoolboy."

Wallace Irwin began his literary career as a reporter on a San Francisco daily paper little more than ten years ago, and it still is a tradition among the employees of that paper that the city editor used to shake his head most dolefully when Irwin turned in his "stuff," and mumble, "He can write something that looks

like poetry, but he can't write prose any more than a hen can swim."

The city editor was mistaken, as sometimes happens even to those sapient individuals. Wallace Irwin could write prose, of his own peculiar, racy style, but reporting on a daily paper did not give him much opportunity to demonstrate the fact. The field of prose wherein his odd genius flourishes is that of humor and satire, as the "Letters of a Japanese Schoolboy" amply indicate, for they abound in these qualities.

Most subjects which satire may touch, from "Hon. Mary Christmas" to "The Servant Problem," and from "The Feetsteps of Science" to "Fall Hats and the Ladies Inside of Them," are treated in a style as unique as humorous. The book—for the letters now have been published in book form—is of the style to lighten various half-hours, but not to be taken in one dose. Wisely scattered, or taken homeopathically, it should be found an excellent antidote to melancholia.

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SAN FRANCISCO'S VIEW OF HETCH-HETCHY

By J. D. GALLOWAY.

The subject of a water supply for San Francisco has taken on renewed interest since the recent election in which the city voted, by a majority of over six to one, to develop a supply from the Hetch-Hetchy valley in the Sierra Nevada mountains. That it is the immediate concern of the people of the bay cities to take steps towards an increased supply is not disputed. Mr. Dockweiler, an engineer of wide experience who has made a special study of the problem, stated recently that in one year the cities of Oakland, Berkeley and Alameda would demand more water than the present plant could possibly supply, and that San Francisco would be in the same condition in about three years. Many engineers believe that the time is less than three years. A review of the situation is of interest.

The Present Supply.

San Francisco has always been supplied with water by a private corporation. An attempt was made, years ago, to buy out the Spring Valley Water Works, but an agreement was not reached. San Francisco and New Orleans remain as the last instances of large cities supplied with water by private companies. A considerable reason for this has probably been the fact that the Spring Valley Water company has with commendable foresight, anticipated the wants of the city and extended its works. The supply has been reasonably good, and hence the opposition to the monopoly has not been as pronounced here as elsewhere. A point has been reached, however, when the situation demands that the municipality undertake the work of supplying itself with water. The water company refuses to make extensions in the light of possible municipal ownership, and also because it is claimed that the rate regulation by the city does not allow sufficient income to warrant the increased expenditure. Such is the present situation. The local company cannot, or will not, take action to meet the growing demand.

The city, recognizing this fact, is endeavoring to secure a supply elsewhere. During the administration of Mr. Phelan, in 1900-1902, an examination of many sources was made by Mr. Grunsky, then city engineer. Mr. Grunsky acted under Mr. Manson and Colonel Mendel, then commissioners of public works. The result of this examination was that the Tuolumne river, in the Sierra Nevada, was selected as the best source of supply. The Hetch-Hetchy valley, on the main river, was designated as a site for a storage reservoir and, in addition, Lake Eleanor, on a tributary stream, was also to be used. Elaborate surveys, with detailed estimates of cost, were made by Mr. Grunsky for this project.

City's Efforts to Obtain Water.

To carry out this project Mr. Phelan, acting for the city, took up the water rights, and application was made by the city to the national government through the Secretary of the Interior for a right to use the Hetch-Hetchy valley as a storage reservoir, as the valley lies in the Yosemite National Park and Forest Reserve. The application was denied. A second application by the city met with refusal.

About this time began the beneficent reign of Schmitz and Ruef. A water supply, the source of which could be obtained without cost, had no attractions for those gentlemen. They had the board of supervisors go through the form of abandoning the Tuolumne source of supply as a preliminary towards getting one that would cost the city about \$10,000,000. The refusal of the engineers, Messrs. Marx, McKinstra and Hunt to take orders from Ruef and the "pernicious activities" of Mr. Spreckels and associates stopped that deal before it could be completed. Dr. Taylor took office, the project of getting water from the Tuolumne river was revived, and another application was made to Secretary Garfield. Mr. Garfield visited San Francisco, listened to

the claims of the Turlock and Modesto Irrigation districts and, after adjusting their claims, gave the city the required right to use the storm waters of the river and to store them in Hetch-Hetchy valley and Lake Eleanor.

Practically all of the lands in Hetch-Hetchy valley were in private ownership, having been taken up before the creation of the park. San Francisco has purchased these lands and, when buying them, had also to buy other lands not in the valley but in the surrounding forest reserve. The original owner insisted on selling all or none of his lands. Mr. Garfield suggested that the city exchange its lands outside the valley for the lands still in the possession of the government and lying around the edge of the valley. A bill was introduced in the present Congress permitting this exchange of lands by which both city and the government gain what they want.

Spring Valley and the "Nature Lovers."

To this bill a violent storm of opposition has arisen, mainly inspired by the Spring Valley Water company. The attorney for the company has appeared before committees of Congress and argued against the bill. The records have been cluttered with letters from all over the union protesting against the use of the valley as a reservoir. The self-appointed leader of the so-called nature lovers is one Johnson, a sub-editor of the Century Magazine. Some members of the Sierra Club have also been active in their efforts to defeat the aspiration of their city to free itself from the water monopoly. The most absurd statements have been made: that it was a scheme of politicians to loot the city; that the government was being robbed of water power worth untold millions; that the government had no right to give this Garden of Eden, the valley, into the hands of despoilers; and so on. Statements of the ability of the city to get water elsewhere in the Sierra Nevada or from the Spring Valley company have been made in utter ignorance of conditions as they exist. The editor of a literary magazine has become in a day an authority upon the water possibilities and requirements of a great city and from a source which he has never seen. No hesitation has been shown in distorting the statements of engineers in order to prove the exact opposite of the meaning of the statement. Cretaceous mud may as well appear as advocating other sources because, in a report made thirty-four years ago, he examined a number of sources for the city. Yet the veracious opponents ignore the fact that it was while Colonel Mendel was commissioner of public works that Mr. Grunsky, reported on and selected the Hetch-Hetchy valley as the most favorable site and source of supply. This is given here merely as a sample of the distorted statements which are being urged upon Congress and against which the representatives of the city are struggling.

Questions and Answers.

The city has voted overwhelmingly in favor of the Hetch-Hetchy project and our bill is now in Congress. So the matter rests at present. A number of valid questions have been raised in the discussion which it will be of interest to examine briefly.

Why not continue getting water from Spring Valley?

This is a question the people have settled. The problem of water supply is too big for a company to take care of, and the experience of American cities is against private control of water supply.

Why not buy the Spring Valley company and develop their sources, which they claim will yield 109,000,000 gallons a day?

The representatives of the city are willing to buy the properties of the company at a reasonable price. The charter compels the city to ask of the company a price for which they will sell. They have repeatedly refused to name a price. Some tentative offers were advanced when Captain Payson was president,

but these have been withdrawn. The purchase of the company is advised by engineers, as their reservoirs are needed at this end of the long pipe from the mountains and their distribution system is needed in the city.

Litigation Threatens Spring Valley Supply.

The city now owns about 33,000,000 gallons of water a day. Spring Valley can supply about 35,000,000 gallons a day from its present development. They own reservoir sites on Alameda creek and tributaries, and claim to be able to develop 109,000,000 gallons a day, mostly on this creek. Nearly one-half of the present supply—some 16,000,000 gallons—is drawn from the gravel beds of Alameda creek. These gravel beds underlie a rich farming region and the winter floods flow into the gravel beds and fertilize the farm lands. The water company has been drawing off this water and the lands have suffered. A number of lawsuits, asking damages and injunction, have been filed against the water company and more are to follow. A line of decisions in similar cases indicates judgment against the water company. It matters not whether the water is drawn out of the gravel beds or prevented by dams from running into them; the result is the same. Instead of being able to develop additional supplies on Alameda creek, the Spring Valley Water Company is fighting for the right to take what constitutes nearly one-half its present supply. If Spring Valley was purchased by the city the Hetch-Hetchy would still be necessary as a final solution of the problem.

If the city wants Spring Valley and the company will not sell, why not condemn the plant?

To condemn a private property, it must be shown that it will be put to a superior use. As the city will use the property for the same purpose, superior use cannot be shown. A bill has been introduced at Sacramento which will allow such property to be condemned, but some authorities doubt whether it be constitutional.

What is the use of owning a water supply? The constitution gives the supervisors the right to regulate rates. Why not depend upon that?

Good in theory, bad in practice. When the rates are what the company want, they agree. When they think the rates too low, they have a court issue an injunction and tie up the subject. Such has been the case for nine years, the rates of each year having been nullified by injunction. Oakland experienced the same trouble. There is no relief by this method.

If it be necessary to go to the Sierra Nevada, why not take some other river, or Lake Tahoe, and not despoil the Hetch-Hetchy valley?

The waters of Lake Tahoe are used on the government irrigation project at Fallon, and a contest is being waged with Nevada. The reservoir sites and the waters of all other possible rivers are in private ownership. On the San Joaquin, Stanislaus, Mokelumne, American, and Yuba rivers are large electric power plants which use the water. It is also used for irrigation. The development of the long distance transmission of water power by electricity was first started in this state. Private interests recognized its value and the rivers have all been secured. At Lake Eleanor a private company has claims.

If this be true, what is the meaning of the number of projects offered the city?

The charter compels the supervisors to entertain offers. It costs nothing to make an offer, and any one with a ditch and a mud puddle in the mountains can say he has a water supply. Of all the worthless projects which have from time to time been offered, there has been but one which had the backing of responsible men who based their offer on definite knowledge. That company was the Bay View Water company, who did make careful surveys, under an engineer, of a source on the American and Cosumnes rivers. Their

(Continued on next page.)

THE GRAFT CASES

The Calhoun-case mountain, having labored through another week, has brought forth a diminutive mouse in the shape of another jury passed and subject to peremptory challenge. John T. Costello, an insurance man, is the possible juror who has been thus added to the list, and, at this writing he is the eleventh man in the box.

To attain this result—eleven prospective jurors, every man of them subject to peremptory challenge—1275 veniremen have been summoned, and two months of time have been consumed, all as incomplete part of a trial in which it was announced that no advantage would be taken of technicalities.

The day when the evidence will go to the jury still seems far away, and it will not be so strange as regrettable if another month shall pass before it is here.

Doctors have disagreed concerning the physical condition of Theodore V. Halsey, the indicted official of the Pacific States Telephone company. Those who are employed by him announce that he is suffering from incipient tuberculosis and that the wound due to an operation for appendicitis has not healed. On the contrary, physicians appointed by the court report that Halsey shows no signs of tuberculosis and that the wound has healed. In the face of such a disagreement on the part of the learned, Judge Dunne has decided that he will call the case from time to time until he is convinced that the defendant is able to endure trial.

Last Tuesday Judge Dunne imposed a sentence of seven years in San Quentin upon Michael W. Coffey, the former supervisor whom a jury found guilty of accepting a bribe of \$4,000—in behalf of somebody—to vote for the overhead-trolley franchise. A sentence of five years' imprisonment might have been imposed, but Assistant District Attorney William Hoff Cook asked that justice be tempered by mercy, and so Coffey's time was reduced to seven years. The case will be appealed.

District Attorney Bullock of San Mateo county, charged with misfeasance in office, was acquitted by a jury last Saturday. The trials of the other officials under indictment will be pushed to a conclusion.

("Hetch-Hetchy"—Concluded.)

price for their rights and some construction—not for a pipe line and accessories—was over \$10,000,000.

If water must be taken from the Tuolumne, why is it necessary to turn Hetch-Hetchy valley into a lake? Why not take water from the river?

The summer flow of the river belongs to the irrigation districts below. The reservoir is needed to store the winter flood water, which is the only water the city can take. There is no other storage reservoir site available. There is ample water but few storage sites.

Would not the government be giving to San Francisco water rights worth many millions of dollars if it used to develop electric power? All the water-power which can be developed will be used to pump the same water over the Altamont summit of the Coast Range. If any excess power be developed it must, by the terms of the grant, be sold to the irrigation districts at cost for pumping water. Talk of private enrichment from this source is sheer nonsense.

I have never been to Hetch-Hetchy. Where is it and what is it like?

It is northwest of, and about a day's journey from, the Yosemite valley. It is about three quarters of a mile wide and five miles long. The cliffs and waterfalls are inferior to the Yosemite. It is off the main line of travel up into the mountains. It can only be reached by trail. The lower end of the valley is a swampy field producing in summer innumerable mosquitoes. It can be visited in July, August and September, but at other times is inaccessible because of snow or mosquitoes. If used as a reservoir, the entire valley would be flooded and made a mountain lake.

If made into a lake, would not the trails through the valley into the higher mountains be obliterated?

No. Under the terms of the grant, the Secretary of the Interior has ruled that he can compel the city to rebuild the trail connections around the valley.

If San Francisco uses the water of the Tuolumne, will it not be insisted that people be kept off the watershed which lies in the higher mountains? These mountains are some of the grandest in America, and will not this prevent their enjoyment by the entire people to whom this park belongs?

This question is the only one of any validity raised by the so-called nature lovers. To turn the valley into a lake would be but to substitute one form of natural beauty for another. To exclude the people from the upper Tuolumne would be a signal deprivation of a common right. No such idea is contemplated by the representatives of the city. The Park, which includes the mountains, is in the control of the government. It is guarded by soldiers and one is not now allowed entry. In the Yosemite Valley, which is in the same Park, the army restrictions prevent pollution of the water of the Merced river. This valley is visited by thousands each year and they suffer no hardship from this cause. Similar regulations are in force in the Tuolumne Meadows.

It is recognized that more and greater care is being taken by cities of their water supplies, but the term is a relative one. The big cities of the eastern states draw their supplies from districts populated by farms and villages. New York takes water from the Croton watershed, a farming region; Philadelphia from the Schuylkill, the sewer of other cities; St. Louis from the Mississippi, which receives, not far above, the Chicago drainage canal. There is no comparison between such sources and the snow fields of Mount Dana and Mount Lyell. Though thousands may visit the upper mountains, they will suffer no hardships by conforming to reasonable regulations of conduct such as now obtain in Yosemite.

Would it not be well if all the bay cities united in this project?

Yes. A bill introduced by representatives of San Francisco and Oakland has been presented at Sacramento allowing such united action.

Unanimous Sentiment Urgent Now.

Such is the water situation. The bay cities have practically reached the limit of their present supplies and the owners cannot or will not increase them. Although there is some disagreement, it is generally believed that the only permanent source of supply within the financial capacity of the city to obtain is the Hetch-Hetchy project. There are others in the Sierra Nevada, but it will need the purse of a Carnegie to buy out the private owners, and this the city cannot do. The Spring Valley company opposes the grant to the city, recognizing that the city would be in a better position to talk over the sale of that company's property. A most ignorant opposition has been aroused by the nature lovers, and Congress hesitates. San Francisco should recognize the urgency of the case, her hopeless situation without this source of supply, and let Congress learn in certain tones that she wants the bill to pass. Ultimately the valley will be given us and all the satisfaction the nature lovers will have is that they held back the project a certain time. They can also have the knowledge that they have added to the growing exasperation against government control of the forest reserves. Such reserves are not for the idle camper or tourist, but for the use of the millions of people who will never see them. That is their highest use, and it transcends the other use as far as the wants of the many ever exceed those of the few.

Long after we started talking of Hetch-Hetchy, Los Angeles commenced a project for a water supply from the Owens river. They purchased the water rights, obtained the government permission to use a storage site, voted their bonds, and now the returning traveler can see the aqueduct stretching across the Mohave desert, partly finished. We are still talking and fighting the enemies that are among us.

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WHAT does a confirmed bachelor like you know about romance?" exclaimed one of the ladies to Major McCarthy, as they seated themselves upon the verandah of Colonel Armstrong's house in the Presidio. Dinner was over, and the other men had strolled off with their cigars, leaving McCarthy to entertain their wives and sweethearts. The evening was warm, and the verandah caught a little breeze that sprang up as the last dusky glow of sunset faded into darkness.

The Major was a young man for his rank—not more than thirty-three—but he had jumped a few grades for conspicuous gallantry in the Spanish war.

"Romance! Little enough I know about it; my greatest misfortune," and the Major bowed. "Still, I have seen the thing the poets talk about, the light that lies in woman's eyes—not for me," he added hastily. "A friend of mine. But that was years ago, and so, of course—"

"Oh, tell us about it!" the ladies cried. "Do tell us."

"New, Major, you mustn't refuse. To rouse our curiosity like that and leave it to itself."

And the ladies settled themselves, rustlingly, with an expectant finality that left the Major helplessly committed to his narrative.

Well, he began, it was while I was at West Point. My best friend in those days was John Wilkeson. He was a good ten years older than I, but I was rather old for my age then—you know how some boys are—and we had taken to each other from the time I was fifteen, and in high school, and he was just graduating from Harvard Law School. This was up in New Hampshire, where we were reared: Manchester, you know, where the big cotton mills are. John's father was the

"agent," as they call the superintendent, of the Amoskeag Corporation that owns most of the mills. The old gentleman was pretty much of a grandee and didn't approve of John's intimacy with a wheelwright's son—but that hasn't anything to do with my story. John didn't care for that, anyhow.

Pretty soon he went to Boston to go into a law office, and I got my appointment to West Point. John had a hand in that—but that's out of the story, too. We kept up a correspondence, though, and pretty soon John wrote me that he was going to New York to strike out for himself in a bigger field. He did well, and by the time I was ready to graduate he had a pretty good practice.

He came up to the Point to see me blossom out a second lieutenant, and invited me down to spend the first week of my vacation with him.

"I'd ask you for longer, Mac," he said, "but I'm going to be married a week from Wednesday, and I want you to be my best man."

"What's this?" I roared.

"Remember Miss Warner, that visited the girls just before I came to Boston? Came down from New York for a week just after the strike."

I remembered, and I knew he had caught a beauty, and a fortune, too. Well, I went home with him. He had a second floor of an old farmhouse near Metuchen, New Jersey, fitted up for bachelor quarters, and he commuted on the Pennsylvania to New York.

Naturally, I didn't see much of him. We would go to town together in the morning, and I would walk from the ferry with him to his office in Nassau street, and then I would leave him and amuse myself around town all morning, lunch with him at the Hardware Club at noon, and not see him again till next morning. He spent his evenings with Her, of course, and I did mine at the theater.

The last Monday morning, though, he said to me, as we got on the train at Metuchen, "By the way, Mac, I want you to meet me at the office at five o'clock to-night. Miss Warner has a session with the dressmaker for this evening, and I've accepted an invitation for you and me from one of my Italian clients. I get a good deal of business through him, and he wants to give me a little farewell dinner, at Gonfalone's, down on Eighth street. Then we're to go to a dance in the Italian quarter on Lower Fifth avenue, below Washington

THE MAJOR'S STORY

By E. FRENCH STROTHER

Square, for the rest of the evening. You'll enjoy it. Don't forget. Five o'clock."

I was glad enough, of course, and agreed to be on hand. John handed me the World and he took the Sun, and we read the papers till we got to Jersey City. John was sitting next the aisle and got out of the seat ahead of me. As he got out, a slip of paper fluttered to the floor and I picked it up before following him. I glanced at it, looked again, and stuck it in my pocket. Evidently it wasn't his, for he had been sitting on it. So I didn't mention it to him. But it interested me, and I thought I would look at it more closely later. We parted at the head of Nassau square, and I took the "L" up to Herald Square, to take in the sights.

In the car I fished out that slip of paper and looked it over carefully. It was a curious colored bit of stationery, an odd shade of tan. On it, in a woman's handwriting, unmistakably, was written:

"This color. This perfume. 6:30 p. m., Monday."

I held it up and smelled it. The perfume was as odd as the color—an Old Worldly scent, delicate, but penetrating, and quite new to me. I read it again, smelled it again, and tossed it on the floor.

"Some lady with a fancy for old stationery," I thought, "who meant this for a sample, and noted the hour of delivery on it."

Broadway was pretty well lit up as John and I swung into it from Maiden Lane a few minutes after five. It was late fall, and dusk came early.

"Let's walk," said John. "This air is fine, and we'll be early at Gonfalone's at that. Let's see; it's only five five now. We'll have time to walk up to the Park and ride back before we're due for dinner."

So we struck out at a stiff pace to walk that five miles as an appetizer. By the time we got to Madison Square it was the best time to see the streets. Crowds upon crowds, lights everywhere, carriages jammed from curb to curb, restaurants crowded, theatrical signs glowing like bonfires. Above Herald Square there was less crowd and less light. That was before the Rialto moved up to Longacre.

At Fifth street I noticed a Longacre cab pass us and stop at the opposite curb a block ahead of us, and a woman step out and pay the driver. She stood on the corner and looked in both directions, and then crossed to our side of the street and stood under the glare of a street lamp. She was heavily veiled, and had her back toward us, but as she heard us come up behind her, she faced round. The wind blew her cloak back, disclosing an odd-colored tan waist, and she lifted her veil to her hat, and stepped directly in front of John, with her face showing full in the light of the lamp. She stood so for only a moment, her veil dropped, she thrust a slip of paper at John, and hurried off into the side street, buttoning her cloak, and leaving behind her the faint odor of a curious Old-Worldly perfume. It was the color and the perfume of the note I had read. I looked at my watch. It was exactly 6:30 o'clock.

I looked at John and his face was the oddest sight I have ever seen. Perplexity, embarrassment, and humor were all mixed up in his look. He handed me the slip of paper. On it was written, in the same handwriting,

"Look for me to-night. Watch."

"What do you mean of it?" asked John as I handed it back to him.

"Lots of things—or nothing," said I. "A warning, a threat, a lunatic, or an affair." "Lunatic is my guess," John said, and we walked on.

The dinner at Gonfalone's was a great success. Our host was a prosperous-looking Italian, rather handsome, middle-aged, and fat. We left the restaurant at eleven o'clock and walked across Washington Square, now silent and deserted. Below the square the street was darker and only the roof of an elevated train interrupted the visible chatter of Pontelli as we penetrated Little Italy. At a grimy doorway with a battered knocker we halted and turned in.

The ball was furiously in progress. Piano and guitars were doing the music, and the Italian wine had given the men the ardor of passion and the mood of gaiety. The women were dazzling. You know the Italian love for gorgeous color. That room was ablaze with it—costumes darily yellow and blue and red—splendid laughter, chatter, a dizzy whirl of humanity and a chaotic spectrum of gowns.

We were introduced, got partners quickly, and joined the dancers. I lost John, but after the dance, while refreshments were being served, I ran across him and Pontelli in a dark corner of the room, sitting alone. I joined them and we watched the couples promenading across the floor.

"If you're going to look for the lady to-night, we'd better be going," I laughed.

"No such foolishness," said John. "Never saw her before and never expect to again," and then we both snorted. Faintly, but unmistakably, an odd perfume came distinguishable from the musk and cologne that saturated the heavy air. Guiltily, we both looked about us in silence. A man and a woman on his arm, passed before us, the woman with her face turned to her escort, and away from us. She was dressed in tan.

Pontelli grasped John's arm. "Signor, look! Magnini! you have heard of him. They say—his voice fell to a whisper—"they say he is the leader of the Mafia."

"The Black Hand?"

"Si."

"And the girl?"

"His betrothed, Maria Antognini. They say her parents gave her to him through fear. She does not love him."

The couple had passed on to the end of the room, turned, and came back. As they came near, we could see the girl's face. We had seen it before—under the street lamp. But we had not realized that she was beautiful. She was stunning: big, black eyes; complexion perfect; the ideal of a brunette beauty. Pontelli stepped out, and spoke to the man. John sat like a statue. Pontelli beckoned to us and I stepped over. John stayed behind. Pontelli introduced me, as I stood facing Magnini, whose back was toward John. As we talked, the girl stepped back, turned away a moment, facing John, and then, ladies, I saw the wonder for the only time in my life—a look in the eyes that spoke the whole story of passion in a glance. I could see John's face, like a mask, in the shadow. The girl's eyes dropped, and she turned back to her point of departure, then at John, made a motion of drawing a purse from a pocket, gave a look of interrogation and then of menace, shook her head, drew her hand across her throat, and then, pointing at Magnini, shook her head warningly, and turned—that I look again at John.

It was the work of a second only, and she turned back to us and joined gayly in our conversation. Pontelli went back for John, and introduced him. I noticed Magnini, and I could see him sizing John up—face, figure, and all. Half an hour later we were on the street-car bound for the ferry.

"Did you ever hear from the Black Hand?" I asked.

"Yes, about six months ago. Wanted a thousand. But that's all rot, you know. I never heard any more about it."

"Until to-night," I said.

"Bosh!" John replied, and I dropped the subject.

The boat was nearly empty; only a few

"The Major's Story"—Concluded.

Italian laborers going across to join the night shift on the tunnel, and a solitary passenger in an automobile that had caught the boat at the last minute. We walked up and down the deck, in the dark. About midstream, as we turned at the end of the promenade to walk back, we were surrounded in silence by the laborers. Among them, we could dimly see the white outline of a dress-shirt.

I knocked down the man nearest me and John got another and we backed up against the deck house wall and kept hitting. There wasn't a sound, but we hadn't struck two blows before twenty policemen sped around the corner and evened the odds. Clubs and pistols and handcuffs finished the gang. We all rounded up in the light inside.

For God's sake, Mr. Wilkeson, how'd you get here?" asked the police captain, still puffing.

"That you, Jim?" asked John. "Pretty near got us, eh? How'd you happen around?"

"Sh! Tipped off by 'phone—a lady. Say, who's your friend?"

"Him?" pointing at me. "Naw! The signorita."

"Search me."

"Well, we've got the worst of the bunch this time, with the goods on him. Come here, Maggie," and the captain jerked the man in the dress suit around. It was Magnini!

He and John sized each other up again, in silence. Then Magnini whispered,

"So! Signorita tell. Sol!" and he drew his hand across his throat. "For her," he added.

We all took the same boat back to the city, and after we had seen Magnini locked up and John had sworn to the charge of blackmail and assault to commit murder, we took a cab.

"I'll have to find that girl and have her guarded," John said. We drove to Pontelli's, and got him out of bed to tell us Signorita Antognini's address. The house was lighted. John knocked, and an old man appeared.

"The girl is gone to the States," he said. "We have search all night. She ees not come home."

We went back to headquarters. A detective was detailed on the job.

"Tried the Morgue?" he asked.

"Morgue! Heavens, no!"

"I'll call 'em."

That ghastly idea had not occurred to us. The detective hung up the receiver.

"Nothing doing there," he said.

We breathed again. The detective got all the details from John, and then said:

"Go on to a hotel. You can't do anything till morning. I'll let you know what I find. Hotel Cambridge, you said?"

At breakfast I picked up a newspaper. The front page was full of the story of our adventure, and lurid descriptions of Magnini's escapades. I read them through, and turned to the next page. In an obscure corner was a small item:

"Unidentified Girl in the Morgue."

"The body of a girl was picked up in the Pennsylvania slip at Twenty-third street at 3 a. m., where it was seen floating by a deck-hand on the 'Pittsburgh.' The girl was evidently an Italian, and all the indications point toward suicide. The body has not been identified, the only clue being a ball gown of rather an unusual shade of tan."

I guess that tells the story, ladies.

"But, goodness, Major, don't stop there. What became of Magnini? Did they identify the girl? What became of Mr. Wilkeson?"

"The rest is very prosaic," protested the Major. "And unromantic. Magnini got twenty years. The girl was Maria. John married Miss Warner, and is very happy. But—that look, my-dear Miss Lord, was the point. I know romance when I see it do I not?"

"You said she gave Mr. Wilkeson that look that you saw, didn't you?"

"I did," replied the Major, solemnly. "To John—not me."

Homer Davenport has turned lecturer, using the only collection of photographs ever made of the Bedouin tribes as the basis of a lecture on his five months' stay in the Arabian desert.

Automobile Notes.

Robert Guggenheim, of New York, has offered a trophy for a transcontinental automobile race with Seattle as the objective point, to be run during and under the sanction of the Alaska-Yukon Exposition. The continent has been crossed on seventeen different occasions. In 1903, Jackson and Crocker in a Winton, Fitch and Karup in a Packard, and Whitman and Hammond in an Oldsmobile made the trip from San Francisco to New York. Whitman again crossed the continent in 1904 using a Franklin car, with Carris as his companion.

In 1906 occurred the famous transcontinental race between two Oldsmobiles, named Old Scout and Old Steady. Huss and Wigle were matched in this event against Megargel and Stanchfield. The objective point of this race was Portland, Ore. Later in the same year Megargel accompanied by Fassett crossed the continent in a Reo, returning in 1906 by the southern route.

The ninth successful trip was made in the summer of 1906 by Gehr and Canfield, who reached Wenatchee, Wash., in a Glide at about the time that Whitman and Carris, veterans of the 1904 trip, started from San Francisco for New York in a Franklin. Little and Haggerty made a transcontinental trip in 1906, driving a Buick. Then 1907 was an off year and the possibilities of transcontinental touring were not revived until 1908, when a Thomas, Stutz and De Dion crossed the country.

J. M. Murdoch in a Packard went East from Los Angeles during the last summer while H. A. Hoover went over the road from Seattle in a Maxwell. Last summer also saw the round trip to San Francisco consummated, F. W. Work and C. J. Maxson crossing in an Oldsmobile. F. A. Trinke journeyed from Detroit to San Francisco and from Detroit to New York during the last year. The information culled during these journeys is now being digested and the route offering the least resistance will be selected for the contest for the Guggenheim trophy. It is hoped that a new record for speed across the continent will be established.

Alliterative Absurdities.

If you caught a capacious curate killing ciphers for the cook

In the cloisters with a club yclept a ceeper,
Would you say he was as wily

As a cunning crocodile
Catching cockles with a corkscrew in a creek?

If you beheld a battleboat bombarding Biscay Bay
While the big guns bellowed bold from brazen throat,

Would you say it was as funny
As a bouncing blue-back bunny

Blowing bubbles with a hobby in a boat?
If you saw a driving dreamer drowning duck

ling in a ditch,
And deducting data dry as dust to see,

Would you say that this death dealer
Was of ducks and drakes a stealer,
Or of Darwin's dead ideas a devotee?

—Vanity Fair.

"I ran across an old acquaintance the other day." "Casually, or in your automobile?"—Baltimore American.

Small Boy: What does et cetera mean? Grown Friend: That's Latin. It means "and so on." Small Boy: Well, I wish mamma would learn Latin et cetera the buttons of my pants!—New York Times.

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PERSONALIA

Wallace Irwin's "Letters of a Japanese Schoolboy" were issued in book form last Friday by Doubleday Page & company.

Does the ditto in Laurence Ditto Young's name refer to either word in that author's newest novel "The Climbing Doom"? If so, which?

Julia Marlowe's hobby is book-binding, in which she became interested while sojourning in the German village of Nauheim, seeking relief from indigestion.

The sensation created by "Three Weeks" has hardly subsided in California, and now Elinor Glyn announces the forthcoming publication of a new novel, "Elizabeth Visits America."

Irvine Bacheller, F. Hopkinson Smith, and John Kendrick Bangs are associated on the lecture platform this season in a series of "dramatic" readings. Why dramatic?

Stanley Weyman, who wrote "Under the Red Robe" and a host of other good romances of the Middle Ages, announces that "The Wild Geese," just published, is the last novel he will write.

Ella Hamilton Durlay has written an answer to the exquisite "Lady of the Decoration," which she calls "My Soldier Lady," and in which she gives the Kentucky side of that appealing correspondence.

Miss Agnes Irwin, dean of Radcliffe college for women, has announced that she will lay down the duties of her office at the close of her fifteenth year, on the first of next September, in order to take a long vacation for rest and travel.

Sir John Lubbock (now Lord Avebury) has recently added to his famous "Pleasures of Life" a companion volume called "Peace and Happiness." Sir John is a banker, an M. P., and the recipient of more than sixty college degrees.

Mrs. J. A. Beggs, now of Seattle, is said to have produced the only rose absolutely without thorns. She was for several years a neighbor of Luther Burbank in California, where she studied his methods. The bloom of this thornless rose is reported to be of unusual beauty.

Ex-President Roosevelt's latest biographer is Mike Donovan, formerly middle-weight pugilistic champion and now athletic director of the New York Athletic club, who tells, in "The Roosevelt That I Knew," of the strenuous one's activities behind the closed doors of the White House.

James B. Connolly started out with a letter from President Roosevelt to join the returning fleet at Gibraltar. He returned, instead, via the "Baltic" to which he was transferred in a life-boat from the sinking "Republic." But he had a better story than the one he started out to get. A reporter could ask no better luck.

James H. Collins, who writes the "business system stuff" for The Saturday Evening Post, is a slender, bespectacled young man who lived above Fleischmann's cafe, next to Grace church in New York for some time, beholding on one side the aristocratic worship-place of the business man, and, on the other, the bread-line that has formed nightly for years at the cafe's rear entrance.

Secretary Knox has a remarkable memory; can sleep whenever he wills to do so and waken at a specified moment; drives the finest fish-harvest team in the country; is fond of fishing and golf; is an omnivorous reader of newspapers and magazines; loathes the telephone, which he will not have about his house; is an Episcopalian; and has a favorite residence at historic Valley Forge, besides one in Pittsburgh and another in Washington. He is reputed to have received \$200,000 as a single fee while a corporation attorney, before entering public life.

SHEAR WIT

"I understand you bought it for a mere song?" "Well, I gave notes."—Houston Post.

The Master: Now can you tell me what the olfactory organ is? The boy: Please sir, no sir. The Master: Quite right.—The Sketch.

Kwoter: It's a very true saying that "silence is golden"—and Wise: Not always. In the case of a politician accused of crookedness it's usually merely gilt.—Catholic Standard and Times.

Redd: Didn't I see you going along in your automobile to-day? Greene: What time? Redd: Four o'clock. Greene: Four o'clock? Oh, yes, we were going then!—Yonkers Statesman.

"How did you contrive to cultivate such a beautiful black eye?" asked Brown. "Oh," replied Fogg, who had been practicing upon roller-skates, "I raised it from a slip."—United Presbyterian.

"Why don't you read up on scientific farming?" "I started that once," answered Mr. Cornstossel. "It didn't pay. I got so interested readin' that I forgot to go out and farm."—Washington Star.

Photographer (to young man): It will make a much better picture if you put your hand on your father's shoulder. The Father: Huh! It would be much more natural if he had his hand in my pocket.—Lustige Welt.

"Ah," complained the visiting nobleman, "but you have no privileged classes in this country." "We haven't, eh?" replied the prominent citizen. "You ought to be out some night when a gang of college boys are on a tear."—Chicago Record-Herald.

Customer: "How does it happen that these things have suddenly gone up 50 per cent.?" New boy, amused at customer's ignorance, "Why, huh, don't you hear? The tariff duty on these things have gone up 5 per cent."—New York Weekly.

Myrtle: Have you ever tried to figure out what Shakespeare meant by the words, "Stand not upon the order of your going?" George: No. Have you? Myrtle: Yes. The definition is "Don't wait for a house to fall on you."—Syracuse Herald.

One day while inspecting a log jam in the St. Croix river, the boss passed six Indians. In a spirit of good nature he hailed the Indians and said: "Break that jam, boys, and I'll put your names in the paper." "Ugh!" responded one after a pause. "Six Indians dead in paper, but we no see it."—Cleveland Leader.

"Was he a drinking man?" asked counsel of a woman who was testifying on the stand in regard to the habits of her husband. "Well," was the reply, "for the first six months after our marriage he didn't drink any to speak of, but after that he drank to great success."—Boston Record.

"I told that poor young widow," began Mrs. Neurich, "that you'd give her boy work if—" "Well, I won't," interrupted Neurich. "She sent him to-day with a note that said: 'I must end employment for my son, even if he works for a mere pittance.' The nerve of her callin' me a mere pittance!"

Small Boy (appling for situation): What kind of a boy does yer want? Merchant: A nice quiet boy that doesn't use bad words, smoke cigarettes, whistle around the office, play tricks, or get into mischief—Small Boy: Yer don't want no boy; yer wants a goal. See?—St. Louis Times.

Texas Journalism.—On this beautiful sun-kissed Sabbath morning when the Lord and all His angels, and the Texas legislature, are with us in Heavenly Houston—the City of Anthonis—it is a sweetly solemn thought that we may, without interruption, offer up the devout prayer that the Father may bless the legislature and relieve it of the divine task of saving Grand Old Texas.—Houston Post.

Sentry: Halt! Who goes there? Private Jones: Friend who has a bottle. Sentry: Pass, friend! Halt, bottle!—Punch.

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OUR SCHOOL FOR CITIZENSHIP

Constitutional Rights.

The world has been more familiar with wrongs than with rights. Born with it is there is an innate desire to compel others to do what we think they should do. Unchecked by a power of resistance equally strong with the power for aggression, tyranny results and tyranny is odious, and only less odious when it believes itself benevolent than when it knows itself to be predatory.

Against this tendency men have had to struggle. Against autocratic power in the hands of one person, who was abusing it, men first placed the ambitions of some other person eager to possess the same kind of power and, often, as prone to abuse it. Later, men learned to present an organized resistance to tyranny in the name of the collective good and, finally, in the name of personal liberty, so that each man's house became, metaphorically speaking, his castle, and no one could enter it against his will unless he had himself first transgressed the law. The rise of humankind, from a condition wherein the lives of all were held in the hollow of the hand of some autocrat, to the status of to-day, when each person goes forth in the conscious dignity of liberty regulated by law, is too long a story to be told here. It has been the struggle of the ages.

While the adoption of the Constitution of the United States was under discussion a movement began that soon resulted in adding ten amendments, nine of which were specifically intended to safeguard individual rights and to make those safeguards a part of the framework of government. To us, of this day, these precautions seem, as they seemed to the makers of the constitution, superfluous, being so written into the constitution of men as to make them unnecessary to be written into the framework of government, but the people felt better when they were safely written into the great document.

The first declaration in the first amendment is that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." It would seem inconceivable that any man should wish to oppress his brother in the name of our Heavenly Father, and especially in the name of one who sought always to "draw men unto him," but never to drive, and yet the most pitiless persecutions human history has known were inflicted "In His Name," not by one denomination alone but by nearly all. It required more than fifteen centuries for Christians to learn toleration for the religious views of others. All wanted religious liberty for themselves, but few wanted it for anyone except themselves. We have so far learned our lesson of toleration that we now only boycott each other for religious differences, and strive to keep each other from holding office. This marks great progress.

Yet religion is the best police force the world has ever discovered, and quite the cheapest, too. It has proven the greatest solvent of human asperities, the greatest leveler of inequalities of condition, that statesmanship has discovered. At the lowly intel of the tomb all men are equal and those who pass under are brothers.

This acknowledged value of religion as the handmaid of law has compelled recognition of that service, so whenever any denomination can secure state aid it is certain to strive for it, and sometimes gets it in ways that, though indirect, are substantial. The most common method is to exempt church property from taxation, while not exempting property devoted to forms of benevolence not clearly religious in character. From the standpoint of a logician the policy of exemption from taxation of church property is not very defensible, but from the standpoint of a fair recognition of useful service this is about as little as organized society would be justified in doing.

It has been a grief to many that our constitution contains no reference to the deity. There is an implied recognition of a supreme being in that an oath of office is required,

although affirmation will suffice, for, by custom, an oath reads, "And so help me Almighty God," but the section that provides for an oath of office forbids any religious test as a qualification for office, so that an atheist may qualify for office—if he can get elected.

For, as we have sought to point out all along, there is a great difference between government according to the written constitution and government according to the constitution of the citizenship of the United States. In theory God is not in our constitution. In fact belief in God is an unspoken part of American life and expresses itself in every function of government. Days of Thanksgiving and prayer are ordered by proclamation of the President, and, at every crisis in public affairs, the throne of Jehovah is besought for blessings upon our flag and our official personnel with as deep a spirit of devotion as though the name of the Deity were appealed to in every section of the constitution and sanctioned by every law.

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In taking this pledge it is distinctly understood that I in no way obligate myself to vote for any particular party, any definite candidate or any certain measure. I am binding myself only to my Country, and pledging myself solely to the faithful performance of the duty I owe to her as a citizen.

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Age

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WHY TAKE THE FOREGOING PLEDGE?

Those taking the foregoing pledge, signing and sending it to this office, will be enrolled upon The California Weekly's "School for Citizenship," which will be a permanent feature of this paper. It will entitle the person sending in his name to have answered, either through the columns of the paper or by letter, any rational question he may ask concerning public affairs, and, generally, by the person best equipped to afford the desired information. It will also entitle the signer to such special literature bearing upon the obligations and opportunities of good citizenship as may from time to time be issued. While this pledge is open to persons of all ages it is especially desired that it be taken and sent in by young men lately become voters or who will cast their first votes two years hence. It will take but a moment to clip out the pledge, sign, enclose in an envelope, stamp and address to "School for Citizenship," office The California Weekly, 26 Montgomery Street, San Francisco, and it opens the way for a liberal education in citizenship.

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THE CALIFORNIA WEEKLY

MARCH 12 : 09

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SIGNIFICANT EVENTS OF THE WEEK.

The decision of United States District Judge McPherson that the Missouri two-cent fare law is unconstitutional and void, because it confiscates property without due process of law, will occasion little surprise in either the railroad or the judicial world. The effort to fix railroad rates, and fix them on a flat basis, by inflexible legislation, is probably a mistake wherever attempted. Legislators cannot put themselves in possession of the necessary facts, but some means must be found for safeguarding the public from extortion and probably will be found. This decision is not regarded as final. It is worthy of note, too, that it does not question the power of a legislature to fix rates, only they must be fixed on information and not merely upon belief. There is the rub.

It is not impossible that the Republican insurgents and the Democrats in the House of Representatives may so far pool their issues as to force a reconstruction of house committees with the view of limiting the autocratic power of the speaker. There are intimations that the President is favorable to it and that Cannon may have to concede it in order to secure his re-election to the speakership. If the reform goes through the house will elect a bipartisan committee, of which the speaker will be chairman, to make up the committees of the house and report them to the house for adoption. This is in the general direction of making representative government more representative and deserves the support of all patriotic citizens.

Little credence should be given to the pernicious activities of journalistic busybodies bent on making of the new mistress of the White House a butterfly ambitious for brighter wings and for more of them than any of her predecessors have possessed. That she will do the honors of the executive mansion in good taste and with a matronly dignity is to be held in confident anticipation, but the news that she is particularly to strive to transfer the social center from New York to Washington is probably as untrue as unimportant, yet such is the news of the week.

Congress has been called to convene in extraordinary session, March 15th, to revise the tariff, and the President and the leaders in Senate and House have been holding conferences as to the lines upon which the tariff is to be revised. The gentleman with the expansive and engaging smile is known to favor substantial reductions all down the schedule, and it is not improbable that he will find himself up against Standard Oil before the initiative steps have been taken. Then we shall see which is the man of the hour, William Howard Taft or Abou Ben Aldrich, grand vizier of the interests. All that California especially asks in fixing the new schedule is that the two thousand miles of mountain and plain between her and the threshold of her market shall not be overlooked or forgotten. This she may claim of right.



WHAT OF THE CALIFORNIA WEEKLY?

This is the sixteenth issue of The California Weekly. It is time that those who receive it had some opinion about it.

We want, this coming week, a thousand letters bringing us a thousand frank, honest, clearly expressed opinions about the paper.

Tell us what you find in it that you like best.

Tell us what you find in it that you like least.

Tell us what you find in it that you dislike most.

Tell us what you do not find in it that you would like to.

Give us particular fits if you feel like it.

Do not be afraid of hurting our feelings.

Do not be afraid of spoiling us with too much praise.

Do not be afraid of anything except not being frank and open with us.

Above all things else do not ignore The California Weekly.

Give us leave to publish what you say if you are willing that we should. If you prefer, we will not publish your name though we should like to.

If you do not wish to write to us frankly over your own name, write anonymously, but write.

The paper is **yours**, not **ours**, and we want it to please **you** if it be in us to make it do so.

But remember this: The principles of the paper, no matter what you say, will not swerve from what they have been. It will stand for every good thing and against every bad one, as it is given us to know the good from the bad.

And we cannot add to the present scale of expenditure except as business grows.

Thirdly, we can only do what God put into us the capacity to do.

Within these limitations many things may be possible to make the paper better worth your patronage and our efforts.

Out of a multitude of suggestions we shall prove dull indeed if we get no new ideas.

Postscript.

While you are about it, please send us the names and addresses of a score or so of your friends who you think might subscribe for The California Weekly—especially if we were to follow your advice as to what kind of a paper we should make it.

Yours sincerely,

THE STAFF.

Outside of railroad and Standard Oil circles there will be universal disappointment in the failure of the government's attorneys at Chicago to make out their case against the Standard Oil company of Indiana. Their failure is purely technical, but it will suffice. Judge Anderson decided that the government had not proved that eighteen cents was the legal rate over the Chicago and Alton from Chicago to East St. Louis from which rate the Standard Oil received a rebate of twelve cents. All the attorneys for the government had been able to prove was that the Chicago and Alton, the Standard Oil company itself, and the oil-shipping public understood that to be the lawful rate. The defendant thought it was disobeying the law, the Chicago and Alton was so sure of it that it confessed its guilt, pleaded for, and received, immunity from punishment, but, according to this sapient court, all the parties to the transaction were as guiltless as babes although believing themselves to be as guilty as highway robbers. Such miscarriages of justice make the heart sick. The shadow has been taken instead of the substance, the letter instead of the spirit, the technical construction instead of the unlawful intent. Judge Anderson's decision may be good law, but it is mighty bad justice.

Surveyor General Kingsbury and Attorney General Webb have been putting forth praiseworthy efforts to save to the state from land-grabbers of unsavory repute, such of the state's broad acres as it has not already been euchered out of. The chief regret is that this stable door was not seen to until all the horses that were particularly worshipping having had been made off with. As a blunt fact the land laws of California, and the execution thereof, were designed from the first to flitch away from the state a wealth untold. It is a pity that Attorney General Webb so long deferred giving attention to this important interest of the state.

Rumors have floated out from Washington during the past week that Ambassador White Reid is to be recalled from the court of St. James's and that the place will be given either to Seth Low of New York, formerly president of Columbia College, or to Charles W. Eliot, who is soon to retire from the presidency of Harvard. Either of these gentlemen would be an admirable representative to the British government, but a certain sense of fitness would desire the appointment to go to President Eliot for the reason that he was born in England. To come back to the land of his birth as representative of the greatest republic to the greatest empire would prove a fitting finale to an eminent and most useful career.

In the election of George T. Oliver to the United States Senate, to succeed Secretary Knox, the Pennsylvania Republican machine has done about what any Republican machine would do under similar circumstances. Oliver was an understudy of Matt Quay and will pull in harness with Penrose like a plowhorse.

EXECUTE, NOT CRUCIFY.

A San Francisco correspondent for the Los Angeles Graphic (not the unspeakable paper it formerly was), bewails the system of espionage employed by the prosecution in eliminating undesirable jurors from the trial panel. There is no doubt that Mr. Heney desires to know all that can be known regarding every venireman brought into the box. There is no doubt that, if not forewarned, he will be foredoomed to failure by having to try his case before a jury packed in advance. The extremities of the case require, and justify, procedures as distasteful to himself as irritating to the veniremen.

Discrimination among prospective jurors is not to be exercised by eliciting yes and no answers to questions. The art of it consists in reading the characters of the men from every motion, look, accent. The biggest scoundrel may return the fairest answers. Rough-shod methods must sometimes be used to eliminate from the jury a man unsafe to sit there, although the venireman himself may not suspect his own unfitness.

The prosecution has to work against odds of twelve to one. If one juror out of the twelve insists to the end that the defendant is not guilty, that defendant, no matter how guilty he may be, cannot be convicted and punished. This is an odds that neither criminality nor innocence should longer possess, but they have it and the prosecution is up against that fact.

The theory of jury trials is that the jury, being taken summarily out of the community, will render such a verdict as the community would render. A jury so selected would, in the Calhoun case, inevitably disagree. If the people of San Francisco were to vote their sentiments on this it might be that three-fourths, and perhaps four-fifths, would vote "guilty as charged," but not all would vote. There would be a minority who, for one reason or another—sympathy, gratitude or weariness of the issue, would vote to let him go and throw in a certificate of good character to boot. The subsidizing of a pro-graft press was to this end and it has accomplished it. Hence a jury that fairly represents the community will not serve the purposes of the prosecution. It must take its case, if possible, before minds not yet made up, fallow minds, minds of a type that will decide according to the law and the evidence and not according to sympathy or prejudice, influence or bargain and sale. Therefore the task of Mr. Heney is Herculean.

The issue is not one we should suffer to be clouded by impressions regarding the modus operandi. The issue is as to whether justice is to be executed or crucified. The one element that makes the result doubtful, that causes the time for selecting a jury to be long drawn out, is the power which money places in the hands of one in possession of it. When the defendant is a poor man a jury to try his case is soon selected, the trial is soon over and a hundred chances to one, substantial justice is done. It must not be that a rich man may defy the law merely because he is rich. That were to crucify justice, not to execute it. Those who are striving with Mr. Heney to execute justice, and to prevent its crucifixion, will prove the saviors of society if it is to be saved, as it must be.

WHERE SAN FRANCISCO LOSES.

The upper San Joaquin valley, from the point where the San Joaquin river comes out upon the plain to Tejon pass, is just now the most progressive part of California. Large industries are starting, the oil industry has assumed big proportions, the towns are all

THE STAFF

A. J. PILLSBURY.....Editor and Manager
CHESTER H. ROWELL.....Associate
A. L. WATERHOUSE.....Assistant
E. BRANCH STROTHER.....Assistant
O. BLACK.....Business Manager

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growing and the farming country is settling up. It is a good buyer and no longer asks to be carried by the wholesalers from crop year to crop year. This district is as large as several New England states grouped together, and exceeds in area and fertility that Palestine which, at one time, supported a population of four million souls. Its trade is worth having.

San Francisco wants this trade. It feels that by right it ought to have it, and it has sought to hold it by trying to induce the railroads to emphasize the importance of Tehachapi mountain, in making rates, as a barrier to the audacity of Los Angeles in bidding for this trade. Los Angeles, per contra, has sought to have the existence of the mountain ignored in rate making, and there that issue hangs.

But the traveling men of the two cities have, meantime, been working the problem out, but not to the advantage of San Francisco. The San Francisco traveling man is a "kicker" rather than a "booster." Whenever he visits an interior town in this district his most manifest desire is to get out of it. He grumbles about the hotel, the climate, the small orders he gets and, with a unanimity not to his credit, he denounces the graft prosecution in San Francisco to a lot of men who wish to see millionaire law breakers punished as certainly as malefactors of a more common quality, even though business may be thereby temporarily hurt.

The Los Angeles traveling man comes into this district animated by a different spirit. No matter in what kind of a hotel or boarding house he has to tuck himself away he never "squels." He compliments his would-be "customer" on the appearance of his town, talks encouragingly of the business he has done, calls upon the board of trade or newspaper office for immigration literature to hand out to homeseekers when he gets back to Los Angeles, defends the graft prosecution and the moral influence of Roosevelt, and hopes sincerely that Taft will go right on with the good work. The result is that, despite the Tehachapi mountain over which freight has to be hauled, Los Angeles is breaking into San Francisco's preserves, and is making off with the cream of that trade.

What is here stated in blunt terms is made manifest in the district mentioned as a subtle, personal atmosphere, not easily described, but none the less influential for that. The Los Angeles spirit is recognized as breezy, hopeful, full of enthusiasm and of the spirit of good will. The San Francisco spirit, as manifested by its traveling men, is full of fault finding, is mercenary and betrays a for-God's-sake-give-me-an-order-quick-so-that-I-can-get-out spirit that makes his customer glad when he is gone.

Moral: Hire away from Los Angeles houses a few of their best men that they may renovate the personal atmosphere of San Francisco's

traveling men. The Los Angeles spirit may cause us to smile but its buoyancy is infectious.

AN AMBITIOUS PROGRAMME.

The prohibitionists have laid out for themselves an ambitious and far reaching campaign. It aims at nothing short of national prohibition by amendment of the constitution of the United States. The goal is to be attained progressively through precinct, ward, municipal, county and state prohibition until three-fourths of the states have gone dry, when the final coup will be administered in the form of issuing requisition upon Congress to submit such an amendment to the people for adoption. If courage, conviction and persistence can accomplish this end it will be accomplished.

But fifty-one voters out of each hundred will never keep forty-nine away from their beer and their wines, and it may be doubted if ninety can so restrain ten. The work of moral suasion will have to go far before it will find plenary power in its hands for dealing with this problem, and the public weal demands that so much liquor as is made and sold shall be made and sold under the regulation, and surveillance, of the law.

This is not saying that the American saloon will not cease to exist. It will. It has about as few friends as the smallpox. The only thing that can be worse is the "blind pig" and the "bootlegger." The progress prohibition is making measures public hatred of the saloon, not of wine, or beer or whisky, and if the brewers, distillers and wine makers make common cause with, and for, the saloon they will dig the graves of their industries. Those are blind indeed who cannot foresee that eventuality.

If prohibition is impracticable and the saloon must go, what is going to take its place? That is an easy question to ask but a difficult one to answer. Time alone can tell and that not very definitely, for no solution of the problem can permanently remain a solution. The conflict is irrepressible. It may be that some adaptation of the German garden, the French cafe or the Gobenburg system will be found best to fit our needs.

It would be well if moderate minded men, more zealous for making things better than they are, by the most practicable means available, than for combat to the death on behalf of an interest or an idea, were to get together with a serious purpose to work the problem out, tentatively if nothing more. The acceptable ground may not be the middle ground, but only the most feasible. The conservative mind must be the arbiter of the issue.

It may be something of a jolt to the extreme protectionist to run across these lines in President Taft's inaugural address: "In the making of a tariff bill the prime motive is taxation and the securing thereby of a revenue." The prime motive heretofore has been the securing of protection for American industries in the measure that political pressure could compel such protection. Revenue has been wholly incidental thereto. Mr. Taft has not quite taken the Democratic view of tariffs, which view contemplates a tariff for revenue only, in that he favors incidental protection. If Congress can be induced to take his view of the purpose of tariffs we shall have a much freer trade and a consequent substantial reduction in the cost of living in this country.

From one-fourth to one-third of all the blindness in the world is due to want of simple treatment of the eyes at the time of birth, and 20 per cent. of all the blindness in the world is caused by gonorrhoeal infection. What a fine field for sanitary education!

The Dangers of Africa.

While there are those who are drinking to the health of the lions there are thousands, perhaps millions, who view with an alarm amounting to a premonition of evil, the risks which Theodore Roosevelt will encounter on his African outing. They heartily wish that he were not going because they feel that there is still work in this country for him to do. It is not a fear that he may fall a prey to wild beasts, but that fevers, miasmas or some untoward accident may deprive his country of a personality still puissant for good. If the prayers of simple hearts for the safe conduct of one who travels by land and by sea may have efficacy to bring one home prosperously and in good time, then will Theodore Roosevelt return as well as he set forth, having had a "corking" good time and concluding a mission important to science and health.

The Harmony Banquet.

The idea of getting together at a banquet representatives of all factions in San Francisco's municipal affairs, with the view of promoting harmony among them, is a good one, but it will not be productive of the good that is needed unless it produces something more than harmony. It should result in unifying all interests favorable to progress and clean government and making them strike for progress and clean government with a propulsive power that the manum of civic unrighteousness cannot withstand. Keyed to concert pitch San Francisco can strike notes that thrill the nation, but unstrung, it is capable of a laxness humiliating to the race. With state legislation out of the way municipal affairs must come to the fore again.

Taft the Unbudgeable.

The leoprous press is facilitating itself in the hope that President Taft will prove no Roosevelt and betray no inclination to stand between the predatory interests and their prey. But what will it profit those interests to go up against an adamantine wall instead of a fiery furnace? Behind that expansive smile of Taft's there is an unflinching purpose, an undaunted moral heroism. He is only another Rudolph Spreckels, who also smiles winningly but was never yet swerved from the true line that he had laid down. Taft is no Roosevelt, certainly, but those who take him for an easy mark, or a soft proposition, will learn their mistake later on. When he said that he should make the Roosevelt policies his own he meant it even though the statement was not reinforced by a show of boot sole, a wave of a club or an outburst of strong language.

Was the Hand of Providence In It?

Russell Sage was not the first mean man to pile up money for a good woman to expend in good works, but he was probably the most pronounced example of his type. What splendid use that woman is making of those millions! What better use than, joining with others, to lay out, improve, build and fill up forty-eight acres of model tenements for working people to live in! And what a contrast between this idea and that of Trinity church, which is selling off its tenements, instead of remodeling them, that it may invest its millions in business property to pay a more remunerative income. Heaven grant the good woman length of days!

Cabinet of Lawyers.

President Taft made up his cabinet of six lawyers, one lawyer-merchant, one merchant and one farmer politician. Knox, Dickinson, Nagel, Wickersham, Ballinger and Hitchcock are all lawyers of illustrious position at the bar. MacVeagh is a graduate of Columbia Law School and practiced law several years with his distinguished brother, Wayne Mac-

Veagh, but gave up the work because his health failed and went to Chicago where he became a merchant. Meyer is a merchant and Jimmie Wilson a shrewd farmer-politician, more politician than farmer, but the most useful friend the farmers have had in the cabinet. There is no gainsaying the fact that the training a lawyer receives admirably fits him for all public activities except—the practice of the law. On that side his head is likely to become "tatter." He faces everything else with unclouded opinion and a mind trained to see things from their true perspective, but when it comes to the law he sees things through the wrong end of a telescope two centuries long and under a pile of whereas fifty cubits high. Therefore his conclusions seldom fit everyday human needs as they face him in rigid reality.

Why Roosevelt Went to the Outlook.

It is tremendously significant that the first citizen of America should ally his activities with a great weekly rather than a great daily newspaper, as Theodore Roosevelt has done. In the latest New York Outlook he tells what attracted him to that journal. In brief, it was because the Outlook had striven to be fair, and had always made a serious effort to find out what was true as well as to tell the truth. The Outlook strives to make money, but it subordinates making money to espousing any policy that promises to be in the lasting interests of the nation. The editorial staff of The California Weekly has been warned that it cannot hope to rival the Outlook in its field, but we can, and shall, rival it in adherence to those principles and policies which attracted to its staff the first citizen of America.

The Touts and the Courts.

There is little question that the race track people will fight the anti-race-track law to a finish. It is not in the nature of any predatory interest to accept the known will of the people as the law of the land if that will can by legal legerdemain be frustrated. Defeated in the legislature, appeal is to be taken to the courts and, probably, to the courts of Alameda county. The administration of justice in that county is in good hands, but the district attorney of Alameda county should not be left to carry the whole burden of defense of the law. There should be no lack of legal talent to aid in sustaining that law.

Important Conference of Railroad Men.

Report has it that Mr. E. H. Harriman, and a number of his associates, are to hold a conference in San Francisco in the near future. His conference may be of great consequence to this city, state and coast. No other man in the nation wields so much power as he. The California Weekly would like to see him in undisputed control of one trunk line of railroad (not two) from San Francisco bay straight through to New York harbor without a link missing and with all the feeders he wants. He is a splendid railroad builder and operator and has achieved great results for the good of commerce and industry. And why is it that he will not let our politics alone so that we may love him instead of hate him, trust him instead of dread him, honor him instead of blame him? Why must so great and so useful a citizen have as many faults as virtues, work as much harm as good? How inscrutable are thy ways, O genius!

Tell us what you think of The California Weekly. Does it suit you? Why? If not suit you? Why not? Please see the middle column of the first page.

We want a thousand letters, "knocks" or "boosts" as you feel toward The California Weekly—in the next ten days. Two thousand would suit us better. Please write us fully and frankly.

The Deeper Significance : : : : of Living : : : :

There are characters that affect us like the first breath of spring, the close of winter, like the breaking forth of the sun when the rain clouds have long hung low, like the sound of rushing water to a thirsty traveler weary with long searching. Such a character is Dr. Wilfred Grenfell, who went in search of 35,000 human beings whom the world had lost, who, nevertheless, were risking their lives, in every sense in which the term "life" may be used, for the feeding of the world.

He was born to comfort if not to affluence, was educated to the profession of surgery, which he loved, and seemed upon the threshold of entering upon a useful, comfortable, honorable practice of his profession in the great city of London. Somehow, at this time, he became interested in the fishermen along the British coast. It may have been through some summer outing. That interest attuned his ear to the call of the lost fishermen on the coast of Labrador, scattered in little groups from Newfoundland to Hudson bay, a coast along which sweep the polar currents bearing upon their chill bosom ice floes and icebergs and in their blue and green depths innumerable food fishes for man.

Although these people had been lost to missionaries, lost to education and lost to helpful connection with the outer world, they had not been lost to the saloons or to the pluck-me stores and middlemen dealers who took the product of the industry of these men at what they were minded to pay for it, charging ruinous usury for such supplies as they advanced. Whatever balance of credit was left to them was drunk up at the saloons. As for money, there were girls and boys grown to womanhood and manhood who had never seen money and had small conception of its use as a medium of exchange. They only knew credit, or the want of it, and few could read or write. Yet these were English-speaking men, brave, resourceful with the lilies they had to do with, and only forgetful of their duties to home and fireside when steeped in drug.

Doctor Grenfell went among these people to preach the religion of one who had preached to fisher folk in days of old. His relatives pitied him, his friends found fault with him for throwing away a life that might be useful, but he went. It was little progress he made with his preaching, more with the skill of the surgeon, for the calling of the fishermen is a hazardous one and accidents many and serious happen. He learned their lives from cradle to grave, gained first their confidence and then their love and, with this for a capitalization, he reached the souls of them and is transforming the whole of their life on this sand-mile coast.

His first hard work was to deliver out the groceries, and nearly all have gone. Then he organized co-operative stores to take the places of the pluck-me trading stations, with the result that the fishermen began to see the color of money and to get a just value for their catch. He appealed to the Christian world for volunteers and for means to establish hospitals with trained nurses in charge. He brought in reindeer, and handicrafts to be followed during the long winters. He established schools at the villages and took some of the brightest pupils elsewhere for special training for special services for their own people.

These things done, and the love and gratitude of all the fisherfolk who he went to talk to them of the deeper significance of living, for this is the way with most modern missionary work throughout the world. It begins, as the Christianity of old began, with healing the sick, clothing the naked, giving sight to the blind, enlightenment to the mind and, through these, reaching the souls of men. There stands out upon this continent no character more romantic, more chivalric, more illustrious for deeds of courage and fidelity, than this fisherman's friend—Dr. Wilfred Grenfell of the Labradorian coast.

THE WORLD AT LARGE

Unhappy Honduras.

President Davilla of Honduras wants American intervention, if not quite annexation to the United States. He thinks that, if left alone, Honduras could maintain justice and order, but that neither Guatemala nor Nicaragua will let Honduras alone. Honduras is the bone over which these two jealous, ambitious quasi-republics conspiringly contend, with the result that the country is bankrupt, life and property unsafe and poverty nearly universal. No movement looking toward a United States protectorate has really been set on foot, but it is believed that one would be welcomed. This is of direct interest to California, for nearly all the commerce of Honduras is with the United States and its best harbor is on the Pacific side. It would be an act of great humanity if the United States were to accept suzerainty over Honduras and its neighbors. The most useful, honest and peaceful citizens Honduras has are those who escaped from the United States to avoid embarrassing explanations.

France and Germany Getting Together.

The reaching of an agreement between France and Germany over the Morocco affair has prompted a second important step toward fraternal relations between the neighboring nations. The National Bank of Germany has just subscribed for \$2,000,000 worth of the stock of the Credit Mobilier of France. So tense has been the state of feeling in each country toward the other that every such incident is seized upon with interest by the whole world as a straw showing which way sets the wind. A fact not generally known is that Theodore Roosevelt was the "angel" who made this happy consummation possible, by offering the good offices of the United States to France and Germany and so bringing about the long-drawn-out conference of nations and an ultimate settlement of the Morocco controversy. For this he was roundly abused for not minding his own business.

Model Railroad Construction.

The Chicago, Milwaukee and Puget Sound railroad, an extension of the Chicago, Milwaukee and St. Paul, is a model of modern railroad construction. The purpose was to get a railroad through from Chicago to Seattle that would be at once the shortest and have the most uniform grade. To do this it has followed straight lines with the result that in going 117 miles up the Musselshell river the road crosses that river 115 times by the building of twenty miles of bridges, mainly steel. The distance between the two cities has been reduced to 2,175 miles, fifty miles shorter than the line of the shortest competitor and 144 miles less than the longest. The grades, even in crossing the mountains, average only 1 1/2 per cent. The initial cost has been heavy, but the savings will make up for it, for they last forever. The road will be in operation to Seattle for freight by May 1st.

Fighting the Moths.

The example set other states by California, in hunting for beneficial insects to live as enemies, or parasites, upon injurious insects, has been followed by Massachusetts. Last year it sent an agent to Japan, and this year it will send one to Russia in quest of the natural enemy of the brown-tailed and gypsy moths. And, meantime, every effort is making to pull down, burn or creosote all moth nests to be found upon park and street trees, but the forests themselves must mainly wait for the parasites to do the killing. There has, perhaps, been no more important discovery in connection with agriculture than that an insect pest is a pest only when out of its native habitat.

Discounting Tariff Reductions.

The example set by the United States Steel Corporation, of discounting anticipated tariff

reductions in advance, with the view of inducing trade, appears likely to be followed by other manufacturing concerns throughout the country. Buyers are demanding it with the alternative of pursuing a hand-to-mouth policy. There has been almost a deadlock between manufacturers and distributors for the spring trade, but the spirit of concession, above referred to, is helping to move commodities to a hopeful degree. Not until steel rails, still held at twenty-eight dollars per ton, come down will the railroads place many orders and begin the work of extending and bettering that branch of their service. It does not seem likely that even the steel trust can long withstand a united railroad demand for cheaper rails.

Pouring In the Coffee.

The people of the United States are not likely to run low on coffee supply during the coming year, though the price may run high. The \$100,000,000 deficiency in Uncle Sam's revenues makes it almost certain that a duty will be imposed upon coffee which, it is believed, can be made to produce about \$25,000,000 a year revenue, but not the first year. Anticipating such a tax tremendous orders have been placed and, already, enough coffee to last half a year has passed through the custom houses. Meantime, things are looking bad for Brazil, which has a hundred millions of government money invested in coffee awaiting a rise in the market. There will be a rise, but not in Brazil.

Right to Work Conventions.

During the winter there have been conventions of unskilled out-of-work, confessedly professional hoboes in the main, at nearly all the principal cities of the East and Middle West, with a national convention at St. Louis, and a sort of supplemental convention following it at Chicago. Their idea seems to be that society is under obligations to furnish work whenever one wants work, work that any untrained person can do, at \$2.50 per day of eight hours. It was stated that there are in the United States 60,000 young men "on the road" and as many more old ones, and if society does not furnish work it is demanded it was virtually threatened that these 120,000 vagabonds would help themselves to what they want, including free transportation. Organized labor was also notified that if it did not "be good" unskilled labor would work so cheap as to bring "all to a common level of poverty."

The Ambitions of Iceland.

There are few spots on earth that have had a more romantic history than this Ultima Thule of Greek Pytheas. Iceland was discovered in 860 by a Norse Viking, Naddodd by name, and was settled by the best blood of Norway, so that, by the middle of the tenth century, it contained a population of 50,000 of the most cultivated people of that age. It established a constitution, a parliament and a code of laws adapted from those of Norway, and was virtually an independent republic; but irreconcilable controversies arose among the people, who fairly burned each other out of house and home and, in 1380, Denmark took over the island with Norway and it so remained until 1814 when Norway separated from Denmark, leaving Iceland under Danish suzerainty. In 1874 Iceland was made free of Danish legislative control, though it acknowledged allegiance to the King of Denmark, but otherwise enjoyed home rule. Now it seems to want to be wholly independent, although the issue is first to be fought out at home. The Icelanders are a thoughtful, literary people, and about the time we were celebrating our centennial of national life they were celebrating their millennial.

Collective Barbarians.

It has been said that, individually, college men are gentlemen, but, collectively, they are

barbarians if not hoodlums. The reception recently given James Kier Hardie, socialist, at Oxford, England, goes to prove the truth of the saying. The Oxford undergraduates conducted themselves no more seemly than so many suffragettes, and yet it may be doubted if the students from any American college would have denied him a hearing. During his recent visit to the United States he was everywhere respectfully heard, although with little sympathy for his isms.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription? The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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WITH BOOKS AND WRITERS

Among the numerous centenaries of distinguished people which have crowded upon us recently, that of Elizabeth Barrett Browning, which occurred March 6th, has been noted by a multitude of plain people who read "Aurora Leigh" in their youth.

The critical few who know about such things are doubtless right in considering her husband the greater poet, but the uncritical many will wish that his wife had severely blue-pencilled his writings into a semblance of her own lucid style and thus widened his circle of auditors. Be that as it may, the Brownings were a singularly happy couple and who shall say that runaway matches turn out badly in face of such a wedded life as theirs.

Elizabeth Barrett had long been a hopeless invalid, condemned to a couch in a darkened room, partly by ill health resulting from an accident in her youth and the further shock of her brother's death by drowning, which she witnessed, and partly through the obstinacy of her father who never failed to impress upon her the fact of her ill health and the terrible consequences which would ensue if she should try to throw off her physical bondage.

Robert Browning and she became acquainted through their writings and Robert soon came to love the beautiful spirit "scarcely embodied at all" as Hawthorne says. He proposed marriage, and as they knew it would be useless to ask her father's consent and not wishing to worry him about what he could not help, these youthful lovers of thirty-seven and forty took matters into their own hands. But first Elizabeth wished to try an experiment. She wanted to go out under the blue sky and stand on the green grass and see what would happen. Accordingly they drove out to one of the parks and she alighted from the carriage and stood upon the green turf and looked up into the blue sky and it did not fall upon her and nothing happened, and so they were married and lived happily until her death parted them fifteen years later. The son, who was born to them and was greatly beloved by both, grew to manhood and became a successful sculptor. Mrs. Browning enjoyed a fair degree of health and the life of the Brownings in Italy is an open book to all Browning lovers and their Casa Guidi home has been made famous by her poem, "Casa Guidi Windows."

That she was a genuine poet is attested in the lines,

"Earth's crammed with Heaven and every common bush afire with God,
But only he who sees takes off his shoes."
And her "Cry of the Children" has been heard by the whole English speaking world.

So great a critic as Ruskin considered "Aurora Leigh" the greatest poem of the nineteenth century, with enough imagination to set up a dozen lesser poets. Robert Browning himself declared that he was only a painstaking fellow who tried to build up something, while the true creative power was hers, not his.

THE CRY OF THE CHILDREN.

By Elizabeth Barrett Browning.

(The following extract from Mrs. Browning's famous poem is especially pertinent in connection with the playgrounds movement in San Francisco, discussed in another part of this issue of The California Weekly.)

Do you hear the children weeping, O my brothers,
Ere the sorrow comes with years?

They are leaning their young heads against their mothers,
And that cannot stop their tears.

The young lambs are bleating in the meadows,
The young birds are chirping in the nest,
The young fawns are playing with the shadows,
The young flowers are blowing toward the west—

But the young, young children, O my brothers,
They are weeping bitterly!

They are weeping in the playtime of the others,
In the country of the free.

Alas, alas, the children! they are seeking
Death in life, as best to have:

They are binding up their hearts away from breaking,
With a ceremony from the grave,

Go out, children, from the mine and from the city,
Sing out, children, as the little thrushes do;

Pluck your handfuls of the meadow-cowslips pretty,
Laugh aloud, to feel your fingers let them through!

But they answer, "Are your cowslips of the meadows
Like our weeds anear the mine?"

Leave us quiet in the dark of the coal-shadows,
From your pleasures fair and fine!

"For oh," say the children, "we are weary,
And we cannot run or leap;

If we cared for any meadows, it were merely
To drop down in them and sleep.

Our knees tremble sorely in the stooping,
We fall upon our faces, trying to go;

And, underneath our heavy eyelids drooping,
The reddest flower would look as pale as snow.

For, all day, we drag our burden tiring
Through the coal-dark, underground;
Or, all day, we drive the wheels of iron
In the factories, round and round.

They look up with their pale and sunken faces,
And their look is dread to see,

For they mind you of their angels in high places,
Whose wings turned on Deity.

"How long," they say, "how long, O cruel nation,
Will you stand, to move the world, on a child's heart—"

Stifle down with a mailed heel its palpitation,
And lead onward to your throne amid the mart?

Our blood splashes upward, O gold-heaper,
And your purple shows your path!

But the child's sob in the silence curses deeper
Than the strong man in his wrath."

A GLIMPSE OF "SAM" McCURE.

S. S. McCure, the publisher of McCure's Magazine, lately spent several weeks in California, making his headquarters in San Francisco. Oddly enough, little space was given by the newspapers to this visit of one of the most original and forceful figures in American periodical journalism.

Mr. McCure's career has been a striking example of the success that comes with persistency, and it is mottled with the eccentricities of a peculiar genius. Born in County Antrim, Ireland, fifty-two years ago, graduated from Knox College, Galesburg, Ill., in 1882, Mr. McCure founded a newspaper syndicate in 1884 which is still in existence. His early years were full of hardships; his living was earned before his college days by peddling tin cups in the Middle Western states. He footed it from town to town with his pack on his back, and he must have made a favorable impression, for he got the name of "the honest little peddler."

This reputation for honesty stood him in good stead in later years, for when he founded McCure's Magazine in 1893, he needed credit badly. The first years of this venture were not successful. He had an ambition to make a new type of magazine—a magazine that should not be merely literary, as the older journals had been, but that should be a living force for democracy, an educational medium in citizenship. But his ambition was not yet definitely translated into terms of a magazine policy that appealed to the public.

As a result, for years the magazine did not pay. It went steadily and deeper into debt. Here his reputation for honesty saved him. He was frank with his creditors, told them just what he was "up against" and how he expected

to pull through. They believed in him, for he is known in New York as the only man in American publishing whom printers and paper dealers ever allowed to go a quarter of a million dollars in debt to them. He has told himself of wearing patched clothes and dodging his creditors for months out of shame to meet them.

But with Miss Tarbell's "Life of Napoleon" he caught the public fancy a little. Then came Miss Tarbell's "Life of Lincoln." That made a hit and the magazine made money. Then Mr. McCure found his cue. The great growth of corporate management of business he conceived to be the most significant fact, politically as well as industrially, in modern life. He would give the American people a history of the greatest of all corporations—the Standard Oil—as an education in what that significant development meant to democratic rule in government and business. Miss Tarbell's father had been an oil operator, and a victim of the Standard, and she began the task of writing the "History of Standard Oil" with an unusual equipment.

Everybody knows how that history created the greatest sensation of modern days, and how, out of its publication, grew up the "muck rake" school of writing, culminating in Lincoln Steffens' "Shame of the Cities," and how profoundly the whole current of modern legislation has been affected by it. It is hardly too much to say that the greatest impetus to our great wave of moral reform in city government, of reform of corporate management, and of the general revival of civic conscience and sense of civic duty, is the outgrowth of "Sam" McCure's magazine ambition and his lavish expenditure of money to make these subjects real and interesting to the American public.

Incidentally, the strain of his work nearly wrecked Mr. McCure's health. Incidentally, also, his "muck-rakers," whose reputations were made possible through his work, got the "swelled head" and tried to run his business for him. This led to an explosion, and the muck-rakers' secession to the American Magazine, leaving Mr. McCure a physical wreck. A trip to Europe and complete cessation of work partly restored him, but he has had to reduce his business cares by disposing of his book publishing business and devoting his time wholly to his magazine venture. What the future of the McCure business will be is uncertain. But its achievements to date entitle the "honest little peddler" to high rank amongst the public spirited and the geniuses.

A SONG OF WINTER.

By Ray C. B. Brown.

(Written for The California Weekly.)

The rain keeps falling frae the sky
Till now there's naught a speck o' the dry
Atween the coast and mountains high
Wi'n the State,
Except the spots men occupy
Anath roofslate.

E'en there the sly umbrellas drips,
The water frae our coatsies slips
An' gumlie dubs the doggie flaps
Wi'n the house;
While in her hand the besom grips
The glowerin' spouse.

The gowks wha speered the Lord for weat
Hae now enough to cower them greet
An' make them owre blate to beet
What things befa'

That lang ago the Gods agree't
For this round Ba'.

The whiddin' clouds are unco fu'
An' seem to pour their waters thro'
Some eldritch dail's gaping mou'
Upon our haimes,

But we can thole what shifts food
Wi'n our wames.

SELF GOVERNMENT AT BERKELEY

By E. FRENCH STROTHER.

The problem of self-government in America has got to be worked out in our municipalities. The town meetings were the kindergarten of democracy. Our municipalities must become our common schools of free government, because it is there that people come together in multitudes immediately concerned for interests common to them all. We may liken state governments to high schools of democracy and national government to the university. It is therefore the purpose of The California Weekly, from time to time, to analyze and make clear the status and tendencies of municipal government in California in the hope that each may learn from the other.

Berkeley's municipal problem in recent years has been a problem of inefficiency rather than of corruption. The city's affairs were administered under a town charter adopted in 1895, when Berkeley was an unimportant village, and that charter fitted the bigger and more complex functions of the present city of 40,000 inhabitants no better than a boy's suit of clothes fits a grown man. Those functions were hampered by the obsolete charter. The new charter, recently adopted, was the outgrowth of that condition.

Old Charter Inadequate.

Under the old charter the town was governed by a board of trustees, one elected from each of the seven wards. This board elected a chairman, who was practically ex-officio mayor. The board had the usual powers to enact ordinances, and the ordinary supervision of all public affairs, such as street work, police protection, and the like. This plan worked very well as long as Berkeley was a quiet village. But when it grew quickly to a city, and was confronted with the problem of street paving, street lighting, adequate police and fire service, street railway franchises, municipal water supply, and control of water front, it broke down. The legal powers of the board of trustees were inadequate, as was shown when a special act of the legislature was required to permit the city to construct a wharf. Worse

yet, the responsibility for getting things done was not fixed. The street superintendent laid the blame for inadequate street work on the trustees, the trustees laid it on the charter which did not permit them to vote enough money, and on one another for not being in sympathy with the work. Similar shifting of responsibility in all departments made the administration of the city government generally inadequate.

Suggestions to Amend Old Charter.

The citizens of Berkeley soon realized that something must be done. In 1904, the board of trustees, yielding to public pressure, appointed an extra-legal committee to draft amendments to the charter to remedy its deficiencies. This committee worked about a year, and presented a report as a basis for action by the board. Under the state law at that time towns having a freeholders' charter could not vote to substitute a new charter, so the purpose was to have the board embody the committee's recommendations in a series of proposed amendments for submission to the voters.

The committee's report suggested some radical changes in the constitution of the city government. One change was the abolition of the ward system of election of trustees. This suggestion, particularly, was objectionable to the board, and that body shelved the whole report.

Demand for New Charter.

This action by the board aroused public sentiment in a demand for charter reform. An amendment to the state constitution passed in 1905, came opportunely to encourage the movement. This amendment allows the substitution of a new charter for old freeholders' charters, upon vote of a town.

Public sentiment forced the trustees to call an election for a board of freeholders to draft a new charter, and, on November 21, 1908, fifteen citizens were elected for that purpose. Prof. William Carey Jones, head of the law department of the state university, was president of that board. He and Beverly Hodghead, now a candidate for mayor under the new charter, did most of the legal research work on which the new charter is based. President Wheeler of the university was another member, and the remainder of the board were all men of exceptional ability and character.

These men attacked the problem of charter building in an entirely different spirit from that ordinarily present at such a task. They did not have to consider any question of political expediency. Their constituency—the majority of the people of Berkeley—are above the average in intelligence, and machine politics is almost unknown. Their task, then, was only to devise the best charter that they could, and this task they performed well.

Advanced Models for Charter.

The board of freeholders went to the most advanced city governments in America for their model. As the chief faults of their old charter were inefficiency and divided responsibility, they were at once attracted by the "commission plan" of government in use in Galveston. This led to a study of the "Des Moines plan," which is an improvement upon the Galveston plan, and from its charter the main principles of the new Berkeley charter were copied.

The Galveston plan is this: Instead of governing by a board of trustees elected from wards, and a cumbersome system of elective executive officers, both the legislative and executive functions of city government are concentrated in the hands of four commissioners, and a mayor. These officers are elected at large from the whole city, and the five constitute the board of councilmen. But each of the five, by vote or by lot, is the chief of an executive department of the city government, and is directly responsible for the conduct of

that department. If the police are inefficient, the commissioner who heads the department of public health and safety is to blame, and he cannot escape the responsibility. If there is a deficit in the treasury, the commissioner who is chief of the department of finance and revenue must account for it.

Under these department heads, all necessary subordinates, such as city clerk, assessor, treasurer, collector, attorney, chief of police, etc., are appointed by the council and may be removed by that body. The council fixes the compensation of all officers.

As a legislative body, the council has the powers of an ordinary city council, including the power to grant franchises and to arrange for municipal ownership of public utilities.

(Concluded on Page 250.)

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

The Man That Is In the Man.

Under the crust that hardens o'er all that is human clay—
As the surface of sun baked gardens the hoe of the tiller may stay—
Under the coat of shoddy, or under the silken gown,
Is all that may make man better than cattle of field and down
'Tis the seed that the Sower soweth to ripen in far-off days
In the country that no man knoweth, where reapers shall sing His praise,
And so, as my journey lengthens, the field of the world I scan,
If haply my soul shall find him, the man that is in the man.

Sometimes I have cried "God save us! This man is a clown and a knave!"
When, lo, through his robe betattered, the soul of a god shone out.

Sometimes I have sighed "God pity! His heart is as nether stone!"
Then saw, in a deed of mercy, the heart that I never had known.

For under the crust is ever the soil that the good God gave
To hold in its tender keeping the fruitage it yet shall save.

And this is the lesson taught me in all of His mystic plan.

As I seek,neath the cloak of error, the man that is in the man.

And so I am sure the Father looketh in kindness down.

E'en on our masquerade where Folly weareth the tinsel crown.

Under our shallow pretence, under our garb of lies,
He seeth the seed of heaven that still in His garden lies;

With a patient hand He waters the grain that is hid by tare,
And 'waits, with a wondrous pity, the fruitage that shall be fair,

And He smiles, for He knows no failure can come to His long-wrought plan.

And He sees, as we see but dimly, the man that is in the man.

An Oriental Tale.

Unto Abd el Fahdin, the oriental potentate who had endeared himself unto the communal people until he was known far and wide as Kingpinofidhigherpurs or Bossoldegang, there came a wise man of the East, and made obeisance unto him.

"What wilt thou?" Abd el Fahdin brusquely inquired.

"The publicservants commonly known as the Citadaids, held they yearn for pap with a great yearning, nor will they be comforted until the trough is found."

"Wherefore yearn they?" Abd el Fahdin queried.

"The overhead-trolley franchise, melud—is it necessary that I say more?"

And when Abd el Fahdin had dispensed 200,000 shekels, which the unrighteous term pap, behold, it was not necessary to say more.

Then did the hounds of the law get on the trail of the Citadaids, and when they were arrested all the people cried, as with one voice, "Givemel!"

But when the trail had led to the Kingpinofidhigherpurs, then did many of the people fall upon the necks one of another, and cried with a loud voice, "Let not unholy hands be laid on him that is gilded, lest our city be brought unto shame."

And they wot not that the stranger within their gates already held his nose, and winked merrily when the name of Justice was pronounced.

But the tale, it is of no moment save to portray the wide distinction in the manners and customs of Orient and Occident. Wherefore,

my children, let us rejoice that beneficent Fate has cast our lot here, and not there.

Our Emotional Streets.

I contend that our streets are too emotional, not sufficiently fixed in their high purpose to let the traveling public use them.

The official who has such matters in charge came along, and viewed the highway in front of my house. It was in good condition; well surfaced, well graded, well guttered.

"What ho, my merry men!" he then cried, or I suppose he did. "This will never do. Here is a street that is all right. It looks as if I were not earning my money. Get busy."

So the street was ripped up, while sewers, gaspipes, or something, were laid. But after weary weeks of demolition the street again was made whole, and my heart was glad.

Then came another official, and inspected. "This is dead wrong," he said, "for, lo, an equipage might traverse this street. Go to it, my merry men."

And the merry men went to it, ripped up the street and laid something else.

It is ever thus! There is neither peace in my days nor rest in my nights, for the street that is fair at morn at eve is a sight for gods and men.

For the streets, they are too emotional.

All I'm Askin'.

I ain't a-askin' much to-day.

I jest fer a isle in some fair sea.

Where loatin' is the natchral way.

An' work an' people don't agree.

Where I could lay aroun' an' laze

Through all the peaceful, dreamy days.

O' course I'd have to eat, but, say,

I'd want it fixed this way fer me:

So I could lie through all the day

With fruit jest droppin' down on me

I wouldn't move a little bit

Exceptin' when my mouth was hit.

I guess I'd have six tropic girls.

About the pick of all the lot,

With sun-browned cheeks an' teeth like pearls,

To fan me when the days seemed hot.

I'd jest dream on a blissful man,

While they would fan, an' fan, an' fan.

I'd be the King of Lazyland,

Known as His Royal Nibs, the Shirk.

And all as felous I would brand

Would be the knaves who mentioned work.

Oh, shades of labor! Seems ter me

That tropic isle I almost see.

You see I ain't a-askin' much,

But jest that work I'll let 'em be.

An' keep off me its han'rin' touch,

Fer work an' work I don't agree.

An' speshully when Spring's in style,

I can't help longin' fer that isle.

The Opinions of Rufus.

I know lots of fokes that wouldn't rely expect to raise figs from thistles that don't seem to feel no hesitashun 'bout expectin' their children to turn out remarkable men an' wimmen.

Charity's a beautifully gilded saddle that we use oftent in covrin up our own faults.

"I take your money fer knockin' the prosecution," said the yeller editor to the Higher-up who was turnin' in his sack, "on high moral an' scrippheral grouns."

"How's that?" inquired the Higher-up. "W'y, don't the Bible say, 'Knock, an' it shall be opened unto you?'"

But the Higher-up war'n't 'quainted with the 'thority, so all he said wuz, "I depend on you ter make it hot fer the prosecution."

Good looks ain't ev'rything, Eliza. The moon's pretty, but it's dead.

Don't be too enthoosastic with your mouth, Ephraim. The fellers that do the yellin' at a ball game are them that are settin' 'round an' loatin', not the fellers on the diamond.

Seems ter me that cake that's all frostin' an' educhashun that's all frills is about ekally fillin'.

If life hands you a lemon, son, get busy, make a lemonade an' smack your lips over it, an' more'n is likely es not it'll hand you a peach next time.

A Hopeful Suggestion.

Now that Mark Twain has incorporated himself and Luther Burbank is the stock in trade of another corporation—

What ho, ye doleful writer men.

Who write and write and write.

While people say, "Poor Scribo's pen

Is stricken with a blight,"

Arouse ye from your sombre mood,

Nor bow to cruel fate.

Still 'waits your chance for making good.

Rouse ye! Incorporate!

See What Thought Does.

A day or two ago I wrote some simple verses in which I endeavored to express the idea that I was tired and would like to drift away to an isle of rest in some fair sea. It appears that I was mistaken. Dr. Shaden Leavitt, of Chicago, says "Being tired is foolish," and adds, "When I'm tired I tell myself that I'm rested, and then I am." I made the mistake of not telling myself that I was rested.

And as this rule applies to one physical ailment, doubtless it applies to all. For example, a boil on my writing wrist has been troubling me and—Hold! I tell myself that I have no boil, and now I have none. Only, I wonder what this thing on my wrist is. Oh, this power of "telling yourself" is great. It shows what thought will do, so let's apostrophize thought:

Oh, wondrous power of potent thought,

Or thoughtful power of wondrous poet,

Your dreadful work on me you wrought

Until a boil I seemed to note,

But then I brought my Mind to bear

Upon the place where I had been.

No doubt it's gone, but I can swear

Its place still aches like sin.

What the Hello Girl Thinks About It.

"Did you hear that there is talk of calling a hello girl a phonist?"

"I did."

"I called up Central yesterday and asked her what she thought of it."

"What did she think?"

"Well, I am not exactly certain. What she said was, 'Linespizzi, cawleggen,' and I haven't had it translated yet."

Wisdom of An Unmarried Wretch.

A wailing baby in the next block is worth twenty, or more, in your own house.

Love is a primrose path. Its blossoms frequently are gathered in the divorce courts.

There are capital prizes in the marital lottery, but consider the blanks!

Some people have noticed that it requires a remarkably good father to love his infant just as well when it is howling as at other times.

It's a matter of taste, but some of us would just as soon be up with the boys as with the youngest hopeful at a party.

More than one man is a bachelor because he has chanced to see some women in their homes before 10 a. m.

Sometimes the woman whose smiles are the most alluring brings the most charges against you when it comes to the day of reckoning.

What "Lucky" Left.

So "Lucky" Baldwin's dead. You say

He left great wealth, and that was all.

I cannot see the case that way,

For proof per contra is not small.

Nay, by the odors that arise

From every spot as footsteps kept—

Unpleasant odors—I surmise

He left his reputation, too.

THE GRAFT CASES.

Peter Anthes, Sr., retired mining man, 763 San Jose avenue.

Joseph Dixon, clerk, 2000 Steiner street.

James Granville, retired machinist, 4227 Eighth street.

Michael Maguire, retired hay and grain merchant, 281 Page street.

Charles H. Suydam, wholesale grocer, 2201 California street.

Robert B. Symington, civil and mining engineer, 228 Liberty street.

Above are the names, vocations and addresses of six men who actually have been sworn in to serve as jurors in the trial of Patrick Calhoun for bribery. Six possible jurors went by the peremptory-challenge route. Thomas Lockwood, Joseph E. Emmons and Duncan D. Hilder have been challenged by the prosecution, and Edwin W. Bennett, James L. Arthur and James A. Godfrey by the defense.

To attain this half-result fifty-seven days of actual time, or thirty-nine court days, were consumed. That is to say, one juror was obtained in each nine and one-half days of actual time, or in each six and one-half court days. The veniremen summoned numbered 1,410, and the talesmen examined were 546. That is to say, again, one of each 235 veniremen summoned, and of each ninety-one examined, will act as juror in the case.

It would be in vain to attempt to prophesy how long it will require to secure the other half of the jury. It may drag as did the first half, or it may surprise everybody by displaying speed, but, at any rate, the point has been reached where the public can say, "Something definite really has been attained in the Calhoun trial. The nag may pick up in its pace, or it may fall dead, but the half-way post is passed."

In the Stockton graft cases, March 24th was set as the time for arguing the demurrer which was filed in behalf of Councilman W. T. Shepard, one of the defendants. It was expected that a similar demurrer in behalf of Police Captain John Craig would be argued yesterday.

It is asserted that, at Redwood City, Al Eikerenkotter, former superintendent of the poor farm, has endeavored to secure time in which to settle financial delinquencies in his office, but his overtures have been in vain. It is understood that all of the cases there will be tried.



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WITH EYES AND :: EARS OPEN ::

The man who seated himself by my side, on a bench in Golden Gate park, seemed a unique character. From time to time, I studied him with sidelong glances.

The years had set their seal upon him, and the vicissitudes of a careworn life were written in wrinkles upon his face. Yet, even through the mask of time, the countenance gleamed ruggedly, seeming to promise the thing we term individuality.

Having made up my mind to this effect, I fell to dreaming of him.

"Poor old chap," I said to myself, "his feet are far down the western slope, and shadows deepen about him. Perhaps he came with the other giants of the Pioneer days, with hope to guide him and ambition to lead him on. And there was one who dreamed and hoped with him, and when their visions died into nothingness they comforted each other, and so were blessed. Now she sleeps—I wonder where! And there were little ones, perhaps, and the two joyed in their laughter and were glad in their gladness. But the great white angel chooses whom he will, and the babes folded their wee hands and passed on, leaving him in sore loneliness to journey unaccompanied down the—"

"Say, stranger," said the old man, interrupting my dreaming, "could you spare ten cents for a drink? This is dry weather."

While I had been "sizing him up," he had been sizing me—as an easy mark.

But I am used to that.

"If the statesmen at the capitol could realize all that it means," said the unobtrusive man, "they would not think of permitting a dentist to practice his profession unless he has a finished education. Knowledge of teeth may be useful to him, but how gross it seems when compared with deep lore concerning zoology, paleontology and other ologies."

"You go to a dentist who has but a brusque, offhand acquaintance with English, and what can he do to soothe away your pain? But let him put a well-augur in your aching tooth and here through to the very foundation of all things, at the same time murmuring low, musical Sanskrit in your ear, and the consciousness of your pain is lost in the melody of the words you do not understand. I do not recall that a dentist ever did talk Sanskrit to me, but I am sure I should prefer that to some of the things gentlemen of that profession have done to me."

"By all means let the statesmen guard the dental portals. It is all right for dentists to know more or less about teeth, but unless they can breathe higher learning, as well as spirits fragrant, on us while we occupy their easy-chairs of misery, the great public will feel that something is lacking."

As I left it occurred to me that perhaps the unobtrusive man had talked satirically.

The other night, at a theater, I sat near one of these wise fellows who, having seen the play, wish to air their superior knowledge for the benefit and admiration of the ignorant common herd.

"You want to wait for the next act," he would say. "Why, this ain't nothin' compared with that." And then he would prattle on, and on, and on, in an assinine endeavor to anticipate the playwright's privilege of telling his own story in his own way. And we in his vicinity, not being deaf, were compelled to listen. Oh, "it bit and it rankled."

And the worst of it is that one never can go to a theater and be certain that one will not run across a fellow of this kind. The law ought to be enlarged to cover his case.

The mother and the family hopeful had had a little session, and after it was ended, with the hopeful still in tears, the mother said: "Now, my little girl, I wish you to feel that

I forgive you for being naughty, and I trust that God forgives you, too.
"Boohoo—I hope—boohoo—he won't forgive me the way you did."

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POLITICAL TABLE TALK

By THE WATCHMAN.

Hard Sledding For Law Reforms It was thought that although all the other Commonwealth Club bills to reform criminal procedure might go down to defeat, the one to put an end to the absurd practice of trying the grand jury after it has done its work would be passed. But it was not to be, for the Senate Judiciary Committee has disapproved it. Not even this one concession to the spirit of reform, which is believed to be in the air, could be wrung from that committee of twenty lawyers. It has been a good committee, too, in some ways, for it was not packed, like the Public Morals Committee and the Elections Committee; it has manifested more independence than a Senate Judiciary committee has shown for years; but that band of lawyers could not consent to give up a part of the legal game which they had played in the interest of clients and which they might want to play again. The incident shows how exceedingly difficult it is going to be to secure any reform of the law. Public opinion is ripe for it, and the best and most progressive lawyers have contributed more than anybody else to make that public opinion, but the demand has not yet become strong enough to compel the kind of lawyers who dominate our legislatures to take notice and govern themselves accordingly.

Snubbing the State Charities Board Several bills have passed which appropriate money to erect new buildings for the Preston School of Industry, and these bills, after vesting the board of trustees with the necessary authority to make the improvements, go on to say: "And it shall not be necessary to refer the plans to any other board or commission." This means that the State Board of Charities and Corrections, which, under the law creating it, is given the duty of examining plans and specifications to see whether the buildings proposed will be suitable for the purposes designed, is excluded by these special provisions and is not to be consulted. This is one among many ways in which the Board of Charities and Corrections has been shouldered aside by petty local boards ever since it was created. And, thanks to the politicians, the farce will go on until the state has a governor who, believing in the State Board of Charities, will say to such boards as the trustees of Preston that they must leave those provisions out of their bills or get no appropriations.

Primer Lessons On Voting No more excuse for not knowing all about the constitutional amendments which you are voting on. Senator Curtin has at last succeeded in getting through the bill which he first prepared two years ago to provide for civic enlightenment by causing all amendments to be officially argued pro and con. Henceforth, whenever the legislature submits an amendment, the author of it and a member of the same house who voted against such amendment are to be commissioned to present the opposing views. Each of the two will prepare "a brief statement," which will be submitted to the Secretary of State, who will cause the statements to be printed, and, before the election they will be mailed to all voters. The object is good, but just how brief is the "brief statement" to be? It would have been better to give the Secretary of State authority to edit and condense the arguments. Again, who is to present the negative argument if there happens to be no member of the house in which the amendment originated who voted against it? The Oregon method is better in that it allows anyone who is willing to pay fifty dollars for a page in the pamphlet, to be heard pro or con.

Trying to Help Flint When the direct primary bill was reported out of the Assembly Committee on Elections, at the end of last week, it was with majority and minority reports which represented the membership in the proportion of six to two. "The

majority favored amending the bill by providing that the vote on United States Senator shall be taken by Assembly districts, instead of counting all the votes in the state and making the man who secures the popular plurality the party candidate. Speaker Stanton was the special advocate of the district plan, and it is generally assumed that in this he felt the necessity of yielding to the supposed interests of United States Senator Flint, who two years from now will be a candidate for re-election. It is supposed "when the district plan will be more favorable to Flint than the other because he is likely to be able to carry Los Angeles county, and possibly some other counties in the southern part of the state. Thus, on this plan of pledging legislators to vote for the popular choice, Flint may count on gaining enough pledged support to be in the race when the legislature meets, while on the other basis he might be shut out if some man of greater state-wide popularity than himself should appear. That the Wright direct primary bill will be passed without other important changes is conceded by all.

Grove Johnson's One Good Deed! One of the minor pieces of good legislation which has been enacted in this session owes its origin to Grove Johnson. It is a law to compel dealers in narcotics to keep a register of purchases, as druggists must keep a register of sales of poisons. This ought to be the means of tracing the authors of a certain number of crimes of violence, and, moreover, it is perhaps the first step toward some kind of wise restriction of trade in the murderous revolver.

Rough Road for Wife Deserters From this time forth the path of the wife-and-child-deserter ought to be harder in California, as will be if the court enforces the new law which not only makes it a penal offense for him to refuse to pay a part of his wages to support his family when ordered by a court so to do, but which also penalizes neglect or failure to earn money for that purpose "when able to do so." Everything depends on giving a good broad construction to the last clause. The right sort of police judge can make himself a terror to the class of men who abandon wife and children, and can also remove the grounds for many a divorce. Violation of this law is made a misdemeanor punishable by a fine of not more than five hundred dollars or by imprisonment in the county jail for not more than one year or by both such fine and imprisonment.

Appointment or Railroad Commission? Campbell's constitutional amendment to make the State Railroad Commission an appointive instead of an elective body obtained a favorable report from the Senate Judiciary Committee, notwithstanding a difference of opinion over the question whether the appointments should be made at large or from districts. By a close vote the at-large plan was adopted. This proposed amendment of the constitution must now muster two-thirds vote in the Senate and the assembly. If the railroad companies are very much opposed to it they can defeat it, but with the prospect of having all nominations made through direct primaries, they may not care to oppose appointments.

Advisory Vote By Districts The Herrin "organization" has not ceased in its efforts to render the direct primary bill of no effect, especially as it relates to an expression of party opinion for United States Senator. It is hard to tell who the real friends of the measure are. It would be characteristic of the Herrin policy to have a dependable representative in the councils, if not at the head, of the pro-primary movement, and those who have understood that Senator Leroy Wright has always been an organization man will not be surprised if, at the crucial moment,

in charge of the bill on behalf of its true friends, he were to make some injurious concession fatal to the hopes of the people. The question now is: Has he not done this in consenting to such a modification of the measure as will permit popular expression for senator to be made by districts rather than by the whole state? It is by the work of the coming week that this legislature will be measured.

People's Lobby Incorporated No more important step has been taken for the purification of California politics than the incorporation of the People's Lobby of California, with the view of making it a permanent, avowed, legalized instrumentality for publicity regarding legislative affairs in this state. The motto, "The rights of the people are safe with the people," is sound only when issues involving the rights of the people are taken straight to the people in concrete form with the line-up of the people's representatives thereon. California is fortunate in that there are men in it ready and willing to spend time and money in unselfish service of a people generally too inert to attend to public business efficiently. The incorporators of The People's Lobby of California are: D. L. Beard, Napa; Dr. John R. Haynes, Harley W. Brundige, S. C. Graham, Merwin Lissner, Marshall Stinson, Los Angeles; Dr. W. G. Eggleston, Berkeley; Rudolph Spreckels, Francis J. Heney, F. S. Brittain, Edward L. Baldwin, George Baker Anderson, T. E. Hayden, Milton T. U'ren, Isidor Jacobs, Adolph Uhl, John W. Sweeney, San Francisco; a splendid group of men.

The Oakland City Election Inasmuch as the problem of democracy must be worked out to a success or a failure in our cities, and inasmuch as city government generally has been the humiliation of America as compared with the government of cities in monarchical Europe, every city election becomes important far beyond the borders of the city in which the election is held. The Mott ticket won in every ward in Oakland, generally by substantial majorities, but by no such clean sweep as denoted complete unanimity of sentiment. There seemed to be an element of uncertainty in the Oakland mind as to where the predatory interests were throwing their influence, and not until the votes in the seventh (Southern Pacific) ward were counted could it be clearly determined. That ward was carried by Mott by the narrow margin of seventy-nine votes while in nearly all the other wards his majorities were large if not overwhelming. The Oakland form of city government places enormous, almost autocratic, power in the hands of the three men constituting its Board of Public Works. Fortunately that board is made up of three men thoroughly tried and thoroughly true—Mayor Mott, City Attorney McElroy and City Engineer Turner. The immediate future of Oakland, mainly in their hands and they are good hands.

The Kings-Fresno Boundary Fight There is this to be said for the Herrin "organization," it keeps its promises if it can, no matter how reprehensible they may have been. Kings county is ambitious. It is a small county and wants to be bigger at Fresno's expense. It sent a delegation to the Santa Cruz convention, of malodorous memory, to be traded to Gillett's managers for a slice off Fresno county. Two years ago a bill was gotten through to that effect, but carrying a clause that Fresno legislators got into it, leaving it to the people themselves to say whether they wanted to be cut off or not. They said no. This year another bill is being crowded through making a cut-off without allowing the people in that slice to have any say. The "organization" is evidently going to deliver the goods to Kings if it takes to the end of the century. This is of no great consequence to the state, except that the county board of supervisors, who are the political bargain counter is not a wholesome policy.

UP AND DOWN : : THE STATE : :

It has been sixty years since the Pioneers of '49 traversed the long trail over plain and mountains, rounded the hills, crossed the gulches, and six decades is a large segment of a lifetime, so large that comparatively few are the men of those early days who remain with us. Their ranks are thinned and constantly they grow thinner. There scarcely is a week when one, or more, of their number does not cross the Great Divide, and the day is not distant when not one of them will remain to recall California as it was "before the gringo came." One of these few survivors passed at Placerville the other day. This was James Wesley Summerfield, a Virginian by birth, who reached Placerville—then Hangtown—August, 1849, and has resided in that vicinity most of the time since then. He is out of the ranks of the living, but with the great majority of the Pioneers.

That tide in the affairs of the saloon now sweeping the nation has reached Santa Cruz and left it on the high license beach. Two propositions were submitted to its voters last week: First, to increase the retail license from \$300 to \$600 a year and strictly to regulate the saloons, and, second, straight prohibition. The electors chose the former by a vote of 1,398 to 569, or nearly two and one-half to one. The notable feature of the event is that nobody seemed to think—so far as the vote shows—that the saloons required no regulation and improvement, and this is a circumstance which saloonists everywhere would do well to consider.

Postmasters throughout the state will do well to make a mental note of the fact that the present era of robberies includes a considerable number of post-offices in its scope. The office at Roseville, from which the sum of \$500 was taken, is the latest to report such a robbery, but this merely is the final one of a list that has much lengthened lately, and doubtless will continue to do so. Postmasters should deposit their cash in banks, or, if that is not possible, keep a bulldog on guard.

The passing of the age of steam and the dawn of the electric age are indicated by many signs. The Southern Pacific has just put motor cars on its line between Stockton and Fresno, and, added to such cars as it has had in operation, the traveler can make the trip from Chico to Hanford in this manner. It requires no great prescience to foresee the day when steam locomotives will be exhibited as interesting mementoes of the past. Mr. Harriman caught this idea while automobileing in France.

If he who sets out a tree is a public benefactor, how about the man who donates a park to the public, that tree and beauty may give the heritage of many generations? Should he not be considered a multifold benefactor? This is what Albert K. Smiley has done for Redlands, and even the men who hold that the accumulation of coin is the only object that makes life worth living might pause to give him appreciation. Redlands is to be congratulated on being the residence of so public-spirited a citizen. The pity is that they are not more frequent among men of means.

Dr. Chester Rowell has acceded to the request conveyed to him in a petition signed by over 700 citizens of Fresno, and will be a candidate for mayor of that city. This assures at least one candidate whom nobody will think of approaching with off-color suggestions. A peculiar feature of the situation is that William Glass, business manager of the Republican, also has been mentioned as a candidate, while Doctor Rowell is its principal owner, so that the Republican against the Republican is a suggested situation. Presumably it will not come to that, but if it did Fresno might find satisfaction in the reflection that they would be assured a good mayor in any event.

The people of Sanger have set an example which those of other communities might follow to their betterment. They turned out en

masse and cleaned up their town, removing rubbish and leaving things sightly in general. Some cities may need this sort of patriotic treatment more than others, but there is none which it would not benefit. Honor to the Sangerites, and, as the barber says, "Next!"

Selma, too, a near neighbor of Sanger, is about to do a good thing. Possibly it caught the beautification idea from Sanger. Its trustees propose to plant palms and other decorative trees along the streets and avenues leading into that city, so that the traveler shall whisper to himself, and later advertise abroad, "The little city of Selma is a beauty." If other municipalities should do likewise it would be the better for California.

A race in which five balloons will compete is being planned by the Aero club of San Francisco. Berkeley will be its starting point and Reno, Nevada, its destination. Which suggests, though not so forcibly as do some other things, that the day of man's dominion over the air is not far distant. Time was when an aeronaut was a creature for wonder. Before very long all of us may be aeronauts.

The interior town with a good hotel has an asset of which it may well be proud. Traveling men look upon it as an oasis in a desert and try to arrange their itineraries as to remain at such a place over night anyway, and over Sunday if possible for, to them, most interior hotels are desert wastes or nightmares or something else equally uninviting. Tulare city is just now rejoicing over the reconstruction, refurbishing and reopening of its principal hostelry under the name of The Encina.

("Berkeley"—Concluded.)

But the distinctive feature of the plan is its concentration of power in a small body, and the fixing of responsibility upon the individual members of the commission.

These features of the Galveston plan are embodied in the new Berkeley charter. But, even after responsibility has been fixed, it is desirable to have a direct means of reaching a faithless public servant. On this point the Des Moines plan was adapted to local needs.

The Des Moines Plan.

The Des Moines plan provides for the recall of a commissioner. Twenty per cent. of the voters at the next election of a mayor may petition for a special election to recall an officer. If he does not resign within five days he becomes a candidate for reelection, and within forty-five days the special election must be held, and, if he fails to receive a majority, his opponent succeeds at once to his office.

This feature of the Des Moines plan, together with the initiative and the referendum, are embodied in the new charter. By the initiative provision, 15 per cent. of the voters can demand an immediate special election to vote upon any proposed legislation within the power of the council to enact, and a majority vote is sufficient to pass the ordinance. Five per cent. of the voters can compel the submission of a law at the next general election.

Under the referendum provision, no ordinance of the council, with a few stated exceptions, can become effective until three months after its passage, and, during that thirty days, 10 per cent. of the voters can compel the council either to reconsider the ordinance or to submit it at a special election to the vote of the people, whose decision is final.

Regulation of Franchises.

Some of the provisions of the new charter relating to franchises were adapted from the "Chicago settlement"—the common-law agreement between that city and the Illinois Central Railroad, notably the provision that the city shall have a percentage of the income of public utilities companies. The Berkeley provisions limit the life of any public utility franchise to thirty-five years; permit the operation of the referendum on any grant of a franchise; give the council control over service and accommodations, and the power to fix rates; provide a way for the city to assume ownership upon expiration of a franchise; and provide that the city shall receive up to 5 per cent. of the gross revenues of its public service corporations as a condition of the granting of a franchise.

The new charter also provides for the direct nomination of officers, for the elimination of

party symbols from the ballot. Nominations are by petition only, twenty-five signatures are sufficient to place a candidate's name on the ballot. At the election, any candidate receiving a majority vote is declared elected. If no candidate receives a majority vote for a particular office, a second election is held, and the people choose between the two having the highest vote at the first election which, for the filling of that particular office, is considered to be a primary election.

The new charter was adopted by a vote of six to one, by the people of Berkeley on January 30, 1909. It is probably the most advanced municipal charter in America, and will long stand as a model. It has one possible weakness: the ease with which candidates may be nominated opens an opportunity for a machine to split the reform vote among a lot of candidates and, by concentrating on two machine men, narrow the choice for an office to one or the other at the second election. Public vigilance can, however, prevent this.

The political fact that stands out most clearly in Berkeley's move for a new charter is that the Lincoln-Roosevelt League stirred up the feeling of public spirit that led to its inception and supplied the organization that made possible its adoption.

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WHERE SHALL THE CHILDREN PLAY?

By E. FRENCH STROTHER.

That question must be answered by every large city. Children crowded in city houses make poor physical specimens and poor citizens. Children running wild upon the streets endanger their lives, impede traffic, and perpetrate mischief. Children denied the opportunity to work off their animal spirits in wholesome exercise pervert those spirits to mischievous ways. Most juvenile crime originates in the most crowded parts of big cities.

What is San Francisco doing to provide playgrounds for its children?

Not Enough Playground.

Not nearly enough. Something has been done; something more is planned; certain bodies are enthusiastically urging that a great deal be done. But, though there should be a playground within four blocks of every child's home, there are to-day in San Francisco—a city of 400,000 inhabitants—only two public places legally set apart permanently for this purpose.

What has been done is this:

A block has been set aside at Seventh and Harrison streets, on the south side of the city, and another block at North Beach, on the north side of the city, under the control of the Playgrounds Commission. These are exclusively for the use of the children. The other places where they may now play are a few vacant lots lent by the Park Commission, a few vacant lots lent by private parties, and the streets. For the use of all these—except the streets—the Playgrounds Commission is largely responsible.

Origin of Playgrounds Movement.

The playgrounds movement in San Francisco originated with the ladies of the California Club. In their studies they had learned of the great advantages derived from it in eastern cities—Washington, New York, and, most notably, in Chicago. The last-named city has led the advance in this movement, spending millions of dollars to acquire blocks in every part of the city and extending the work to keep pace with the growth of population. Its experience has proved that juvenile disorder and juvenile crime decrease in exact ratio to the increase of playground facilities. It proved that the money spent was much more than saved by this decrease in police precautions and by the resultant decrease in adult crime, because the criminal who is potential in a cooped-up child ceased to grow up into an adult criminal when children were given other facilities for the expenditure of their energies and ingenuity.

The Playgrounds Commission.

With these facts in mind, the California Club besought the city government to form a Playgrounds Commission and to issue bonds to acquire sites for playgrounds. The city administration was favorably inclined, and the matter was made an issue of the election of 1907. At that election, the ladies got out and solicited votes. They had strong adherents in the firemen, for whom the club had performed many good offices; and by their own efforts and the co-operation of the fire department, they succeeded in polling enough votes to carry a charter amendment for the formation of a commission and to vote bonds to acquire the two grounds mentioned above. On November 23, 1907, the legislature approved the charter amendment, and in January, 1908, Mayor Taylor appointed the following members of the Playgrounds Commission, two of them being members of the California Club, in recognition of their labors to bring the issue out.

H. J. McCoy, secretary of the Y. M. C. A.; Mrs. L. A. Hayward; Mrs. Lovell White; Sidney S. Peixotto, of the Columbia Park Boy's Club; J. C. Estrada, superintendent of the Catholic Mission; John McLaren, superintendent of Golden Gate Park, and, ex-officio, the president of the Board of Education. John

W. Sweeney, president of the Iron Workers' Council was chosen secretary, and to him has been committed the executive oversight of the construction work on the playgrounds.

This commission has equal dignity with any other municipal board, and is equally entitled to call upon the Board of Supervisors for appropriations to carry out its work. It has had the hearty sympathy of the city administration.

Playgrounds for Every Child.

But the appropriations that have been possible so far are not enough. At the next bond election it is proposed to submit to the voters a bond issue sufficient to cover the expense of purchasing four additional sites for playgrounds for the exclusive and perpetual use of the children.

The sites are geographically distributed so as to supply every part of the city with the beginnings of an adequate system of playgrounds. They are located as follows: One in the Potrero, one at Dolores and Eighteenth streets, one at Dolores and Twenty-ninth streets, and one on Moscow street, well out on the Mission road.

The general plan of development of these playgrounds is indicated by the plan being worked out at North Beach. This ground (bounded by Powell, Greenwich, Mason, Lombard and Montgomery avenues) is being leveled and walled in. Baseball fields will be laid out upon it. A portion will be reserved for a girls' playground, and suitable games such as basket-ball will be provided for their use. The Board of Works will construct two swimming pools; one, for warm water, and the other, for cold sea baths. These pools will be shallow—so that children may use them to splash in and to learn to swim.

How the Grounds Are Used.

Several hundred children can be accommodated on such a playground. Not only have they the advantage of providing exercise in the open air, but that exercise is of a kind that appeals to children. For one boy who likes to go through the military drill of gymnasium exercises under the disciplinary eye of a director, there are a hundred who like to play baseball. It has the competitive element; it allows the initiative of the boys to exercise itself; they play the game they like as they please, settling their own disputes, instead of going through a cut-and-dried program prepared by somebody else. As Mr. Sweeney has pointed out, when there were plenty of vacant lots in San Francisco, in earlier days, this city turned out many of the best professional ball players in the country; and now it turns out very few. Developing professional ball players is not the aim of the Playgrounds Commission, but Mr. Sweeney's instance illustrates the point that the facilities for outdoor play are a fair index of the physical development of the boys of a city.

Temporary Playgrounds.

At the request of the commission, other grounds have been lent for temporary use. The park commissioners have lent Lobos Square, on the north side of town, and this will be made into a baseball field of the eastern lawn type. An oval tract of land opposite the Mission High School, in Mission Park, has also been lent for use as a playground and running track. And Franklin Park will be made into a baseball field for the boys.

The ideal playground should have separate spaces for boys and girls; should be supplied with some gymnastic apparatus; should have as director an educated man with a knowledge of games and a sympathetic insight into boys' character, and, as assistant, a matron to look after the girls; and should have a permanent building, equipped with baths, dressing rooms, and reading room. This building, in eastern cities, is also used for a lecture hall for the purpose of bringing the children's parents

together and of keeping them in touch with the younger folks' recreations.

School Yards Not Now Utilized.

An important adjunct of the public playground is the school yard. In San Francisco, so far, this adjunct has not been utilized. The janitors have complained that the children make extra work by using the grounds after school and on holidays; and the janitors seem to have controlled the situation. This is a great mistake in policy.

Fortunately, some work has been done to change this policy. Under the leadership of Mr. Sidney S. Peixotto, the Board of Education has granted permission to erect basketball courts on the school grounds, and here the boys and girls are to be allowed to play after school under the direction of a teacher. This is a good move. It should lead ultimately to further adaptations of school grounds to playground purposes, not only on school days but on Saturdays and holidays.

Mr. Peixotto has also taken the lead in another movement allied with purposes of the playground commission. This is to form a league of all the schools, known as the Public School Athletic League. For lack of facilities for other sports, the events contested for under its auspices are all running races, but these have aroused the athletic spirit among the boys amazingly. Each school, to win in a meet, must have a full squad of runners. A full squad is forty-four boys. There are twenty-eight public schools in the league, so that more than 1,000 boys will compete in the two meets held this year. Fourteen parochial schools have also adopted the plan. The result is that nearly 2,000 boys of San Francisco are getting wholesome exercise and a development of the competitive spirit. A further result is a very notable improvement in school-room behavior. The boy is owed on a team who falls below a fixed standard of scholarship and behavior.

Children's Appreciation.

Some idea of the popular appreciation of playgrounds may be got from the playground at Golden Gate Park. Though this is a playground—the others will be free—thousands of children flock to it on clear days, paying their nickels for rides on the merry-go-rounds, and on the goats and donkeys, and for the privilege of using the swings and teeter-boards. On May Day as many as 20,000 children have come. Other thousands romp on the grass, and through the ball grounds and tennis courts. But these enjoyments cost at least carfare to and from the park, and usually the privilege of some elder escort. With playgrounds properly distributed throughout the city, every child could walk to a free place for exercise and recreation, away from the baneful influence and the physical dangers of the streets, to enjoy its games under the eye of a sympathetic director who would not interfere with the pleasure but only see that everyone had a fair opportunity to play safely and happily.

Advantages to General Public.

The gain will be incalculable. A race of healthier children, growing up under wholesome and rational conditions. Fewer criminals, fewer probation officers, fewer juvenile courts, fewer reform schools. Fewer adult criminals, fewer policemen, fewer criminal courts, fewer jails. Less taxes for the machinery of hospitals and criminal law. More happiness in youth and more health in manhood and womanhood.

It is an alluring prospect. Better, it is a practical possibility—a demonstrated success. Chicago has proved it; Washington has proved it; Denver has proved it. San Francisco should not overlook it. The California Club is doing its best. The Playgrounds Commission is hard at it, the Mission Improvement Club is doing a great deal. Every voter can help. How? When the next bond election comes around, look for the issue for playgrounds, and vote for it.

PERSONALIA

James Gordon Bennett edits the New York Herald literally by cable from Paris.

The younger Maxin has invented an attachment to a rifle that is said to render its discharge noiseless.

Jacob J. Shubert, who is the executive head of the great Shubert theatrical interests, is only thirty years old.

Madame Paderewski's second husband, M. Gorski, is a Polish violinist, for many years a resident of Paris, and is now a teacher in Switzerland.

Henry Phipps, the Pittsburg millionaire, has given \$1,000,000 to endow the clinic of Johns Hopkins University (Baltimore) for the study of insanity.

Richard Mansfield's stage carpenter once remarked, "Mr. Mansfield has only discharged me four times on this production, and I haven't quite got his idea yet."

James G. Blair's first political position was an appointment as a clerk in Kennebec county, Maine, given him by Richard Neal, who still lives in Hallowell, near Augusta.

From "Chimimie Fadden" to a society novel called "The Climbing Couvratels" is the champion literary broad-jump performed by Edward A. Townsend, the progenitor of that bewildering Bowers vulgarism and wit.

Florence A. Whaley, of San Diego, has been presented with a gold medal and \$2,000 by the Carnegie Hero Fund commission, for extreme heroism in rescuing a child from drowning at Ocean Beach on August 25th last.

Dr. Sven Hedin, the famous explorer, recently declared at the Savoy Club in London that "Tibet is a very nice country, and the people are even when they ask you to leave, do it in such a pleasant manner that one is almost glad to go."

The Czar of Russia is said to be relaxing the seclusion into which the revolutionary terror drove him. He has so far recovered his nerve that he drove through the center of St. Petersburg some days ago in an open sleigh and almost unattended.

The Wright brothers offered their aeroplane to the British war office before taking it to France. England lost the chance to acquire it by proposing a foolish test involving technical knowledge of military tactics, to which the Wrights refused to submit.

For years E. H. Harriman was the man of mystery in Wall street, refusing absolutely to talk to newspapermen. The first interview he ever gave was to C. M. Keys, then a reporter on The Wall Street Journal and now one of the editors of The World's Work magazine.

The Lawyers Club, an exclusive luncheon club in New York, has a private entrance leading by private stairs from E. H. Harriman's office, so that gentlemen may avoid the curious in the elevators of the building. The door at this entrance is equipped with three Yale locks besides the usual lock and bolt.

Mrs. A. A. Lafferty is the only woman member of the Colorado legislature. She is chairman of the education committee, and a member of the committees on criminal jurisprudence, state institutions, enrolment, Denver city affairs, and county lines. She was assigned to desk twenty-three and accepted it, saying that she had no superstitions.

The astronomer Hecker has succeeded in determining the exact extent of the diurnal fall and rise of the earth's surface, corresponding somewhat to the ebb and flow of the tides. Investigations at Kimberley show that South Africa tilts toward the east in summer and toward the west in winter. It is thought that this fact explains the seasonal rainfall phenomenon. The vertical rise and fall in the latitude of London is four to five inches.

We get letters of commendation and letters of condemnation. Write us one of the kind that the Weekly makes you want to write. See the front page of this issue for particulars.

LIVING AS JESUS WOULD.

The Editor of The California Weekly:

"I noticed with a bit of questioning in your interesting paper your remarks about the Los Angeles people who are trying to 'live as Jesus would.' Possibly they deserve a little gentler rally. But, after all, why should we not encourage them in such innocent efforts? Surely, meanness, dishonesty, greed and selfishness are abnormal exercises of human activity and kindness, truth-telling, justice and friendliness are normal. Is it not worth while for any individual to take 'a week off' if he can, from his invalidism, and try the experiment of being well? Who knows but that he might thus resume a habit of health? At any rate, let us not discourage him. Much less, let us treat that man generally have nothing but invalidism, whether physical or moral, to expect. We need not go daft over 'Christian Science' to deprecate this morbid use of the power of mental suggestion.

One further question. Do you not quite misuse the example of Jesus, when you set his life aside as exceptional? As it is again, there had never been but one normal life, and all other lives were foredoomed to moral failure! This reminds me painfully of the teaching which in my childhood went under the name of 'total depravity.' We have begun to learn what bad pedagogy this doctrine was. Expect boys or men to be mean and false, and you tend at once to make them so. On the contrary, trust them and expect their best from them, and you help them to be what you expect. Is it, then, a very dreadful form of heresy in California to say that all goodness is simply the highest form of power, such as all men, and all boys, too, admire; that it is natural and normal, like all other kinds of power, and that Jesus' instance, like many another, such as we all know (Abraham Lincoln's, for example) marks the rule of life, and not the exception? At any rate, if you desire goodness, that is, justice, loyalty, generosity, kindness to prevail (and your paper seems designed for that purpose!) is it not your role to encourage everyone to try 'the experiment of Jesus,' in other words, the experiment of living the life of a man of good will, as opposed to illwill and self-will? Surely, we all live this experiment whenever we try it. Neither is it so very hard, being quite normal. Tried often enough, it might become a habit.

Respectfully yours,

CHARLES F. DOYLE.

CELEBRATING FREMONT'S FLAG RAISING.

On the peak where sixty-three years ago last Sunday Captain John C. Fremont raised the American flag in California for the first time, 150 Californians gathered on the anniversary day to do honor to the "Pathfinder" and his sturdy followers who played such a potent part in the early times antedating the better chronicled "days of '49." The historic ceremony was reenacted, the guests of honor, Col. M. Belslaw, grand president of the Native Sons of the Golden West, raising Uncle Sam's official banner on Fremont's peak in the Gabilan mountains near the mission town of San Juan Bautista. Just as the flag stretched out to the breeze, saluting guns pealed forth the message in the neighboring towns of Hollister and Salinas on a prearranged signal, and for the time California turned back from the height of sixty years of forward and upward trend to survey the majestic past.

The fitting tribute to the day that is done was but the culmination of a series of interesting events carried out under the auspices of the Fremont Memorial Association in a program prepared by its chairman, Harry Welch.

At midnight on Saturday, after a banquet and a ball in honor of the guests, Senator Belslaw raised the flag on the flagstaff erected by the association on another historic spot, in the plaza near the mission, the spot where the land and naval forces first met on California soil, where history was making more than half a century before. Here the mission chimes one day gave place to the echoed report of the rifle that made a place for the thirty-first in the blue field of the flag hoisted on Saturday last and brought California into the union.

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If you was to leave the railroad south o' Barstow now," said "Long Bill" Brooks, "and travel eastward a couple of days or so through the infernal regions, which is another an' more fittin' name for the Mojave desert, you would come at last, if the water didn't give out, to where the mountains reach their fingers inquiringly down into the desert sands, as much as to say, 'What sort of a combination is this that we have run up against?' Then, between two of the most inquiring of these fingers, as you would, if you was in luck, come upon a little valley with a few stunted trees an' a small, melancholy creek, lookin' as if it 'twas 'bout discouraged 'nough to give up, which it does before it goes much further; an' by that time you would be mighty glad to notice that there was somethin' more or less resemblin' water in that creek."

"After you had taken a drink, an' had mighty nigh dried up the creek in the process, you nacherally would look around you, an' you'd be surprised to notice six little log cabins standin' jest where they ketch the mist shade from the hills. While you was inspectin' those cabins, that, in that desert dryness, still would be standin' there unrotted when Gabriel toots his horn, you probably would be wonderin' what forgotten hands had placed them there.—Well, these hands of mine are two of them."

"The place that you then would be lookin' on once was known as Badger's Camp, so called because old man Badger found his thirsty way across the desert an' discovered that the bed of that crick was midlin' yellow with gold. One by one the rest of us drifted in an' settled down by old man Badger's side. There was Big Bob Bevins, who was five feet tall an' built accordin'; Handsome Charley Peters, so called because the Almighty could make a homelier man, but prob'ly never did; Little Willie Hodges, who built the tallest of the cabins, so that he could stand up inside o' the Elder, who once accidentally admitted that he had been a travelin' exhorter in the East, an' myself."

"We stayed at Badger's Camp 'bout three years before that that I am tellin' 'bout took place, an' the only diversions was an occasional trip to Mojave for supplies an' the arrival of the Elder's paper. The paper was published at a little side-track in Wisconsin, an' was not of national note, but we used to get its advertisements by heart. You can't guess what a godsend that paper was to our lone convicts."

"One evenin' we had, as usual, been playin' poker, when Handsome Charley drew back from the table with a sigh, an' says:

"'I'm gittin' sick of this! They's such a thing as wearin' out the fascination of poker, an' as for whiskey I'm beginnin' to realize that at last it biteth like a serpent an' stingeth like a hornet."

"'You mean, like an adder' says the Elder, not reprovingly, but as a little matter of education."

"'Take your choice of reptiles,' says Handsome Charley; 'what I mean is that I'm sick of this life. What this camp needs is the reinin', elevatin', an' gentlifyin' influence of woman."

"'Why not advertise for a wife?' says the Elder."

"He jest threw the remark off casually at the time, but afterwards we allowed that it was an inspiration. After thinkin' of the matter for a day or two, Handsome Charley said that he'd be derned if he wouldn't advertise, an' we all allowed the Wisconsin paper would do the thing."

"We all took a hand in drawin' the thing which read this way:

"'Wanted—A California miner wants a wife for a lovin' companion. He is not handsome, but good, an' has plenty of money for two, or more, if needed. Any lady answerin' this must be under thirty years of age an' prepared to prove that she is of good reputation an' without blemish. For more particulars address Miner, Mojave, Cal.'"

"The words 'without blemish' was introduced at the suggestion of Big Bob, who had done some horse-tradin' in the East. The Elder objected on the ground that they seemed too personal, but Handsome Charley thought

CUPID AT BADGER'S CAMP

By ALFRED JAMES

they sounded all right, an' as he was most interested, they stood."

"Judgin' by results, that simple announcement must have produced somethin' of a sensation in the East, an' we calculated that it must have been republished more or less widely. Either that, or the Clarion had a broader circulation than we reckoned, for, of the seventy-three letters that we took from the post office the next time one of us made a trip to Mojave, two were from Maine, two from Texas, three from Georgia, an' four from Minnesota, to say nothin' of a few from scattered states an' one from Cuba. The most of them, however, came from the Clarion's nacheral constituency."

"Take them as a whole, these were the most touchin' lot of letters I ever read. In them the female heart was laid bare, an' its willin'ness to mate with anything with money for two or more was made manifest. The Elder, whose heart always was 'specially tender, was particularly moved."

"'Why,' he said, after we had read them all through, 'why are we not Mormons? When I think of all this female loveliness languishin' and droopin' I could wish that we all were Mormons. Oh, if only we were all—"

"The Elder's feelings sort o' overcame him, an' he ceased."

"Old man Badger was the first to break the line of sympathy that the Elder's words had traced."

"'Well, we ain't Mormons,' he said, but it 'pears providential that there's six of us, an', if each of us does his duty, there'll be only sixty-seven of the lone creatures left to mourn and pine. For my part, I announce here an' now that I'm willin' to do my duty."

"'Do you mean that you stand willin' to marry one of the lone females?' Little Willie asked."

"'I do,' was the old man's reply. 'So help me Heaven, my mind is made up to rescue one of them."

"'Then, I, too, am a rescuer,' says Big Bob."

"'And I!' says the rest of the straight an' 'Ours' voices sounded like that of one man, so united were we in our willin'ness to take up the work of rescue. All except the Elder; he reflected a minute before he spoke. Then he said:

"'I had been calculatin' to unite Charley an' his in the bonds of wedlock, for though I may have wandered some from the straight an' narrer path, my privilege of licensin' two hearts to beat as one has not expired, I reckon. But I cannot permit my pleasure to stand in the way of doin' my duty in lightnin' some desolate female heart; so if you boys 'll help ward the expense of gettin' a minister here from Mojave, I, too, will become a rescuer."

"Then we went to work. After we had thrown away the least attractive of the lot, we still had nineteen letters between which there seemed to be no choice. We selected among these by layin' them out on a table, closin' our eyes an' takin' the first on which we laid a hand. Then we wrote to the six, givin' them references, an' to meet them at Mojave on a certain day."

"Then began the time of waitin', an' every day seemed a week or two long. The hours of work passed after a manner, but poker lost its thrill an' we let whiskey alone because we

knew that men that were goin' to be married ought to reform. Finally, however, it came time for Handsome Charley to go to Los Angeles an' buy our wedding suits, and he went. Then the time dragged slower than ever till a melancholy event happened that mighty near upset all our plans."

"In the course of his minin' operations old man Badger had gradually unrolled a big boulder that rested on the bank of the crick above his claim. We'd called his 'tentation often 'nough to the danger of the situation, but the old man was a careless sort of a cuss, an' said that the stone seemed to be pretty well set an' he reckoned it was all right. Well, he was miscalculated; that's all. One day the boulder came down onto the old man's claim, an' we always reckoned he must have been under it when it fell; anyway we never saw anything more of him. The boulder made a mighty impressive monument, an' we painted onto it the old man's name an' the simple epitaph, 'He meant well, but he took one chance too many.' We 'lowed that if his widdar that was to have been, if she could decide which one of the six she was wanted anything more'n that in her grief, she could have it, an' we would stand the expense."

"That little event cast a shadder of gloom over Badger's Camp, an' the solemn hours dragged themselves away till the time came for us to go to Mojave and meet Handsome Charley."

"We dreaded burstin' in on his wedding anticipations with such news, but it had to be did, an' he stood it fairly well, merely remarkin' that he was awful sorry for the widdar, whichever she was."

"As I think of it now, I realize that there was some drawback to our perfect success as bridegrooms. The main fault lay with Charley. In his lack of experience, he bought a job lot of garments for our wedding clothin'. If they hadn't been all the same size they would have done first rate, but as it was, Big Bob Bevins had to take a tuck at his coat an' roll up his pants 'bout a foot at the bottom, while Little Willie Hodges' coat extended 'bout to his waist an' his pants stopped short, never to go again, some two inches below his knees. The rest of us wasn't exactly like these fashion-plates you see in the magazine, but a sight o' them two was calculated to make more or less sadness creep over the soul. The minister Charley had brought from Los Angeles used to look at us in our wedding garments, an' then go away where he could be alone. It may have been for purposes of prayer, but I always doubted it."

"Well, the train finally come, an' so did the women, an' we stood on the platform to receive them. There was seven of the ladies, the mother of one of the girls havin' come along to see that her daughter had fair play."

"We had talked the whole thing over in advance, an' we knew mighty well that each of us would be expected to kiss his prospective bride, an' seein' as we didn't know jest which one she was, the question of what we ought to do had staggered us for a while. But when the time come we seen our duty clear, an' so each of us kissed the whole caboodle, includin' the old lady. Then we suggested that the whole party start immediately for the camp, so that the hard work be done before we happy mated, an' the Elder was the first to do it. I s'pose, they wanted to see what sort of a realm they was goin' to be queens of before they took a step that wouldn't allow any backslidin'. It was on the second day out that the old lady got her second wind an' noticed something."

"There 'pears to be only five of you besides the clergyman,' she says. 'I s'pose you left the other one in camp to wait for us?'"

"'We did,' I says, 'an' he's a mighty patient waiter. He's dead."

"'Dead!' she shrieked. 'Decayed!'"

"'It's the same thing, ma'am, I says. 'He is also defunct."

"The old woman glared at me first. Then she broke out."

"'Wretch!' she screamed. 'To get six trustin' young females out on this desert to marry five men!'"

(Concluded on Page 255)

SHEAR WIT

"Who was Columbus?" asked the teacher
"Well, Johnny, who was he?" "Columbus was
the gem of the ocean."—Baltimore Sun.

Recruit: "Please, Sergeant, I've got a
splinter in my 'and." Sergeant-instructor:
"Wot yer been doin'? Stokin' yer 'cad?"—
Punch.

Wanted—Our wife would like the photo-
graph and a handful of the hair of the beauti-
ful lady who sent us the beautiful valentine.—
Houston Post.

He: "I'd like to kiss you." She: "You
would like to?" He: "Yes, I would." She:
"Well, the man that kisses me has got to love
to do it."—Yonkers Statesman.

"Now, when anything is foreign it can not
be domestic," the teacher explained. "Yes, it
can, ma'am," spoke up Tommy. "Our cook
is foreign, but she is also a domestic."—
Chicago News.

"See here," said the irate roomer to the
chambermaid, "don't you ever sweep under
the bed?" "I always do," answered the girl
innocently. "It's so much handier than using
a dustpan."—Chicago Daily News.

"Let's see, Badger; you've been in double
harness about four years now, haven't you?"
"Is about; an' that ain't the wust of it,
nuther." "No?" "No, sire! the wust of it
is that I'm hitched to a waggin' tongue."—
Boston Courier.

"What do the letters R. S. V. P. at the bot-
tom of this invitation mean?" asked Mr. Cum-
rox. "Why, everybody knows that they
signify 'Please answer.'" "Great Scott! This
spelling reform is playing smash, isn't it?"—
Yonkers Statesman.

"Ah, madam," said the French maid, "leette
Fido weell no eat as 'bou-bouhons." "The dear,
intelligent little 'doggie!" exclaimed Mrs.
Swellman. "There must be something wrong
with those bou-bons, Yvette; give them to
the children."—Catholic Standard and Times.

A gentleman suffering intense pain from
neuralgia went to an M. D.'s office and asked
for something to relieve the pain. The doctor
prepared a liquid with these directions labeled
on the bottle: "Take one teaspoonful half an
hour before you feel the pain coming."—National
Food Magazine.

"The jokes aren't always on the men," said
Fred Wade at the Pleiades Club Sunday night.
"New Year's Day a fine looking woman rushed
into Shanley's. 'Was my husband in here last
night?' she faltered. 'Yes,' said the proprietor.
'And was I with him?' she demanded to know
in tones more tremulous still."—New York
Times.

"Papa," said little Ethel, "God made you,
didn't He?" "Yes, dear," replied her father.
"And did He make me, too?" she questioned
farther. "Certainly," was the reply, as he
turned back to his book. "Well," commented
Ethel, as she looked in the mirror, "I guess
I must be doing better work now."—Philadel-
phia Ledger.

Justice Harlan, of the Supreme Court, has
retained his sense of humor in spite of the
solemnity of that lofty bench. An attorney
before him once said: "Your honor, I must
please leug enough to request that the window
be closed more tightly. I feel the draught on
my head." "The court sympathizes with you,"
assented Mr. Harlan. "The court has the
same kind of a head."—New York Times.

A member of the Nebraska legislature was
making a speech on some momentous question
and, in concluding, said: "In the words of
Daniel Webster, who wrote the dictionary,
'Give me liberty, or give me death!'" One of
his colleagues pulled at his coat and whis-
pered: "Daniel Webster did not write the dic-
tionary; it was Noah." "Noah nothing," re-
plied the speaker, "Noah built the ark."—
Buffalo News.

Automobile Notes.

T. F. Moore, who will have charge of the
international ocean to ocean contest for the
M. Robert Guggenheim trophy, returned to
New York from Seattle recently, where he
completed the preliminary arrangements for
the event. When Mr. Moore was asked regard-
ing the recommendation of the contest com-
mittee of the Automobile Club of America that
the starting date be advanced from June 1
to May 20 he said he was afraid that plans
had gone too far to make the change possible.
"Arrangements have already been made,"
said Mr. Moore, "by the Senators from the
State of Washington to have the contest start-
ed by President Taft, who will press a button
at May 20 in the White House, which
will open the Alaska-Yukon-Pacific
Exposition, and at the same time ring a bell
in New York city, which will be the signal for
the start of the contest. It is hoped that
Mayor McClellan will fire the starter's pistol
and send the competing drivers away on their
4,000 mile journey.

To meet the wishes of those interested,
however, I have wired to Seattle to-day and
will endeavor to have the starting date ad-
vanced as recommended by the Automobile
Club of America contest committee. The
officials of the Alaska-Yukon-Pacific Ex-
position will erect a special building in which
the competing cars are to be exhibited after ar-
riving at Seattle, space being allotted in the
order in which the contestants arrive at the ex-
position grounds."

Through snow and mud, over ice and rough
roads, Harry Hall White of the Studebaker
F-M-F '30, factory at Detroit, Mich., has
just established a new record in motordom
in Utah by crossing the state in the dead of
winter in one of the new Studebaker F-M-F
'30, cars. The route which White and his
two companions followed took them through
some treacherous canyons, and in some in-
stances they were compelled to drive for miles
over the ties of the railroad tracks.

Despite the heavy obstacles against which
the car was pitted it came out almost with-
out a scratch, as there was never a moment's
time lost on the run with engine trouble or
with tire trouble. Besides, the run was made
in the shortest time that an automobile ever
crossed the Mormon state.

"Pack my box with five dozen liquor jugs"
is considered the most successful approach to
the oft-attempted feat of making a coherent
sentence that shall use every letter of the
alphabet, and each letter only once. This
sentence duplicates only six letters.

Some of you like this paper. Please tell us
why. Some of you dislike it. Tell us why.
We want one thousand "roasts" or one thou-
sand "bouquets" in the next ten days. They
will help us make the paper better.

He Never Wins.

I have seen all kinds of racers on my some-
what winding way.
And some of them were losers, some were
winners of the day.
But sum them up, or sum them down, this
thing must be confessed:
The winner of the race was ne'er the one who
stopped to rest.

"Mamma," asked the little boy who had
been allowed to stay up and take dinner with
company, "Mamma, is this desert bad for me,
or isn't there enough to go around?"—Lip-
pincott's.

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comparison of an automobile. Few per-
sons appreciate that fact. Ask any Stude-
baker-Garford owner; he'll tell you the worst
that it's due to the higher efficiency of the
Studebaker-Garford that he is the owner of
time.

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year-in-and-year-out performance. If an
owner wants a new model he always wants a
later one of the same make; therefore he
brings his old car to us—for, better than any-
one else, we know and appreciate its value.

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baker-Garford cars men of prominence
who have driven their machine three, four
and five years. Let their verdict determine
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('Cupid at Badger's Camp'—Concluded.)

"'You hadn't ought to blame him,' I says. 'He didn't mean to do it, an' he wan't at all anxious to. Old man Badger was as well-meanin'—"

"She stopped my talk by yellin' to the girls to come to her.

"We had to camp right there on the desert and argue the matter, an' it was the warmest debate I ever 'sawed'. All of the girls was cryin', an' the old lady kept gettin' madder an' madder the more she listened to her own voice. We tried to make them see that we meant well, an' that we wan't responsible for Old Man Badger's gettin' under that stone, but the more we talked the more the girls wept, while the old lady's voice kept gettin' shriller and shriller. Finally the Elder took a hand,

"'Dear madam an' even dearer young ladies,' he says—'he always had a soothin' way with him—we recognize how your feelin's must be outraged to think that old man Badger went an' got killed, an' we sympathize with you deeply, while not exactly condemning him, yu must allow that the camp would be a fitter place to continue this argument than is this desert where the mercy would stand at 124 in the shade if there was any shade. So if you'll come on to the camp now we'll do the right thing by you or break a cog, for that is our intention.

"Well, the women see he was right, an' so the procession started again, but the rest of the way we were more or less flooded by tears. I wouldn't lie, suppose that the women could strike water so easy out there on that desert.

"After we had reached Badger's Camp we laid the matter square before them trustin' females at once.

"'Ladies,' says the Elder, 'there's five of us and there's six of you, to say nothin' of the mother, who didn't expect to count in this matrimonial shuffle. There's the fact; there's six of you an' there's five of us, an' we can't call back the dead who is believed to be sleepin' under 'round here. Now what we propose, under these harrin' circumstances, is that you six draw cuts, an' the one of you that draws a blank gets no husband, but she gets \$500 that we're willin' to chip in to sooth her lacerated feelin's. How does that strike you?'

"It struck them that the proposition was tough, an' the old lady didn't hesitate to say so. She said that the poor girls had gone out there to be married, an' that everybody knew it, an' that if one of them went back unwedded she would be forever disgraced an' dishonored. Her language was quite eloquent, an' she herself wept when she heard it.

"Well, then,' says the Elder, as soon as he got a chance to chip in, 'if that proposition don't suit you, here's another that we have thought of: None of us is Mormons, but under these tryin' circumstances, any one of us is willin' to become one providin' two of you are agree'ble to take one of us for their only an' own husband. How does that plan hit you?'

"The old lady said it hit them as infamous, an' the girls shed some more bitter tears. I don't deny we were a mighty discouraged lot of men then, so we withdrew for consultation, shakin' our heads an' lookin' at each other glum enough. Big Bob was the first to speak.

"Boys,' he says, 'they is one thing clear, an' that is that we can't let these lone an' unprotected females trust us in vain. It's up to us to do something. Charley, is that gospel sharp that you fetched a married man, do you know?'

"We caught Big Bob's idea right away, an' we looked at Charley with consider'ble hope. His answer was comfortin'.

"He is not,' he says; 'I know, for he told me that he looked forrard to a time when he should know the conjugal bliss that we soon was goin' to know.'

"Well, this is his chance,' says Big Bob, 'an' if you fellows will join me we'll see that he makes the most of it.

"We didn't take much time to consider the matter, for we seen our duty clear. We sent for the parson, an' we appointed Little Willie to state the case to him, bearin' in mind that he had the most commandin' presence. As

soon as the parson come Little Willie got down to business.

"Reverend sir,' he says, you can take a reasonable amount of time in answerin', but which one of these peerless ladies is your choice for a wife?'

"The parson was dumbfounded.

"'Wha-wha-what do you mean?' he says.

"Bein' as you're a man that humbly tries to do his duty,' says Little Willie, 'you ought to recognize what I mean, but, seem' as you don't seem to, I'm authorized to explain that there's six ladies here to git married, an' owin' to an act of Providence, there's only five of us here, besides yourself, to marry 'em. Now set right down to your conscience, an' you'll realize that it's your duty to get in an' take a hand in the game.'

"The parson twiggid us then, an' 'Never!' he yells, 'I have made other arrangements.'

"I'm sorry about the other 'rangements, whatever her name is,' says Little Willie, 'for the way the thing stands here, you can't help seein' that it's your duty to play a hand in this game, which includes drawin' a queen. We're goin' to be good to you an' we offer you first choice, but we reckon you'll do your duty after you've thought of it a while.'

"I never seen a more obstinate man than that parson; he was almost mulish, an' he kept insistin' that he wouldn't marry. There we'd given him his choice of six beautiful girls, an' he still stood off. It was disgraceful! Finally Little Willie's patience give out an' he says: "'Well, I s'pose it's nothral that you should want time for considerin' an important matter like this, so we'll just put you in Big Bob's cabin till you can decide, an' we'll take the slight liberty of lockin' the door so that you won't be interrupted.'

"The parson put up a good fight for a peaceful man, but he stood no show 'gainst five of us. After we had him where he could reflect, we went an' told the ladies that he had decided to marry one of them, only stipulatin' that he should be permitted to pass a few days in preparatory facin' an prayin' first.

"An' he is now engaged in that fastin' an' prayin', said Big Bob to them.

"You ought to have seen the glad light on them female countenances when they realized that all of them would be married. It was beautiful.

"On the fourth day the parson give up. He first tried to get us to consent to his just bein' engaged to one of the girls, but we wan't takin' chances, an' his subsequent behavior was model. When we asked him, as soothin' as we could, which lady he would prefer, he said: "'If there's a Baptist among them, I think I should choose her.' He was a Baptist himself.

"Inquiry developed the fact that the homeliest girl in the lot was a Baptist, and so everything was arranged to the satisfaction of everybody. Meantime, we had been prayin' off more or less, an' our arrangements was pretty much completed.

"That afternoon one couple after another was happily married, the Elder officiatin' at the parson's wedding. After that there were general congratulations, an' even the parson seemed pretty well satisfied—he had caught a Baptist, you know. The next mornin', before they left on their long journey to Los Angeles, we gave the parson the bride the \$500 we had meant to give to the woman that didn't marry, callin' that was 'bout right.

"The marriages was average successful," said Mr. Brooks. "Let's do something to improve our stomachs."

So we did.

A New Napoleon Story.

In a discussion at one of the sessions of the Council of State concerning the organization of the navy the First Consul said:

"A man who has been forty years a pilot is not the man for commander of a ship. He who has obeyed for forty years is not capable of commanding. On this subject my opinion is contrary to that of other people. It has been said that in order to command one must know how to obey. I think that a man who has merely known how to obey for forty years is no longer the qualities of a commander, and that it would not be right to give the command of a ship to a man who, when he is not receiving orders, knows only how to go to bed."

Considerate Little Girl: Please, Mr. Keeper, will it hurt the elephant if I give him a currant out of my bun?—Lilo.

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OUR SCHOOL FOR CITIZENSHIP

Liberty of the Press.

The first amendment to the Constitution of the United States declares that "Congress shall make no law abridging the freedom of speech or of the press." It does not say that no state legislature shall do that, but only that Congress shall not, and yet there are comparatively few papers in this country that do not circulate in more than one state, and many of them circulate in all the states of the union and countries of the world. It was not, apparently, foreseen that the American press was to be essentially national, not state, and, therefore, as fit a subject for national as for state control.

There is no such thing in this country as legal control of the press, either by state or nation. There are laws for punishing libel and slander, but those adjudged guilty of libel may be punished as readily if the libel be written on a billboard, a postal card, a goods box or in a letter to a friend, as if published in a newspaper circulating in every state in the union. The press is not recognized by law as an institution, but whoever prints or publishes is recognized merely as a citizen, and held accountable for his acts as such.

Anyone may print or publish whatever he wishes and there is, in this country, no power to prevent him, but when he has once printed and published any statement, there are laws for his punishment, criminally, by fine or imprisonment, or, civilly, by suits for damages if injury has been inflicted.

In some countries of Europe, notably Russia, it is different. There are press censors who must read and approve every book or paper before it is published with the view of preventing such publications as are likely to prove injurious. It was formerly so in all countries, and it was a long struggle to our present position where publication cannot be prevented, but only punished after the injury has been inflicted. At first thought, it would appear contrary to sound policy, for, generally speaking, the law should strive to forestall the commission of offenses, an ounce of prevention being worth a pound of cure.

But human experience has shown that no one but the publisher himself can safely be entrusted with the power of press censorship. The censors of Russia not only strive to keep from the public literature that would be bad for the public, but literature that would be good for the public and only bad for those in office. It is inevitable that any power of official censorship, no matter to whom entrusted, would be abused to the public hurt. The writer remembers hearing two high officials of a California railroad discussing "The Man With the Hoe," and both agreed that Edwin Markham should have been imprisoned for publishing that splendid poem, and that corporation would, to-day, if it had the power, censor the press of this state as not to allow a word of criticism of it to be printed or published.

And yet it cannot be denied that the abuse of liberty by the press of the country is a trying affliction to the public. Lies are told without stint, and abuse is heaped upon the innocent to an extent that shocks the moral sense of all who possess a moral sense, and there seems to be no adequate remedy for it.

There is no apparent lack of law. The constitution of California declares that "Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right, and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions for libels the truth may be given in evidence to the jury, and, if it shall appear to the jury, that the matter charged as libelous is true, and was published with good motives and for justifiable ends, the party shall be acquitted. The black letter lines in this paragraph epitomize the spirit of the law in this country, and England, regarding the freedom of the press.

Once again let it be affirmed that there is

a law on paper and a law written in the hearts, minds and consciences of the people, and that the law so written transcends the printed law. The whole destiny of the press in this country hangs on the attitude of the jury toward the press. This jury, normally empaneled, reflects public sentiment at the hour that a case against a paper is submitted to a jury, and it makes little difference in the verdict that jury will render what the statute prescribes or the constitution contains. Humanity has suffered so much from repression, so seriously from keeping the truth away from the people, that the consensus of opinion is that it is better to suffer the ills of libel and license than the tyranny of censorship of speech or publication. The most effective weapon of defense the public has against a venal and scurrilous publication is to refuse to have it in the house, a weapon that has been less used than it deserves to be.

PLEASE NOTE:—This is to remind you that EDGAR C. HUMPHREY is the pioneer specialist in property from San Mateo to Menlo Park and about the Stanford University. Homes for sale and lease. Acres for sale. Offices, Call Building, San Francisco, telephone Kearny 4656; Palo Alto, telephone Palo Alto 229; residence Menlo Park, telephone Palo Alto 217.

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In taking this pledge it is distinctly understood that I in no way obligate myself to vote for any particular party, any definite candidate or any certain measure. I am binding myself only to my Country, and pledging myself solely to the faithful performance of the duty I owe to her as a citizen.

Signed

Age

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Those taking the foregoing pledge, signing and sending it to this office, will be enrolled upon The California Weekly's "School for Citizenship," which will be a permanent feature of this paper. It will entitle the person signing in his name to have answered, either through the columns of the paper or by letter, any rational question he may ask concerning public affairs, and, generally, by the person best equipped to afford the desired information. It will also entitle the signer to such special literature bearing upon the obligations and opportunities of good citizenship as may from time to time be issued. While this pledge is open to persons of all ages it is especially desired that it be taken and sent in by young men lately become voters or who will cast their first votes two years hence. It will take but a moment to clip out the pledge, sign, enclose in an envelope, stamp and address to "School for Citizenship," office The California Weekly, 26 Montgomery Street, San Francisco, and it opens the way for a liberal education in citizenship.

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SIGNIFICANT EVENTS OF THE WEEK.

The most important event of the week was the convening of Congress in extra session to undertake a revision of the tariff. The President's message was short and, beyond a reference to his tariff views as expressed in his inaugural address, merely counseled diligence in preparing the tariff measure and a refraining from other legislation. In his inaugural address the President laid down the principle that the primary purpose of tariff should be the production of revenue but that, incidental to revenue, such protection should be afforded American industries as will make up the difference between the cost of production abroad and at home. How far those preferences of the President will be respected by Congress remains to be seen, but that they may modify the selfishness of the general scramble is to be hoped.

There are intimations that Washington is to take positive action regarding Central America and that Mexico is in accord with the United States in such a policy. Former Governor Magoon, of Panama and Cuba, is likely to be our special representative in Central American states. It seems probable that a movement toward intervention may put those dictatorial republics on their good behavior for a time, but the manifestation of a purpose to intervene if need requires is of itself a bit of news of great interest. Every year that the Government of the United States delays asserting authority in those republics constitutes a dereliction of national duty. Consideration for humanity requires that stable government shall be established in those unfortunate states.

The Court of Appeals of the District of Columbia, in reviewing the decision of the lower court in the "we don't patronize" cases, substantially modified the decision of the lower court. To be sure it held that the boycott by the American Federation of Labor against the Buck's Store and Range company was illegal and that the "we don't patronize" list published in the federation paper "constituted a talismanic symbol indicative to the membership of the federation that a boycott is on," and that the lower court was warranted in forbidding such publication. But, it was declared, the lower court should have stopped there without striving to regulate the distribution of other matter. That is, the information sent out by mail, in advance of the issuance of the injunction, had a right to go. Chief Justice Shepard, in a dissenting opinion, maintained a much more liberal attitude than the majority of the court. He held that the court had no power to prevent the publication of the "we don't patronize" list, but that whoever did publish it was actionable for damages or criminally liable if libel was committed. This has been the view of courts heretofore and it is not improbable that still higher courts will take the view of the chief justice rather than of his associates. The case involving the imprisonment of Gompers, Mitchell and Morrison has not yet been heard on appeal.



THIS NUMBER CONTAINS

"Nature Lovers' View of Hetch-Hetchy"

BY

William Frederic Bade

French ambition to maintain a navy the equal of that of Germany has sustained a severe shock in the discovery that French naval contractors have been so unpatriotic as to combine for the purpose of extorting great prices for naval construction work of indifferent quality. Premier Clemenceau has instituted a rigid investigation and the public mind is greatly exercised over the facts that have already developed.

The issue between the United Mine Workers of America and the anthracite operators has not been adjusted. With a stubbornness suggestive of fatuity the operators refused to treat with the representatives of the union as representatives of the union, but only as representatives of the miners working in those particular mines. However, the operators did suggest a willingness to continue the present working agreement three years more, and it may be that the miners will accept the proposal, although there are many points in it not to their liking. The old agreement expires the last day of March and, if an agreement is not reached meantime, it is anticipated that a strike will be ordered and the old strife renewed. Commercial interests are watching the situation closely for peace or war in the coal regions means much to commercial life.

The iron and steel industry now holds the center of interest in the industrial and com-

mercial world. A general reduction in wages has been ordered in nearly all of the steel plants, including the great United States Steel corporation. It is not yet certain how the laborers will receive this action. Their present attitude seems to be that of a willingness to submit to a temporary reduction in wages if the investors will also submit to a pro rata reduction in dividends, but they do not wish to submit to a reduction in wages for the purpose of maintaining dividends at the normal standard. No reasonable person can take exceptions to this attitude of the laboring mind and if the capitalistic mind will betray a like sanity of disposition the industrial health of the country will soon be restored.

That there has been an enormous shrinkage of steel manufactured and consumed is made evident by the figures given out by the United States Steel corporation. Its gross earnings for 1908 were nearly \$275,000,000 less than for the preceding year and its net earnings nearly \$70,000,000 less. Evidently the country is either waiting for better prices or is not yet ready for a forward movement. The cut in prices may be, as it should be, to stimulate consumption, or it may be, as it has been reported, the beginning of a price war with the purpose of forcing into the United States Steel corporation all of the principal competitors of that corporation. There is talk also of the independents joining in another great, single corporation powerful enough to measure swords with the biggest corporation in the world, but that looks more like a movement to combine all in one than all in two concerns. There can be no true independence in production without many independent companies each working in its own way. The significance of this steel news consists in its being, next to farming, the greatest factor in national prosperity.

An issue is being fought out on French soil of surpassing interest to those who are looking forward to the happy time when the government shall own and operate the railroads and the telegraphs. The telegraph operators on the government telegraph lines are out on strike and have virtually shut Paris off from communication with the outer world. The precise points at issue have not been stated, but there are dissatisfactions as to hours and wages which the government did not make haste to adjust. Hence the leaving open of the keys, the smashing of the telephone switchboards and a walk out. Operators connected with the army have been ordered into service and they have responded, but they are too few to restore the service or anything like it. The world-issue involved is as to whether or not employees of governments are to stand in the same relation as employees of corporations, at liberty to quit when they desire, to go on strike when they please, or if they will have to enlist as do soldiers to serve until discharged or be punished for mutinous conduct. If public ownership in France determines this issue definitely it will confer upon the world an important favor.

A NATURE LOVER'S VIEW.

It is with gratification that we are able to lay before our readers an extremely well-written and good tempered view of the Hetch-Hetchy water problem, prepared for The California Weekly by Dr. William Frederic Bade, of Berkeley, one of our enthusiastic lovers of nature. There are those, very likely, who regret public discussion of the pros and cons of this issue, saying, "It is not with the right or the wrong, the fairness or unfairness, of the proposal that we are concerned, but can we get it?"

It is needless to say that The California Weekly has no sympathy with such an attitude of mind, and no faith in the policy of the ostrich hiding the head in the sand to avoid confronting a disagreeable prospect. Besides, our coast and state are being flooded with eastern periodicals and eastern periodicals are being flooded with anti-Hetch-Hetchy literature.

The wise policy is to thresh the issue out here at home that we may come to one mind on the proposal if we can. The article of Mr. J. D. Galloway, a fortnight ago, and of Dr. Bade in this issue, mark progress, but the issue has not yet been fully joined and further discussion is needed.

It is a splendid possibility which Dr. Bade holds out to San Francisco and the associated bay cities when he makes it clear that the Tuolumne source will not only supply an abundance of pure water, but also an abundance of electric power for public utilities and at a price many millions less than from any other source. If it be true, as claimed by him, that the enjoyment of this use will wholly deprive the public of the use of a most interesting area of Sierra outing ground, then it is inevitable that one or the other, the public or the bay cities, must make great sacrifice. Which shall it be? Is it not defensible on patriotic and moral grounds for residents of the bay cities to say that it shall not be the bay cities who are to make this sacrifice if they can avoid it?

Another point worthy of consideration: If there be other sources of water supply for the bay cities there are there not also other outing grounds for the American public adequate without the Tuolumne watershed? Have our Sierras so shrunken that, from Mount Whitney to Shasta, there are not enough of rugged fastnesses so that this one area can be set aside without public deprivation? Those conversant with our higher mountains might profitably be heard on this phase of the issue.

Again, those who oppose the Hetch-Hetchy plan confess a willingness to oblige the bay cities to the utmost except they will not do so merely to save dollars, and they speak of \$10,000,000 as though it were a bagatelle, but is it? San Francisco has, within three years, undergone the greatest single destruction of property in authenticated human history. The generation that sustained that loss will not live to recoup it. In the light of the great fire it would seem that the item of "mere dollars" might be entitled to more consideration than has been given it. But of this, too, further discussion may well be had.

THE HOLD-OVER PRODUCT.

Fresno is up against a hold-over surplus in the hands of merchants that prevents the movement of the new raisin crop, to the great distress of growers and dealers. What is to be done about it?

There are two ways of relieving a condition of that kind, diminish the product or extend the use. Left to themselves the natural laws of trade apply both of those remedies automatically and effectively. The cheapened product works its way into new uses and markets, low prices discourage production

THE STAFF

A. J. PILLSBURY.....Editor and Manager
 CHESTER H. ROWELL.....Associate
 A. J. WATERHOUSE.....Assistant
 E. FRENCH STROTHER.....Assistant
 O. BLACK.....Business Manager

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somewhat, and equilibrium between supply and demand, always unstable, is restored.

Fresno is striving to facilitate this process by teaching the people of the United States new uses for the raisin. This is the wisest measure Fresno has yet attempted in its struggle on behalf of raisins. It will lack in expedition but the cure will be fairly permanent.

Modern combination has sought to overcome the fluctuations of supply and demand by keeping the market in a state of artificial hunger. This implies both a restricted product and a restricted consumption and is repugnant to sound policy, which should strive for an ample supply and an ever widening use. Fresno tried combination and failed. Competition, also, an immutable law of trade, has finally broken every such effort down.

The best, or worst, that combination in restraint of production and consumption has so far done has been to delay, not overcome, competition. The reduction in the price of steel, lately witnessed, was a confession on the part of the United States Steel Corporation of its inability to prevent competition. Brazil issued its bonds in the sum of \$100,000,000, and invested the proceeds in coffee, in order that its growers might go right on producing coffee with unabated zeal, notwithstanding the fact that the world is drinking "small blacks" instead of large. Brazil is not likely to repeat that experiment.

Combinations in restraint of trade are against public policy because they tend to keep the world hungry instead of filled, the consuming power of the people low instead of high, the range of consumption narrow instead of broad, and, finally, because they ultimately fail in their purpose and make the last condition worse than the first.

Fresno is doing the right thing at last, and it is a pleasure to note that Mr. Horschburgh of the Southern Pacific company, in aiding the work with the invaluable help of the publicity department of that corporation, and much to the credit of that corporation, Americans use only one pound of raisins per year per capita while Englishmen use six. How is it with us when we do not know a good thing when we eat it? The 30th of April is to be raisin day. Let each household help it along by having a plum pudding at least.

THE ANDERSON DECISION EXPLAINED.

A week ago reliance had to be placed upon Associated Press dispatches regarding the non-suiting of the government in its case against the Standard Oil of Indiana. Chicago papers give the decision in fuller detail.

Judge Anderson held that no one can be prosecuted for receiving rebates from anything except a legal rate. To be legal a rate must be made by an authority having legal power to make it. Copies of the rate sheet

must be filed with the Interstate Commerce Commission and three copies kept posted in every freight office of the rate-making railroad. The only authority for making a rate sheet is the railroad that paid the rebates. That is, one of the parties to a crime against the public has the power to relieve the other offender from punishment by failing to do some one thing required to be done in order to constitute a legal rate, and then it may itself secure immunity from punishment by volunteering to furnish testimony.

Again, the trained judges of the court of appeals (who trained them?) held that, whether or not this particular rate was legal, was a matter about which they themselves differed. Therefore it would be impossible for a jury to believe, beyond a reasonable doubt, in the legality of such rate. If they did so agree their verdict would be set aside. That is, where judges may differ jurors cannot be permitted to agree.

It is a principle of law that what is alleged in the indictment must be proved by the evidence and not something else. The indictment alleged that the rate over the Chicago and Alton from Chappell, Illinois, to St. Louis, was nineteen and one-half cents per 100 pounds. The proof was that the rate over the Chicago & Alton was eighteen cents to East St. Louis and that the bridge company a separate corporation, received one and one-half cents more for hauling across the bridge to St. Louis, making the nineteen and one-half cents. This, according to Judge Anderson, constituted a fatal variance between the allegation and the proof, although the Chicago & Alton did in fact charge the whole nineteen and one-half cents, itself settling with the bridge company. This variance was fatal to justice, not to common sense.

Another reason why the rate was illegal was that the sheet filed with the Interstate Commerce Commission did not have the oil rate on it, but did have a cross reference to another sheet that did have the oil rate. The other sheet was not made out by the railroad, but by a railroad and warehouse commission created by the State of Illinois and over which the United States Government had no jurisdiction. Using the cross reference instead of the rate was fatal, although that cross reference was part of the rate sheet and made the only rate there was.

Now the facts are that the only rate that any other shipper of oil could get to St. Louis was nineteen and one-half cents per 100 pounds. This was more than the traffic would bear, so there was no other shipper. But the Standard Oil company shipped thousands of cars at six or six and one half cents per 100 pounds, contrary to the only rate there was, and it cannot be punished for it because of the hairsplitting distinctions drawn by Judge Anderson and the court of appeals before him. Those decisions may be law as the courts have made the law, but they are neither just to society nor founded in common sense.

The soul of justice has departed from this whole proceeding. The spirit of Judge Anderson's decision is destructive, not preservative, of social order, and society cannot permanently survive such successive miscarriages of justice. The decision of Judge Landis was notice to the great law-defying corporations that they must obey the law or suffer confiscation of their property. It was notice that needed to be given. The decision of Judge Anderson is notification to such corporations that they need obey no law not to their liking, that in the final pinch judges may be relied upon to find some technicality, some twist that may be given to the process of reasoning, some helms committed by some party to the crime, that will preserve them harmless no matter how flagrant their offenses against social order may have been.

Honor to Whom Honor Is Due.

The most powerful protective measure society can apply as penalty for moral delinquency is social ostracism. If those who transgress the laws and flout the decencies of life are honored, commended, with a cordiality seldom accorded to those who walk uprightly before God and men, society disarms itself and stands helpless before the face of iniquity. Time was when notorious courtesans received the first men of nations in their salons and statesmen openly vied with each other for the favor of their smiles. Men have hoped that that time had passed. Common notoriety does the owner of the Oakland Tribune wrong if it be not true that he makes merchandise of the influence of his paper. To do that is journalistic harlotry, yet the governor of his state, the mayor of his city, two justices from the state supreme bench, a representative of the national government, heads of great corporations, merchants, leading lights at the bar, lately joined to honor this editor as no other Oakland editor ever was honored. What conclusion must we draw from this incident? Either that these first men of official and social life are no better than he, that they shamelessly honored a man whom they in their hearts despise, or they believe that, in the aid and comfort given those who have debauched civic life in San Francisco and have sought to break down the law, he has bravely performed God's service and, therefore, honor to him is due. The issue is referred to those thousands of his fellow citizens who would no sooner admit a case of leprosy than this man's newspaper to their homes.

Honor to Doctor Blue.

Arrangements are making for publicly acknowledging the debt of gratitude San Francisco owes Dr. Rupert N. Blue for the service he has performed in driving the germs of bubonic plague from this city. This is splendid. It is in splendid contrast with the conspiracy of falsehood into which the city, the press, the state and the government entered a few years since, with the result that one who occupied the position now occupied by Doctor Blue was hounded from the state and San Francisco was made to stand convicted of bad faith in the full view of the whole country. From that event to Doctor Blue is from the ridiculous to the sublime, from dishonor to honor, from falsehood to faith, from an insanity of fear to the sobriety of sound judgment. It can never be foreknown when an incoming ship may discharge plague-infected rats into the wharves and streets of San Francisco, but let it never again be forgotten that good faith in the eyes of the nation is an asset of inestimable value.

To the Credit of Kruttschnitt.

When it was announced that the Southern Pacific company would afford full publicity regarding the causes and consequences of accidents upon its lines few expected that good faith would attend the reversal of the former policy of smothering the facts and, if possible, beguiling the coroner into making a report exonerating the company from blame. Indeed, the election of coroner was not beneath the manipulation of the political bureau of that company. But events seem to show that good faith has been maintained with the public in relation to accidents. Not only have the facts been given but, upon the initiative of Mr. Julius Kruttschnitt, citizens have been called in to aid the railroad officials in getting at the facts in each case. The late accident at Suisun affords a typical example. Here three disinterested citizens were called into consultation and the findings of fact, in which they joined, left nothing to be desired. Whenever

railroad managers resort to a policy of good faith they will find the public, and the reputable press, meeting them fully half way.

Outlawing School Frats.

It was probably a good thing to have the legislature ordain that, on and after the going into effect of the will of the people of California, there shall be no more secret societies connected with the public schools below the grade of college or university, yet the incident what do our young Californians feed that they cannot be spanked without ordering out the militia?

San Francisco's Gas Bills.

The board of supervisors is doing well in making a careful examination into the alleged illicit increase in gas bills in San Francisco. It would be no new thing to have a great corporation convicted (out of court) of two offenses: grand and petty larceny, but when the affairs of such corporation are in the hands of such a man as John A. Britton it is proper to suspend judgment until the evidence is in. While in charge of the gas company in Oakland that city had no quarrel with Mr. Britton or the company he managed, unless it was that the quality of the gas furnished was not at all commensal in the interests of a larger use. Why he should wish to do otherwise in San Francisco does not appear, but suffer the facts to be threshed out and no guilty man to escape. Fortunately Doctor d'Ancona can be relied upon to give all parties a square deal.

Great On Genealogy.

The people of New England feel that they are by now so far removed from the apex end of the family tree as to make it tolerably safe to indulge in genealogical research and, to this end, the Massachusetts legislature is preparing to demand that the records of Revolutionary pensioners, stowed away in the archives at Washington, be thrown open to public inspection. Why not? The narrowness and bigotry, the extravagance in denunciation and inefficiency in service of the majority of that day are so lost in the engulging oblivion of time that a common ancestry may now hark in the indiscriminating effulgence of the glory earned by the steadfast few who clung to Washington in sheer doggedness of purpose until the victory was finally won. Take off the lid.

Hurrah For Texas!

The speaker of the Texas assembly carried on the attache roll of that body, as stenographer, a lady of his acquaintance who lived in Kansas City and performed no service in Texas. For this he was driven from the speaker's chair in disgrace. The fact that the lady was not in Texas may have intensified the feeling of hostility toward the speaker, but he was driven from office for being a larcenist. If California now had in its treasury all the money that, during the last fifty years, has been larcenously paid out to legislative attaches by methods no less outrageous than that of which the speaker of the Texas assembly has been found guilty, the present legislature would find small justification for imposing added burdens upon the taxpaying public. Encouraging progress has been made when a legislature has learned that it is wrong to steal.

We did not get the thousand letters that we invited last week. We got some. We want more. Please let us have your opinion of The California Weekly.

The Deeper Significance
: : : : of Living : : : :

From childhood we have had dinned into our ears the fact of the existence of sin, but how many have a clear idea of what sin is? Many know what chills and fever are, but what is malaria? It took science long to answer that question, to turn the microscope upon the blood in the veins and direct its attention to an object smaller than the finest point of the finest needle, and say to the inquirer: "That is malaria."

The achievements of science have been wonderful beyond the power of the imagination to conceive, but science has not found out what sin is in its essence. It has found the germ of malaria, typhoid, yellow fever, tuberculosis, and may find the origin of cancer, but it has not found the beginning of sin, because sin is a disease of the soul and science has not been able to find the soul. If science be asked it will answer, "I have sought all through the body from crown of the head to sole of the feet. I have resolved the human body into little else than sugar and water. I know every organ, and almost every function of every organ, but the human soul I have not found. Where it abides I know not, and until I find the soul I cannot tell what ails the soul when it is sick." Science is right; It cannot tell. We may well sit uncovered in the present of science, for we have a strong claim upon it. The soul has taken its flight before science can have access to the human body. How, then, can it hope to find the soul?

There runs a bit of folk lore to the effect that sin came into the world in a garden, in the form of a serpent and beguiled our parents into disobedience, but few any longer accept that story as literally true, but only figuratively true, just a nice way of making a great truth so plain as to be intelligible to the duller intelligence. The burden of that story was that sin is disobedience, disobedience to the laws of God, the obligations of brotherhood, the obligations of the still, small voice. That is, perhaps, as good a definition of sin as we shall ever get, and yet it seems to fall short of being a good working hypothesis, a convenient rule for instant application in emergencies, a rule that may be carried in the vest pocket for instant reference.

There is a definition that we can all of us understand on the instant, that leaves little room for doubt or discussion. It is that sinfulness is selfishness. If this definition be not scientifically exact, if it be not theologically comprehensive and exclusive, it is at least very ready for application to any concrete case.

Now there is a difference between selfishness and self-helpfulness. Science tells us that species survive through struggle for existence, a savage devouring struggle of each member of the species to help itself, but later on it qualified this statement by the further truth that no species would have been able to survive had it not been for a struggle of the individual for the good of his kind, of the mother for her offspring, of the father for his family, of the neighbor for his friend, of the citizen for his country.

It is self-helpfulness that makes the world rich. It is selfishness that makes the world poor, the conditions of life hard and the utility of a life questionable. Whatever makes life hard and of questionable utility to offspring, family, neighbor, country, is sin.

There is no need, in order that one may be unselfish, that he shall not be self-helpful. The city of London may be swept in thirty minutes by each person sweeping in front of his own door, and just as quickly that way as if each one were to sweep unselfishly in front of his neighbor's door instead of his own. Each one should, at the very least, pull his own weight in the common struggle to get on, and more if he can, so that he may lend a hand to some one who cannot do it. We know that sin is selfishness we shall know it when we see it and so be able to avoid it.

THE WORLD AT LARGE

Wireless From City to City.

The next development of the wireless telegraph seems likely to be the establishment of municipal stations in the city hall towers of all principal cities to the end that, no matter what storms may sweep the country, or how the poles of the telegraph companies may fare with winds and sleet and snow, it will be possible to communicate with the outside world so long as the city hall tower remains standing. Philadelphia is taking the lead and inasmuch as the expense is relatively slight, it is likely that all the city halls of the country will be hallooing at each other in the near future.

Passing of the Shakers.

That strange sect of queer people, the Shakers, appears to be passing out of existence. What colonies there are are only remnants and the principal one of them all, at Lebanon, Ohio, which was located in 1805, is now in the act of turning its land holdings over to a Methodist home for old people in exchange for the care of the survivors while they live. Of twenty-three survivors only five are under seventy years of age and many are much older. The settlement once had a population of 800 and planted colonies elsewhere, but it has survived all of its colonies as well as its own prosperity. The members were getting to be too feeble to care for themselves and as no new accessions came to their ranks they have been forced to surrender.

Reciprocal Coal Relations.

One of the smartest fights of the special tariff session of Congress is going to be over the duty on coal. From Pittsburgh west all coal operators wish coal to come in free on condition that Canada will let coal in free. From Pittsburgh east the operators want a tariff to prevent Nova Scotia coal competing along the seaboard with anthracite. With free coal on both sides of the line central and western Canada will buy bituminous coal from Uncle Sam's country, and New England will buy largely from Nova Scotia. The trade as a whole will break evenly, and only "By Grace of God" Baer and his associates will be hard hit. It remains to be seen whether those worthies can frustrate the new movement, for the people and the operators are up in arms for it both sides of the line.

Not Sweetened to Taste.

The love which the twin cities of Minneapolis have long cherished for each other is proverbial. The Armour Packing company conceived the idea that the establishment of a packing house between the two cities might purify the atmosphere, but St. Paul, at least, is contrary minded and is calling upon the legislature, the courts, the state board of health and imploring heaven to forefend while Minneapolis looks on hardly knowing whether to take a hand or not. The prevailing winds are toward St. Paul, but sometimes blow up stream. Minneapolis' action in the premises depends on weather probabilities. If Minneapolis could be certain that the wind would blow from the packing house town toward St. Paul, what nuts!

Progress In Corea.

Notwithstanding bitter winter weather the emperor of Corea, accompanied by Marquis Ito, representing the government of Japan, has been making a tour of the country addressing the principal dignitaries at each considerable village, counseling them all to stand by Japan and to cease wrangling over old differences and to fall to work to make Corea a progressive and prosperous nation. His majesty pointed out that Japan had been forced into two great wars because of Corea's being too weak to defend her own rights and that it is not in human nature to expect Japan to undergo a third

experience of that kind from the same cause. He feels confident that Japan desires the prosperity of Corea. It seems Japan was not fortunate in a former effort to govern Corea, but appears now to be in better shape to achieve success.

The Ousting of Ahearn.

President Ahearn, of the Borough of Manhattan, New York, was found to be unfit for his office and Governor Hughes removed him. The Tammany Board of Aldermen immediately reappointed him. Legal steps were taken to set aside this appointment. The courts have wrestled with the case for more than a year but have finally decided that it could not have been the intent of the law so to nullify a power expressly given to the governor, and that the only way to reinstate Ahearn over the dismissal by the governor will be to reject him by the votes of the issue. The public interest in the issue consists in noting that the department of justice permitted a mere trick of Tammany to keep an unfit man in office until his term had well-nigh expired and some idea of the extent of the protection furnished the home of the Englishman may be formed from the character of the North Sea fleet. This fleet will carry 124 twelve-inch, 109 nine-inch, and 150 seven- and six-inch guns. In the active fleet will be twenty-two first-class battleships and cruisers and, in reserve, eighteen additional battleships and cruisers three-fifths manned. This great force will patrol the east coast of Britain from Dover to Cromarty Firth. There will be still another fleet patrolling between the Irish coast and Gibraltar where it touches with the Mediterranean fleet. Besides there are British ships of war in all other seas of the world. To say that John Bull is armed to the teeth does not half tell it, yet four more Dreadnaughts are being provided for this year. Where will it all end?

Defending the Englishman's Home.

If John Bull is afraid of burglars at least he is not covering in fear and is preparing to give them a warm reception. He has just added \$15,000,000 to last year's naval budget, and some idea of the extent of the protection furnished the home of the Englishman may be formed from the character of the North Sea fleet. This fleet will carry 124 twelve-inch, 109 nine-inch, and 150 seven- and six-inch guns. In the active fleet will be twenty-two first-class battleships and cruisers and, in reserve, eighteen additional battleships and cruisers three-fifths manned. This great force will patrol the east coast of Britain from Dover to Cromarty Firth. There will be still another fleet patrolling between the Irish coast and Gibraltar where it touches with the Mediterranean fleet. Besides there are British ships of war in all other seas of the world. To say that John Bull is armed to the teeth does not half tell it, yet four more Dreadnaughts are being provided for this year. Where will it all end?

The Lay Brotherhood.

The evangelical churches of America are organizing a stupendous lay movement for the advancement of the cause of Christianity. It aims at the enlistment of a million laymen in active co-operation with the clergy in spreading the gospel and strengthening missionary movements at home and abroad. The idea is that there shall be one head to this army of workers, that it shall be non-sectarian at the head, but working out to forefend while the denominations, with the work divided into district branches, with the work divided into district branches, with the work divided into district branches. The hope is that there will not be so much struggling between the churches as by all the churches to reach the unchurched. If carried out as planned the idea should produce great results.

Still Bigger Ships.

The Hamburg-American steamship company will pay its stockholders no dividend this year. Two years ago this company paid 10 per cent, one year ago 6 per cent, this year nothing. Two principal causes are assigned for the inability of this company to make profits: the almost entire cessation of immigrant travel toward the United States last year, and the building of the Lusitania and Mauretania by the Cunard company. Until these vessels were built by the British company the German line had the largest and swiftest transatlantic palaces afloat, but now that the Germans have

been beaten in time and in size of their ships the cream of the trade has gone from them. There is nothing for it, then, except to build bigger ships with more powerful engines. Great, but unavailing, efforts were made to so organize, or Morganize, the transatlantic carrying trade as to eliminate competition and impose all that the traffic will bear. National pride is a sentiment that even the trust spirit has not been able to overcome.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

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A MENDER OF BROKEN HEARTS

By JEROME LYNCH.

Just as Superior Judge Lindsey of Colorado has achieved international fame in confronting the vexed question of "What to do with our bad boys and girls," by his unerring aim at the hearts and sympathies of erring childhood, so Superior Judge Thomas F. Graham bids fair to attain equally signal success by his solution of the enigma, "What to do with our unhappy husbands and wives." Judge Graham, a kindly jurist of San Francisco, has passed beyond the experimental stage of his judicial labors in this respect, for scores of reconciled men and women, re-united in happy homes, stand to-day as efficacious monuments to his success of several years' labor.

In referring to Judge Graham as the "San Francisco jurist whose methods in the divorce courts are picturesque," an eastern magazine says:

"Results of his eminent success have suggested similar methods to other courts throughout the United States, and have justified newspaper agitation for a 'court of broken hearts,' or in less romantic language, the segregation of the divorces into one department under Judge Graham.

The methods of this judge have been as prolific in success along their particular line as have the humane efforts of Judge Lindsey in dealing with incorrigible boys and girls in the juvenile court of Colorado. Both jurists are exemplars of a high type of common good, and in the labors of both men ultra-humanitarian benefits have accrued."

The methods of Judge Graham in effacing the divorce evil are simple but highly effective. It is by his very simplicity of method in reaching the human spot, in each instance by direct and incisive sympathy, that broken hearts have been healed, broken homes restored, and broken lives re-united. By the deft touch of sympathy, and the right word said at the right moment, he has opened up vistas of hope and dispelled hatreds, where an ordinary apathetic obedience to his oath of office and the bare performance of his judicial duty might have split in twain men and women struggling in hateful bonds, sending them forth embittered with the world, with shattered idols of love as their only souvenirs of happier days.

Judge Graham, who was young himself not so very long ago, is very young in spirit still. He keeps a cozy corner in his heart for the boy and girl reveling in a wild melody of love, and, remembering, he strives to restore the old time harmony where years have outlived the echoes. One word that arises to his mind as each man or woman comes to him for a divorce is "reconciliation." No matter how hopeless the case may appear, that word comes forward as a possible solution of the trouble.

Reconcilable cases arise principally from jealousy, thoughtlessness, brooding over instead of reforming wrongs, and that inscribable irritation which creeps into most wedded lives after the novelty of wedlock has worn off. More difficult cases are those of wanton cruelty, marked inadaptation of temperaments, disparity of ages, hatred of offspring, chronic misconduct of either party, infidelity to the vows of chastity and marked opposition of racial or religious views. Few cases are absolutely hopeless, he believes, but there are some, among them being irreducible jealousy, apparitions of flagrant misdeeds prior to marriage which justify to mock the innocent spouse after the knot is tied, permanent insanity, felonies, and other causes tending to destroy the future of happiness and render marital life impossible.

Like all students of married conditions, Judge Graham believes the principal blight of wedded peace is the hasty, thoughtless marriage, and no couple can come to him to be joined in wedlock until he is satisfied that theirs is a deeper affection than a transient infatuation springing from a brief acquaintance.

Judge Graham, by the way, is averse to performing marriages at all. Of course, he will marry a couple if they insist, but he

invariably seeks to ascertain first if no possibility of a church benediction is possible. He believes every marriage should be endowed with the blessing of the church, whether the faith be Christian, Jew, or Mohammedan. He generally advises the pair to go to the priest, minister or rabbi of their faith, having an idea that the benediction of their creed tends to stamp the union with deeper reflection and permanency of motive in retaining the bonds until death ends the ties.

An occasional visit to Department No. 10 of the Superior Court of San Francisco is a revelation. There the visitor may find every phase of human emotions portrayed, from pathos to humor; and misery to happiness.

"Judge, that old woman is all right when she's in a good humor, but she's never that way no more."

A withered little old man shook his head ruefully as he told his troubles to the court, while his helpmate, a waspish looking woman, eyed him askance with palpable disfavor. As he began to unfold his woes into the attentive ear of the bench, and the judge with abstracted eyes was figuring out how he might effect a reconciliation, the woman broke in with:



Judge Thomas F. Graham.

"Yer honor, that old man is the torment of me life. It's every morning, noon and night that he plagues me with nagging and telling me that he's sorry that he's married. But I like him, all the same and—"

A smile of ineffable satisfaction irradiated the face of the bench and a few moments later the two bent old forms went out of the court, arm in arm, back to life that was to be theirs, happy in their newly awakened love; she volubly blessing the court, and he mumbling that he "didn't quite understand before."

How was it done? Nobody there seemed to know, but it happened somehow, and it did not take more than a few moments of earnest talk by Judge Graham to do it.

A stout woman, with arms akimbo, eyed her husband with compressed lips as he explained to the court that his wife, who was a dozen years older than himself, had left him, and taken their joint savings and his step-children. No, he had no explanation of the cause, but she simply went. The woman told her side of the story. She said her husband had twitted her about her age, and boasted that he might have married a much younger and prettier woman than herself. The husband admitted

this, but said he had only done it in a moment of anger and never meant it.

Again a reconciliation was effected, just how no one exactly knew, but it happened and the couple left court without the divorce decree, but on a better understanding with each other.

A young wife told a tale of neglect. Her husband, she said, was a man of some wealth and provided for her comfort, but he went off on long duck-hunting expeditions, leaving her lonely home. Quarrels were frequent and the split between them reached the divorce stage. Then the judge again conquered. He pointed out, with judicial compliments, that the young wife was a fine, healthy, sturdy girl well able to share the rigors of her husband's hunting trips. He told her of the society women who enjoyed the exhilarating pursuit and then turned to the husband. One of the finest forms of enjoyments, said the judge to the wondering husband, was for a man to take his wife along with him on hunting trips. It was a novelty of which few knew until they tried, and happy indeed was he whose wife was strong enough and willing enough to accompany him on a rollicking trip with the shotgun. That this maneuver proved successful was shown conclusively enough a short time after when the lady was arrested by the game warden for shooting birds out of season; but that is an incident. The pair found a common hobby and are now hunting chums as well as happy man and wife.

Pretty, feather-brained little Mrs. Blank, with nodding plumes of palest blue in a monstrous merry widow hat, and gowned in riotous colors, appeared in court to contest her husband's suit for divorce. The man said his bride of less than a year thought of nothing but "gadding about," visiting friends, and winking at acquaintances on the street. When he returned home, she complained, there was nothing to eat except cold scraps in the pantry. It appeared that the stork also hovered over the unhappy domicile, which added to his distress. Here the stork formed the healing balm. There was again an earnest talk, the shedding of some pent-up tears, an earnest vow to stay at home and cook George's meals, and settle down to the happiness which the years to come held out for them both. Mrs. Blank kissed Mr. Blank in court and she went out with a smile of happiness through her tears as she thanked the bench for explaining things in a proper light.

Then there was a story of two old people who had married late in life. With the infirmities of age they shared many oddities and differed in many opinions. One bone of contention was the old yard. The old man claimed that he raised more fowls than his wife, while the old lady indignantly repudiated this fine point. Their differences reached a point of intoleration and both hid to the divorce court. This was somewhat of a poser for Judge Graham, but he was equal to the occasion. Why not, he suggested blandly, fix a dividing fence between her chickens and his, and thus raise individual hen interests? Why not, indeed, echoed the old people as the light dawned upon them. They left court, forgetting about the divorce, and both are now raising flourishing chicken flocks to their mutual adoration.

Of course all cases do not end so happily. It was only last week that a foolish old woman, with grandchildren, was sued by her husband, a most estimable old man, on grounds of desertion. The woman had left her home and children for an affinity as old as herself, and the two lived a short distance from the broken home, outraging the proprieties, a reproach to husband, daughters and little grand children. One of the daughters, who had daughters of her own, had tearfully pleaded with the erring old woman, but in vain. In that instance Judge Graham exhausted every expedient and granted the decree. Parallel cases occur from time to time, but he is reluctantly obliged to acknowledge defeat, but his conquests far outstrip the failures.

THE PASSING OF THE TEDDIE BEAR

By TOM GREGORY.

The other day, while great political changes were taking place in this land, the small folks of the world did not quite know how significant those changes were to them. The Teddie Bear, that tiny animal King of Toyland, was passing. Like his canine cousin, the dog, Teddie had his day and when his hour was striking he struck out for the timber. For a season he had ranged growlingly up and down the nursery, scaring the dollies with his white teeth till their waxy cheeks were pale with terror and they did not dare to lie down and shut their blue eyes for fear the fierce little beast would eat them up before they got awake. But he is gone—they do not know where, and they all feel safer. The Little Boy Blue and the other toy creatures are returning from exile in the closet, believing that the good old time when they were made much of is coming back again. The Angora Kitten hated the Teddie Bear with all the ferocity of her feline nature because that Ursa Minor was her rival in the heart of the little girl mistress of the place. Kitten also despised the Teddie because he was only a dead and stuffed imitation of an integral part of the animal kingdom. Now she is making the nursery vocal with her solo purrs. And the Plaster Pug, who was never played with, not even kicked nor thrown around, because he was so breakable, and had no use in that house except to sit in some corner and try to be a cheap ornament, is blinking his big goggle eyes and is glad. If the Bunny had any mind or individuality and was anything but a stupid make-believe rabbit, he too, would be happy over the change.

So it's joy for the things of toytown and back to the wilds for the Teddie Bear. After his little flyer in civilization he returns to savagery. After his day of playfellow to infantile humanity he takes up the work of nos-

ing out an existence in the night of the inhospitable jungle. While lost in the forest depths will the Teddie Bear oftentimes think of his past when he played the idol of his erstwhile small owner, and will his glass eyes grow misty with tears when he remembers how he was petted and scolded and cuddled and mauled and loved and quarreled over and cried over and given and taken and back again and ridiculously dressed in Dollie's clothes and left forgotten out of doors overnight with the evicted cat who viciously scratched him because he was neither a doll nor a cat nor anything and because he had supplanted her in the household and was as useless for mouse-catching as the Plaster Pug?

Crawling into his cold bed of leaves under the stars will he be reminded of the comfortable naps with his baby mistress, folded closely in her warm arms as she slumbered in her snowy cot? Will he pass again into the dreams he dreamed with her, the dreams in which they wandered afar in that mystic land that lies beyond the borders of sleep? Will he recall when they buried the dead Canary out in the flower bed and they two were the chief mourners and he sat doubled up at the graveside and, tho' he did not in the least understand it all, silently cried because she did and, like her, was sad all day because of the bird-singer left mute under the white daisies?

And will he wonder if he is missed? If Little Boy Blue and his squad of toy soldiers again on guard are watching against his possible return? If the dollies whom he frightened with his white teeth are, after all, sorry he went away? If the Angora Kitten again would scratch the yellow fur off his face if he caught him in the nursery? And if the Bunny would have intelligence enough to recognize him?

Why he was driven out, in this exile, he can never know, because the reason is outside the mentality of the Teddie Bear. Even human creatures often fall far short of knowing, and imitation usro minors, even with major titles, are almost as limited in the thinking faculty as folks of the genus homo. Those superior creatures will feebly attempt the solution of the Why and then go to pieces at the first interrogation point. Possibly the Teddie Bear won't try to think, but will join some where in the dim land of the Has Beens that innumerable caravan moving to its place beyond the verge of memory, and so forget it all as he will be forgotten here.

Yet I do not believe the Teddie Bear will pass so soon and so surely out of recollection. In his cute, cubby way he trotted into a place no other toy person ever filled as he filled it. Even Dollie, with generations and more generations of precedence—Dollie, who came down with infant humanity from the household of Eve, found the newcomer first in the nursery, first in the playground and first in the heart of their baby-mistress. He was not comely. Dollie could put it all over him there, and his grotesqueness was in marked contrast to her dainty prettiness. Maybe her manifest aversion to him was the cause of his rough, bearish conduct in her presence. Anyhow, her ladylike manner never seemed to polish him, and he was always a bear—a Teddie Bear—in doll society. The pair were the old fairy "Beauty and the Beast," wedded again for the entertainment of childhood. Though he were dead, yet will the dear little Teddie Bear live till the nurslings who loved him and cherished him are hence.

The Teddie Bear is dead! Long live the Teddie Bear!

Santa Rosa, Cal., March 14, 1909.

MORE NAPOLEON STORIES.

Napoleon once said to Roederer: "My policy is to govern men according to the wish of the majority. That, it seems to me, is the right way of recognizing the sovereignty of the people. It was by making myself a Catholic that I ended the War in La Vendee, by making myself a Mussulman that I got

a foothold in Egypt, by becoming an 'ultramontane' that I won over men in Italy. If I governed a nation of Jews I should restore the Temple of Solomon. I shall continue slavery in Ile de France, even in the slaveholding part of Santo Domingo. But I shall soften and limit slavery wherever I maintain it; likewise I shall keep order and discipline wherever I allow liberty."

"You are like politicians in general," declared Roederer to Roederer, in discussing religious matters. "You think that no attention need be paid to the priests as long as they are quiet, and that they should be stopped when they grow turbulent. You might as well say: 'There are men with lighted torches surrounding your house, leave them there. But if they set the house on fire, stop them.'"

Later on he said:

"I love power, but I love it as an artist. I love it as a musician loves his violin."

"When he plays it well," suggested Roederer. "I love it," continued Napoleon, "to get from it such sounds, chords, harmonies. The King of Holland talks to me of private life. Of all three brothers, the one most fitted to live quietly at Montfontaine is myself. In me there are two different men; the man of head and the man of heart. At home I am the man of heart; I play with children, I chat with my wife, I read aloud from novels."

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Address to a Venerable Duck.

The remains of a prehistoric duck, estimated to be 3,000,000 years old, have been found in Wyoming.

Oh, ancient duck—Forgive, if thou'rt a Miss,
The adjective I thus apply to thee,
And let me remedy my fault like this:
Oh, duck of age uncertain, fancy-free,
'Tis long indeed since thou didst squawk and quack

Above some dank and prehistoric glade,
Ere Adam turned on Eden's gate his back
And Eve her simple, fig-leaf costume made.

Yes, it has been a weary time, I say—

Enough, perhaps, to try the Calhoun case—
Since eggs primeval thou didst fondly lay,
Through which proud ducks track their lineage
may trace;

Yet not so long, for aeons e'er afford
Some mysteries to miracles akin,

And I do vow, at my landlady's board,

But yesterday, I did attack thy twin.

L'Envoi.

Oh, fowl, time-toughened, of the long ago,

In pity hear and heed my doleful plea;

Since marketmen will welcome thee, I row,

Let not my landlady set eyes on thee!

The Next "Sweating" Process.

"I notice," said the man who sat next me on the boat, "that the San Francisco police have 'sweated' a hotel waiter to make him confess that he stole a pearl necklace, and have found several valuable clues, valuable because they hadn't found any other kind. 'Twas a noble proceeding, and the fact that it was taken in defiance of law makes it the more heroic. When inquiry is rampant, crime stalks abroad, and law is violated, violate some more, and all may yet be well.

"I understand that our efficient and patriotic force are going to sweat Patrick Calhoun next. Like everybody else, they recognize that bribery has been committed; committed in behalf of the United Railroads, and they wish to ascertain what the head of that organization knows about it.

"So they will place him in solitary confinement, and about stem times a day will visit him and put the soul of him on the rack, as they do with others, and at last, pale, tortured and trembling, he will confess all. The proceeding will warp the law some, but think of the good it will accomplish!"

"I don't believe it," said I.

"Why not?" the man inquired.

"Did you ever hear of a man with a million being 'sweated'?" I inquired.

The man appeared to be indignant.

"Say," said I, "do you mean to insinuate that those heroic defenders of the public are such slinks that they would 'sweat' a man if he was without friends, but would let him alone if he had influence?" Do you mean to suggest that—

"I suggest nothing," said I, "but I sort of feel that I have had a hunch."

Just then our boat pulled in to the pier, and we made our rush with the rest.

A Liberal Allowance.

The works of Ambrose Bierce are to be published in ten volumes.

But are not ten cruets of vinegar on one table at one meal rather overdoing that article of the menu?

Veniremen, Tailors and Men.

It takes nine tailors to make a man. It takes 235 veniremen (witness the Calhoun case) to make a man who is fit for jury service. Evidently, then, it would require veniremen to the number of—

Work it out for yourself, Cephas; work it out for yourself. It merely struck me, in watching the progress of the case, that it must take a considerable number of veniremen to make a tailor.

The Opinions of Rufus.

Fishin' in the big pond o' life, 'tain't how much but what you ketch that counts. One good bass is wuth more'n a hull string of suckers.

The feller that expects nuthin is mighty apt to git it.

You say you don't like no 'ttry, Silas? Neither would my pup care about Miss Crocker's pearl necklace.

I b'lieve my soul's immortal, but, b'lievin' this, I'd feel better satisfied with it sometimes if 'twould take somethin' fer its behavior. I judge that the pain of war 'in somethin' an' then not gettin' it, is more'n offset by the pain of gittin' it an' then not wantin' it.

Don't laff at children that skeer each other by sayin, "Boo!" Prob'ly that's life's way of teachin' them to take their part in a financial panic when they're growed up.

"A diamond in the rough," 'es I understand it, is a feller that kin be most ev'rythin' that's disquietin' an' yit remain the noble hero of the hook.

I s'pose the reason San Francisco wimmen wear seaskin cloaks an' openwork stockin's on the same day is so's to strike a happy av'rage in their suffrin's.

Lots of people are reel sympathetic; only, the stock they have on hand ain't more'n they want for themselves.

A linn on a lout is worth two in the bush. If you don't b'lieve it, wait till you have to pay for one.

A Toast to Saint Patrick.

Here's peace to Saint Patrick, but not for the shinkus.

For to shake on these pavements is rare. Here's bliss to his sow, for they say that it takes

The grane little isle in its care.

But 'twas nuyther for that, and 'twas nuyther for this,

But 'twas lovin' and praisin' his day,

I an' 'twas him that my Mary first gave me a kiss.

And shole all my sineses away.

Oh, Mary, my Mary, I raily don't know if my sineses will iver return,

For still, whin you kiss me, I'm falin' the low.

Of a fire thot foriver will burn.

It is older we're growin', for time iver flies, Forging the thunderbolts of War.

But join wid me, darlint—now lift up your eyes—

In a pledge to Saint Pat and his Day.

"Gods, What a Fall!"

Alfred Austin, the poet laureate of England, has written five verses, entitled "You and We," for Hampton's Magazine. Three of them follow.

I shift my gaze from Old World shores
Unto the younger land afar.

But there, too, furnace flames and roars,
Forging the thunderbolts of War.

Be then star-strangled flag unfurled
With Union Jack, restless twain,

Proclaiming to a trembling world,
"Peace shall be lord on land and main."

In noble aim united thus,
Let all their peaceful lives pursue;

And if You will but stand by Us,
Be sure that We will stand by You!

From Tennyson to this! From "In Memoriam" to Judge! Suffering shades of the nine Muses, on what sorrowful times have you fallen! Still, Poet Laureate Austin means well; his sentiment is fine, but the poetry! Let us endeavor to continue his inspiration in such manner of verse as should appeal to him:

We also, shift our gaze a bit
Unto the Laureate—salaam—

And there, too, poetry is hit
By thunderbolts and batt'ring ram.

Be then star-spangled Fudge proclaimed,
With Union Bosh, poetic beast,

Proclaiming to the Muse, defamed,
"Stay in your coffin! You're deceased."

In ghastly aim united thus,
Their bitter cud let poets chew,
And though the Muses all may cuss,
They will drop dead at hearing You!

Unfortunate Mr. Oppman.

It is to weep with A. W. Oppman, a retired brewer of Cleveland, who, accompanied by his wife, recently visited the Yellowstone national park and was there snowballed by "reckless and unscrupulous society women" of San Francisco. Moreover, these women dressed themselves as Indians and "emitted loud and wierd shrieks," thereby disturbing Mr. Oppman's sweet dreams. It is a pathetic tale, as he tells it.

But why, oh, why will not this representative of Cleveland's beery aristocracy make allowance for Californians? We take up no general gage of battle for our "society women." Indeed, there are some of them for whom we have blushed ere now. But not for snowballing—not by any means! On the contrary, all Californians should be entitled to the free privilege of throwing snowballs if ever they have the opportunity. Once in twenty or thirty years, more or less, a wee flurry of snow falls in San Francisco, and then the city goes mad. Business men whose estimation of their dollars compels them to look solemn, professional men whose duty to the public necessitates their appearing profound, clergymen who have their dignity to maintain, schoolma'ams who dare not part with the look that awes the pupils; in short, everybody expects either to throw snowballs, be hit by them, or both. Mr. Oppman should understand the memories which the sight of snow awakens in a multitude of Californians.

It is fitting to inquire on what malt hath this, our Oppman, fed that he hath grown so tender.

The One Creed.

I know not where I journey,
Nor the country whence I came,
And I'm mixed, I'm free to mention,
On the theologic game,
And I even dare to wonder,
When the parson says it's so,
If what he seems to know the best
Is what he doesn't know.
But to one creed I am holding,
For it seems divinely planned:
If I love my brothers truly,
On that record I can stand.

There was One who supped with sorrow
Spoke this message long ago,
What man builds to hide His wisdom,
Haply I may never know,
But His great commandment urges,
"Mine is truth, and mine alone."
Though the rest be all forgotten,
I will lead you to the throne.
As ye would receive from others,
Even so to others do.
Though mine eyes by mist are blinded,
I will ever hold it true.

Human creed on dogma piling,
Build your structures higher still;
Let each cry, "Here Truth abideth,
And all other truth is nil,"
But the message that was spoken
By the shores of Galilee
Gleameth o'er all mortal wisdom
As the stars above the sea.
So I'm free to take my chances
In the mist He 'round me drew,
If I do unto my brothers
As to me I'd have them do.

My bushel-basket's disappeared—
Now, what do you think of that!—
My bushel-basket's disappeared,
But Mary has a bran-new hat!

THE GRAFT CASES.

As the horse on the treadmill travels laborious and wearisome miles, at end of them all to be precisely where he began, so the prosecution of Patrick Calhoun has toiled through another week, and has gained—nothing appreciable. To be sure, three or four men have been passed temporarily into the jury box, but there is no certainty that they will remain there. Indeed, the chances are that the most, if not all, of them will not.

But while little has been gained, one development in the case is worthy of note. Pierre E. Duchenein, a prospective juror under examination, had sworn that he held no fixed views concerning the case. Then the prosecution showed by the testimony of a detective formerly in the employ of the United Railroads, as well as by that of another man, that Duchenein did possess a positive opinion, that he had expressed it, that it was favorable to Calhoun, and that a written report to that effect was in the United Railroads' keeping. Nevertheless, the attorneys for the defense had evinced a strong desire to have Duchenein on the jury. Thus do straws show which way runs the defense's "fair trial" current.

It is as impossible to-day as it was two months ago to say when the case will be ready to go to the jury.

Last Friday Judge Dunne granted former Supervisor Michael W. Coffey, convicted of bribery, a continuance of twenty days in which to prepare his appeal.

The retrial of Adolph S. Newburgh, who is charged with an attempt to bribe a juror to vote for the acquittal of Abe Ruef, has been set for next Monday. Superior Judge Conley of Madera county will preside. District Attorney Langdon, assisted by James M. Hanley, will prosecute the case.

PRAYER.

By Alfred Tennyson.

Pray for my soul. More things are wrought by prayer
Than this world dreams of. Wherefore let thy voice

Rise like a fountain for me night and day.
For what are men better than sheep or goats
That nourish a blind life within the brain,
If, knowing God, they lift not hands of prayer,
Both for themselves and those who call them
friend?

For so the whole round earth is every way
Bound by gold chains about the feet of God.



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WITH EYES AND
:: EARS OPEN ::

Several times lately the writer has seen groups of citizens greatly annoyed by the unseemly conduct of drunken men when, if the offender had not been drunken, his trespasses would have been reasonably and possibly, chastisement inflicted. If drunkenness is not to be taken as an excuse for crime, why should it be for misbehavior? Insane persons can be taught to behave and it should be possible to so wallow the social amenities into the inner consciousness of gamblers as to make them gentled whether drunk or sober. The writer would like to see it tried. He objects to having one standard of gentility for inebriates and another for men in their sober minds.

Here is a new argument against the custom of giving tips. It is that the tippers, in hotels and restaurants, to the number of 75 per cent., play the races with the proceeds, and they play them purely as a game of chance without the smallest acquaintance with the horses or the jockeys in charge of them. These are the minnows which the big fish swallow.

There is another reason why the charity of tipping is doubtful. It is that, in effect, the tip often goes to the proprietor rather than to the waiter or porter. In other words, these servants receive from the house, on an average, as much less than a living wage as the average sum in tips. From the Pullman car company down to a lunch counter the proprietary interest is not averse to receiving tips by proxy.

There is, however, one justification for the tip system that is at least worthy of consideration, despite the statement that tips either reach the coffers of the book-makers at the race tracks or the tills of the owners at the desk. It is that courtesy is impossible between equals, that it has its inspiration either in condescension or kow-tow, that unless there be a giving class distinctly inferior, and a tipping class as distinctly superior, gentility will depart from us and we shall all be barbarians together. How thin must be the veneer of our civilization if this be true!

But to return to horse racing: The issue is not, as the uninitiated might suppose, merely a try-out to see if one horse can go faster than another. It is not as simple as that. The horses are first classified into fast, very fast, slow-fast, fast-slow, slow and very slow, or other gradations that answer to this non-technical classification. The writer does not know the horse language. Horses of each group are then speeded against other horses in the same group, never outside of it—unless some owner is slyer than the managers of the track. If too much difference develops between horses in any one of these classes the swifter horse is weighed down with more pounds to carry. Then the devotees of the track proceed to their alleged judgments on horses picked from each group, with handicaps, track conditions, condition of the horses, the variants of accident, the knavishness of the jockeys and the duplicities of book-makers and owners all entering into the equation. It is all scientifically artificial and preposterous, and not at all like the racing in the good old days when the 'fastest hoss got there fastest.'

And it is over this sort of an artificial, not to say artful, bit of humbuggery that men and women go insane, that they commit all the offenses in the criminal calendar, vacillate between diamonds and bone buttons and, when all is done, hie themselves to the sand dunes and blow hot their addled brains. Look steadily into the eye of the race-track habitue, until you perceive what shines through, and, if you don't see the inconstant scintillations of dawning madness it will be because you have not first cast that same devil out of your own tell-tale orbs.

The writer does not happen to know anything about the statements set forth in the

above paragraphs. He merely overheard them explained.

We want more opinions of readers regarding The California Weekly. Will you not please write, briefly, just what you think of it?

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POLITICAL TABLE TALK

By THE WATCHMAN.

Uncle Joseph Given a Jolt The victory won by the Republican insurgents and Democrats in the organization of the House of Representatives Monday was neither glorious nor decisive, but it tended toward a more representative form of government of that body and will encourage further efforts toward making the speaker the servant of the house rather than its imperious master. The house must do business, and it can neither allow public business nor public mores to be talked to death by exhaustless gasbags, but if we are to have a one-man government let us choose an emperor, not a boss.

The Real Purpose They Had In View It was from the first evident that, apart from the alien land bill fathered by Assemblyman Drew, the anti-Japanese legislation that pestered the legislature was not aimed at the Japanese. There was some question as to whether its primary purpose was so to obscure the political horizon as to permit mischief to be done unseen under the dust, to embarrass the closing weeks of the Roosevelt administration or to raise a disturbing influence here in San Francisco. It was morally certain that the purpose pretended by Grove L. Johnson could not be the real purpose, but what was it? An inside tip gives reason for suspecting that, while the other objects suggested were not out of mind, the main one was to so force the Lincoln-Roosevelt members of the legislature into a support of national Roosevelt policies as to "quer" the Lincoln-Roosevelt League men with the labor element in San Francisco. This explanation leaves little to be desired.

Unhappy Harper Of Los Angeles Los Angeles is capable of a genuine moral enthusiasm. It knows right from wrong and, upon occasion, is able to rise in righteous wrath and make its power felt. It made it so warm for one of Mr. Herrin's mayors that he simply skedaddled. Mr. Herrin's handy man Parker came to the rescue and undertook to put in former Mayor Harper's place one who would be more decent but not less servicable. The moral wrath of Los Angeles rose at that and the vacant place was filled by a gentleman to whom no one can object. It is expected that the recall election will go on to a finish fight at the polls. The recall has been looked upon with many questionings, but without it Los Angeles would have had to sweat and stew under the Harper regime until the end of his term. The recall justified its existence by this one ouster even if no further use be found for it for a decade. What is now needed is to find some means as effectual for getting rid of the city boss as one of the functionaries he puts up to represent him.

State Pensions Unconstitutional We are not, as at one time feared, to have the beginnings of a state pension system, through provision for retirement pay to employees in state hospitals after twenty-one years of service. The bill passed the Assembly, but after it got over into the Senate it did not take the lawyers long to discover that the state constitution forbids the making of gifts from the public treasury and that a pension would be a gift.

Records of Convicts To Be Made Promptly A bill passed by both branches of the legislature, and which will no doubt be approved by the governor, provides that when a person has been convicted of a state prison offense the trial judge and the district attorney shall join in a statement of their views respecting the convicted person and such statement shall be forwarded to the prison directors. In order to be able to make up such statement the court must take pains to elicit such evidence as can be had showing the criminal's personal records, and the prisoner. One of the objects, and no doubt the principal one, of this act is to have on

record at the prisons the facts with regard to convicts so that they may be used in connection with applications for parole, pardon and commutation. Hitherto it has been impossible, in cases where judges and district attorneys have forgotten, or have died, to determine the circumstances of the crime committed or the previous record of the convict.

Is It a Growing State Or Growing Extravagance? The increasing cost of state government is made evident through a comparison of the general appropriation bills passed during the Pardee administration and those of Governor Gillett. The bills for 1903, Pardee's first two years, totaled \$5,470,996. For his second two years the total was \$7,376,052. For the first two years of Gillett's administration the general appropriation bill carried \$8,305,164. The bill for the next two years appropriates \$9,697,335. The general appropriation bills carry the fixed expenses of state living and determine in a general way whether the state is living extravagantly or economically, though it must be remembered that a growing state has growing needs and a constant tendency to elevate the standard of state expenditure. The legislature has at this session advanced salaries all along the subordinate line as the voters advanced them at the last election for the heads of departments. But who cares for expenses? Mr. Harriman says that things are coming our (his) way.

Growth In Cost If Not In Grace The increase in cost of certain state institutions during the coming two years, as compared with the cost during the two years preceding, is made easy to understand by taking up one another the figures from the general appropriation bill just passed and that of two years ago. The new appropriations are for the period from July 1, 1909, to June 30, 1911:

	Appropriations 1909	1907
For State Hospitals	\$2,625,250	\$1,991,250
For Home For Feeble-minded	311,000	243,872
For Adult Blind Home	60,400	55,000
For Inst. for Deaf and Blind	1,100,000	1,355,000
For State Prisons	1,012,200	902,510
For Reform Schools	465,250	353,510
For transportation expenses in connection with part of above	180,000	140,000
Total for two years	\$4,848,650	\$3,924,971

State Institutions Of New Capital While the general appropriation bill, as already explained, carries the state cost of living, the special appropriation bills, apart from some private claims against the state of more or less validity, carry the items of investment of new capital, or what the railroad people would call betterments. All of the institutions of the state have pressing needs in the line of betterments, more buildings, more land and more modern equipments. If money for these purposes be wisely expended it may be wisely voted up to the point where taxation begins to trench upon the earning power of the people. After the first session of the legislature in the Pardee administration, 1903, the governor approved special appropriations in the sum of \$2,051,157.18. At the close of the session of 1905 he approved appropriations amounting to \$2,592,381.97, and at the special session in 1906, after the great fire in San Francisco, he approved special appropriations amounting to \$1,365,055. Governor Gillett, at the close of the session of 1907, approved special appropriations amounting to \$3,026,613.08. What the special appropriations will amount to at this session cannot be told until after the session ends, but the legislature has been liberal in passing them.

High-Grading Made Harder An act has been put through the legislature, and may be signed by the governor, is aimed at the high-graders in the gold-mining

towns and camps, especially in Grass Valley and Nevada City. It puts purchasers of gold quartz and gold bullion on the same basis as pawnbrokers, in that it requires them to keep a register of all their purchases and to exhibit the same to any officer who demands to see it. Prominent mining men have been working to get this bill through, and they have told some remarkable stories about the extent to which high-grading has gone. They have even said that there is danger that some of the mines will be closed unless this legislation can be enacted. Estimates of the losses of the Grass Valley mine owners from high-grading have been made as high as \$400,000 a year. State-ment has been made that a good many of the comfortable homes owned by miners in Grass Valley represent the profits of high-grading.

Important Measures Likely to Become Laws The Anti-Race Track Bill; a Direct Primary Bill; a Railroad Regulation Bill; the Banking Bill; the Standard Fire Insurance Policy Bill, and the Three-cent Tax for University. The foregoing are some of the measures which, from present appearances, the people will be able to set down to the credit of the legislature of 1909 when it adjourns. The anti-race track, banking and standard policy bills have already passed, and the others are all but certain. All are important, and though they may not be in all respects as they should be, they will be pretty good legislation, presumably. It is to be hoped that there will be added to the measures above mentioned the Denman bill to print the names of judicial candidates in columns by themselves on election ballots.

State Board Proposals To Go To The People Among the propositions of a financial character which will be referred to the people by action of the legislature will be: Governor Gillett's \$18,000,000 good roads bond measure; Senator Welch's \$9,000,000 San Francisco seawall bond bill; the India Basin proposition—purchase of sixty-three blocks of Islais Creek lands; Senator Wright's \$1,500,000 bond bill for San Diego harbor.

Taxation Amendment Again To Be Voted On The constitutional amendment to separate state and local revenues has again passed the legislature and will be submitted to the people in its amended form. This measure was not perfect when submitted to the people two years ago, and it will require close scrutiny to determine if it be in better form this time, but the principle is sound and must win out in the end.

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UP AND DOWN : : THE STATE : :

While San Francisco has been considering where and how it shall secure water, San Diego has, through the Southern California Mountain Water company, "got down to business" and secured an immense supply of excellent water. The Barrett dam, just completed at a cost of more than a half million dollars, impounds the waters of Cottonwood river and, Pine creek, and with other sources, gives the company a storage supply of over 42,000,000,000 gallons, which, it is calculated, would carry San Diego through seven years of drouth. The people of San Diego have a way of "doing things."

After the robbery of the Roseville post-office, mentioned in this department last week, Sheriff McAulay of Placer county set himself upon the trail of the robbers, ran them to earth, and, as they are not higher-ups, terms in prison probably await them without much delay. This in itself is good news, but if the marauders are, as detectives believe, the gang that has been robbing numerous post-offices in this state, it is even better. There is hope that the postmasters may soon feel justified in discharging their bulldogs.

On the twentieth of December, 1849, the state government of California was formally established and, at San Jose, the state's first capital, Peter H. Burnett was duly installed governor. The Santa Clara County Historical Society proposes to signalize the event by the construction of a statue of Governor Burnett, to be unveiled with appropriate ceremonies on the sixtieth anniversary. It will be such a celebration as should interest all patriotic Californians.

The best advertiser for any state is the country paper. This truism is called to mind by a special edition of the Roseville Tribune. The Tribune is but thirty-five weeks old, and Roseville is not a large place, but this issue would do credit to a long-established paper in any community. There are sixteen large beautifully illustrated pages, and what the paper does not tell about Placer county and Roseville would not seem to be worth telling.

Times are "picking up" over in Mono county. Arrangements are being made to utilize the water power of Rush and Leeveing creeks, each capable of supplying 15,000 horse power. When this is done numerous mines will be opened, those already opened will increase their output, and, as the Bodie Miner says, "dirt will fly and the wheels go around." Mono has seemed a long way off the map, but before long it will be noticeably on it.

Things are "doing" in the eastern, mountainous part of this state. Witness the fact that land has been purchased at Sacramento for a terminal of the Lake Tahoe and Sacramento railroad. This seems to indicate that that railroad soon will be off paper and on hard ground, and "All aboard to Tahoe—direct route!" are words that are likely to lure the traveler in not distant days.

Joseph V. Bell, who has been in the newspaper business in this state since the early days, has sold his Salinas Democrat to a company, and announces that he is about to take a rest. If forty or fifty years, more or less, in the newspaper fold does not entitle a man to a vacation it is hard to imagine anything that would.

California's output of gold in 1908 amounted to \$19,581,570, as against \$18,853,500 in 1907. Big figures, but the day is past when they counted as California's main stock in trade. Her chief wealth now comes from her soil. With her mineral supply exhausted, this still would be the "Golden State."

Chico now has a Twenty-five Thousand Club intended to boost that thriving city to the stated figure. It may or may not succeed, but the city will be more prosperous for the public spirit which expresses itself in such an organi-

zation. Time was when central California had no "booster clubs." It is one of the hopeful signs of the times that they now are fairly abundant.

The Sotomayo Scimitar, published at Healdsburg, is a year old and is good enough to be older. It is big mainly in ideas and convictions, but in this respect few papers are larger. Its published creed is good enough for anybody: "Let us be as good, as true, as honest as we may, and accord to the other as we hope for them ourselves; let the fear no man so long as we are within the law and doing right as we see it—time and opportunity will strike the balance."

LITTLE TALKS WITH OUR READERS

Berkeley, March 12, 1909.

Editors California Weekly:

It has occurred to me that it would be a splendid thing if your paper, being the mouthpiece to a national state and national League of Justice, composed of men and women to form branches in every hamlet, town and city, with a large, dignified way shall have the force of numbers of the respectable element, force greed and rascality to stand back, a League of Justice, I am sure some such plan has occurred to your staff, but the work is so big that you may have hesitated to undertake it.

Yours very truly,

JULIUS R. WEBER.

The breaking down of the machinery for establishing justice, when it has to deal with the millionaire or the mob, is characteristic, not of San Francisco alone, but of the state and the nation. It is as true of the United States courts as of state courts, in witness whereof attention is called to the Grosscup-Anderson decisions in the Standard Oil case, decisions which have brought the power of this great government to a full stop in the face of one of the most colossal violations of law in human history—a giant bound hand and foot by the fine-spun webs of judicial spiders. Two facts stand out clearly: Judges are too often selected through the influence of those predatory interests which flout justice when it stands in their way, with the expectation, seldom unfulfilled, that such judges will remember, at the crucial moment, who it was that made them judges. Second, jurisprudence has become artificial and unresponsive to social needs. It tithes mint and anise and cummin, but neglects the weightier matters of the law, strains at gnats and swallows camels, observes the forms to the sacrifice of substance and must get back to first principles or society can hold together only through force, as in Russia, not through an impartial and speedy administration of justice as humanity had hoped. What the California people do toward remedying this unfortunate condition will be done gladly enough, but such decisions as the appellate courts of California rendered in the Schmitz-Reuf case, and as the Grosscup-Anderson courts have rendered in Standard Oil, are outrageous the greater service. They have so perverted the national sense of justice as to put a revolted public sentiment into action. There is scarcely a free man in America who is not daily pondering these things in his heart.

THE STAFF.

San Francisco, March 17, 1909.

Gentlemen: Permit me to express my unreserved admiration, not only for the quality and interestingness of your magazine, but also for the men who keep it week by week at such a high level, as well of "heart interest" as of "practical matters." But I wonder if The California Weekly could find it feasible to establish a department of dramatic criticism on plays appearing in this city, with the same independence that characterizes your political editorials, with resulting benefit to the drama.

Yours very truly,

EDWARD O. ALLEN.

Many thanks for kindly expression regarding the quality of our paper. As to a department for dramatic criticism it has so far stumbled up. Let us frankly confess that The California Weekly cannot, until it gets more firmly established on its feet, hire any more people to help it spend money. If a book review is to be of value it must tell the reader of it whether or not it will be worth his while to read that book;

and dramatic criticism, to be of value to the playgoer, must likewise tell the reader whether or not it is going to be worth his while to pay an exorbitant price to see that play. Therefore the criticism should be prepared by one conversant with the theatrical world, with play writers as well as actors. It should be discriminating and just, not a mere advertisement of a play. There is no one on the staff of The California Weekly competent to conduct such a department and one competent cannot be hired until our income is enlarged. Stuff furnished by, or written in the interest of, the box office is of no more value than patent medicine testimonials. No dramatic department at all is preferable to one that is less than intelligent, discriminating, independent and fair. We shall get to it as soon as we can and, meantime, the best way to help us to it is to help us to get more subscribers and more business.

THE STAFF.

Our National Tax Bill.

The New York Sun estimates (or guesses) the entire tax-paying burden of the people of the United States—nation, state, city, county, township—to be \$1,800,000,000 a year. About one-third of this goes to the national government. The earnings of the country in farming, manufacturing, mining, forests, fisheries, etc., are put at \$28,500,000,000, making our taxes a little more than 6½ per cent of our earnings. The total wealth of the nation is placed at \$120,000,000,000, so that our taxes are about 1½ per cent of our wealth. It looks as though we should be able to stand that if distributed evenly.

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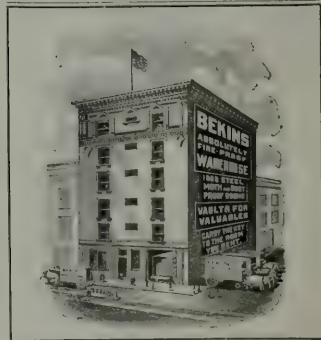
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SAN FRANCISCO



NATURE LOVERS' VIEW OF HETCH-HETCHY

By WILLIAM FREDERIC BADE.

SAN FRANCISCO ought to have a good water supply, and by the municipality. No public-spirited citizen will take issue with Mr. Galloway on that point. Much else that he has written in his article is open to controversy in regard to both fact and inference. It ought to be possible to clarify the issue by dispassionate discussion. Nothing is gained by covertly or directly abusing an opponent with whom one does not happen to agree. A very few of my best friends are not in agreement with me on this question, but I do not expect to lose them on that account. There doubtless has been needless and unjust imputation of motives on both sides. The point of view of the Spring Valley company may be regarded as a third side which I shall simply omit from my discussion. Mr. Galloway probably will admit that it is both misleading and unjust to bracket Spring Valley and "nature lovers" in such a way as to imply an alliance between them. The former is opposed to a municipal supply, the latter to the identification of Hetch-Hetchy with the desired supply. The six-to-one vote, I submit, was primarily in favor of the municipal supply. Under the circumstances it is easy enough to claim that the vote on the double issue was a vote in favor of the Hetch-Hetchy project. Col. W. H. Heuer, U. S. A., engineer and chairman of the executive committee, an acknowledged and unbiased authority on the matters under dispute, is quoted in the San Francisco *Nichants' Association Review*, July, 1908, as follows: "Engineers who made the surveys of Lake Eleanor and Hetch-Hetchy inform me that there are other supplies which can be brought here at much less cost than Hetch-Hetchy. The latter by persistent advocates has been preached, almost forced, into acceptance by the people of San Francisco." (The black letters are mine.)

Who the Nature Lovers Are.

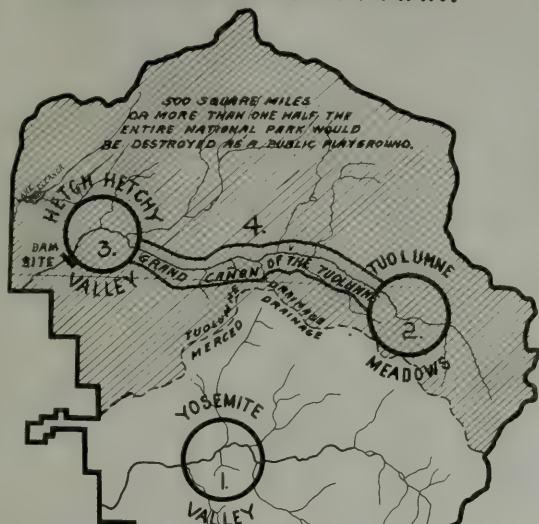
Furthermore, Mr. Galloway's reference to "one Johnson," a "sub-editor" and "the self-appointed leader of the so-called 'nature lovers'" is not fair to his able and well-informed opponent. Mr. Robert Underwood Johnson, Associate Editor of the *Century Magazine*, is a well-known public man, who takes a modest view of his own efficient share in the effort to save Hetch-Hetchy from needless destruction. It is common knowledge that John Muir, the celebrated naturalist and author of "Our National Parks," is the acknowledged leader of the disinterested opposition. Only those who stand near to him know how unselfishly he has given of his time and his means to expose the spurious necessity plea under which the Hetch-Hetchy project is being urged upon San Francisco's citizens. I have it on Mr. Muir's authority that the first suggestion for the erection of the Yosemite National Park came from Mr. Johnson, during a summer they spent together in the Tuolumne regions. He afterwards, with John Muir's enthusiastic support, pushed the matter to a successful issue in Congress. Let it be borne in mind that this national park was created in 1890 in order that Hetch-Hetchy, the Tuolumne Meadows, and

the wonderful canyon which connects them, might be saved from the hand of the spoiler. Yosemite Valley was already included in the state park. My readers, therefore, may judge for themselves whether this depreciatory reference is just to a man whose zeal for the public good led him to work for the establishment of Yosemite National Park, and whose only offense now consists in his well-founded opposition to those who wish to deprive the nation of the benefit of his labor. Why not exploit, now, the fact that neither Mr. Garfield nor Mr. Pinchot has ever seen Hetch-Hetchy?

Other Sources Are Available.

Before taking up some of Mr. Galloway's

DIAGRAM OF YOSEMITE NATIONAL PARK.



"answers," let it be noted that the disinterested opposition has steadily expressed its readiness to approve the diversion of any part of the national park if it can be shown that it is the only place from which San Francisco can derive a satisfactory supply of water. Life is more than its enjoyments. But the very full testimony given during the hearings before the public lands committee of Congress, and the corresponding committee of the Senate, shows conclusively that other sources are available. In the last analysis comparative cheapness is the real reason for desiring Hetch-Hetchy, for it was believed that it could be "got from the federal government for next to nothing." There are thousands of us who believe that such a unique national property, dedicated to the enjoyment of the entire nation, should not

be sacrificed for the mere pecuniary benefit of any municipality.

1. The resources of the Spring Valley plant are pertinent in this discussion because their system will doubtless have to form a part of any Sierra system. Mr. Galloway controverts what he calls Spring Valley's claim to be able to develop 109,000,000 gallons a day. It should be added that this is Mr. Grunsky's estimate of these resources. Col. W. H. Heuer believes them capable of a development of at least 100,000,000 gallons, or three times the present consumption. Prof. Geo. E. Davidson, of the U. S. Coast and Geodetic Survey, maintains the same figures. Several prominent jurists have assured me that the legal power to condemn for domestic purposes is undoubted, and vindicated by precedent. I am

not now referring to the city's power to condemn the Spring Valley plant. The litigation to which Mr. Galloway refers is therefore not an absolute, but a relative difficulty. But even if the Alameda creek source were abandoned, the possibilities of the plant would still far exceed the present development and become a valuable adjunct to any Sierra system. As Mr. Grunsky says, "it ranks first in reliability of service."

Private Ownership Not a Fatal Objection.

2. Mr. Galloway, after dismissing Lake Tahoe, states that "the reservoir sites and the waters of all other rivers are in private ownership."

But private ownership is no fatal objection unless the city refuses to buy or to condemn. In the proceedings of the Commonwealth Club for 1907 I find this statement attributed to Mr. Galloway: "The writer is familiar with the Sierra Nevada mountains from the Yuba river on the north to the Tuolumne river on the south. There is no question but that a good quantity of water can be obtained anywhere in this region." At the same meeting of the club Prof. C. D. Marx of Stanford University stated that "it can readily be shown that the drainage area needed for a water supply capable of furnishing 200,000,000 gallons per day can be had on a number of Sierra streams. That the drainage areas of streams north of the Tuolumne give better promise of meeting the requirements cannot be denied."

It cannot be said that the physical data now available are such as to admit of a reliable comparison of the relative value of the various sources of water supply for San Francisco from the Sierras. That no comparative survey has been undertaken since then appears to be admitted by everyone. In 1908 the board of supervisors published a book entitled "Reports of Water Supplies of San Francisco." These reports were made by Messrs. Grunsky and Manson, the one the former, the other the present, city engineer. For the sake of brevity let the report in this regard be designated by the letter "WS." On page fifteen Mr. Grunsky admits that "in the case of San Francisco there is no single source of supply so pre-eminently available that it could, without question, rule out others from comparison." Lake Tahoe and the Yuba river are rejected because of "the relatively high cost" (WS, p.

32). The Mokelumne river is dismissed because "outranked" by the Tuolumne (p. 27). The San Joaquin and Sacramento rivers are deemed ineligible because "these sources are not so close at hand that reduced cost of work necessarily compels their consideration in comparison with Sierra Nevada sources" (p. 35). Mr. Galloway himself cites one case in which the obstacle is \$10,000,000. The difficulty is one of dollars, not of available water.

Another objection is stated by Mr. Galloway as follows: "On the San Joaquin, Stanislaus, Mokelumne, American, and Yuba rivers are large electric power plants which use the water. It is also used for irrigation." **The availability of water is not affected by previous use for the generation of electricity.**

It developed at the hearings in Washington that no serious attempt had been made to ascertain on what terms the tail-race waters of any of the power companies could be obtained. During the previous city administration one power company operating on the Stanislaus river with storage capacity greater than Hetch-Hetchy valley and protected by a forest reserve, offered to build a complete water transmission system to San Francisco for actual cost plus 10 per cent, and to guarantee all titles and a maximum supply of water equal to any possible requirements. This instance is mentioned only as an illustration of unexploited possibilities. Along rivers north of the Tuolumne the rainfall increases and there is less irrigable land. The amount of water used there for irrigation is a negligible matter in this discussion. The irrigation difficulty is greatest on the Tuolumne river, and there it is proposed to solve it by impounding the flood waters. Congressman Englebright, himself a civil and mining engineer and for five years superintendent of the Nevada Division of the South Yuba Water company, testified before the public lands committee of Congress that there are untutilized storage facilities on a number of Sierra streams. The following is an excerpt from one of the hearings, in reference to the Middle Fork of the Yuba:

Mr. Englebright.—Yes. There would be no trouble at all for him to gather 100,000,000 gallons a day.

The Chairman.—At those points?

Mr. Englebright.—Yes.

The Chairman.—How would the taking of 100,000,000 gallons from one point where it is now reserved, or from some available point below, affect the lower Yuba as to present uses? Is the water now used for irrigation—the lower Yuba?

Mr. Englebright.—No.

The Chairman.—It is utilized for mining?

Mr. Englebright.—The amount of storage water that is used is utilized for nothing. The only use is on the North Yuba and the South Yuba. The North Yuba is used for power and some irrigation. The Middle Yuba is practically unused at all, except by a single mining company.

In view of these facts Congressman Herbert Parsons appears to be justified when he declares in his report "The real difficulty with San Francisco is that it does not wish to consider any other supply. The others might cost more." In support of his view he goes on to quote Mr. Galloway: "The amount of storage water that I can see it, has nothing to do with the question of whether the United States grants us the use of the lands in the Hetch-Hetchy valley." Our contention is that the availability of other sources has a most important bearing upon that question. The same contention has been taken by Chairman Mondell of the public lands committee. I quote from his report: "I am of the opinion that the city has failed to establish its contention that the Hetch-Hetchy is the only reasonably available source of water supply in the Sierras, and that, therefore, the interests of the people of all the country should be waived on behalf of San Francisco in its claims to exclusive use of this valley." This view is concurred in by exactly half of the voting members of the committee, and one who voted on the other side, I am credibly informed, has heard none of the evidence.

Condemnation Proceedings Quite Feasible.

3. Mr. Galloway throws doubt upon the probable success of condemnation proceedings against Spring Valley. We would reply that

Hetch-Hetchy and the un hindered use of the Tuolumne region of the park are too valuable a national asset to be staked on a mere doubt. Let the thing be tried. This part of Mr. Galloway's paper is best answered by the admirable summary of Congressman Parsons, who is a prominent New York lawyer. "Can San Francisco get any of these other supplies? San Francisco has the right of eminent domain. If it is not in the form most available, then it should apply to its state legislature to get it. If the state legislature can speedily pass a resolution asking Congress to grant two-fifths of the Yosemite National Park for the use of San Francisco, it ought to be able speedily to pass a bill granting San Francisco full and convenient rights of eminent domain. The fact of the matter is that San Francisco, having its eye on Hetch-Hetchy, has not thoroughly investigated other systems."

Certainly the federal government is not bound to give up to the city two-fifths of a national park simply because it is cheaper. Why is it cheaper? Because having been made a national park, it has not been possible for private interests to file upon the water in the same manner as they could have if there had not been a national park. Had private interests been allowed to file upon the water, San Francisco would not have thought of going to Hetch-Hetchy any more than to any other place. It would have chosen the place that it most cheaply could have condemned. It goes to Hetch-Hetchy because it belongs to all the people instead of to some of the people. It has been preserved and made cheap because the purpose was to use it as a national park. Having been made cheap in that manner, San Francisco desires to use it for itself by spoiling the very purpose which has made it cheap."

Electric Power City's Aim.

4. In regard to the development and use of water-power from Hetch-Hetchy Mr. Galloway says: "All the water-power which can be developed will be used to pump the same water over the Atlantic summit of the Coast Range. If any excess power be developed it must, by the terms of the grant, be sold to the irrigation districts at cost for pumping water." Can a reader derive any other meaning from this statement than that the grant limits the city's use of the power generated to the pumping of the water? Mr. Galloway must have misread Section six of the grant: "The city of San Francisco will, upon request, sell to said Modesto and Turlock irrigation districts for the use of any land owner or owners therein for pumping sub-surface water for drainage or irrigation any excess of electric power which may be generated such as may not be used for the water supply herein provided, and for the actual municipal purposes of the City and County of San Francisco," etc. Furthermore, in the preamble of the grant Mr. Garfield enumerates among the advantages to be derived by the city "the cheap and bountiful supply of electric energy for pumping its water supply and lighting the city and its municipal buildings." The grant allows the city to use the power for any municipal purpose, except the street car, if it chooses to make a municipal affair of it. Any one will see how, in the eyes of some men, the prospect of these advantages enhances the desirability of Hetch-Hetchy over sources where the power privileges looked this aspect of the case for the first time. In his report a 16,500 horse power from Hetch-Hetchy which would produce "a relief from taxation now imposed for lighting streets and public buildings. This averages more than \$300,000; capitalized at 5 per cent, this expenditure represents an investment of \$6,000,000" (W. S. p. 80-98). The "relief" together with water which can just as well be obtained elsewhere, is to be secured by irreparable injury to one of the nation's fairest possessions.

Health Demands Exclusion of Public.

5. The sequestration argument is the only one to which Mr. Galloway is willing to attach any importance, and we may add at once that he omits or minimizes the most decisive facts.

(Continued on Page 270.)

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ONE of the stables institutions of one of the staidest California towns is the Galoot Club. Its purpose is declared, by its by-laws, to be "The tranquil consideration of affairs of state and—whist," but its real sphere of intility is sipping and a united opposition to all enterprises which might increase taxation. The members, despite the name which common notoriety has fixed upon the club, are men of mature years, unexceptionable habits, well-to-do and very friendly one to another. It is many a comfortable evening they while away in their club rooms together.

Often, after closing their serious discussions, and making a fringe with their upturned feet about the periphery of the mahogany center table, they fall into that mood for interchange of confidences so prolific of subsequent regrets.

"What in creation do you gentlemen suppose is the reason for Herodotus Johnson and his wife separating this late in the day?" demanded a young husband. "Wife and I have been married only four years, yet we long ago fought to a finish and came to a perfect understanding. She attends to her affairs and the babies and I attend to mine and the store, and we get on as comfortably together as doves in a cote. I cannot see why people who have somehow put up with each other until they have a house full of children cannot make out to continue the partnership until the product is finished and—marketed, so to speak."

"I know all about that case," broke in the newspaper man. "Mr. Johnson is one of those women whose head is full of ideals, and Johnson is not an ideal, you know. His little flaws have been quietly disillusionizing the lady; but what brought affairs to a climax was the discovery that Mr. Johnson had, but one time sustained. The broken heart. While the incident was anterior to Mr. Johnson's discovery of the maidenly Mrs. Johnson, that lady could not reconcile herself to the situation, was haunted with the idea that he cherished something, you know, an undying something or other, so she went over him and nibbled at his heart until it became a changed man, staid at home little, lost his temper, said mean things and a separation became inevitable. I am sorry for Johnson. He feels it, too."

"The deuce you say!" ejaculated the postmaster, sinking a trifle lower in his chair and lapsing into a contemplative mood.

"Hello! What's struck you?" demanded two or three in chorus.

"An idea, by jingo! I tremble for the safety of my household. I am on the verge, the very verge, and may heaven help me," and again the speaker lapsed into moody silence. The others smoked and waited.

"My wife is just another such woman as Mrs. Johnson," he continued, in his own good time and half to himself, "only I come a good deal nearer being an ideal than Johnson does, but I have been urging an old chum of mine back in Ohio to come out here and spend his remaining days where he can get the sea air and sunny skies. Well, he married the sister of the girl I nearly went insane over and his wife knows all about it. If those people come here it will not be three days before my wife will have pumped the whole story out of that woman and then there will be another sensation for this town to ruminate on. If I live until morning I shall telegraph Wilkinson that I have defaulted, discarded my family and friends and run away to Honduras."

"This is a great surprise to me," remarked the judge. "I supposed that you and your wife lived very happily together."

"And so we do, by dint of the most persistent hypocrisy you ever heard of. I have had the grace to tell my wife a million times that she is the only woman I ever cared to rest my eyes upon, and I lied to her every time. I hope the good Lord will not send me below for it, but I had to choose between hell here and hell hereafter and naturally put it off as long as I could. And yet our married life has been a very happy one, all because of my ability to lie consistently. But if my wife were to learn of that ancient episode I believe

PARENTAGE BY PROXY

(Being a Galoot Club Romance)

By TOBIAS BLACK

she would leave me yet, and we have grandchildren. I did love that girl though, and dream of her every once in a while to this day."

"You are too deep for me, Si," remarked the Doctor. "But women are peculiar, very peculiar, especially when they are out of health, which they generally are. My wife isn't though, and people can run and tell her what they please for all I care. I told my wife of all the love scrapes I ever got into, with one exception, years and years ago, and when I found that they interested her, and that my stock of them was running low, as they naturally would in course of time, I drew sight drafts on my imagination and observation for further instances and went on with the diversion. Talk about a man not being able to love more than one woman! It is all nonsense. I could love a hundred. The world is overflowing with good, lovable women, and men, too, and if you throw any two of them together a good deal, with nothing to hinder, the chances are a dozen to one that they will make a match of it. That's the result of my observations, anyway, only neither of the subjects for experiment should be morbid. You can't ever tell what a morbid man or woman will do."

"I believe that is a good deal so, Doctor," observed the newspaper man. "I always worshipped at the shrine of some little deity, even in childhood. Can't remember when I did not, but of course when I took to myself a wife I felt that I ought to be loyal to her and I have been, yet not without some effort. Every comely face and sprightly mind has a fascination for me, but as for that melting of soul into soul, that eternal oneness of twoness that the books are full of, I never could take any stock in that sort of stuff."

"I don't know about that," timidly ventured a retired farmer. "Sometimes I think that there is a good deal that is at least possible in that line, if we were only wise enough to avail ourselves of it. I was not, at least not when I ought to have been."

"What, ho! Len Harper with a romance! Give is to us Len," demanded the newspaper man. "We have got to believe what you tell us whether we want to or not, but we are under no such obligation to Mr. Come, Len, out with it. Gentlemen, do you all swear secretly? You've got to or Len will never divulge. He does not complain to the winds or make confidants of old women. Is it agreed? All set, Len. Drive ahead."

"I have always been kind of slow, you know," began Harper, with a suspicious twinkle in his eye, "never got around to sell until everybody else wanted to buy, or to buy until everybody else wanted to sell. Perhaps that is why I prospered so well in business, and so poorly in love. There does not seem to be much more business about love than there is about religion. They belong to different kingdoms, but I did not understand that as well once as I do now."

"I can't remember when I did not love Minnie. We spent most of our young lives on adjoining farms, went to school together and sang in the choir, but I do not know that I ever really said love to her once. She did not have any brother or sister and her father wasn't any hand to take her to places, and they trusted me. I went with her from child-

hood up, pretty much the same as though she really were my sister."

"I never said anything to her about marriage either, but had an idea that when she got a little older and stronger, for I did not believe in girls marrying until they had got along in the twenties quite a piece, and then the matter to her mind was. She was in and out at mother's every day just like one of us, and there didn't seem to be any hurry about it."

"Well, along came Jack Gilchrist, good fellow enough at heart, but as trifling a man as ever walked. He could dance better'n I could and sang tenor instead of bass, and he said to Minnie right away, 'I didn't pay any attention to what was going on for a good while and when I did, why I did just exactly the wrong thing at the right time. I got angry and scolded her, talked to her as though she belonged to me, and she resented it, said back had a heart anyway and that I hadn't, and that she did not like a human clam all shut up inside of his shell with only a saucy tongue sticking out, threw herself out of the room and I took my hat and left. Against the advice of her father and mother she married Jack within a hour and said she didn't care for the other part of the state where his people lived."

"It killed mother, who was feeble anyhow, and dotted on Minnie, and I sold out the place as soon as I could and went over on the Joaquin to get out of the neighborhood."

"Seven or eight years went by when one day, out came a messenger from the nearest telegraph office, seven miles away, with a dispatch from Jack, and it said: 'Minnie not going to get well, wants you, come quick.'"

"I told one of the men to throw the harness onto the best team I had, got ready and made that twelve miles in fifty minutes, just in time to catch the train for the north."

"They had seen hard times, Minnie and Jack, but especially Minnie, for Jack looked out well enough for himself, but poverty and heart trouble," the doctor said, had killed Minnie, and she lay there dying when I came."

"Well, Minnie said to me to catch her little girl, five years old, and bring her up, just as though she were my own," she said, and I promised, though I was keeping batch on the ranch down in the valley with only a Chinaman for housekeeper, but I could not refuse. So I reached over and kissed her, with Jack looking on, and said: 'Yes, dear, I will.' That's all the lovelomaking there ever was between us, and she went away very soon for she had borne up best she could till I came."

"So the papers were made out the day of the funeral and little Minnie was mine anyhow."

"But I do not know what I should have done if it had not been for Annie Marshall. You see my wife was a widow then and lived on the ranch next to mine. Her husband was killed a year before by the exploding of the boiler to a threshing engine on my ranch, and I had done what I could to help her get along, as any neighbor would, so I just took the little tot over for her to take care of while I superintended her ranch as well as mine by way of return. I told her all about it, too."

"The upshot of it was that, one day, when I had called to advise with her about something, and to play with Minnie's baby a bit, as I did most every day, Annie up and said, kind of quick: 'I don't know what I should have done the past year, Len Harper, if it had not been for you, and what's more I don't see how I am to get on any better next year without you, but I dislike to be so much trouble.'"

"I wish you couldn't see how you ever can get on without me, Annie," said I, though I really had not thought about loving her or anything of that sort; but I just naturally could not see how she could get on without me, not being a mannish woman at all or having any head for bossing the hands, and I don't see how I can ever get on without you, seeing I've got Minnie's baby to do for and bring up and don't know how," and I knew that people would be like that."

"Well, Annie cried a little, said it was only such a little while since dear John was killed and she did love him so and always would so long as she lived, and I mustn't think that she loved me just the same as she loved John, but she did not seem so dreadfully alone when I was not around that if I really did want her and

("Parentage by Proxy"—Concluded.)

would not expect more than she could give—"We have lived very happily together, Annie and I, but we both understand that we are married to each other just for this life. I know that she really belongs to John Marshall. As for Minnie, well, I like to think that perhaps John Marshall is looking out for her till I come. Sometimes I feel pretty certain he is, for there was not a squarer man in California than John Marshall was in his day. I am sure he'd do me as big a favor as I've done him if there was any chance.

"Now about our children, Annie's and mine. You will think that I am insane sure enough if I tell you about them. We have had four children, Annie and I. And then there is James Marshall who was five years old when his father got killed. And Minnie. I've told you about Minnie. The Judge there can tell you something about her, too, for she is his daughter-in-law.

"But as I was saying, of the four children which have been born to us we raised up two to Annie and John and two to Minnie and me. I had been revolving the matter over in my mind against a time when such a thing might come to pass and so the first time Annie said to me that she thought there was a ship upon the water, that that might bring to her and me a baby. I picked out the best likeness we had of John Marshall, took it to San Francisco, and had made from it the best life-sized portrait that money could buy and, for a surprise, had it hung in a good light in Annie's sewing room. Then we talked of John at evenings, and told each other all the bright and brave things that we knew of John saying or doing, and tried to feel that he was with us still and happy with us in our happiness.

"The next time, that was after we had moved back here and I had bought the place where Minnie used to live, and lived in the same house (fixed up considerable though) where she spent her childhood, why, I just took down John's portrait and put Minnie's in its place, and we talked of Minnie as we had talked of John and, well, all I have got to say is that anyone who ever knew John Marshall and Minnie St. John will not have to be told which two of our children were raised up to Annie and John and which to Minnie and me."

"Don't that jar you?" exclaimed the newspaper man. "And it comes right from the lips of Len Harper, the priest, most matter-of-fact, sure-thing farmer on the coast! I am plum beat out. It is enough to turn a Presbyterian into a theosophist. Len, you have shaken my firm foundation. I've got to begin all over new. And just when I've got the most comfortable philosophy concocted that ever was! Oh! that it had been who told us that so that I could dismiss the whole absurd proposition by ejaculating 'What are you giving us?' But the thought of Len Harper going around with his head full of a moon-eyed romance, pardon me Len, but I can't call it anything else, why it makes me feel sorry I came."

"Have you ever seen the prisoner at the bar?" "Yes, judge, and he can drink like a fish."—Harper's Weekly.

"Say, grandpa, make a noise like a frog," coaxed little Tommy. "What for, my son?" "Why, papa says that when you croak we'll get five thousand dollars."—Success.

The aeroplane had capsized. "Pat" said the inventor to his assistant, "do you think the Lord is with us?" "If He is," replied Pat, "He's goin' some!"—Harper's Weekly.

Cook (who formerly worked for an artist): "Yes, miss; and would you like the potatoes done in their jackets or in the nude?"—The Tatler.

The husband: "Well, say what you will, my dear, you'll find worse men than me in the world. The wife: "Oh, Tom, how can you be so bitter?"—Sketch.

Mr. McGuire: "Phwat did ye say the doctor's name was?" "Dr. Kilpatrick." "Not soles it." "No docther wid th' cognomen will git a chance to operate on me—not if I know it!" "Why not?" "My name's Patrick!"—Lippincott's.

Automobile Notes.

A new method of construction adopted by several manufacturers is called "unit construction." It is based on the principle that a triangle cannot be racked. Hence these manufacturers are assembling certain machinery into groups separated from the struts of the rest of the car. Some are grouping the transmission with the motor, making a single unit out of this power plant group. Other makers prefer to secure the unit construction by grouping the transmission gear in the rear axle housing, thus making a single group of light weight at the center of and in front of the rear axle.

Either arrangement permits the use of a long propeller shaft between the two units and, of course, reduces the angle at which the propeller shaft joints are obliged to work, with consequent less wear on these joints, a more efficient transmission of power, and, therefore, less need for an over-powered, over-heavy motor.

New York will repeat its successful carnival of last year with a week's festivities beginning on Monday, April 5th. The parade last year included 1,463 cars, and was witnessed by more than half a million people. Nearly twice as many cars will parade this year, and the audience should be much greater, as the event will occur in the afternoon instead of the evening.

Manufacturers are now paying especial attention to the artistic decoration of their cars, and many of the best factories are equipped with an art department to carry out the ideas of purchasers for distinctive fittings and color schemes.

The Goodrich people claim to have made a great forward stride in the manufacture of tires by the introduction of a special secret treatment of the fabric which, they say, practically eliminates every possibility of blow-out.

("Hetch-Hetchy"—Continued.)

"To exclude the people from the upper Tuolumne would be a signal deprivation of a common right." What is meant by "the upper Tuolumne?" The Tuolumne Canyon is next to the Grand Canyon of the Colorado the most wonderful gorge in America, and it lies immediately above Hetch-Hetchy. It would certainly be criminal negligence to allow the health of several hundred thousand people to be endangered by campers in that canyon. Yet to exclude them will be "a signal deprivation of a common right." The same is true of the Tuolumne Meadows. The writer must confess to surprise that a civil engineer should contemplate with complacency so serious a matter as this proposed divided use of the Tuolumne watershed.

Mr. Galloway writes about a lake which is to be a scenic feature. But who ever heard of an intelligent community that built a pleasure road around its water-supply, and undertook to construct trails for campers and tourists into a canyon where a chance pollution by the casual case of walking typhoid might mean the death of thousands? How can any one seriously suggest, as Mr. Galloway does, that "such reasonable regulations of conduct as now obtain in Yosemite" are a sufficient safeguard for an unlimited municipal water supply? The city of Ithaca thought so, and one Italian on the

(Concluded on next page.)

"My weight," said Huskie, "is exactly 250 pounds." "You mean with all your heavy clothes on?" queried Ascum. "No, sir! that's my net weight." "Net? Most folks would call that gross."—Catholic Standard and Times.

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PERSONALIA

The widows of former presidents Cleveland and Harrison have the privilege of franking their letters through the U. S. mail.

J. C. Stubbs, traffic manager of the Harriman lines, has a remarkable memory. He is said to carry the latest crop reports of every western state in his head.

Ex-President Roosevelt has an almost exact double in appearance in an Italian named Pietro Cassini, who is the owner of a picture-frame shop in front of the Pitti Palace in Florence.

The maiden aunt from whose inspiration in stons regarding the beneficent possibilities of spinsternhood is Miss Delia Torrey of Millbury, Mass.

President Taft's bodyguard is named Lucien C. Wheeler, and is now learning the intricacies of his job from Jimmy Sloan, his predecessor, who will shortly become a United States marshal in Illinois.

Mrs. Edith Wharton has been an occasional contributor of verse to the magazines, and the first volume of her collected poems is just now published under the title of "Artemis to Actaeon and Other Verse."

The first negro ever appointed to a federal judgeship is Robert H. Terrell, a native of Virginia and graduate of Harvard. He is one of the judges of the new Municipal Court of the District of Columbia.

Max Beerholm, the English actor, declares that the middle class, despite its contempt for the failings and follies of the aristocracy, is more interested in them than in anybody else. He gives this as the reason why playwrights choose their characters from the socially elite.

Mrs. Taft is an excellent pianist, a college student (though not a college graduate), is versed in political matters and has a judgment of affairs that is highly esteemed by the president. She reads and speaks French and Spanish. She and her children are Episcopalians.

Dr. S. Weir Mitchell was eighty years old last month. His novel, "Hugh Wynne," was published when he was sixty-eight, and he has since written six novels. He is still at work in his profession—he is a nerve specialist of world-wide eminence—and still writes during his liberal summer vacation.

When George Hazelton, the author of a novel called "The Raven," based upon the love stories of Edgar Allan Poe, offered a play of the same name and upon the same subject to a great American theatrical manager, the gentleman said: "I am very much interested, but I am very busy to-day. Come around Saturday and bring Poe with you and I will talk it over."

The financially successful actors buy homes in the fashionable West Side of New York. Richard Mansfield owned a palatial residence on Riverside Drive, E. H. Sothern has one there, as have Lew Dockstader and Richard Carle. Maxine Elliott lives near the drive, and is a social light of first magnitude, entertaining lavishly in her home and daintily in the dressing room of her new theatre.

Prince Ferdinand of Bulgaria, whose title to royal honors has only lately been recognized, strove to have them acknowledged by offering to attend Queen Victoria's funeral, provided he should be received in England as a royal person. Several telegrams passed between Sofia and Downing Street, when Lord Salisbury cut short the discussion with the message that he "refused to bandy etiquette over the dead body of his sovereign."

Some praised us. Some condemned. The many wrote nothing, the unkindest cut of all. Please write us what you think of The California Weekly.

("Hetch-Hetchy"—Concluded.)

watershed, sick with walking typhoid, caused the death of over a hundred persons in less than two months. Pittsburgh, Plymouth, Reading, Pa., had typhoid epidemics from similar causes. Philadelphia had to install an expensive filtration plant. The severest winter cold does not kill the typhoid germ, and it has been found to maintain itself especially long in mountain streams. Mr. J. Horace McFarland, president of the American Civic Association, has made a special study of water supplies, and his experience led him to testify before the senate committee that "the whole valley which is tributary to Hetch-Hetchy, every single foot of it, must be given to San Francisco," unless Congress chooses to "give away a means of poisoning San Francisco."

I fail to see how Mr. Galloway can refer to the Croton watershed in support of the dangerous laxness he appears to advocate. Water is purified by filtration or long storage. Neither will be the case in Hetch-Hetchy, where a large river constantly flows through the reservoir. Croton lake is a storage reservoir in comparison. Yet among the regulations of the New York State Board of Health, governing the Croton watershed, is this: "neither shall any person swim, bathe, or wash in any of said lakes, ponds, or reservoirs, or in the streams tributary thereto." Apply that to the Tuolumne watershed and what becomes of Mr. Galloway's assurance that camping privileges shall not be interfered with? What more of the present tendency is in the direction of still greater restrictions?

Will Lose Best Half of Park.

Let no one be deceived about this. With Hetch-Hetchy goes the finest half of the national park. Let the city once get a foothold in the park and the very strict state laws protecting domestic water supplies will be at once invoked. That is the reason why the proponents of the scheme are not concerned about this phase of the matter in public discussion. In his report to the supervisors, however, the city engineer bluntly says the reservoir "may be expected to receive all the protection against possible pollution that could be desired" (WS, p. 52)—of course, also at the expense of the nation. In a still more recent report he gives assurance that at no time in the future can conditions arise leading to impair the purity of the water "which cannot be rigidly controlled."

There are three other weighty arguments why San Francisco should not be allowed to invade the national park, but I shall have to reserve them for a subsequent discussion. But I hope enough has been said to show that this is not such a one-sided question as Mr. Galloway would have us think. With few exceptions the public press around the bay has distorted and suppressed the real facts. But they are becoming known, chiefly through the eastern press. The presumptive right is on the side of a city which desires to free itself from a corporation. Yet the committees of Congress, after patiently examining the evidence, decide that San Francisco is demanding an unjustifiable sacrifice of the nation's property and rights. It is not Spring Valley that is defeating the city, but the inherent injustice and selfishness of its own project, as exposed by the disinterested opposition, the "so-called nature lovers." The growing "unanimous sentiment" for which Mr. Galloway pleads is now on their side. Best of all, it is growing in San Francisco and elsewhere in the state. One great opposition movement among original promoters is already on foot and will be heard from in due time.

Dance.

Try again—you've a chance—

Dance.

Get into line;

Don't whine.

Set your jaws and swell your chest;

This time do your level best.

No one cares about your fears,

No one shares your woes and tears,

No one sighs because you've lost

Or gives a "hang" how much it cost.

But woe the world is hard of heart

It holds no man back who would start

Again to climb up where he stood,

Who'll bend his back and saw his wood.

It's not the failure, but the yell,
That keeps you lying where you fell.
—H. Kaufman, in Chicago Record-Herald.

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OUR SCHOOL FOR CITIZENSHIP

The Right of Petition and Assembly.

The first amendment to the Constitution of the United States declares that, "Congress shall make no law prohibiting the free exercise of the right peaceably to assemble, and to petition the government for a redress of grievances." This is not saying that no state shall have power to prohibit free assembly or petition, but any state that assumed to exercise such a power would have trouble on its hands from its own citizens.

The hand of Uncle Sam is little visible to the American citizen. The postmaster is about the only representative of federal authority with whom the citizen comes in contact and he is more desirous to serve the public than to exercise authority over it. This provision in the Constitution restrains governmental authority over the citizenry everywhere except in our insular dependencies where the power of the national government to restrain assemblages is little questioned.

But our Constitution of California declares that, "The people shall have the right freely to assemble to consult for the common good, to instruct their representatives and to petition the legislature for redress of grievances." It is well for us to know what our rights are under both of these guarantees.

It has been reasoned out with judicial solemnity that what one person may lawfully do any number of other persons may do likewise, but such reasonings are subject to as many qualifications, as the right and comfort of others may impose. There is no greater fallacy than that laws are the results of parties of reasoning. Laws are determined by states of fact. For instance, the right of the reader to pass down any street cannot be questioned, but if so many others undertake to go with him as to constitute a procession the chief of police first be asked for permission and he will say upon what streets and at what hour that procession may proceed. The right of the reader to stand on a street corner is inalienable, but if so many happen to wish to stand on that corner as to block the passageway the patrolman may rightfully order the reader to move on.

So it is with the right of assemblage. It is subject to the rights of others to have free course through the streets, to have such use of public parks as law and custom have sanctioned, and the purpose of the assemblage must not be such as to provoke a breach of the peace, and it must be lawful.

The policy of British and American law relative to public assemblage has been, roughly speaking, to permit all persons to say what they please, with the added precaution to be very careful what they try to do, whereas, in Europe, generally, public assemblages have been required to be careful both as to what they said and what they did. There are few cities in America where Emma Goldman will be permitted to hold public meetings, for the reason that her language is likely to provoke breaches of the peace and to incite weak minds to the perpetration of physical crimes against society.

Authorities have forbidden perfectly lawful meetings for the reason that such meetings would provoke, or be the occasion of, unlawful acts upon the part of others. Suppose, for instance, that a body of non-union workmen, who had taken the places of striking union men, desired to march down one street and up another and the police knew that such a parade would result in conflict and riot. The parade would be forbidden, not because the non-union men proposed to do anything wrong, but because the strikers did propose to disturb the peace. If the police department felt strong enough to protect the marchers, and preserve the peace, it would be an invasion of constitutional rights not to allow the procession to proceed, but if not strong enough the courts would uphold the police power in this evasion of a constitutional right.

The right of petition is so unquestioned in our country that we wonder that any guaranty of it should be thought needed in either national constitution or state, but time was when

the petitions of the fathers of the republic to the throne of the mother country were spurned.

Little importance is now attached to petitions. The habit of the people of signing any sort of petition presented, without investigating into its purport, has nearly destroyed the efficacy of petitioning, so that when a petition is presented to a legislative body it is generally "received and placed on file," in some junk room and that is the last of it. Its most effective use under the most favorable conditions is as an indication as to how the petitioners are likely to vote should the issue come to a vote. That consideration may reach the political mind when the thing petitioned for would be disregarded. The voice of the press has supplanted the right of petition, and yet the few lines required in our Constitutions to guarantee that right in perpetuity are well worth the space they occupy.

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In taking this pledge it is distinctly understood that I in no way obligate myself to vote for any particular party, any definite candidate or any certain measure. I am binding myself only to my Country, and pledging myself solely to the faithful performance of the duty I owe to her as a citizen.

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James Bryce.

Too much honor cannot be conferred upon James Bryce by our university, city, state or nation. How much the civilized world owes to this thoughtful, forceful, kindly man will never be humanly known, but he has done more to cement the two great English-speaking nations together in bonds of friendship than any other man or assemblage of men, and this means more to civilization than any other international fact. His interpretation of us to his own people did more for us and his own people than any similar effort made during the nineteenth century toward establishing an enviable cordiality between nations. The establishing of cordial relations between France and England will prove to have been the monumental achievement of the reign of Edward VII but, important as that was, it cannot compare with the making of the two English-speaking peoples into one people in fraternity of feeling and community of purpose. All honor to James Bryce.

The Conviction of the Coopers.

The Coopers, father and son, who lay in wait and slew former Senator Carmack, were convicted and sentenced to twenty years of penal servitude. So far so good. They were judged by the plain people of Tennessee and judged righteously. The judge before whom they were tried appears to have been impartial and in earnest. What will the appellate court do? That is always the question. In what atmosphere does that court have its being? That is the test. The Coopers are "quality" people. They have on their side the prestige of social influence. It does not appear, however, that the interests of the political department of the Louisville & Nashville railroad, which nearly ruined Kentucky, are involved in the issue. This is important. The Coopers are poor. That also is a point in favor of justice. Social influence without millions or "organization" support may not be able to defeat justice in Tennessee. It is to be hoped not. The sending of such men as the Coopers to prison will do more to break up the street dueling habit in the South than all other influences combined, just as the sending of a few predatory millionaires to prison for grafting would do more than anything else to moralize the commercial and promissive atmosphere of our country. Justice is finding hard sledding, but it must stay with its job or all that humanity has gained in a thousand years will be lost.

The Cause of Defalcations.

A representative of a surety company has said that 75 per cent. of the defalcations his company had been called upon to make good owed their existence to the race track. The statement is inherently probable. But how long did it take California to legislate race track gambling out of lawful protection! Not until the entire state so demanded it that the "performers" dared no longer ignore the demand was anything done. It was no moral sentiment on the part of the "performers" that caused them to stand aside. Session after session of the legislature they had protected it, and they would still have protected it had

THIS NUMBER CONTAINS

"Hetch-Hetchy for the Wealth-Producer"

BY

James D. Phelan

they dared. The racetrack men were their kind of people. Nothing short of fear of such a political revolution as would throw him out of power, neck and heels, will entice a vital moral act from a "performer."

What Will the Governor Do?

There are many important bills in the hands of Governor Gillett. He can be trusted with the good ones in tolerable security. With the bad ones he cannot. "Organization" influences are behind the vicious bills of Wheelan and Grove L. Johnson, and Gillett is a part of the "organization." He will sign all the justice crippling bills before him unless the righteous indignation of the state rises in wrath and tells him plainly that he will be damned if he does. Then he won't. He wants to succeed himself as governor. If he can be made to understand that attaching his signature to those bills will bury him beyond the possibility of resurrection, as it will, he will stay his hand. If he has not the intelligence to read the writing on the wall there is one above him who has and that one will stay his hand for him. Put these issues up to the governor and put them up hard. Do it now. It will save him from disgrace and his state from disaster.

What of a Constitutional Convention?

If the legislative experiences of recent years have taught California anything worth knowing it is that no good thing of first-class importance can be gotten through an "organization" legislature without making a football wedge of the entire decent element of the state with which to break the "organization" line. This can be done for one or two "causes" every two years, but not more. That is too slow. Reform should go faster. Its progress should be made easier. Representative government is good when it represents, but it is all-killing hard to make it represent any element not bound together by the cohesive power of graft. Direct legislation ought not to be necessary to a government by, of and for the people, but if it is then let us have it. If there is no need for it it will not be used even though written into the constitution of the state. Some means must be found for taking government

out of the hands of the railroads and associated iniquities and restoring it to the people. Would a constitutional convention help to re-establish justice and self-government in this state? Think it over.

Deplorable Eddie.

What a wide swath Senator Eddie Wolfe must have thought he was cutting when he introduced that resolution deploring the rapacity of the railroads and express companies in advancing rates and recommending that the railroad's non-performing railroad commission investigate the matter thoroughly! That was the most jocular incident of the session. "That's right, Eddie," telepathically wired Mr. Herrin. "Deplore all you want to and have our men investigate us all you please, but I'm counting on you to see that nothing is done about it." There wasn't. Eddie can be counted on.

Very Petty Politics.

It has been given out by the "performers" that Campbell's proposed constitutional amendment, enlarging the powers of the State Railroad Commission, might have been submitted to the people had it emanated from a Republican instead of a Democratic source. That is the pothouse politician's view, but if the "performers" were trying to make political capital for the Democrats they could not go about it in any better way than by turning down good measures merely because they came from a Democratic source. It is noticeable, however, that their antipathy to things Democratic did not extend to the infamous Wheelan bills, introduced and fought through by a Democrat, but then Wheelan is a different kind of Democrat. He is "organization."

Mr. Phelan On Hetch-Hetchy.

As John Muir and Dr. Bade love their mountains so does James D. Phelan love his native city and, as will be seen from his article elsewhere in this paper, he stands up for the Hetch-Hetchy water proposition good and strong. Two points made by him stand out especially clear: No matter what other possible sources of water there may be for San Francisco and Hetchy is the best, and the highest use that the valley can be put to is the supplying of this district, and the millions that will some day live in it, with abundant water for all time. If that source cannot be kept free from contamination from "walking typhoid," neither can any other. The forest reserves must be lumbered. Moreover, greater weight could be conceded to the demands of nature lovers for Hetch-Hetchy, untouched by the hand of San Francisco, were it not that nearly half of California is a Switzerland plus one-third of the whole United States. All indoors could turn out of doors all summer and be lost to view until the end of the season.

The records our legislators made during the session just closed are public property. By those records must those men be judged. It is not too soon to judge of their fitness for further public life. We'll see to 'em.

HAS THE LEAGUE MADE GOOD?

The Lincoln-Roosevelt Republican League was organized for the purpose of accomplishing certain specific results. These were: the emancipation of the Republican party of California from corporate control, the continuation of the Roosevelt policies in national affairs, the election of a free legislature, an advisory vote of the people as to the election of United States senator and such a primary election law as will afford the party voter a direct voice in the selection of party candidates.

The League early espoused the nomination of William H. Taft for president and created such a public sentiment in the state in his favor that his endorsement was forced upon the Republican convention against the desires of the party "organization."

A direct primary law has been enacted and a beginning made toward free nominations of party candidates. We shall be working at that law ten years hence seeking to make it effective, but California has done as well in this respect as any other state in the union.

The legislature that has just adjourned was not free, but it was the freest of Southern Pacific domination that the state has had in forty years.

The provision for an advisory vote on United States senator is a makeshift and a subterfuge, but it was better to accept it, and so embody in a statute the principle of such an advisory vote, than to permit the Herrin machine to defeat the direct primary bill, for which bill the "organization" really had no use.

These results have been accomplished through a coalition of the Lincoln-Roosevelt Republican League members of the legislature with the reputable element in the Democratic party, to which element great honor is due. Without its aid not one of these good legislative results could have been attained. The "performers" would have buried them.

One thing remains undone: The Southern Pacific's Political Bureau has not been forced to let go its hold upon the Republican party. The League has forced it to be outwardly more decent than before. Inwardly it has been more cunning and more devilish. When the work of the legislature can be seen in perspective it will be found that, while some of the best legislation in half a century has been written into the laws, there has gone with it some of the worst that ever disgraced a commonwealth. But of that elsewhere. The obvious good has been made a cloak to hide the subtle bad.

The Lincoln-Roosevelt Republican League has made good, but its task has not been finished. The Southern Pacific's Political Bureau still has the machinery of the Republican party in its control. It is still able to succor, and perhaps save, the scoundrels who come to it for protection and who make common to it against the highest good of the commonwealth. Until that grip is shaken off the politics of this state the mission of the Lincoln-Roosevelt Republican League will not have been fulfilled.

BUT ONE ISSUE HEREAFTER.

There is but one issue before the people of California worthy to be called an issue, one purpose worthy to actuate the mind of any patriotic citizen and that is the cause of the establishment of justice in this state. All other issues sink into insignificance by comparison. Under cover of a decent reputation made by the late legislature during the early part of the session, and under cover of some legislation that was, in praiseworthy, there was slipped through, in the concluding days of the session, some as wolfish legislation as it is within the minds of men to conceive.

The initial one of these measures permits

THE STAFF

A. J. PILLBURY, Editor and Manager
CHESTER H. ROWELL, Associate
A. WATERHOUSE, Assistant
A. FRENCH STROTH, Assistant
C. BLACK, Business Manager

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the indicted criminal to select the judge before whom he is to be tried. If this criminal happens to be one of the retainers or associates of the chief "performer" of the state he will select for his judge one who owes his elevation for his trench to this "performer" and his "performing" subordinates, a judge who is expected at the crucial moment to remember who it was that made him a judge.

The next measure enacted by this "performing" aggregation permits this judge so selected to call for the evidence given to the grand jury that found the indictment. If so minded, the judge, so selected and elected, may quash the indictment and turn the culprit loose without further ado, brushing aside with a wave of his hand what nineteen citizens have found sufficient to hold the accused to a formal trial of the issues of fact.

Furthermore, this legislature, from which so much was expected, refused to prohibit the farcical and justice-delaying device of trying the grand jurors instead of the accused, a proceeding which has consumed weeks of time and thousands of dollars of public money with no other result than to weary the public of attempting to have justice established at all.

Finally, these same unwholesome "performing" influences have refused either to make the nominations of judges by non-partisan methods or even to have their names appear upon the ballots in non-partisan columns. The upon the ballots in non-partisan columns perpetuate only purpose for this refusal was to withhold the power of the "performers" virtually to select as many candidates for judicial honors as their convenience, and that of their law-breaking friends, may require. Unless the people are fully alive to what is going on the "performers" will "work" the direct primaries as certainly as they did the conventions.

Here is a chapter of infamy that counterbalances whatever of good that legislature may have accomplished. It was a Jekyll-Hyde legislature. It was like one who plays the part of a philanthropist by day and of a burglar, hold-up man and assassin by night.

For, if we have not justice we have nothing. If the poor and the rich have not justice meted out for them, and to them, impartially and speedily, we have no civilization. For more than two years as brave and as well-advised a fight as was ever made for the establishment of justice has been made here in San Francisco, a fight to convict men whose guilt was so palpable that they have not had the hardihood to deny it, and yet not one of the big ones has found his way to prison to serve his sentence. Instead of aiding in this work, instead of making it easier to establish justice, the legislature has done its best to thwart justice and make its establishment impossible. Henceforth there should be no issue before this people except that of making the establishment of justice easy, speedy, cheap and as effective against the predatory millionaire as the anti-social man.

IF DREW HAD BEEN "GOOD."

When Assemblyman A. M. Drew returns to his Fresno home, and proceeds to give an account of his stewardship, what will be his people say? He will say to them, "I put up a good fight. I stood for what was right, clean, reputable and I was not afraid, but I lost a slice off Fresno county, the United States government was too much for me on my alien land bill, and the 'organization' hit me and my measures as often and as hard as it could. I cannot point to a great deed of mine, except some of the hardest work of my life. Fellow citizens, it is for you to judge whether I have done well or not."

How will his fellow citizens judge? There will be those who will say, "What a fool Drew was that he did not 'be good,' stand in with the governor and the machine of which the governor is a part, 'take program,' avoid offending the powers that be and so fetch something home with him to point to when asked 'What has he done?'" There will be others who will say: "We admire him for his courage. We honor him for the enemies he has made. We care less for the integrity of Fresno's territory than for the integrity of Fresno's public men. We would not have had him do otherwise." Which of these will be in ascendancy?

In measuring A. M. Drew the people of Fresno county will measure themselves. They will proclaim their legislative standards of morality, just as they did last year when they neglected, or refused, to return to the legislature another stanch and true man, Wm. F. Chandler, a man able and willing to "stand up," and sent in his place a political nonentity.

Mr. Drew's case is here cited merely as exemplifying a type of legislator without whom no good thing would ever come out of Sacramento. There were others. In the Senate there were Boynton, Birdsall, Black, Cullen, and in the Assembly Callan, Cogswell, Otis, Young—all types of legislators who stood true through good report and ill. Will their constituents be satisfied to have them come home, empty handed, it may be, but with heads erect, eyes unashamed, honest untarnished? Or would they have preferred to see them come home laden with the spoils of the "performer," but wearing the collar of subservience, tarnished with the stain and redolent of the tainted road axlegrease? These are questions which the constituencies must decide for themselves and according to their decision so will their government be.

Low standards of legislative requirement at home will result in low standards of legislative conduct at the state capital. Interests which are ever fighting for special privileges and immunities will know the capitalized value of being able to help their friends and "do up" their enemies. That is the stock in trade of the "performers" and, according to their philosophy, a legislator who does not surrender his manhood into the hands of some interest, and accept in return such gratuity as a such interest feels disposed to bestow, is a legislative fool and a dangerous man to be entrusted with legislative power.

For, be it understood, the Herrin political machine is a survival of feudalism. To the machine is given service, and to his retainer, overlord is given a share of the plunder that can be filched from the public treasury. The people of California must face the issue of legislative standards of morality and they should do it now that their legislators are coming home.

If all railroads take to Mr. Harriman's idea of running motor cars over their lines between trains, what will be the effect upon inter-urban trolleys running parallel? The part which gasoline and denatured alcohol are to play in quick, short, passenger runs can hardly be overestimated.

Significant News of the ::: Week :::

The Servian Situation.

Nothing has taken place during the week to make the future clear regarding the Balkan difficulties. Austria has been crowding strong forces to the frontier within striking distance of Belgrade and Servia is arming as best it may. It looks as though the rest of Europe felt inclined to leave Servia to its fate, the more certainly because the assassination of Alexander and his queen, some years ago, convinced Europe that Servia was unfit to be an independent state. If a spark be struck an explosion will follow and all will be over in a few weeks, with Serbia off the map and the panslavic empire a dream that did not come true.

Willie Whitley Found.

On March 18th Willie Whitley, the eight-year-old son of Attorney James P. Whitley, of Sharon, Pa., was kidnapped and carried away in a buggy. A ransom of \$10,000 was demanded as the price of his life and return. The money was paid, the lad placed on a street car in Cleveland at night and returned to his father. His story and other clues led to the arrest of James Boyle, and other clues led to the arrest of Boyle's wife and a Mrs. Diemar. The money was found on the person of Boyle's wife and Mrs. Diemar committed suicide by taking morphine almost immediately after arrest. The governor of Pennsylvania offered \$15,000 for the arrest and conviction of the kidnapers. This case is important because it touches the heart of every home and of wealth, or even moderate wealth, would be in danger. In every such instance every citizen should feel it his duty to be a detective and to watch for every clue. If all citizens were to feel this way publicity and public watchfulness would make it almost impossible to keep a child hidden. We are all members one of another, or should be, in every such instance.

The New Tariff Bill.

On Friday of last week the new tariff bill which the ways and means committee of the old congress had spent several months in drafting was reported and read to the committee of the whole House of Representatives. Its discussion in that body was opened by Chairman Payne on Monday. While the schedules average lower than the Dingley law the bill is highly protective. Immediately after the contents of the bill became public the big infant industries began to cry for the bottle upon which they have waxed so fat. There is no House will strive to make a show of fairness to the country and put up a bluff at redemption of Republican party pledges, but the battle will be fought in the Senate. The citadel of the "interests," where Aldrich & Co. have gone into executive session on the measure, the Wilson bill will be repeated in the history of the people and the interests, are to measure swords.

Roosevelt Embarked For Africa.

Former President Roosevelt embarked for Africa Tuesday morning, as planned many months ago. The crush at the pier was something tremendous. Strong as he is, he would have been hugged to death by the pressure of the crowd had it not been for a detachment of burly policemen who pinned their shoulders to reach the gangplank, though hatless and crumpled. No other American was ever given so hearty a bon voyage. Nothing reliable will come from him while his journey that does not come from himself. The expedition is scientific and not for the slaughter of game.

Harriman's Big Four.

It has been said, and the statement is inherently probable, that E. H. Harriman has chosen four Californians to carry the major part of his burden while he directs them how

to do it. These men are William F. Herrin, Julius Kruttschnitt, J. C. Stubbs and William Hood. Each as head of his department will conduct his part of the work and the four, long that association with wonted harmony. They are big men. Mr. Hood has not so much come in contact with the public as the other three, but he is presumably not mellow. The other three are as remorseless as so many arctic blizzards. They will serve their employer's interests and no others. They will carry the public like a surgeon, except that they will not do it in the public interest. This news is important to the whole continent, not half of it.

The Liquor Issue In Wisconsin.

Wisconsin is one of the most progressive states in the union. LaFollette made it so. He stirred things up and kept them stirred with to keep the lump leavening even when LaFollette isn't there. Wisconsin has local option in cities and towns and a light is out to be accomplished at the present session of the legislature. However, the spring elections will see "wet" and "dry" contests in over 200 will go dry. More than half the counties will go dry at the first election if they had a chance where, the fight is against the saloon rather against every good movement in public affairs and has to be whipped before any forward step can be taken. This makes many who love liquor hate the saloon.

Consternation In Britain.

The British government has made the startling discovery that by 1912, Germany will have nearly as many fighting Dreadnaughts in commission as Britain. By the end of that year Germany will have completed it, the tenth, and have to be the best of the best. The significance of this will be the best of the best. The best naval opinion is that vessels of the ships of any other class as far superior to warships in any number at distances of the Dreadnaught's own choosing. If this be true they did not exist. They would be no more grizzly bear. This discovery has set upon a big for the Asquith ministry and the demand of British opinion is for more Dreadnaughts at whatever cost at the earliest date at which they can be built. If these can be had under the present ministry, well and good. If not, the ministry is likely to go by the board any day in the week. Was it because of this information that Roosevelt, as President, wanted four Dreadnaughts instead of two?

A Long Trial In Sight.

Months was made some weeks ago of the importance to the United States, Great Britain and Canada of having reached an agreement to terminate the Northeastern Fisheries dispute determined by the Hague court. The made several administration closed progress was senior counsel for the trial. The Elder of Boston, assisted by Chandler P. Anderson of New York. It is expected that the case will occupy the attention of the court for a year and a half. Judge George Gray of Delaware sits on the bench, as will Sir Charles Fitzpatrick, justice of the Supreme European commissioners also on the bench, and it will probably be up to them to decide the issues.

The Chapman-Alexander Meetings.

The best Christian thought of the past decade has been unfavorable to revival service of the Moody and Sankey type and yet Doctor Chapman and his associates have started a Boston wave of religious enthusiasm, emotion or feeling whatever the individual man to sweep across the continent from ocean to ocean. Human nature has not much changed since Moody and Sankey and a good churching up of the religious sensibilities of the American people now and again cannot be wholly unwholesome.

The Deeper Significance ::: of Living :::

Somewhere in this universe, sometime before exactly now and eternity, we shall all be judged for exactly what we are, and what we are to become will mainly depend upon the moral standards we set up for the ordering of our lives for, "As a man thinketh so is he."

A venemian on his voirdire examination in the Calhoun case is reported to have said: "He had to do it in order to get what he wanted and I would not convict him for it." Without other reference to the graft cases let us see where this standard of morality fetches us. It has the merit of being perfectly intelligible, instantly applicable and not at all uncommon.

Many hundreds, even thousands, of years ago there came into being a code of ten laws governing human conduct. No matter where they came from or how they came. It is sufficient to say that they have been accepted by the civilized world as immutable. Let us test some of these by the moral standard this venemian set up and see where it brings us to it to get what you want, but if you want property, and some one stands between you and an inheritance, then you may kill.

"Thou shalt not commit adultery," unless you find it necessary to do so in order that your desires may be sated, then you may commit adultery.

"Thou shalt not steal," or trick your neighbor out of his property or take it by force, unless you have to do it in order to get what you want, but in that case you may steal, and rob and take by force, chicane, deceit, or any other way needful for possessing the thing you want.

"Thou shalt not bear false witness against thy neighbor," unless it be needful in order to get what you want, but in that case you may commit perjury, suborn and hire others to swear falsely that you may strip your neighbor of his possessions and add them to your own and, in doing this, you may avail yourself of the cunning of attorneys who also shall do what they want—your money.

"Thou shalt not covet thy neighbor's house, his wife, his servants, his property or anything that he has," unless you really want his house, his wife, his servants or his property, in which event you may covet any or all of them. You may break up his home, drive him to despair, dishonor his family, wreck your will upon him to the full—if you have to to get what you want.

"Thou shalt have no other gods before me, nor make an image in thy heart before which to bow down yourself," unless you have to in order to get what you want, in which case you are permitted, by the standard of moralists and luxury, your god and carry in your heart the image of Baecus, bowing yourself down to him, and no one shall say you may your law.

Where did this man get his concept of his unbridled wants suffering for his moral law? He is not the only one who has it. A short time since a great Napoleon of railroading, in speaking of his servants for workingmen, declared that they are entitled to all they can get, as his corporation is entitled to all it can make, which is only another way of saying that one's want—if he can get it—how he can. Many have that standard. It is being shamelessly advocated in certain quarters in San Francisco now. No religion on earth has it, nor any philosophy, a science does not teach it. Is it a moral law from the cave of the bear, the den of the wolf, the lair of the tiger? God pity the soul that seeks to square itself by that standard on Day of Judgment!

Opium has the quality of making its slaves unable to distinguish right from wrong, reduces them to moral idiocy. Is that a moral chargeable with the confusion of mind regarding the iniquity of graft?

THE WORLD AT LARGE

Unfortunate for the Indian.

Commissioner Francis E. Leupp is soon to retire from the head of the United States Indian Commission at the new request, and by reason of ill health, although President Taft has asked him to hold on for the present in order that he may find an equally good man to take his place. This will not be an easy task. Commissioner Leupp early made the discovery that the Indian is a human being, that he is capable of sustaining himself if led, not driven, to the desired good, but that he has little imitation, must feel his own way along paths made easy for him, and that he can, and must, be as responsible for his own conduct before the law as white men are held to be. The American Indian will soon have to stink or swim with the rest of us, and the sooner the better for the Indian—and the rest of us.

A Purchase Price of Peace.

A movement is on foot to establish permanent peace in the Reelfoot lake district of Tennessee, where the night-riders committed so many atrocities, by having the state buy the lake and its immediate surroundings to be kept as a fish and game preserve. The night-riders express a willingness to pay for the privilege of hunting and fishing if they must, but imprisoning, and even hanging, are powerless to keep them within the law when the duck season is on and the bass are willing to bite. Their war cry is, "hunt, fish or fight," and peace at the price may be cheap enough to warrant the expenditure.

The Cost of Tuberculosis.

Those who are able to appreciate no form of value not represented by the dollar sign will find of interest some estimates lately made by Prof. James W. Glover, of the University of Michigan. He rates every normal person between the ages of twenty and sixty as having a value to the community, over and above his own cost of keep, of \$100 per year. Judged by this standard of value Chicago loses, through tuberculosis, \$21,963,019 per year, the state of Illinois \$49,402,704 and the entire United States \$671,018,025. Backed by these figures the Chicago Tuberculosis Institute is having a precinct by precinct lecture campaign carried on in all parts of Chicago in the interest of voting an assessment of one mill on each \$100 of taxable property to be used for the establishment of hospitals for the treatment of this disease. This is made possible by the Glackin law lately enacted by the legislature of Illinois empowering cities to vote such a tax for this purpose. There is money in it as well as life, health and happiness. Other states well might copy.

The Commercial Tone Good.

The New York Sun has been making a canvass of business conditions throughout the entire nation and the result is that a uniformly good tone has responded. There are industries that are going slowly until the tariff law shall have been worked out, and cities with 100,000 population that have laid out enough suburbs and additions to accommodate a population of a million are finding themselves in the excess of town lots, but sales of real estate to cover normal growth are being made at good prices and in good number. There are few debts that have not been liquidated. The banks are sound. The whole country is in good health and only waiting for Congress to fix the tariff schedule and go home in order to start all the wheels of legitimate industry humming.

A School For Mothers.

England loses 120,000 infants a year during the first year of infant life and two-thirds of these losses are caused through ignorance of simple hygiene. In Ghent seven years ago a school for mothers was established with such success in saving the lives of little people that London is taking up the work. Many schools have been established in the congested parts of that

city and there is discussion now about making these schools a part of the public school system. So far mothers have paid a trifling tuition into the voluntary day care center. The most common difficulties have been bronchitis and irregular and unwholesome feeding. Some day every civilized city will be ashamed to be without such schools.

Inter-Colonial Difficulties.

No government has been more energetic, courageous or more willing to carry the burdens of railroad construction than Canada. Vast subsidies have been granted, great bond issues have been guaranteed and the Inter-colonial railroad has been taken over and is being operated by the government. An insight into the tendencies following government ownership of railroads is afforded by the predicament of this road. When the hard times came, and they came to Canada as well as the United States, other roads discharged men right and left or cut wages and increased freights. This road did nothing of the kind. It kept all its men, paid the wages it had been paying, continued to carry freight at a lower rate than any other road in Canada drew on its capital to help out the deficiencies and still comes out at the end of the year with nearly half a million dollars deficiency for the general tax-payer to make up. The total deficiencies since the road was taken up nearly reach \$9,000,000 and the total investment \$100,000,000. One word explains the whole difficulty: "Politics," which is not, and seemingly can not be made, business.

Local Option in Pennsylvania.

Some time ago local option was beaten in the Pennsylvania legislature by a vote of 2 to 1 after what was thought to have been a brilliant and successful Anti-Saloon League campaign. The friends of the movement have since been looking to find what it was that hit 'em. Investigation has shown that it was the result of their clerical leader trying to "do politics" a la Penrose. Of course he was beaten to a frazzle by the "organization." In Pennsylvania, as in California, every evil influence throws its weight in with the "organization" and the only hope for any decent thing is to ally itself with the element that is fighting the "organization" as the common enemy. Instead of doing this the Anti-Saloon League fought only for local option and not against Penrose, although every element in the liquor interests was fighting for Penrose and against local option. Until reformers learn that they must fight the associated villainies without either asking or giving quarter, and by making open and frank appeal to the conscience and common sense of the citizenry, they are certain to suffer the evil fortunes that local option suffered in Pennsylvania as well as in California.

A Campaign for Boys.

Beginning April 21st, and ending May 2nd, almost the entire eastern half of Massachusetts will give its attention to the problem of boy delinquency, incorrigibility and inefficiency for the duties of life. Meetings will be held in every town and hamlet, the best prepared persons obtainable will address them and a most determined effort will be made to find where the trouble is that the remedy may be applied. Lack of a sustained public interest is confessedly at the bottom of the trouble and it is hoped that a campaign for boys may remove at least this one cause for boyhood going wrong. The characters of boys are not of less importance than the souls of men.

Prearranged but Postponed.

The most significant fact in connection with Japan's conduct of the war with Russia was that every detail had been prearranged, planned far ahead. Under the Sayonji ministry elaborate plans had been made for strengthening the army and enlarging the navy but the

tax-ridden public rebelled, the Sayonji ministry was turned out of office and Katsura made premier. He has cut the national budget \$178,500,000, and has postponed or spread out over eleven years, the carrying out of plans prearranged by the Sayonji ministry. The cut in the army and navy budget for the current year amounts to \$15,000,000. It is assumed that eleven years will be as soon as Russia will desire to renew the argument suspended at Portsmouth.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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San Francisco, March 26, 1909.

THE LITERARY AND ART COLONY AT CARMEL

By E. FRENCH STROTHER.

When you leave the train at Monterey, only a few feet from the water's edge, and within a stone's throw of the fishing boats at anchor in the bay, you take a stage. A few turns through the quaint twisting streets of the old mission town, and the horses settle to a steady pull up the first stretch of Seventeen-Mile Drive, past green fields and shaggy oaks. Half way up, you turn in your seat, and the blue bay of Monterey stretches magnificently below you. Another turn, and that view is its way over the ridge and down to the Pine Inn. Alighting here and walking down the village street a few blocks, behold, a marvel! An exquisite little half moon of turquoise bay, between two points of rock that reach out to the Pacific, one of them wooded with pines to the water's edge, the other rising black and sheer in sculptured beauty. At your feet a smooth stretch of beach, with Tennyson's "tender, curving lines of creamy spray." To the right, rising from the beach, the sombre pines beyond, the whist of sand dunes. To the left, massed in blue ascending peaks, the Santa Lucia range of mountains. Turn, and behind you, a forest of pines and oaks.

This is Carmel-by-the-Sea, such a spot as Keats never saw but such as thrilled his fancy when he wrote:

"Round many western islands have I been
Which bards in fealty to Apollo hold."

and
"Then felt I like stout Cortez when with eagle eyes

He stared at the Pacific, and all his men
Look'd at each other with a wild surmise,

Silent, upon a peak in Darien."

Here is the wonder of the sea in rare combination with the beauties of the land—of forests and mountains—an altogether lovely and inspiring scene.

And a kindred sense of beauty has called here a group of artists, poets, and authors to find peace from the turmoil of the world in this quiet spot and to draw inspiration from its diverse, compact beauties.

"Jimmy" Hopper's Home.

"Jimmy" Hopper is one of the literary discoverers of Carmel. He calls it home, lives there as much of the time as he can, does most of his writing there, and, when he is away from it, is the apostle and evangelist of the gospel that Carmel is perfection for a literary worker. Here he and Fred R. Becholdt wrote "9009," the grim story of an convict's struggle to regain his position in the social and economic world. This story is said to be based upon the experience of a real ex-convict who lived with Hopper and Becholdt while they were writing it. Since its serial publication in "The Saturday Evening Post," "9009" has been published in book form, and the authors are preparing to write another novel in collaboration.

Hopper's work is highly regarded in New York, where he is now making a business visit. His first eastern success came quickly after his return from Manila five years ago, when he began writing a series of powerful stories, a life in the Philippines for McClure's magazine, a series which he rounded out by the publication, in 1906, of a complete novel from the same inspiration, called "Cayiban." The promise of his early powers is high; for he is only thirty-two years old. In fact, it seems scarcely any time since he was "lamed in California as 'that little whirlwind end' of the fornia as 'that little whirlwind end' of the University of California eleven. Most people do not know that he is a native of Paris, France; and that he was eleven years old before he came to America.

Mary Austin's "Wickup."

Mrs. Mary Austin, the novelist and poet, is the other most Carmelite of the colony. She, too, calls Carmel home, though just now she is touring England on her way home from

Paris. She lives in a rugged little gorge in a secluded bit of the forest, and she does her writing in "the wickup," as she has named a little shelter that is built aloft in the branches of three neighboring trees. In this picturesque cote she has done much of her best work. From it and its wild surroundings is a far sweep to classic Boston where her books are published, but the fancies grown in the Farthest West must appeal to staid New England, for the same publishers (Houghton, Mifflin & Co.) have brought out each of her novels as they have developed here. "The Land of Little Rain," "The Basket Woman," "Isidro," and "The Flock" have followed rapidly on one another's heels, besides short stories and verse.

Grant Wallace and Michael Williams.

Two other authors are now at Carmel who will probably become permanent residents: Grant Wallace and Michael Williams. Their workshop is a tiny house of two rooms, set in the bald sand of the beach within a hundred feet of the surf. They are working on several plans together—the most urgent at present being a study of the hardy wood varieties of the eucalyptus, which, they believe, is destined to make California the center of the hardwood industry of America and to relieve the hardwood famine which threatens to be complete within fifteen years. They have also prospects of success for a plan they have been urging to found a museum that shall contain



The Bay at Carmel.

relics of the historical, literary, and artistic associations that abound in Monterey county. Their separate vocations are as interesting.

Mr. Wallace is, besides being an author, an artist, a famous war correspondent of the Japanese-Russian war, and a naturalist. His plans include extensive experiments in the propagation of new species of plants by artificial selection, somewhat after the manner of Luther Burbank's work. A small garden for this purpose is already planted at Carmel, and will be extended. He is also writing a series of articles on the results of a year spent with the Navajo Indians in the ruins of the cliff dwellings in Arizona.

Michael Williams here wrote, with Upton Sinclair, a book dealing with modern hygienic reforms which has just been published. He has spent a good deal of time here since the fire in San Francisco, when he was city editor of The Examiner.

"The MacGowan Cooke's."

He and Hopper are mainly responsible for the addition to the Carmel colony of Mrs. Grace MacGowan Cooke and her sister, Miss Alice MacGowan. These two authors were inmates of Helicon Hall, in Englewood, N. J. Upton Sinclair's ill-fated communal settlement, and there heard from Williams an Hopper of the wonders of Carmel. When Helicon Hall burned, Mrs. Cooke and Miss MacGowan were badly injured, and after a long stay in a hospital, came to the coast to recuperate. They have found Carmel a great restorative, and have been able to complete many short stories and a novel while there. Mrs. Cooke's

"The Power and the Glory," a story of cotton mill life, will begin serial publication in the Delicater next month, and Miss MacGowan is following up the popular success of her "Judith of the Cumberland," a story of the same mountain region. "Color Line Studies," a collaborative work, named by both, will soon be published serially by Everybody's.

The Poet Sterling.

George Sterling is another loyal Carmelite. His bungalow is built at the edge of a dense oak thicket, on the brow of a hill that commands a beautiful view up the valley of the Carmel river, and nearer than any other cottage, to, though not in sight of, the famous, old Carmel Mission, founded by Father Junipero Serra in 1770 and now containing his grave. Sterling's recently published book of poems, "A Wine of Wizardry," has led many critics to place him amongst the foremost contemporary American poets.

Carmel seems everywhere ideally the resort of artists, with its wonderful variety of beauty, and many disciples of the brush have made it a home.

The Homes of Artists.

Chris Jorgensen, the famous painter of Yosemite scenes, is just completing a winter home here, to cost \$14,000 when done, that is, perhaps, the most elaborate residence in Carmel. He spends the six summer months in Yosemite, and the rest of the year here, and his substantial evidence of faith in Carmel's desirability will no doubt lead other artists to follow his example.

The late Sydney J. Yard, before his tragically sudden death in January, had just completed a beautiful home and studio at Carmel, which still house many of his paintings. He was considered by many competent critics as the best western water-color artist, and one of the best in America. He left many studies of sea and dunes and groves painted from nature at Carmel that reflect with remarkable fidelity of drawing and color the beauties of the place. An exhibition of his works at Vickery, Atkins & Torrey's galleries in San Francisco a few weeks ago attracted a greatly appreciative throng.

Visiting and Resident Painters.

Miss Josephine Culbertson and Miss Ida Johnston, of New York and Philadelphia, have prolonged a visit of a few months to more than a year, and will probably stay much longer. They are doing some beautiful work in decorated ceramics. Miss Culbertson is, besides, a painter of landscape in water-color, and Miss Johnston is well known for her paintings of daily life in Sunset.

Charles Harmon, the San Jose artist, Miss de Neale Morgan, Miss Isabelle Hunter, Miss Marie Froelich, Mrs. Bergdorff, and Richard Partington all expect to paint at Carmel this summer. Mrs. John Short, of Fresno, also has a home and studio here and is rapidly gaining recognition as a water colorist. A. H. Vachel, the painter in oils, is a Carmel enthusiast.

Other people of note have found their ideal of seaside life at Carmel. Greer Harrison, former athlete and former president of the Olympic Club of San Francisco, makes his home here the year round. President David Starr Jordan, of Stanford University, has a home and studio here, and nearby Professors Vernon L. Kellogg, J. M. Stillman, Guido Mars, and George Peirce, of Stanford, and Professor Lange, of the University of California, each has a cottage.

Altogether, Carmel is a most inviting place. Besides these people, whose presence lends it distinction as a resort of the artistic and intellectual elect, it has many beautiful summer homes of people who also love it for its slight isolation from the world, for its mellow climate, its varied beauties, and its

(Concluded on page 282)

SELF GOVERNMENT AT ALAMEDA

By E. FRENCH STROTHER.

(The problem of self-government in America has got to be worked out in our municipalities. The town meetings, with the kind of Democracy that they represent, will not become our common schools of free government, because it is there that people come together in multitudes, immediately concerned for interests common to them all. We may liken state governments to high schools of democracy and national governments to the university. It is therefore the purpose of The California Weekly, from time to time, to analyze and make clear the conditions and tendencies of municipal government in California in the hope that each may learn from the other.)

"Alameda is a bedroom for San Francisco business men," is a familiar definition of that city. And in political affairs, its citizens have, appropriately enough, long been asleep. Indifference toward the problems of municipal government has been the curse of Alameda, and has permitted it to drift more and more completely into the power of "practical politicians" who do a great deal there besides sleep.

Alameda is as solidly Republican as the state of Maine. Any political divergence in Alameda politics is, therefore, a factional fight in the Republican ranks. Two years ago the Lincoln-Roosevelt Republican League made a desperate fight to free the city from the existing political control, which is of the most consistent "organization" stripe. That fight was unsuccessful.

The politics of Alameda have for years been mainly directed by Dr. Charles L. Tisdale, coroner of Alameda county, and J. B. Lanktree, a warrant shaver whose office is across the street from the county courthouse in Oakland. Doctor Tisdale has been for many years the chairman of the Republican County Committee. His salary and fees, as county coroner and as medical examiner for various municipal, county, and state boards (estimated at one time to amount to the holding of sixteen public offices at once) are generally estimated by people on the inside to amount to \$25,000 a year. He has

also rich patronage to bestow in the numerous deputy coronerships at his disposal.

Doctor Tisdale came into the unfavorable regard of many of Alameda's best citizens years ago, when, as school trustee, he was publicly accused by Brainerd C. Brown of making the teachers' positions directly dependent upon their subservience to him, and of being the boss of the board. Doctor Tisdale threatened (by telephone) to thrash Mr. Brown and to sue him, if he acknowledged being author of the charges, and though Mr. Brown in return published the charges the next day, and though Doctor Tisdale is considerably the larger man, and though Doctor Tisdale was advised by the district attorney that he could sue, he neither thrashed nor sued.

J. B. Lanktree shaves a goodly share of the county warrants, writes insurance on public buildings, and is appointed appraiser of a surprisingly large proportion of the estates probated in Alameda county.

These two men, together with T. G. Daniels, of the Alameda Argus, have for years been delegates to the Republican conventions, county and state. It is not of record that the Alameda delegation to a Republican convention has ever trained with any reform movement, or displayed any aggressive desire to break away from the routine program put up by the most conservative element.

The Argus has supported machine rule consistently. It did not publish nor refer to President Roosevelt's letter commending the graft prosecution in San Francisco, when that letter was the most sensational news feature of its day. The only other Alameda paper is the Times-Star. Its editor, one McDowell, was formerly the manager of the Argus. Its policy is practically the same as that of the Argus.

Just now the big political fight in Alameda is over the election, April 12th, of a mayor and four councilmen. The candidate for mayor who has the support of the Argus and the Times-Star is W. H. Noy, for two years councilman. He is a butcher, and is not a great force in public affairs. His opponent is Joseph F. Forderer, founder of the Forderer Cornice Works in San Francisco, a director of the Alameda National Bank, and for sixteen years a city trustee, and twelve years president of the board of trustees. (Alameda adopted a new charter two years ago, creating the office of mayor. Under the old charter the president of the board of trustees was de facto mayor.) Both Noy and Forderer are Republicans. (The new charter provides for nominations by petition only.) Forderer is being fought by Doctor Tisdale and J. B. Lanktree. Forderer is supported by the Civic League, which is composed of the best type of citizens in Alameda. Noy is supported by E. R. Anthony, the president of the Alameda Republican club, who is an official of the Southern Pacific company. Forderer is supported by the Lincoln-Roosevelt Republican League.

There is considerable evidence, furthermore, that the machine is using the Alameda fight as a means of breaking up the Lincoln-Roosevelt movement in Alameda county. The Oakland Tribune, the notorious "organization" paper, has come out for Noy, which brings the county-wide influence of the machine to bear on the local fight. If Alameda can be sewed up tight for the organization, the machine reduces the territory from which it mustoust the Lincoln-Rooseveltlers by that considerable amount.

The issues of the campaign that appear on the surface are trivial. The real issues are: the relative records of Noy and Forderer; the character of government to be expected from these two men, judged by the character of their supporters; and the issue of the maintenance in control of the Republican party in Alameda of Doctor Tisdale, J. B. Lanktree, and T. G. Daniels, who, in the minds of the best citizens, at least, typify the machine control of politics. Those who are supporting Forderer most vehemently believe that

through him they are fighting for release from a system by which taxes have risen to an exorbitant figure and by which the state machine of the Republican party hopes to continue to be able to distribute patronage and to receive, in return, a solid vote for machine candidates for state assemblymen, state senators, and congressmen.

Hauptmann's latest drama, issued this month, is called "Griselde."

Clyde Fitch's newest, and fifty-first, play is called "Bachelors." The heroine of the piece is supposed to be the daughter of a San Francisco judge whose property was destroyed in the earthquake.

Richard Strauss, the composer, now has an income estimated at \$60,000 a year. The habits of an early life of stress still show, however, as many stories of recent examples of his parsimony are being told in Europe.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Love Must Give as Love Must Take.

If love were what the poets claim, an ecstasy
of kisses,
With only Cupid in the game, his only trophies
blisses;
If love were what the lassies dream, a roseleaf
dipped in honey,
And served with lots of sugared cream in bliss-
ful matrimony;
If love were what our hearts suggest when to
our side she nestles,
Ambrosia fit for any test and mixed by
heaven's pestles,
Why, then 'twould be an easy thing, and, faith,
'twould be a hies o' time,
To take your darling 'neath your wing and
hold her e'er your best one.
But love must bear for sweet love's sake
And be impatient never.
And love must give as love must take,
And so it runs forever.

You courted Mary long ago, and pleasant
things you told her;
You mentioned then her blushes' glow, and
offered to enfold her.
You said her form, as like as not, would be
a Juno's glory;
Perhaps the fact you've since forgot—but that's
another story.
And you were wedded (twas a plan you
thought was superhuman);
It turned out you were but a man, and she
was but a woman,
And so you went your stumbling ways—What
matter, and what matter?
If love attended all your days, your worries
had to scatter.
For love that bears for sweet love's sake
Through trial and endeavor,
The love that gives, as it must take,
Its blessing lives forever.

But—

We would have done the thing which we
knew should be done, but—
There was the unfortunate chap whom, with
little difficulty, we might have helped, but—
There was the kind word which it wouldn't
have cost us a cent to speak, but—
There was the gladness which we might
have placed in somebody's heart, but—
There were the woman and the little ones at
home with whom we might have left a ray of
sunshine as we departed, but—
There was the duty which insisted (though
we tried not to hear it) that it needed atten-
tion, but—

There was the opportunity to look higher
and climb higher, but—
Ah, friends, friends, it is a little word, three
letters spell it completely, but—
What a big place it does take in our lives,
and what snare and pitfall it is unto our feet!
How many of our failures are written with a
"but" preceding them, and over how many
graves of our hopes does it stand as a shame-
ful monument! We mean so well, but—
For my part I feel that it would be well
absolutely to exclude the word from my dic-
tionary, only—that is, but—

The Best of All.

It is well to stand on a mountain height,
Where the footsteps of angels fall,
Where day's first banners are spread in light
And summits to summit call;
But to stand far down in the vale below,
Where these, my brothers, walk to and fro,
To gladden a heart, or to soothe a woe—
Ah, this is the best of all.

An Evident Advantage.

"This is a time when a man who has been
in the habit of watching women's feet has a
decided advantage."
"How so?"
"Why, he can tell who a woman is even
when she is wearing her latest-style spring
hat."

The Opinions of Rufus.

If you buy a man so you kin make a
hundred dollars, that's bribery. If you buy
him so you kin make a million, that's bein'
held up. When you git these ideers down fine,
Silas, probly you kin practice law.

It's best allers to tell the truth, but you
want to be prepared to take somethin' fer
that lonesome feelin'.

You can't allers tell. The man that treats
you most corjully may be your best friend, an',
then again, he may be a book agent.

When a woman's so extry good that her
husband can't smoke a home, I've noticed that
the old man genly 'bout keeps up the moral
av'rage in the family.

Ef I sh'd throw my watch on the pavement
an' smash it so I never could put it together
again I s'pose I'd prove I had the qualification
fer a great critic, but 'pears ter me the watch-
maker, even ef he makes mistakes sometimes,
is in a better line o' business.

The most hopeful thing I know 'bout some
children is that they don't seem to be much
like their pas an' mas.

No that the new spring styles in winnens'
hats has come in I understand they is hull
families that is mournin' fer their butter-bowls.

You kin hunt up ancestors, but they can't
hunt you up nor know what you are. That's
the advantage ancestors have in connection
with some people that are mighty proud of
their lineage. They're dead an' probly don't
realize what they've come to.

Don't Scoff as Much as I Did.

When a young man sighs, "There is only one,
One girl in the whole world round,"
I think, "You chump, come off of the dump,
For sweeter each day are found."
And I pride myself on superior wit
And wisdom of finer strain.
And I say, "That this youth would improve a
bit
If he'd follow my lead is plain."

But then I recall a maiden I knew
Who added me under my lid
And made me a chump of a size for two—
And I don't scoff as much as I did.

When Willie opines that clothes make the man,
Then dresses the part of a fool,
I smile at his folly, as wisecracks can,
And wish he were taught in my school.
He turns up his trousers (in London they do)
Converses in lah-de-dah style,
And I say, "He has folly to handicap two,"
And so at that folly I smile.

But sometimes my Polly a picture exhumes,
Of me in the days that are hid,
Myself as an ass that no wisdom illumines—
And I don't scoff as much as I did.

When Tommy gets out on the roseate way,
And rises next morn with a head,
"The price of your folly is what you must pay,"
Is a thing that I often have said.
I am really superior to Tommy, I feel,
And I look on his actions with scorn,
And pity is something I do not reveal
When his head is enlarged the next morn.

But then I recall, with a shudder or so,
Some times of which mention's forbid.
I still feel the conduct of Tommy is low—
But I don't scoff as much as I did.

"The Friend of Dumb Animals."

A good man passed from this life when
George T. Angell heard and responded to the
inevitable summons. All through his long life
of eighty-six years he helped those who, in
the presence of man, are all but helpless—the
dumb brutes of the animal creation. Often
seeing these lower servants and friends of man
abused and maltreated, the great heart and
soul of George T. Angell uttered its protest

in behalf of those who could not protest for
themselves. And he made that protest felt.
Everywhere societies for the prevention of
cruelty to animals were organized, everywhere
their work is in kindly evidence, and every-
where and every day some dumb sufferer finds
an interpreter through them. All this was
largely the result of the work of this one man.
Now "he has fought the fight, he has finished
the faith," and if a crown is not laid up for
him, it will be because the lower animals can
not vote and there is no pitying one to heed
them in heaven—which is unbelievable. A good
man has gone home, and the world is better
because he has lived.

By Such a Slender Thread.

We hold our loves by such a slender thread!
To-day one greets us on our homeward way;
To-morrow men shall whisper, "She is dead."
We find her not, wherever we may stray,
And o'er us hangs the pall that all men dread—
We hold our loves by such a slender thread!

Sometimes my love itself I can but fear.

I hold mine own, with tender murmurs low,
Fearful what time the summons I may hear.
"Nay, God," I cry, "I cannot let her go!
Oh, spectral Death, to stand our dear ones
near—

Sometimes my love itself I can but fear.

'Tis hard to trust, and yet 'tis all I know.
'Blinded and dazed, astray 'mid shadows chill,
Yet let me cry, as stumbling on I go—
'Yea, though He slay me, I will trust Him
still."
Oh, love of mine, the lurking shadows grow—
'Tis hard to trust, and yet 'tis all I know.

Scientific Legislation.

"This scientific legislation that the Senate
and Assembly have been givin' us lately," said
one man who had visited the legislature.
"There was Cullen's bill to prohibit corrupt
lobbying. The Assembly defeated it. 'Pass
such a bill?' says the noble legislators. 'Never!
Not on your life! Suppose that we passed it,
how would we be reached?' How would we
succeed in layin' away a gratifyin' nest-egg for
our delughtful and beloved little families? Shut
the corrupt lobbyists out? Well, scarcely!
How would we manage to be present when the
dividend was declared if we did? Would we
cut our own throats to please the holy? Not
that anybody has noticed!" says they. So
with a whoop and hurrah they voted to keep
the corrupt lobbyists. 'Twas scientific legisla-
tion, I tell you.

"Was the Senate to be left behind when it
came to that sort of a speed contest? It didn't
feel that it would be right. Grove L. Johnson's
bill for change of venue came up. 'Tis a neat
bill, simply providing that if a criminal doesn't
like a judge, fearing that he will deal out
justice to him, he may have another. A fine
bill, and there is not a criminal in the land who
will not rise up and call Mr. Johnson blessed
for it. 'Shall we pass it?' says the senators.
'We will,' says they, 'for we can't tell how soon
we may need it. So the bill was passed, and
a new hope springs to life in the breasts of
criminals throughout the state."

"I am somewhat mortified," said the man,
"to admit that some of the legislators were not
scientific and neither joined the Legislative
Self-Protective Society nor voted with the pro-
tectors on these propositions, but they were
the minority. Our statesmen still are scientific,
and they don't propose to throw away any
chances that work their way. So let's unite in
shouting, Hoorary!"

But I couldn't seem to do it.

Nor Would It Work With You.

I said, "From my companions I'll
Cut fools of every shape."
I tried it, but it didn't work—
Myself I couldn't 'scape.

THE GRAFT CASES.

Another week has passed, and nothing tangible has been gained in the effort to secure a jury for the trial of Patrick Calhoun. To be sure, one more man, Theodore Binner, an ornamental plasterer and decorator, has been selected subject to peremptory challenge, but in the end, this may, or may not, prove to be a gain. Three such possible jurors have thus far been chosen.

The record of veniremen drawn now exceeds that of the Ruef case, the number in the latter case having been about 1,500, while more than 1,600 already have been drawn in the Calhoun case, and "still there's more to follow." It is a safe speculation that more than 2,000 veniremen will be examined before a jury is secured, and of course the moral is that not more than, say, one man in 175 in San Francisco is mentally and morally adapted to decide on the evidence whether or not Patrick Calhoun is guilty of bribery, as charged in the indictment.

As indicating that, although justice forever is justice and law is law while it stands, there are trials and other trials, it may be profitable briefly to compare the progress of the second trial of Adolph S. Newburgh, charged with offering a bribe to a prospective juror in the Ruef case, with the record in the Calhoun case. It now has been about two and one-half months since the trial of Patrick Calhoun began, and, after mighty legal labors, six men have been sworn to try him. So much for that record.

The re-trial of Adolph S. Newburgh, who is not notably a higher-up, began last Monday, and by Wednesday evening nine jurors had been sworn to try the case. That is to say, in the Newburgh case 50 per cent. more was accomplished in three days than was accomplished in about sixty working days in the Calhoun case. The proportionate progress in the former case was thirty times as rapid as in the latter. The facts convey their own moral, and it is unnecessary to dwell on them.

In the trial of former supervisors of San Mateo county in Redwood City, before Judge Dooling, the week has been devoted to pre-sentation of the evidence, and it is probable that the decision of it will be turned over to the jury to-day.

I. Zangwill, the novelist and playwright, during his recent visit to America, was asked by a lady to tell her his Christian name. "I have no Christian name," he replied. "My first name is Israel."—New York Evening Post.



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REGARDING THE RECENT MUNICIPAL ELECTION IN OAKLAND. ITS SIGNIFICANCE.

The late municipal campaign in this city, which involved in a large degree the high principles of justice and righteousness, was fought out on the very low plane of expediency and material interest.

The question which has occupied the attention of Oakland's citizens for years is: "How shall we release from the grasp of the Southern Pacific Railroad the land on the waterfront belonging to us, which that corporation fraudulently took from us years ago and has since unjustly held by corrupting officials when that was possible, intimidating them when bribery failed, and, as a last resort, employing the machinery of the courts, and the law's delay, to perpetuate its hold on what it had unjustly appropriated of the city's property?"

To increase the sense of wrong inflicted upon the city by the railroad, it is generally believed that outside influences have induced our courts to favor this road to the prejudice of the city's claim.

Both parties in the election turned upon the above question as the main issue, the administration party asking for an amendment to the city's charter giving the council greater power to make further concessions to the railroad and the Citizens' League opposing the amendment and the policy they were intending to carry out.

The pregnant and educational fact is, that both parties treated the question involved from a purely material standpoint, regardless of right or wrong entirely. In effect the administration party said: "Give us the power to settle this matter and give the road what it wants and have peace and prosperity" and the city was loudly echoed throughout the city. The merchants took it up in the councils of trade and commerce. "Get these things out of the way," said they, "and trade will be better and profits increased." "Yes," said the landlords, "there will be a greater demand for stores, offices, and dwellings and rents will be higher, if not higher." "Whoop 'er up!" shouted the real estate men, both owners and brokers, "once those disturbing factors are eliminated factory sites will be in demand and lots will go off with a rush."

It was business, business, from top to bottom and the almighty dollar to be pocketed as the result of increased business and neither party presented any higher standard under which the contest was to be waged.

For pecuniary gain the wrongs inflicted upon the city by an arrogant, unscrupulous corporation were to be condoned, the corrupting influences it had exerted, and the noxious element it had introduced into the moral atmosphere which has nearly stifled in the minds of the community the normal sense of righteousness, were all to be ignored, and valuable franchises granted to it if it would perform a simple act of justice and relinquish to the city what it had wrongfully taken in the first place and for so many years retained by fraud and force.

Peace and prosperity at such a price are not for a moment worth the consideration of any man who realizes the dignity of American citizenship and the value of the rights and privileges it confers.

That was the shibboleth of the New England Tories when the war of the Revolution was likely to interfere with their trade in molasses and rum with the West Indies. It found a mouthpiece in the copperhead press and party in the war of the Rebellion, but found no echo in the hearts and lips of the men who pledged their lives, their fortunes and their sacred honor to the opposition of injustice when pressed upon them by a despotic king, no more ruthless and tyrannical in his acts or unscrupulous in his methods than is that corporation which, with almost ruthless power, dominated the executive, legislative, judicial and municipal officials of California.

Our nation was founded by men who, at the sacrifice of all material interests, refused submission to governmental injustice; its existence was perpetuated at an enormous cost of life and suffering in an active protest against the injustice of man to his fellow man by holding him in slavery, and if it is to realize the hope of the best there is in humanity our citizens

must wake up to the idea that the right should be contended for because it is right, and wrong as strenuously opposed because it is wrong, and the putting of this principle into practice is the great need of the nation to-day.

E. C. W.

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POLITICAL TABLE TALK

By THE WATCHMAN.

A Good Start, A Bad End The legislature which began so promisingly, and over which we all rejoiced as affording about the only proof we had had in recent years that we could have a good legislature once more, impaired its record in the last days of the session. It passed a number of very bad bills, of which the change of venue bill is one of the most notorious. It always happens that objectionable measures, which have been held back through lack of favor, find their best opportunity in the confusion and recklessness of the last two weeks of session, but it seems as if this time the number of such measures which went through is exceptional.

General Legislation For Private Snaps A second illustration of this sort of legislation was the bill subjecting the decisions of the San Francisco Police Commission and similar bodies to judicial review. In addition to these well-known examples, there were many others, less conspicuous but no less vicious in principle. Changes have been made in the general laws of the state to fit particular cases, and generally the interest behind the change has been a purely selfish one. A shining illustration of this kind of selfishness is the case of the superior judge who left his bench and went to Sacramento to lobby through a bill changing the law of adoption because thereby he secured an inheritance for his own wife.

The Governor Can Think It Over For the first time a governor is going to have thirty days, instead of ten, in which to sign bills after the legislature adjourns, and the people will have an opportunity to decide whether they did wisely in adopting this amendment to the constitution. The argument for it seemed strong, but there is a chance that in one way it may work badly. Every governor after signing up the bills which appear to him to be meritorious has on his hands a miscellaneous lot of legislative junk about which he is doubtful, and which being doubtful, ought to go into the scrap heap. Formerly there was a tremendous crush during the last days to get the Governor to approve worthless bills, but at the end of ten days it was over, and the governor who could hold out against pressure that long prevented much mischief by not signing bad bills. But now there is to be thirty days during which the pressure can be put on, and it will be a rare sort of governor who does not sign some bills against his better judgment because of the sheer persistence of legislative promoters and their ingenuity in working up schemes to bring pressure to bear.

A Boon To Miners A very emphatic eight-hour bill was passed by the legislature in the form of a measure to benefit miners and underground workers. It is a square prohibition of more than eight hours' work in this kind of employment except in cases of emergency to protect life or property.

Only the Truth Can Be Advertised A bill which, if approved by the governor, will raise any number of questions is one making it a misdemeanor knowingly to make through an advertisement "any statement or assertion of facts" with regard to the quality or value of goods offered for sale, "or the manner or source of purchase of such merchandise, or the possession of awards, prizes or distinctions, or the motive or purpose of a sale, intended to have the appearance of an advantageous offer, which is in fact untrue or calculated to mislead." To live up to the letter of this would call for about the most rigorous censorship ever placed on business advertising.

More Holidays Less Work Not satisfied with making a new holiday in the month of October, when the discovery of this country will be celebrated, the legislature has declared February 12th, Lincoln's

birthday, also a legal holiday. A few more, and holidays in California will be as numerous as saints' days in southern Europe.

Just a Drop In the Bucket The idea that agriculture ought to be studied in the grammar and high schools, as formerly known (now, by virtue of constitutional amendment, elementary and secondary schools) has found expression in the passage of an act putting into the hands of the university two thousand dollars for this purpose. No part of the money is to be expended for salaries, and it is something of a curiosity to know just how the money is to be spent to produce results.

A Good Idea With Good Men Senator Walker's county board of forestry bill passed before the legislature adjourned. This bill puts in the power of any county board of supervisors to appoint a board of forestry to consist of five persons, and such board may employ a county forester; he is to receive a salary of not more than \$150 per month, but the members of the board are to serve without pay. The board is given exclusive power in regard to the planting of trees, hedges and flowers along public highways, and also in regard to cutting and pruning trees.

What Will They Do With That Money? Hereafter the State Board of Prison Directors will have a fund to be used for feeding discharged prisoners. Eight thousand dollars has been appropriated for the purpose, and under the terms of the law the prison directors are not required to file vouchers or tell what they do with the money.

O Vanity! How Funny In former times the legislature waited until a governor went out of office before ordering his picture painted, but now the legislature has decided to change all that at the late session. An appropriation was made to paint the portrait of Governor Gillett; but that is not half of the story. The portrait of Lieutenant-Governor Porter, the performer, was also ordered, this being the first time an appropriation to honor a lieutenant-governor has been made. Nor did the honoring stop there, for portraits were ordered of Speaker Stanton and ex-Speaker Beardslee, and the appropriation was made perpetual, so that the portraits of all future speakers can be painted. At this rate, the capitol will presently be too small to hold the pictures of all the great men, and it will be necessary to build a state art gallery.

Some Jobs For Parsons Thoughtful of the spiritual needs of the inmates of the state hospitals, the legislature put through a bill to allow each hospital, and also the Home for Feeble-minded, to spend \$100 per month in compensating clergymen for preaching to and visiting the patients.

Emballment Plumpers Two new branches of the government of the state, and we trust ornaments thereto, will soon be added if Governor Gillett approves the work of the legislature. One will be the State Board of Embalmers, whose duty will be to see that all persons who practice embalming are able to pass examinations in anatomy and kindred sciences. This is a modest sort of board, but the State Plumbing Board is to be a most comprehensive and far-reaching organization. It is not merely to examine and license plumbers; it is to boss the whole plumbing business in a really extraordinary way. It is to appoint a State Inspector of Plumbing, and few things are to escape the eagle eye of this official. He is to be the agent of the board in regulating the plumbing and sewerage of all state buildings, and he is to see that all cities and towns show proper respect for the State Plumbing Board by sending to it for approval all plumbing and sewerage regulations. To supplement the work of the State Board, the larger cities are all required to start branch

plumbing boards, and all plumbing and sewerage plans for both public and private buildings are to be drawn in accordance with the decisions of such boards. In short, the government will be under will be largely government by and for the plumbers.

Organization Prestige Lost In Primary Fight The primary bill passed before the legislature adjourned.

Journal, as everyone foresaw it would, because everybody being pledged to this issue, nobody could afford to adjourn with it undisposed of. And it is a satisfactory bill, in the main. The long fight over the section relating to vote on United States Senator ended in a so-called compromise by which a State Senator or Assemblyman can choose whether he will be bound by the plurality vote in his district or by the decision reached in a majority of the districts if he chooses to be bound at all. The essential thing is that hereafter there is to be some expression of opinion by the voters on the subject of United States Senatorship, whereas there has been none before that counted for anything. The stubborn contest which was waged over it was essentially a fight for mastery between the old "organization" and the independents. In this fight the "organization," although it won a nominal victory, was in reality badly shaken up, and its prestige is gone.

State May Now Free Itself If now the people manifest the wisdom to use their new powers with discretion, the political emancipation of California can be completed in the next state campaign.

The choice of a United States Senator will be only a part of their duties; the larger task will be to nominate and elect a governor and other state officers, especially railroad commissioners and members of the board of equalization, who do not owe allegiance to a railroad machine, as well as to choose free congressmen, state senators and assemblymen. This great work should be commenced at once and carried on continuously for fifteen months.

The Incubus of Grove L. Johnson Among the reform measures which died before the legislature adjourned, were the bill to print the names of judicial candidates in a column by themselves on the ballot and the bill to abolish the party circle. The regular machine, assisted by that veteran and able guerrilla, Grove L. Johnson, accomplished their defeat. There was considerable talk during the session that Johnson was losing his influence, but he was uncommonly successful in antagonizing meritorious legislation and in promoting bad. The long continuance in the legislature of this adroit and malevolent man is one of the heaviest burdens carried by the state of California to-day.

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SAN FRANCISCO

HETCH-HETCHY FOR THE WEALTH PRODUCER

By JAMES D. PHELAN.

San Francisco and the bay cities have made their case for the Hetch-Hetchy water supply and have been awarded the verdict; and now there is a vain appeal.

Has there not been enough of fine writing and inexact information? Your correspondent, Mr. Bade, answers that "one great opposition movement" is in process of incubation in this state. To what end?

It seems that the old California fatality is upon us, of fighting the good fight only to find the enemy in our own camp. For eight years we have pursued this project, nor did we begin until Mendell, Manson and Grunsky, from knowledge gained in the field, had thrown the weight of their professional prestige into the city's application for the use of Hetch-Hetchy. It was then an unknown mountain reservoir and so designated by the Geological Survey; or, as a congressman more correctly observed, "Designated by Almighty God for the highest use of man." That is the touchstone—"the highest use."

Hetch-Hetchy the Best Source.

All other available sources were investigated and eliminated. Hetch-Hetchy is confessedly the best. The President said, "You have my support." The Secretary of the Interior, invested with full power, has granted the permit for its use. The Secretary of Agriculture has concurred. The people of San Francisco, by a vote of 35,000 to 5,000 have approved. The legislature of the state, the cities of Oakland, Alameda, and Berkeley have spoken with one voice in favor of the grant, and the Public Lands Committee of the House of Representatives, after a patent hearing, has reported favorably the exchange of lands. "Flood the valley," say the people, "Flood the magazines," say the doctrinaires.

When all is ready for the pipe line to bring water to our doors, we are warned by the pipes of Patric. Would not the million men on the shores of San Francisco bay could spend their waking hours with the Sylvan God in Arcadian simplicity, and not feel the necessity of ever putting him under tribute! That is, alas, impracticable. Pan will have to yield his sovereignty over parts of his territory from time to time—it is so ordained by the decree of civilization.

Make Way for the Toiling Millions.

To paraphrase a classification, that is classic, modern society may be divided into three classes—wealth-producers, stock-jobbers, and fox-hunters. The wealth-producers—the toiling millions—create prosperity by the utilization of natural resources, and the other two classes—predatory and parasitic—consciously or unconsciously obstruct the wheels of progress. Let this be the motto.

Unobstructed prosperity confers happiness, and the greatest good to the greatest number should dictate the uses of wealth. The stock-jobbers and the fox-hunters have joined in an attempt to thwart the plan of San Francisco to utilize the water from waters of the High Sierra—the one to enhance the prices of stocks, and the other to preserve the mountain tops for pleasure purposes.

The attorney for the Spring Valley Water company, before the Senate Committee, was forced to admit that he opposed any water supply for San Francisco, and the reason is apparent, for the city, although willing to buy the company's property for its legitimate capital investment, will not pay a forced price when it possesses a superior supply of its own. Hence the stock-jobbers oppose Hetch-Hetchy. But not even the chief engineer of the company has had anything to say against the excellence of the source, for Hetch-Hetchy is easily the best of the mountain supplies, and we want it because it is the best.

Esthetic Enjoyment an Inferior Use.

But the fox-hunter, who is willing that the city should have a new water-supply elsewhere, wants to know why the city should trespass on his preserves—his, because not utilized as yet for beneficial or productive purposes. He would drive the people farther afield; we would

drive Pan. In England, vast areas were, and still are, to a diminished extent, preserved for the pleasurable relaxation of deer-stalking and fox-hunting, and the squires resist the progress of the plow; and, even over the cultivated fields, they assert a superior right to hunt. Granted the chase is a noble, manly and healthful sport, still, to admit, subordinate to the natural, proper and beneficial uses of the soil, which must first maintain the population. (And lest the esthetic weep, it may be said, parenthetically, that a growing crop or orchard has a beauty of its own.) If we must persist in fox-hunting, the hunters must fall back on unbroken or unusable lands, until, like the Indian under pressure of civilization, he is forced beyond the horizon. Fox-hunting can endure as long as there are unused fields, and mountain climbing can survive as long as there are needlessly peaks. We are now extending the frontier. If the region in the neighborhood of Hetch-Hetchy is occupied for a superior purpose, then Shasta and Mount Whitney, and the Kings river canyon offer inviting prospects. Why should we shall have fifty million people, then the fascination of ascending the Alaskan slopes—the highest on the continent—will possess the daring, and before whom, perhaps, the North Pole will capitulate? The hunter is the forerunner of the pioneer; but we cannot maintain the conditions of the wilderness when the pioneer wants to build a home.

There are some things better than others, and we must not lose our sense of proportion—even if we have to lose, occasionally, a distinguished visitor. Roosevelt knew better than to come to California when he could visit distant Africa.

When the zealous chief engineer—with his eye on one spring vainly to the defense of his Spring Valley in the Senate Committee and defended its purchases of lands on the Alameda side of San Francisco bay, and which for thirty years have remained unused for any purpose, he naively declared—"quoting the exact words of Hermann Schuster"—"Now this company has got to buy property" (mark you, in the nearby and fertile counties of Alameda and Santa Clara) "ahead of time in order to prevent it being settled up by farms, and especially by game ranches and towns. If we did not go in time and buy up an entire valley, and an entire water-shed, if possible, we can never get it." (Senate Record, p. 118.)

Wilderness Must Yield to Civilization.

Of course, how logical and alert are we when serving special interests, and how quickly we lose sight of our community duties. We must suppress forsooth the very growth of population! This is an example of speeding progress by taking the ground from under its feet!

What more powerful argument could be made for a mountain source? The water-shed of Hetch-Hetchy is, save for four months, uninhabitable.

We have assumed the contention of the nature lover that by this process his frontier is being extended; but he need not be pushed out of the Hetch-Hetchy water-shed. There is a modus vivendi. For example, is the Crystal Springs lake in San Mateo county less attractive as a glimpse of nature because there is a roadway around it? Is not the sheet of water more slightly than a mere depression between hills? And because the traffic of two counties cross it by wagon-road and thousand or longer on its margin, is it seriously exposed to typhoid? Then what may he say of the more remote water-shed of the Hetch-Hetchy region?

No Danger of Pollution.

But Mr. Bade sees danger. Solicitous for the purity of the supply and the integrity of the camp, he sees no middle ground and condemns the camp in order to destroy the supply. The Tuolumne Meadows are more than twenty miles from the dam, separated by a turbulent stream, and yet he speaks of the

menace of even one case of "walking typhoid." Cannot that be said of any supply? But how improbable here of all places—where the use is infrequent and necessarily limited.

Among the other protests to Congress against our project was the "Saturday Walking Club of Chicago," a city which drinks from Lake Michigan and drains into the Mississippi above St. Louis, which drinks in turn. I venture to enquire which of these cities support the walking typhoid club? We should have the facts and then bar the members out!

And now Mr. Bade in his article quotes Mr. Grunsky, very ingeniously and without giving dates, as having said of the Spring Valley, "It ranks first in reliability of service." That, alas, was prior to April 18, 1906. It can hardly be said, however, that Lake Merced, right in the city limits, accessible to the very dogs, as it were, and from which we take three million gallons daily out of mere necessity, ranks first in purity. Purity, abundance, and reliability, should be the tests of a water supply, and in all of these Spring Valley is found wanting. That is why we have taken up the quest for water.

Now, having taken up the quest, would we not fail of our duty if we stopped short of its fullest fulfillment? What is that? That is the question.

Mr. Grunsky, in his testimony, has wisely said if San Francisco were driven to it, "She would have to distill water from the ocean" and that "the matter of water supply is relative." But are we going to the ocean, or the Calaveras "cow pasture," where the Spring Valley conceals a hundred million gallons from the farmers, the court of mere necessity, good people of Oakland, or to the tail-race of a power company, as the Stanislaus, or the confluence of the Cosumnes and the graft, or anywhere but the inviolate and inviolable wastes of the High Sierra? Then again, how any water-shed as good, any reservoir as safe, any source as free from contamination or the dangers of contamination, whether privately owned or publicly held, as the Hetch-Hetchy, and the great bay populations, the wealth-producers, must confess judgment, and the fox-hunters, "The brush is yours—for another season," but to the stock-jobbers, even then, there can be no response but, "Your day has come!"

The majority report made to the House of Representatives giving San Francisco the decision contains the following:

"About a dozen sources of water supply have been examined for San Francisco by the most eminent water engineers in the West and there is practically unanimity in their reports that the Tuolumne river furnishes the best opportunity to secure a large, pure and perennial supply. It would not be correct to say that this is the only adequate supply to be found in those mountains (Sierra Nevada), but the expert authorities are well agreed that as the most desirable one from the standpoint of freedom from contamination from human and stock sources, stock raising, mining, etc., and it also has the advantage of containing quality suitable in a marked degree for reservoir uses."

The Million's Right Against the Hundred's.

On San Francisco bay dwell nearly one million people, and in a few short years that population will be doubled, so it is the part of wisdom for both city authorities and the federal government to provide for the best supply for the maintenance in health of this vast population.

Granted that we could take one of "The dozen supplies," they are now not only in beneficial use, meeting the need of great wealth producing industries such as mining, irrigation and the development of power, but, as we have seen, they are all, with the exception of the Hetch-Hetchy subject to increasing contamination from human activities. The Tuolumne water shed is a vast region scrubbed and snow-covered, uninhabitable for nearly nine months of the year, and the Hetch-Hetchy is one of the very few available reservoirs.

The majority report continues:

"After a very full examination of the whole question it was the judgment of the committee that the only source of water for San Francisco that is free from the pollution of the Park and the interference with the pleasures of those who wish to visit it, and which offers the greatest advantages according to the nation's principal water supply experts, is that now valleys or meadows, as they are called, will become lakes; and if this be a detraction from the

beauty of the Park a point about which there is much difference of opinion. The inevitable benefit will result to one of the principal cities of the nation and to the countless thousands, even millions, who will reside there in generations to come.

The report points out that fifty years ago New York's, and only twenty years ago Chicago's, population was more than that now on San Francisco bay, and that fifty years hence this nation will have two hundred millions of population, with a growing proportion of them in California, and hence the importance of securing at this time an ample, stable and pure water supply. Could anything be more important, Mr. Fox-hunter?

It is therefore not "cheapness" but abundance and purity and reliability that move the people of the bay of San Francisco to provide for themselves and their posterity in time; but if it were partly a question of reasonable cost, I think that the people of the country would consider it no small element in the petition of a city that has just been destroyed by fire, due to a lack of water, and which is now using her last available penny, under the limitations of taxation, to re-create a municipal plant, and to worthily serve the nation at its western gate. She should not be falsely condemned for her lack of esthetic appreciation of the beauties of nature, nor reproached for thrift. San Francisco can afford to pay, however, for what she needs, if the government exacts a price, and she is endeavoring to demonstrate the need she has for this particular water supply because of its abundance and purity.

There are many people who repeat without knowledge that there are numerous sources other than Hetch-Hetchy, and just as good and available. As a matter of fact, they are all distinctly inferior, and are all in beneficial use. The House majority report says:

"Having in mind the fact that rain and snow fall in California only during the winter months, and that for approximately half the year there is no precipitation at all, the imperative necessity of impounding water during the wet season becomes apparent. The absence of available reservoirs in some of the Sierra streams puts those streams out of consideration in examining this problem."

Other Sources Impracticable.

Mr. Bader quotes Congressman Englebright in part only to show the resources of the middle fork of the Yuba, a property controlled by the Spring Valley company, and he leaves out the critical testimony which showed that the water, if fully developed, is subject to contamination, and that a pipe line from it would have to be carried over the Carquinez Straits, and the perilous Sacramento.

Here is the testimony. (House Report, page 375):

Question: Would you not have to cross the Carquinez Straits?

Mr. Englebright: Yes, or else cross the Sacramento river higher up.

Question: And the Sacramento river is exposed to these fishets throughout the winter? In other words, it would be a dangerous and uncertain pipe line, would it not?

Answer: It would depend on how you built it, and how much money you were willing to put into it.

Question: You indicated that if the point of diversion was low down, it would yield in that event only a small quantity of water.

Answer. Mr. Englebright: I think that Mr. McCutcheon's figures are a little low. One hundred gallons a day would be a little low. The point of diversion was so low that the water would be subject to contamination?

Answer: Yes, but there would be no trouble for him to gather one hundred million gallons a day.

And so these pretensions were exploded one by one by the company's own witness.

The same in the Senate Committee, when the water from the Stanislaus trail race was under discussion. The Stanislaus is frequently urged on the city as an alternative scheme by those who do not want Hetch-Hetchy and who do not understand the conditions. The Stanislaus Electric Power company owns the rights on that river.

The following is from the Senate Record (page 107):

Question: I should like to know if we can go into the tailrace of the Stanislaus dam and appropriate the water to the company at a price of millions of dollars in the impounding of it?

Mr. McCutcheon: After it gets back into the stream, every drop of it.

Senator Smoot: Is it possible to have below the tail race of the Stanislaus dam a reservoir sufficient to reservoir the water for the city of San Francisco?

Mr. Mansont: No, there would be no trouble for those who do not want Hetch-Hetchy and who do not understand the conditions. The Stanislaus Electric Power company owns the rights on that river.

Cheapness a Worthy Consideration.

It also appeared that San Francisco should have hydro-power to pump water over Altamont, and for other municipal purposes, but not for sale, now included in the Hetch-Hetchy grant—a privilege which Mr. Bader sought to urge against the grant itself. We should not select a source, argues he, that is capable of saving the city \$300,000 a year in street-lighting alone, which the Hetch-Hetchy will do, but confine ourselves strictly to domestic supply. Why? Is there no one to speak for the public? Why not consider the rights of the millions in the city as well as the hundreds in the sky?

And so before the committees of Congress every other source was discussed and its deficiencies shown. Tahoe, the Feather, the American, the Sacramento and San Joaquin, Mokelumne, Clear Lake and Coyote. (Where are the sources that can be substituted for the Hetch-Hetchy? Let them be named.) The House Committee on this showing, after a three days' hearing, decided for the city—and yet the debate goes on. But happily, while the inept and impracticable go on with the debate, the city has decided to go on with the work. The House majority report put the final question on the recalcitrant: "It is important to observe in this connection that San Francisco can proceed without the Congressional grant of land, if she chooses to do so. So it is not in its last analysis a question as to whether she shall occupy certain portions of Yosemite Park but whether Congress will aid a city to carry out its purposes in the most business-like way."

President Roosevelt in Favor of Project.

But I desire to raise a question in this connection which was suggested to me by President Roosevelt himself. In consultation with other sagacious statesmen, he is disposed to believe that his friends who love nature so ardently have lost the sense of proportion. That will explain the nature lovers and answer them. They do not clearly see that the policy of the conservation of our natural resources to which the President, Secretary Garfield, and Theodore Pinchot are devoted, was established for the largest possible benefit of the people of this and future generations, and not merely to gratify idealists and esthetic persons who are conserved to protect not only the timber, but the water, and the water is conserved to accommodate the highest uses of man; and of all the uses—navigation, power-development, mining and agriculture—the very highest is the domestic use. It is the sine qua non of existence; and furthermore the comparative purity of water is the measure of public health.

Is there not a danger of a revulsion of public sentiment, thought the President, against conservation if the people suspect that the natural resources are to be tied up for picturesque and aesthetic purposes against demands for reasonable beneficial use? When no substantial violence is done to a forest reserve or a national park by serving vast populations with the water, must the government be turned from its purpose as in this case, because such a policy would interfere with "the rights of campers"? Is it not true, therefore, that some good people in their zeal for the beautiful have lost their sense of proportion and do not sufficiently weigh the rights of the teeming millions who weigh the rights of the mountains for their holidays, but who are simply content if they be allowed to live in health in the great industrial centers of population where the work of the world is done?

Let us do a little mental climbing and take the larger view from the peaks of humanity. Let us be men first and fox-hunters afterwards.

Disraeli was a past master of the art of flattery, but his audacity carried him out of danger. Soon after his elevation to the House of Lords he was asked by a brother peer how he felt in his new surroundings. "Oh, don't ask me," he growled, "I feel dead and buried." Then remember that that his questioner was of the company which he was contemning, he added, "and in the realms of the blest!"—Westminster Gazette.

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IT happened about two years ago," the mate began. "We had a cargo for Calcutta, orders being to stop at most o' the ports on the way out to pick up more. An hour before we sailed, the agent comes aboard, an' grinnin' like a chimpanzee. 'There's a couple o' passengers this trip,' he says, 'a missionary an' his servant. They're goin' all the way, so—he winks at the second mate—you ought to have a lively passage.'

"It was half-past eleven—we was due out at midnight—when a Chinymen puts in an appearance with a couple of trunk. He said that he was the Reverend James Shilbird's servant, and that he would be much obliged if one of the deck hands would pilot him to the reserved cabin. The missionary, he added, was on his way to the ship, an' the captain hadn't to worry—which was very nice an' considerate.

"When you're shovin' cargo right up to the moment o' sailin', you don't, as a rule, go round to pay your respects to the passengers. Consequently, it was not until the ship was clearing the Medway that the captain thought to ask if Mister Shilbird came aboard. The quartermaster slipped along to the cabin an' kicked it gently. The Chinymen pushed his head out.

"'What wanted?' he says.
'Is your gun'vor aboard, Ching?' says the quartermaster.

"'Alles rightee,' Ching says, 'Him come when sailormen very busy. Muchee noise velly no good for head. Him go sleppy. Nightee!' And the door was shut with a click.

"The next day the missionary came to breakfast; but we didn't see the Ching, who, we presumed, had the luggage to unpack. The quartermaster slipped along to the cabin an' rolled his eyes which put ten year on to his face, an' his complexion was a cross between tallow an' tow. He hadn't much to say to us at breakfast, an' nobody seemed particularly anxious to force the conversation. There was a danger of religion being read to a sermon, an' none of us felt inclined. Something about the man that struck us more than anything else was the quantity of jewelry he supported. He had two diamond rings on his right hand that must have cost a pile o' money, an' emeralds an' sapphires fair to be had on to a sermon, an' didn't he know how to flash 'em? At every turn that he made with his hand at breakfast the diamonds seemed to catch the sunlight, an' afore he went on the bridge the second mate had made up his mind to advertise for a missionary job as soon as he was laid off.

"During the next three days we didn't see Mister Shilbird. Ching came on deck, an' mixed pretty freely with the hands that weren't on duty. 'Massa,' he said, was 'velly muchee sick o' sea,' an' didn't want to see anybody but Ching, who had been with him for years an' years. That night Ching played cards with two of the quartermasters and the serang. He lost pretty heavily, but paid up like a man. The fellow seemed to have no end o' notes, an', like his master, he carried enough jewelry to start a pawnshop in his own an' his.

"The next night the Chinymen played again—the quartermasters saw to that—but before he had been playing an hour he said that the bank was busted, an' it wouldn't do to go to the cabin for more, as his master was asleep.

"Take this card to the quartermaster, pulling a scarfin out of his pocket; 'plenty more.' An' he winked his wicked eyes like clockwork.

"That began to make the others think, an' the next morning one of the quartermasters comes to my cabin an' respectfully begs an interview. I took the scarfin, and him an' his went off in a hurry. Then I goes to the captain an' lays the matter afore him.

"'Well, Mister Sherlock,' he says, 'wot business of yours is it to poke a nose into a passenger's jewel-box? They've paid their passage to Calcutta, an' as we've got to do is to land 'em there, sound in wind an' limb.'

"'But it do seem strange, sir,' I says. 'Missionaries an' Chinymen don't do much in the diamond line, as a rule.'

"'Well, we can't help it, Sherlock,' he says. 'Let it be a lesson to you when you're ashore an' you're inclined to let your generosity run away with you because a pretty gal jingles a collectin'-box under your nose.'

THE RAJAH'S TREASURE

(From Black and White.)

By ANDREW SOUTAR

"That being the way the captain looked at the matter, I didn't see that it was necessary for me to get ill about it. All I had to complain about during the next three days was the rows forward! Every man on the ship was bent on teaching the Chinymen how to play poker.

"Something was bound to happen before long. And it did. The captain an' I were examin' the chart one day, when up comes one of the deck hands an' asks if it would be convenient for the captain to advance him eight pounds of his wages.

"The captain thought the man mad, and reached for a monkey wrench that was lying handy. The man edged away an' saluted again.

"'What do you want eight pounds for?' the captain roars.

"'I want to invest it, sir,' says the deck hand. 'An' wot are you goin' to invest it in?' asks the captain, sarcastically. 'Diamond mines, eh?'

"The deck hand started as if he'd been hit with the wrench, an', coming a bit nearer, 'Wot,' he says, 'are you avin' a bit on as well, sir?'

"'Wot the devil do you mean?' says the captain. 'Layin' a bit on wot?'

"'Why, on the treasure hunt!' the deck hand replies.

"The treasure hunt! the captain repeats. 'Wot the—who the—who—Ere, Mr. Sherlock, take this dam fool to the steward an' get him a double dose o' draught! See that he takes it, too!'

"I was leadin' the deck hand away, when up comes a quartermaster, and behind him, like a lot o' sheep, wot fifteen or sixteen of the crew.

"'Wot's this, Johnson—a mutiny?' I asks. 'No, sir,' he replies. 'I—we, that is, would like a word with the captain.'

"The captain came out of his cabin with a revolver in each hand. He had heard the word 'mutiny' an' was ready for emergencies. Then up spoke the quartermaster. On behalf of the crew an' himself, he asks if the captain would be kind enough to advance their wages for the voyage. They swore by all that they loved that they would finish the trip like men if the captain would accede to their wishes.

"'Wot do you want the money for?' asks the captain suspiciously.

"'To invest, sir,' replied Johnson.

"I could see a dangerous light comin' into the old man's eyes, so I got out o' range of the revolvers by getting behind the quartermaster.

"'Look 'ere,' he roars, like a bull, 'is this a ship, or is it a damned stock exchange, or have I got a crew o' lunatics on board? Who's been putting this tommyrot into your heads?'

"'Beggan' your pardon, sir,' said the quartermaster, 'but will you let me explain?'

"'Go on,' says the captain quietly, taking out his watch an' playing tenderly with the nose of his gun. 'I'll give you two minutes,' he says.

"'You see,' began the quartermaster, 'it's this way. Mister Shilbird is—well, he ain't a missionary at all.'

"'Wot?' yells the captain, dropping his watch on the deck.

"'No, sir,' says the quartermaster, nervously, 'he ain't a missionary. He's goin' to Calcutta on a mission, but it's a treasure mission. Him an' Ching—beg pardon, sir—him an' his servant 'ave got valuable information.'

"'Have they,' the captain interrupts cynically.

"'Yes, sir,' the quartermaster goes on,

'Mister Shilbird knows where the treasure of an Indian Rajah is buried. There's heaps o' diamonds, an' heaps o' rubies, an' the Lord knows how many millions o' money!'

"'Well,' sneers the captain, 'why doesn't he get 'em himself instead o' blabbin' to a lot o' lazy wagabonds who ought to be doin' time for card-sharpin?'

"That was a nasty reference to the Chinymen's losses an' the quartermaster colored up in a hurry.

"'You see, sir,' he stammered, 'he can't do it very well by himself. The treasure is buried in a lake six fathoms deep, an' a little capital is needed to commence the workin'.'

"'That's where you come in, eh?' grins the captain.

"'Yes, sir,' the quartermaster replies. 'Mister Shilbird, who has proved hisself a kind-hearted gent to every member of the crew, has decided to share his information. He ain't a strong man—the quartermaster's voice sank to a whisper—an' he knows he ain't got a long berth down here. He's goin' to turn this 'ere little job into a syndicate—an' we're the syndicate.'

"He looked around at the rest of the crew, who stood with their caps in their hands and their heads respectfully lowered. Now I come to think of it, they looked an enterprisin' syndicate, takin' 'em as a whole, mind you.

"The captain sent me to summon Mr. Shilbird to the saloon deck. The cabin door was locked.

"'Who knockee?' shouted Ching, in his thin, piping voice.

"'Will you tell Mr. Shilbird that the captain would like to see him at once?' I said.

"In five minutes, came the voice of Mr. Shilbird.

"And in five minutes the treasure hunting missionary was on deck.

"'Wot's all this about the Rajah's jewels?' says the captain, lowering his eyebrows.

"The missionary crossed his hands over his spectacles, and said, 'I have a word to say to you.'

"'Ah, captain,' he says, 'if you only understood my position! In a year, a month, a week, I may be sleeping beneath the sod. Consumption, sir—ah, that terrible plague! But I am not afraid to die, sir—no, by no means. Once I have become reconciled even to the presence of death. When a man in my position realizes that he has not long to live, it is only natural that he should prepare himself for the grave. And, captain—there was a pathetic little catch in his voice—he behoves a man to look around from the edge of the grave and ask himself what he can do to benefit his fellow-men before he leaves them. Shall he bestow his wealth upon those who have frowned upon him? Ah, no! Shall he enrich those who have loved him not? We are only human, captain, even when we are playing with the shroud. No, sir. The dying man looks around for those whose countenances reflect their minds. When I came aboard this ship and saw the faces of the crew, I knew that my quest was ended. They shall be rich men, I say to you, my servant, and then you shall prepare my winding-sheet and I will submit to the will of God.'

"He stopped to wipe the corners of his eyes with a yaller handkerchief, an' in the silence that followed I heard the quartermaster musing. His father had been a new-opener at Ealing, and the missionary's narrative had touched him.

"'Well, sir,' Mr. Shilbird goes on, 'some years ago I rendered a service to a dying Lascar, and to show his gratitude he gave me the precious documents relating to the hidden treasure of a Rajah. I doubt not that you have learned something about it from your estimable quartermaster. The plans, with the aid of which the treasure can be recovered, are in my mind. Naturally, I guard them closely. You will have remarked that I or my servant remain with them in the cabin. When it is necessary that I should seek the fresh air, the noble Wong Lung keeps watch. At this very moment he is sitting there ready to die while protecting the plans.'

"'An' wot do you propose?'

"The captain's voice showed the interest he had taken in the story.

"'Two hundred pounds is the capital re-

(Continued on next page.)

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THE REPUBLICAN,

Springfield, Mass.

Automobile Notes.

President Taft's automobile is a White steamer.

Signboards have been erected by the Automobile Club of California in many parts of the state and the club is receiving praise from other motoring organizations throughout the state. Already signs have been erected in Contra Costa county and part of San Joaquin, Stanislaus and Fresno counties. The westerly part of San Joaquin county and both sides of the San Joaquin river as far as Fresno have been posted. The crews are working in the direction of Sacramento and will next take up the road to Lake Tahoe. After this they will commence work in Lake county. The club has posted 1,200 miles of road within a radius of 250 miles from San Francisco.

Telegraphic dispatches from the Studebaker "scout car," to the local Studebaker branch, announced its arrival in Marshalltown, Ia. The car is reported to be still running fine and that there seems to be no end of bad snow drifts. The car is now en route to Belle Blaine.

Five carloads of Studebaker-Garford cars, including several cars of the suburban type and a carload of Studebaker E. M. F. "30," cars were received last week by the Studebaker Bros., company of California. Included in the E. M. F. lot were several cars of the roadster type. These, as well as the new Garfords, are attracting considerable attention.

("The Rajah's Treasure"—Continued.)

quired," says Mr. Slibird. "That will purchase all the diving apparatus necessary. With four members of the crew I shall be able to finish the work in three days."

"Let me look at the plans," says the captain, and Mr. Slibird went to his cabin and returned with a bundle of yellow parchment.

"The captain led the way to his cabin, and I and Mr. Slibird followed. The door was unlocked at the request of the missionary, and then the precious papers were unfolded. They appeared to be genuine, and I could tell by the way he moderated his language when he addressed him that the captain was very favorably impressed by Mr. Slibird. At the end of half an hour he had made up his mind to enter into the speculation.

The old skipper had a good heart beneath his bluster, and, in order that the crew might participate in the fortune that was coming, he advanced them a portion of their wages, planked down twenty-five pounds himself, and advised me to speculate to the extent of twenty pounds. I took his advice. Mr. Slibird collected the money and took it to his cabin, returning with a lot of forms which were duly signed by him and each man who had paid for a share. Then he retired to his cabin, and we didn't see any more of him until we sighted Colombo. He came on deck looking pale and haggard. He said his chest was troubling him, and he had run out of the medicine that was made for him from a special prescription. The whole crew got anxious about that chest, and the medicine locker was turned inside out for remedies; but Mr. Slibird shook his head sadly, and feared that he would have to wait until we got to Colombo. He would send Wong Lung ashore, he said, if anyone knew of a chemist in

(Concluded on next page.)

"Prosperity is on the way," volunteered the grocer, as he put his hand on the scales with the liver. "You should say," corrected the observant customer, "Prosperity is in the weight."—Houston Post.

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PERSONALIA

Maudie Adams is to appear in the character of "Joan of Arc" in the Harvard stadium next June.

Congressman A. W. Rucker, of Denver, was recently a guest at a banquet of "seventy-niners," in a dining-room improvised out of a large chamber 1,000 feet underground in a mine near Leadville.

* Robert Mantell seems to have emerged prominently from the obscurity of a "one-night-stand" tragedian. He is now appearing in his third New York season in Shakespearean plays, this time in "King John."

Judge J. B. Carrington, a pioneer of Solano county and now a resident of Carmel-by-the-Sea, was a schoolmate of the late President Harrison in Wilmington, Indiana, and thrashed the future president for cheating him in a game of marbles played for "keeps."

King Edward has achieved a new dignity as sovereign. The British laws provide six years of grace in which to use up postage stamps bearing the likeness of the preceding ruler. That period has now passed, and stamps showing Victoria instead of Edward are no longer legal payment of postage.

Three brilliant novelists have proved to be disappointing playwrights. Henry James's "The High Bid," Robert Hichens's "The Real Woman," and Turgeneff's "The Bread of Others," have all disappointed London audiences. The fault of all was too much conversation and too little drama.

In point of service, the oldest grand chaplain in the Masonic order in the world is Rev. J. R. N. Bell, pastor of the First Presbyterian Church of Corvallis, Ore., having been grand chaplain of the Grand Lodge of Oregon for thirty-five consecutive years. He is a native of Virginia and fought in thirty-two battles in Early's corps of the Confederate army.

John Arbuckle, the head of the great coffee firm of Arbuckle Brothers, is the plainest dressed man in his big business organization. He is a friend of working girls, and a few years ago rented rooms in an old sailing vessel anchored at a dock in New York for a merely nominal sum to provide comfortable summer quarters for shop girls.

Sir Thomas George Shaghnessy, the president of the Canadian Pacific Railroad, is an Irishman, born in Milwaukee, an American citizen populated mainly by Germans, and received his title of knighthood from the Queen of England, whose ancestors were principally Dutch, and he lives in Quebec, which is largely peopled by Frenchmen.

It is rather an odd coincidence that the name of the "Cattle King of Texas" is Slaughter. Christopher C. Slaughter is said to be the first male child born of a marriage contracted under the Republic of Texas. He owns more than half a million acres of land and claims to have raised and marketed the largest number of cattle of any individual in America.

Mark Twain's description, in "Roughing It," of Ollendorf's leading him and Ballou round and round in a circle during a snowstorm was cited in a probate case in Macon, Mo., to prove that a similar performance by the testator did not indicate a sound mind. The jury considered the story good enough evidence to sustain the will, and an appeal will be taken by the complainants on the ground that Mark Twain was romancing.

John Burroughs, the naturalist and lover of birds, has lately seen the Grand Canyon of the Colorado for the first time. John Muir showed him the way, and then introduced him to many of the wonders of California. The two were companions on the Harriman Alaska expedition several years ago, where they were called by their companions "The Two Johnnies." Mr. Burroughs is trying life in a bungalow in Pasadena after years of rusticity in "Slabsides," his home on the Hudson.

("The Rajah's Treasure"—Concluded.)

the town. The quartermaster, who had had his head split open in the native quarters one night, remembered the address of a chemist who had braced him up, and Mr. Sibird carefully noted the address. He said that he felt faint and would retire to his cabin. I offered to help him there, but he declined with thanks. I stood watching him fumble at the locked door, and, looking back, he saw me.

"Wong Lung, open!" he called out; an' I heard the Chinymen answer, 'Velly good, velly good!' He went inside.

"We got to our berth in the breakwater, but found that there was very little cargo to come aboard. Every man went about his work whistling and singing, as if work was a Sunday-school treat and a Lord Mayor's dinner rolled into one. When they did talk, there was only one subject. The Rajah's treasure had been carefully laid out by every man. Two quartermasters had gone into the hotel business, four of the deck hands had arranged a Monte Carlo syndicate, and the cabinboy had bought a brand-new motor-car. Can't say what the captain had thought of, but he was continually talking of the profits that accrued from breweries. I had bought a little estate in Surrey.

"An hour before we cast off, the Chinymen came on deck with a little black bag. The ship's boat was lowered for him, an' as he went down the ladder he shook his head an' groaned. 'Him velly bad,' he said. 'Sleepy now; no wake-up in the mornin' three hour.'

"Hurry up with the medicine," whispered the quartermaster, and Wong Lung signified his readiness to do so.

"We watched for the return of the Chinymen, but he didn't come. We could see the boat moored to the jetty, an' in the deck hand who'd rowed the Chinymen ashore. We waited for three hours, an' then the captain decided that he could wait no longer. Mr. Sibird could get another servant, he said, an' the steward would have to do what he could for the patients until we got to Calcutta.

"The missionary slept all that night and part of the next day. We knocked gently at the door several times, but there was no answer, and the steward said we'd better let him sleep, as it was the best remedy. At noon the captain ordered the carpenter to force the lock, and half a dozen of us stood around while he did it. The door opened at the persuasion of the chisel, and then—we fell back with a gasp.

"The cabin was empty!

"Pinned on one of the bunks was a card, with the words written in pencil:

"Blessed is he that expecteth nothing, for he shall not get let in."

"On the other side, in printed characters, we read:

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Mistress: Here, Bridget, are a pair of trousers for you. Scrubwoman: Thank ye, kindly, mum. Do ye happen to have a pair of corsets for me husband?—Life.

"How many ribs have you, Johnny?" asked the teacher of physiology. "I don't know, mam," giggled Johnny, squirming all around on one foot. "I'm so awful ticklish I never could count 'em."—Philadelphia Record.

"Marie," said a girl to a friend the other day, "Walter has just sent me the dearest little alligator from Florida!" "Dear me!" rejoined Marie, with affected enthusiasm. "And how shall you keep him?" "I'm not quite certain," was the reply, "but I've put him in Florida water till I can hear further from Walter."—Harper's Weekly.

General J. W. F. Hughes of the Kansas National Guard takes six spoons of granulated white sugar to every cup of coffee. Once when the general was traveling he jumped off a train in a hurry to swallow down his lunch so as not to be conspicuous with a full stomach. The dining-room girl took up the sugar bowl. "How many spoonfuls in your coffee, please?" she asked sweetly. "Six or seven," answered the general, quickly. She slammed down the sugar bowl and snorted: "Shovel the d—n stuff in yourself!" and switched out of the dining-room.

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The second amendment to the Constitution of the United States declares that, "A well regulated militia, being necessary to the security of a free state, the right of a people to keep and bear arms shall not be infringed"—by the general government, of course. The states can do as they have a mind to about it. It should be noted, too, that the right to bear arms is dependent upon "a well regulated militia being necessary to the security of a free state." It is only as a militiaman that a citizen has an unfringable right to bear arms. There is no right inherent in constitution or laws to go about stuck full of pistols.

Fear of a standing army was one of the obsessions of the minds of our forefathers. They saw in every soldier, not a defender of his country and the liberties of the people, so much as a possible instrument in the hands of men ambitious for power whereby the common people might be deprived of their liberties and oppressed with burdens. They were themselves no strangers to that exercise of governmental authority.

Therefore the third amendment to the Constitution declares that, "No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law."

This dread of the soldier seems far off from us, but it is not so far but that the same causes which justified it once may justify it again. The putting down of the Pullman car strike by President Cleveland, with the use of the regular soldiers, and under cover of forwarding the United States mails, gave the captains of industry an object lesson that was not lost on them whether it was lost upon the common laity or not. That strike was so wanton that the whole nation was glad to see it terminated. Not only how, but the regular soldier then proved his efficiency against a mob as no militiaman or guardsman ever has.

The California Weekly has no desire to resurrect from its century-old grave the Jeffersonian dread of the regular soldier, but that dread was not wholly foolish. Social order in this country must be preserved either through the equal enforcement of just laws by our courts and civil officers or it will be preserved by a military despotism supported by a standing army, for human nature abhors disorder as mother nature abhors a vacuum. We do not now have an equal enforcement of just laws. The two extremes of society, the predatory millionaire and the mob, flout the law at their pleasure. The commonality is practically defenseless against both, but when the predatory millionaire and the mob come to try conclusions with each other then the common citizen will be likely to learn the value of the second, third and fourth amendments to the Constitution of the United States.

The militiaman has been looked upon as the buffer to the soldier, and for the reason that his numbers are overwhelming. The militia consists of every able-bodied man between the ages of eighteen and forty-five, but this host is without arms, save as each person may own pistols, shotguns or rifles, and it is altogether without discipline. The place of the militia has been taken by the National Guard, a volunteer force sustained by the states but equipped by the United States. It is virtually a reserve force of the United States rather than of any state and certainly is not a protection for a state against the United States, as originally contemplated.

The fourth amendment to the Constitution protects the individual citizen against unreasonable searches and seizures in his home—makes each man's home his castle unless there are such grounds for believing the citizen guilty of offense against the general government as shall warrant a magistrate or court, upon the oath or affirmation of a complaining witness, to make a search of the premises of a suspected person.

The United States army is a small affair compared with the standing armies of Europe, comprising a maximum of only 100,000 enlisted men in time of peace, with less than 9,000 officers, though the force normally comprises only about 62,000 enlisted men. These soldiers are being quartered within easy reach of our populous cities where disturbances are most likely to occur, and, in the event of widespread turbulence, the regular army would be found effective for restoring order. A better safeguard against a military despotism than reliance upon the militia or the constitutional right to bear arms would be such legislation regarding labor disputes as will provide civil means for adjusting differences between capital and labor, speedily and fairly as between men of equal standing. In this we have been derelict. We have permitted industrial wars without number and such wars cannot always be waged without sometime bringing upon the scene soldiers trained to obey orders and to shoot.

OLD MONTEREY.

By Ray C. B. Brown.

There sits a city 'neath the western sun,
Where golden sands sweep down to purple sea.

Whose constant heart has one recurrent plea,
There by the forest when the day is done,
Age has but veiled her beauty, and as one
Who, smiling, brushes eyes from tear-mist free,

Ever she hopes at shell-pink eve to see
The faery twilight turn to dawn begun.
Constant she pleads with Time to let her drift
On some forgotten backward-flowing stream
To days when beauty ruled without a rift
O'er forest aisles and sapphire seas agleam.
Ever she sues and aye beholds the gift
Vanish in opal day-dusk as a dream.

Holland has been greatly exercised over the question of the title to be given the expected heir of Queen Wilhelmina. The title will be Prince (or Princess) of Orange-Nassau and Duke (or Duchess) of Mecklenburg.

PLEASE NOTE:—This is to remind you that EDGAR C. HUMPHREY is the pioneer specialist in property from San Mateo to Menlo Park and about the Stanford University. Homes for sale and lease. Acres for sale. Offices, Cal. Building, San Francisco, telephone Kearny 4656; Palo Alto, telephone Palo Alto 229; residence Menlo Park, telephone Palo Alto 217.

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The President Right.

It is like President Taft, and yet almost too good to be true, that he has served notice upon Honorable Senators that places upon the federal bench are not to be classed as part of their private political patronage. Presidents generally have been forced to lean upon senators for advice and suggestions in such cases, but President Taft is himself peculiarly fitted for discharging the duty of making selection. He knows what is required to constitute a good judge and knows a good piece of judicial timber when it is sorted out of the pile. Heretofore the political "interests" have elected the United States senators and the senators have selected the judges, by and with the advice and consent of the aforesaid "interests," to the great injury of the judicial arm of government. If President Taft will assert his power of initiative in this particular he will find public sentiment with him. It will trust his judgment implicitly. If senators provoke a row over the issue the American public will see to them.

That Advice and Consent.

The Constitution of the United States declares that appointment to office shall be by and with the advice and consent of the Senate, not of senators. There is a difference which only senatorial courtesy fails to see. What was intended by the constitution makers to be a formal proceeding upon the part of the Senate, sitting as a body, with the initiative clearly in the hands of the President, has, under senatorial courtesy, become a special proceeding wholly antagonistic to the spirit and purpose of the constitution. When, a short time since, it was given out that President Taft would turn the whole patronage issue over to the senators the statement was inherently doubtful. His reported declaration of independence regarding judicial proceedings strengthens that doubt. If President Roosevelt had a serious short-coming it was that he did not give the Senate a drubbing on this issue while he was about it. The federal brigade in California contained few members who were not in spirit and truth hostile to the President and his policies, a fact that proclaims the need for that drubbing.

Those Corking Calkines.

It is good news to the public, though bad to school teachers from Oregon to San Diego, that the Calkins Syndicate is in financial trouble. Let the Calkines pretend what they may, the Sacramento Union, the choicest of their properties, is in the hands of Calkins' creditors. This is good news to the public for the reason that it can never be to the public interest that their kind of journalism should succeed. If that kind were to be successful all good journalism must fail. And the quality of the journalism which these people stood for should have been notice to small investors to stand clear. Those who invested in their enterprises knowing what they stood for became parties to their policy and are entitled to little commiseration if they parted from their money in toto. Those who knew not are entitled to such measure of sympathy as may properly go out to one who leaps

THIS NUMBER CONTAINS

"State Control of Private Forests"

BY

William Thomas

before he looks. It is unlikely that either the Calkines or their chief creditors are much hurt, but investing lambs may congratulate themselves that winter is not at hand.

The Yellow Plague.

The death of Banker Palmanster of Oakland, sad as it was, may have a compensating advantage to humanity. Many good persons in California have made indignant protest against compulsory vaccination and with so much effect that twice lately bills have passed both houses repealing vaccination laws. Governor Pardee refused to sign such a bill and another measure to the same effect is now in the hands of Governor Gillett. If this tragedy shall tip the balance in favor of the law as it is, humanity will be the gainer. For, if medical science knows anything worthy the name of science, it is that vaccination has pulled the teeth and claws from this scourge of our grandfathers until it is little feared. But now and again occurs a case, like that of the lamented Oakland banker, which proves that in fallow soil, the old, yellow plague of the ages can be as virulent as ever. The Governor should pocket that bill.

Compulsory Voting.

Though stirred as profoundly as a local issue can stir a community less than three-fifths of the qualified voters of Los Angeles voted at the recent recall election. There are two ways of looking at it: One is that those who do vote are free to give those who do not any sort of government that it is to their own interest to give, and those who do not vote have no equities that those who do vote are bound to respect. The other view is that citizenship is a duty owing by the voter to the state, just as he owes jury duty, military duty or the duty of joining a posse comitatus to catch a murderer or suppress an insurrection. If this view be taken then neglect or refusal to perform such duty becomes a punishable offense. This is the better view and if it prevail there will come compulsory voting with neglect of that duty at the voter's peril rather than at the peril of the state. It is a subject that deserves thinking over and talking up.

Would Make Them All One.

Mr. Harriman is reported to have said that if all the railroads in the United States could be consolidated under one management the result would redound to the advantage of government, people, shippers and stockholders. Mr. Harriman's placing the welfare of the stockholders at the end of the list is naive. Unless his railroad hist... lies his heart's desire the order of his preference has been: stock manipulators, stockholders, shippers, government and people. But the good that Mr. Harriman anticipates from all-embracing consolidation would not result. The moment that competition was eliminated mortification would set in. The one is life, the other death. Consolidation would do for transportation what the bureaucracy has done for Russia, keep it marking time while the world moves forward. Mr. Harriman, like the Hoosier land-owner, merely wants "all that jimes him."

Be A Citizen of the World.

Ambassador Bryce's admonition to the students of the University of California to be not content with merely giving heed to affairs of our own government, but to make themselves citizens of the world, was eminently sound. A species of precinct patriotism has clung to our national life like a ball and chain to the ankle of a malefactor. It was that which made the erection of colonies into commonwealths so difficult, and commonwealths into a national union the work of a century. The most pregnant fact of our time is that politics now has to do with the family of nations, and whoso is not conversant with the affairs of each member of that family is not fit for state-manship in any member of that family.

Who Cared For Portland?

President Louis W. Hill, of the Great Northern, professes an inability to understand how it came that his conference with Mr. Harriman, in relation to co-operative use of certain terminal facilities at Portland, could have been so enlarged as to cover an offensive and defensive treaty between the two great railway systems marking the boundaries of their respective spheres of influence. Mr. Hill is relatively a young man and evidently unacquainted with up-to-date journalism. Who cared for Portland and its terminals? And who does not care for the larger interests mentioned? The sort of story the newspaper men got from Harriman and Hill, not being the sort they wanted, they merely drew upon their imaginations and made a "story" that was read with much interest. Mr. Hill should give the boys a good story if he does not want a bad one.

Greene Estate Corporation.

C. W. Greene, the big speculator of the Southwest, seeing the probable end of his career approaching, and not being able to contemplate with equanimity the tearing down of the great fortune he has scraped up, is forming a \$40,000,000 corporation to manage his estate as a whole. This is against sound public policy and should not be permitted.

THE RAPE OF THE LOOT.

On Saturday and Sunday extraordinary proceedings took place in relation to the case of the People vs. Patrick Calhoun. These incidents have been fully exploited in the daily press, and are succinctly reviewed elsewhere in this paper. This article mainly has to do with the legitimacy and moral value of the proceeding. Efforts will be made to confuse the essential issues in the public mind to the public hurt. Let us therefore approach the subject in calmness of temper and openness of mind that we may preserve ourselves from misjudgment and the use of our influence from upholding wrong rather than right.

One who, in the employment of another so far betrays the trust of his employer as to furnish his competitor or adversary with original or duplicate copies of secret papers belonging to such employer has committed a breach of trust, and a moral wrong and, whatever the law may say in relation to such conduct, such person so offending deserves punishment. No one will deny the truth of this statement.

One who, by bribery, intimidation or persuasion, induces an employee to betray his employer as above described is, in morals, whatever the law may say, a fellow conspirator, accessory before the fact and therefore a principal in whatever crime or moral delinquency the party of the first part is adjudged to be guilty of. No person of sound mind will deny the correctness of this contention.

One step further: Anyone who receives, retains in his possession, pays for and makes use of such secret papers so obtained, knowing how they were obtained, is likewise accessory to the commission of the original offense, a principal thereto and participes criminis therein, if not in law at any rate in morality. The ground under our inquiring feet is still firm and our moral attitude unassailable.

One who discovers such loss of secret documents has a natural right to recover his property wherever he may find it and that he may find it he has a right to apply to a magistrate for, and secure a warrant of search. Armed with such warrant he has a right to use such reasonable force as may be necessary to make the search effective. The making of such a search inflicts no more indignity upon the person searched than would the arrest of the person himself, and arrest is one of the risks of citizenship against which no person can be insured. The right or wrong of it depends upon the denouement.

If now the documents, or other property, procured as above set forth be found on the searched premises, and in the possession of the person in control thereof, the burden of proof is upon him to show that he came by such property innocently. His face, unless as brazen as that of a cigar store Indian, cannot give his mouth leave to speak of any indiginity inflicted or right invaded. Unless he can purge himself of all guilty knowledge of the whereabouts of such property or the manner of its procurement he must stand morally convicted of as serious an offense as the one who first betrayed the trust of his employer. The Calhoun crowd were caught with the goods on them.

The issues in which the public are interested are moral. The issues in which the courts may interest themselves are legal. They may be as far apart as the poles of this earth. The legalities are artificial, conventional, refinements of logical deductions and so intricate that no lawyer and no judge is wise enough to know the law. The moralities are so simple and plain that a half-grown child need not err therein.

There are many legal points involved, more

THE STAFF

A. J. PILLSBURY.....Editor and Manager
CHESTER H. ROWELL.....Associate
A. J. WATERHOUSE.....Assistant
E. J. FENCH STROTHER.....Assistant
O. BLACK.....Business Manager

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curious than essential and, under our highly artificial judicial system, it may require months to thresh them all out and when they are threshed out the yield will not pay the threshing bill. Here are some of the issues: whether the search warrant described the premises searched with sufficient particularity; whether the search was unreasonable and therefore unconstitutional; whether the district attorney, being an officer of government, had the same right of search that a citizen would have had; whether Judge Murasky's restraining order was or was not properly made out and properly served and whether those who did not obey it were or were not in contempt of court; whether the papers stolen were or were not property and, if they were property, whether or not they were of such value as to make their being stolen grand larceny or petit; whether or not there was larceny or only a betrayal of trust, or a conspiracy against the people of the state. These are only some of the legalities involved. They are relatively non-essential and do not touch the moralities involved, and it is with the moralities that the public mind chiefly has to do.

The significant fact made evident by the history of the graft cases from the beginning is that the administration of justice is no longer an inquiry conducted by a court for the purpose of ascertaining the guilt or innocence of an accused person, it is war. It is waging of battle in which the chief function of government is to provide an umpire. In the waging of this battle the combatants are, by modern custom, privileged to strive with teeth and claws as well as with wits and legal engineering. This marks a profound decadence of the judicial arm of government. Civilization must get back to simpler forms and procedures or it will not long be able to stand off anarchy. This problem should hold first place in the public mind until it is solved and solved right.

STATE CONTROL OF PRIVATE FORESTS.

Those who read briefly that they may be amused will find little to their liking in the special article, elsewhere in this paper, read before the Commonwealth Club by Mr. William Thomas, upon the subject above stated; but if there be those concerned for the future of this state and nation, and for the welfare of generations unborn, they will find the article thought-inspiring. The doctrine that a man may not do what he will with his own timber land will astound exaggerated individualists who have recognized no law but their own wills, but it would seem that even such as these, if capable of impersonal reflection, must perceive the justice and necessity for the restrictions proposed.

There are optimists of much intelligence

who would plunge ahead, heedless of the future, serene in the belief that, if one resource be used up, human ingenuity, science and search will discover a substitute that will leave nothing to be desired. Are we exhausting the soil? Nitrogen will be mechanically extracted from the air to make up the deficiency, or we shall manufacture foods as chemical companies manufacture perfumes and flavors, without flowers or fruits, and we shall make vegetables and grains instead of growing them. In place of woods we shall resort to combinations of inexhaustible limestone and clay. In fine, posterity shall live in as much comfort and opulence on Mojave desert as in the valley of Santa Clara, in a ruined world as in one that has been conserved and handed down to them richer and greener and more abundantly fertile than we found it. They would oppose the construction of roads in the belief that mankind will soon fly and not need them.

If such as these are not living in a fool's paradise they are at least planning one for posterity to live in. It may well be that we should be not anxious as to what we shall eat or drink or wherewithal we shall be clothed, but there is no inhibition upon our being anxious for our children, and who are our children if not posterity? Mr. Thomas has sounded the call for a forward step. California should not be slow in taking it.

A LAW UNTO THEMSELVES.

Mr. C. Norman Fay, at one time head of the Chicago gas trust, in an article in the New York Outlook, reviewed the results of trust-busting effort and reached the following conclusions: that man cannot be forced to compete in trade; nothing can be gained for the public by making good financing difficult; rich, bold, brainy men will dominate and cannot be dominated; financiers are as responsive to public opinion as politicians; the nation is immensely indebted to its captains of industry; the crimes with which they are charged were parts of the commercial evolution of the day and only recently taboos; that the disturbing factors of size, tendency to monopoly and "magnateism" cannot outweigh the resulting power to serve the public cheaply and well; securing these benefits is more a matter of standard of management than of law, and that we are now having the same moral uplift within the trusts as in the government of cities; that personal integrity, unselfishness and fair dealing are characterizing great trust managers and that it is better to accept these professions in sincerity than to "lay the throttling hand of law upon the shrinking throat of trade."

Of the eleven conclusions reached by Mr. Fay at least ten are debatable, but space can here be found for considering only two. There is no man so strong that a united people may not dispute his supremacy. There is no moral uplift in nation, state, city or corporation that is not forced by power of public sentiment and that sentiment is generally crystallized into law. The law should not be "laid upon the shrinking throat of trade" unless that throat needs throttling, in which case the sooner the remedy is applied the better. There is no fact in human history subject to fewer exceptions than that power unrestrained will be used to extort and to oppress, and where a moral uplift has been experienced it was because the grip of law was first felt about the windpipe.

It seems probable that the size of corporations will be limited solely by the capacity of men successfully to manage them, but the power to serve cheaply and well affords no guaranty that the public will not be served dearly and ill. Eternal vigilance must be the price of good service and cheap, if not in all cases, then so generally as to make the exception prove the rule.

Significant News of the : : Week : : :

Disbursements of Dividends.

The quarterly payments of dividends and interest charges in New York afford a good indication of the financial health of the country. On April first this year the payments are reported to have totaled \$155,000,000 against \$140,780,000 on the same date last year. This growth is good, but more important than that is the statement that twenty-one corporations have put their stock on a dividend-paying basis for the first time and that eleven others that suspended dividend payments during panicky times have recommenced them. The financial patient is surely convalescing and needs only to have the tariff issue gotten out of the way to resume activity.

Uneasy Rests the Crowned Head.

Kaiser Wilhelm recently spoke in a strain of sadness of having to govern 40,000,000 persons who have 70,000,000 different ideas of how he ought to do it. The Fatherland is far from being in a pacific mood and Chancellor von Buelow is much ruffled. The press of army and navy is making new taxes necessary in Germany as well as in England and America, and there is a good deal of squirming under them. The Socialists are making themselves troublesome and the Chancellor has had to warn them that disorderly agitations will not be permitted and, if attempted, will be followed by more drastic legislation for their suppression. An inheritance tax is proposed and additional tariff taxes will be imposed upon both luxuries and necessities, if not alike on both. The world's burdens of taxation are becoming so unbearable as, it would seem, to force the nations to an agreed limitation upon armament.

The Fate of Serbia.

The powers of Europe have forced Serbia to abandon all opposition to the advance policy of Austria-Hungary, disband its volunteers, return the reservists to their homes and prevent the formation of guerrilla bands. Austria is to keep what it has got in peace, but it is not to take any more territory unless Serbia misbehaves, in which event Serbia is like enough to disappear from the map of Europe. It is not a well behaved country at best and its partition might not be an unmixed evil.

Lord Charles Beresford.

This Achilles has been sulking in his tent. He aspired to the command of the consolidated North Sea fleet but it was given to another, and he has been at outs with the British secretary in charge of naval affairs. The issue is the old one of the subordination of a first-class naval commander to an official whom General Sherman once denominated a clerk although by courtesy called a cabinet minister. Lord Beresford has taken full advantage of the German Dreadnaught scare and appears to have both public and parliamentary opinion to support him. A resignation of the present British ministry in the near future would not be a surprising event.

Oklahoma Indian Troubles.

The truth in relation to the difficulties between the authorities and the Indians in Oklahoma is not now in public possession and may never be. By the time tranquility is restored those who know the Indians' side of the issue are likely to be dead. The overt act which precipitated the trouble is reported to have been the firing by Indians upon some deputy sheriffs sent to arrest some negro and half-breed cattle thieves. That does not wear the

look of a sufficient cause for Crazy Snake and his band going upon the war path. Indian Commissioner Leupp, in Washington, has said that the fault lay with white lobbyists at Washington who have deceived the Indians as to the probable policy of the government in relation to the Indians and their lands. When Commissioner Leupp shall have been heard from more fully the public will be in a better position to judge righteously. Some lives have been lost on both sides and much bad blood has been stirred up.

Tariff Progress.

There is no other one event upon which the nation is more solicitously hanging than that of tariff legislation. One prediction that comes to us is that the bill will be enacted and signed within six weeks. Another that Congress will still be in session August first. One is that the bill will be reported substantially as it was submitted by the Ways and Means Committee. Another that four men, two in the House and two in the Senate, are secretly making a new tariff bill that will be very different from the one before the House. One report is that the maximum and minimum idea will be carried through the whole bill and passed with it. Another is that the feature has proven wholly unworkable and is virtually dead already. The significance of this particular item of news of the week is that there isn't any reliable news on the subject, and none but the closest-in statesmen can foretell what the final result will be and they are not telling. If we could get next to Canavan and Payne, Aldrich and Hale, we should know all about it.

Deadlock In Illinois.

Illinois has been trying to elect a United States senator for nearly three months without avail. Senator Hopkins received, at the polls, a plurality of Republican votes cast in an advisory capacity, but the plurality was small and lacked so much of being a majority that the legislature declined to abide by the popular vote. However, Senator Hopkins has maintained the lead until lately. Hopkins has been classed as an "interests" man, and yet Theodore Roosevelt seems to have favored his candidacy. The man whom the people of Illinois want is Governor Deneen, but he will not allow his name to be used. The latest report is that the politicians have gotten together in favor of Roy O. West, chairman of the Republican State Committee. Unless he proves to be the winning horse of dark complexion the likelihood is that the legislature will adjourn without electing a senator. President Taft recalled public officials from lobbying for Hopkins at Springfield to attendance upon the duties of their respective offices.

Nebraska Follows Oklahoma's Lead.

The legislature of Nebraska has enacted a state guarantee of bank deposits law. It is Democratic in its origin and is modeled after the Oklahoma law, although less extreme in its provisions. It taxes the banks for the benefit of the guarantee fund only one-fourth of 1 per cent. on their average daily deposits each six months for two years. It goes into effect July first and the banking board entrusted with its management consists of the Governor, Attorney-General and State Auditor. Mr. Bryan was of counsel in preparing the measure.

A PERTINENT SUGGESTION.

If the reader would like to see *The California Weekly* prosper and become a permanent factor in California life and affairs there is a simple way in which he can lend a hand to that end. He can sit right down while he thinks of it and write out a list of names, with postoffice addresses, of persons whom he thinks might, upon closer acquaintance, become interested in the paper and a patron of it. We'll do the rest, and particularly we want the names of those who have growing sons, with that fact noted.

The Deeper Significance : : : : of Living : : : :

We have been advised to discontinue our "Deeper Significance of Living." What does the reader think about it? We have been advised that a journal devoted primarily to public affairs should have nothing to do with the deeper problems of life, the things that concern the souls of men, the relations of the seen to the unseen, of the finite to the infinite; that if people care for such things they should subscribe for a paper devoted to ethics or religion, that ethics and religion have no place in a paper that deals with politics and that the politics has no place in a paper that deals with the spiritual concerns of life. This department is believed by those who object to it to be out of place, incongruous, and some have looked upon it as an affront. Again, what does the reader think about it?

The department was established with the thought that it did not take up much space, that it would appeal to those who care for such things and that the rest would pass it by without stumbling over it; that one column out of forty-eight might profitably be devoted to thoughts and things a bit apart from the turmoil of life, apart from the concerns that to-day are and tomorrow are cast into the furnace and consumed. But if the consensus of opinion be that the space is wasted, that the stuff is not read, that it offends all and pleases none, it will be discontinued. The writer of it has no desire to sound his breath whistling down the wind. What does the reader think of it?

But let it be said that no man will avoid the eternal verities by ignoring them. They will not ignore him. Either there are or are not relations subsisting betwixt the individual soul and the power that orders the ways of the universe. If there are they are not to be escaped. If there are not, what is blackness anyhow and time spent in looking for the light will not be more miserably misspent than in blindly looking into that darkness.

The writer well remembers one beautiful star-lit night when he passed the door of a miserable old skunk the licentiousness of whose life had distorted every feature of his visage, but there he stood with head out under the heavens gazing up at the twinkling orbs as might a child. "I wonder," he said, "what those stars are thinking of me. I can hardly bear those thousands of eyes looking at me so, and yet I suppose that God looks down upon them as they do upon me." The writer has felt since then that there is, perhaps, no soul into which the deeper significance of life might not sometime come.

There is not an economist in America who will hold out the hope that our political life can ever be better than our commercial. There is not an ethical writer in America who will hold out the hope that our commercial life can ever be better than our religious. Our religious life has to do with the relations of the individual soul to the power that orders the universe. In its final analysis that relationship constitutes the "Deeper Significance of Living."

The basic fault with our political life is that it is pagan. To be sure our legislative sessions are opened with prayer, our witnesses in court and our inaugurations in office are consummated with an oath calling upon the Most High, but these solemnities have degenerated into formalities and few attach any holiness of sanction to them. They would be so had it the quality of paganism were the best, but the standards by which political activities are commonly judged are not only pagan but pagan of questionable quality. They measure character by results, not by the methods by which those results were obtained. In view of these facts does it seem incongruous, absurd, an affront, to invite any citizen to step aside for five minutes once a week that he may give a thought to the "Deeper Significance of Living?"

THE WORLD AT LARGE

Temperance In England.

The drunkenness of Great Britain has come to command the most serious attention of the best minds in Great Britain, without regard to the religious or moral issues involved, but solely with relation to the well-being of the nation. The condition of the British fighting man at the time of the Boer war brought the subject to the fore with a patriotic insistence. Accordingly the Asquith ministry brought forward a measure for restricting the number of licensed liquor-selling places in Britain. It was a moderate measure and gave those holding licenses to be cancelled full remuneration for their capitalized value. The measure passed the House of Commons by a decisive majority and, in the House of Lords, all the bishops present, with one exception, voted for it, yet the reform was voted down by the Lords. The explanation for the vote is that the banking interests, which have advanced so much money to breweries and distilleries, opposed the measure because it would tend to weaken the value of their securities, and for the further reason that the public revenue would be considerably curtailed. This action of the House of Lords has accentuated public impatience with that body, and the action of the banking interests has aroused indignation that considerations of neither morality nor patriotism can outweigh financial greed.

Not Opposed to Army or Navy.

There is a movement on foot throughout the country to resist the tendency to further enlarge the American navy. This movement lately secured the adoption, by the Massachusetts Senate, of a series of resolutions memorializing the President and Congress to this effect. It so happened that only seventeen out of forty members voted for the resolution. Senator Lodge and Governor Draper took alarm and brought such pressure upon the Senate as to cause it to reconsider and reverse its former action. Inasmuch as Massachusetts' opinion is a factor in national affairs this incident becomes important.

Financial Results In Des Moines.

Under the old form of city government Des Moines faced a deficit of \$30,000 or more as each fiscal year drew to an end, and the year before the plan of government by commission was introduced, that city was confronted by unpaid bills amounting to \$180,000 with no money in the treasury to pay them. The city government had been doing politics. The treasurer now reports \$20,000 in the treasury and all bills paid. The city has been governed as a business by business men instead of as politics by political odd-jobs men.

The Jews In Finland.

The Finns have held the sympathy of the civilized world in their struggles for home rule in their own country and for that personal freedom of which the Russian elsewhere knows so little, but it seems that the Finns' love of liberty is for himself, not for others. The Finnish legislature has just enacted a code of laws governing the status of Jews in Finland. It is more liberal, to be sure, than usual elsewhere in Russia, but it makes the Jews a special, proscribed people not to be treated as other citizens. Until Finland wipes off its statute books all special legislation relating to the Jews it will have small claim for sympathy if Russia legislates specially for the Finns.

Punishment for Kidnaping.

Appropos of the Willie Whitla kidnaping several state legislatures have under discussion more stringent laws for punishing kidnaping. Following the Cudahy case several years ago Illinois and Nebraska made kidnaping a capital crime. Michigan is prevented making the offense capital because capital punishment has been prohibited in that state, but its legislature seems likely to make the offense punishable with life imprisonment at hard labor

Chicago women have started a movement memorializing all legislatures still in session to strengthen their laws regarding this offense against the home. Unfortunately the crime is not to be legislated out of existence. It is catching them at it that counts. If every citizen were hurt for every lost child as though it were his own, that will prove a full remedy.

The Commerce of New Orleans.

As a commercial city New Orleans is not a Chicago, and yet it is at the mouth of a great river that drains the heart of the continent and at the point where the product of that great interior empire naturally should reach the sea. Some packet lines have been established between New Orleans and Mexico and between New Orleans and both the east and west coasts of South America, transshipping for the latter, of course, at the isthmus. The significant fact relating to the commerce of this city is that of exports valued at \$158,455,219 only \$3,784,868 were carried in American ships, and the river commerce carried on the bosom of the Mississippi is less now than it has been in half a century. For a number of years not a single steamer of the first class has been built for the up-river trade. American pride finds little gratulation in these facts. Instead of further improving the "Father of Waters," at great cost, it might be better to turn it over to the reclamation service to be cut up into irrigation ditches and scattered through the semi-arid West.

City Gardens For Slum Folk.

Among the many wise charities of Chicago perhaps none gives greater promise than that of opening truck patches for slum dwellers near the city. The McCormick Harvester company is furnishing 120 acres of land free and, this year, twenty acres of it will be cut up into 150 small gardens for the use of selected persons who need help. An experienced gardener will be placed in charge to show them how. The rental will be nominal. It will be good for their healths, their tables and their independence.

"Wet" and "Dry" Contests.

State wide prohibition was rejected last week by the legislatures of Massachusetts and Minnesota, but both states seem likely to strengthen local option laws. Of ninety-two counties in Indiana fifty-seven have voted themselves "dry," thirty-five by county option elections and twenty-two by remonstrances against granting licenses. Raleigh, North Carolina, is having a bad time in financing its schools as a result of state prohibition voted a year ago. Raleigh virtually had the Gottenburg system and a portion of the profit of the liquor business went to the schools. The citizens of Raleigh refused to vote a special school tax to take the place of the dispensary fund and, the school fund being exhausted, the public schools were closed the first of March and seem likely to remain closed until the beginning of the fall term. Mobile was in a similar fix but voted a special tax to get out of it.

Canadian Railway Financing.

The development of British Columbia is of more than passing interest to our own Pacific Coast. It will render possible extension of trade relations with California and, in view of the fact that tens of thousands of Americans are pouring into the Canadian Northwest, the development of that region may become big with national possibilities. The policy of Canada toward its railroads has been one of liberal subsidies and extensions of government credit. It gave vast grants of land to the Canadian Pacific and lent it outright many millions of money which, however, has been repaid, principal and interest. Canada subsidized the Grand Trunk Pacific far to the north of the Canadian Pacific and so helped it across and far into the prairie section. It is now stalled there unable to reach the mountains. London capital is not investing in bonds

to cover further extensions and the Canadian government is asked to pledge its faith for an advance of \$13,000 per mile across the remainder of the prairie section and is preparing to put its bonds on the market at 4 per cent. Then will come the coast mountain division. It is expected that Canadian credit will be extended to the final sum of \$50,000,000, being three-fourths of the anticipated cost. Construction is of the best and grades of the lowest.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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THE PRICE THEY PAY

HOW SOME AUTHORS AND ARTISTS HAVE LEARNED THEIR TRADES.

Literature and the fine arts are regarded by many people as lazy vocations. The purpose of this article is not to prove that they are strenuous callings that require the hardest kind of application—sheer drudgery, most of it—flat to point out what these vocations cost their devotees before they can truly practice the—cost in years of struggle, hardship, and, often, of bitter mental anguish, for it is true that many men write their best works out of the cruelest of their own experiences. Before a man can write, he must have something to say; and before a man can have much to say about life he has to live either a good many years of life or live ninety to the minute for a shorter time. Some men crowd the emotions and experiences of a lifetime into a decade, and are thus prepared young with a message to the world and with an insight into life and character that belongs naturally to older men.

The Author of "Fagan."

A few contemporary examples of the precocious cost of these callings come to mind. When Collier's Weekly offered \$5,000 for the best short story sometime ago, an absolutely unknown young fellow, about twenty-four years old, emerged from oblivion with "Fagan." Rowland Thomas was the writer's name, and his story won on its merits of wonderful fidelity in the portrayal of negro character, its local color of the Philippines, its dramatic action, and its technical excellences of unity and style. A great deal of wonder was expressed at the time that so young a writer could win against a field of mature experts with high reputations.

Much of this wonder disappeared when one met Thomas. His age was twenty-four, in years, but he looked thirty-five, and had lived it. He graduated from Harvard when he was twenty-one, and went directly to the Philippines in the educational service. Later he was made judge of a provincial court and was assigned to a circuit in a remote district of the islands. He stopped for a time in a little native village, sixty miles from another white man, and with no attendant but a Chinese servant. The hot sun of the tropics quickly took the pink New England color from his face, and a good deal of the New England vigor from his frame.

Sick 6,000 Miles From Home.

One day he decided to move on to the next village, and moped his mule to go. A hundred yards up the road he tumbled off in a faint, and came to a while later in his cabin, where the Chinaman had carried him. The amaebic dysentery had caught him, one of the most dangerous and most debilitating of the tropical diseases. For two months he lay in the cabin, attended by the Chinaman, two hundred miles by sea from Manila, the nearest place where a doctor could have been found, nearly a hundred miles from any white man, six thousand miles from home. A man lives a good deal in a short time under such circumstances.

At last he could walk a little, and with the help of the Chinaman got aboard a little native sailing canoe, in which he lay during two weeks' sail to Manila. When he got to the hospital the doctor said, "Young man, if you have lived through what you say you have there's no hope of my being able to kill you." Months passed before he could leave the hospital—months spent with convalecents who had their own tales to tell. Out of experiences like this, branded thus vividly into the fibre of the mind, came the knowledge that made "Fagan" possible.

A Recipe For Good Writing.

And the technical excellences may be explained by Thomas's answer to one who asked him how he learned to write. "I learned by sweating my life's blood out trying to make something good and sincere and human, and then having Barrett Wendell (the professor of English at Harvard) write across it in blue letters a foot long, ROT."

People wondered again when Upton Sinclair,

frail, youthful, effeminate, burst into fame with "The Jungle." Whatever one may think of Sinclair personally, or of his book, one cannot deny the grip of its horrible realism nor the instant effect it had upon public sentiment and national legislation for pure food.

How Upton Sinclair Starved.

But his success was not the chance luck of a night. It was born of the grimmest kind of a struggle, not merely for fame, but for the barest necessities of life and of his starved heart. With a passion for fame and a belief in his starved admitted of no defeat, he fought for an education and fought for success, year in and year out, upon an annual income of about \$400, which means that for years he hovered upon the stark edge of starvation. And "The Jungle" was not his first book. That was published when he was twenty-eight years old, but he had written five books before that: "Springtime and Harvest," "King Midas," "The Journal of Arthur Stimpson," "Frisco Hagen," and "Manassas." He had matured his style, but he had also matured his personality. "The Jungle" was hardly grimmer than the experiences he went through as a laborer in the stock yards at Chicago, from which he wrote it. He paid the price of his success many times over.

The Painter Van Perrine.

High up on the Palisades, overlooking the Hudson river and New York city, an artist named Van Perrine has a little studio, where he paints impressionistic pictures that a school of critics declare to be works of genius. Three or four years ago he got his pictures hung at the New Gallery in New York, and he has "arrived." He had paid the price, however. As a boy in Kansas he had crimped and denied himself every pleasure to buy the implements of his craft and to get the time to practice it. He beat his way to New York in a stock car, worked his way to Europe at hard labor on a ship, and studied his body in France to feed his mind on the masterpieces of painting. He came back to America as poor in pocket as when he started, but with a renewed zeal to achieve success. Success came slowly. Besides the rigors of life on starvation income, he had to endure adverse criticism, or, worse, neglect. Recognition brought money and fame, but the price he paid for the ability to practice was the price of a wrenching trial of character in fortitude and patience.

The Price of Being Black.

A book of essays and sketches of genuine literary merit, containing passages of great beauty and eloquence and pathos, appeared some years ago and went through five editions. It was called "The Souls of Black Folk," and its author was W. E. Burghardt Du Bois. Its preface contains a few sentences that explain the book and the author:

"Herein lie buried many things which if read with patience will show the strange meaning of being black here at the dawning of the twentieth century. . . . I have sought here to sketch, in vague, uncertain outline, the spiritual world in which ten thousand thousands of Americans live and strive. Leaving then the white world I have stepped within the Veil, raising it that you may view faintly its deeper recesses—the meaning of its religion, the passion of its human sorrow, and the struggle of its greater souls. . . . And, finally, need I add that I who speak here am born of the bone and flesh of the flesh of them that live within the Veil?"

This was written by a negro, a graduate of Harvard University and an honor man at that, a man of brilliant intellect, a man by every instinct a gentleman and with all the consciousness of a refined and cultivated nature, who, for being black, lives a life pitifully remote from people of his own intelligence and tastes. And this is a refinement of ironic tragedy, the tragedy of being a black man in America with a white man's capacities and culture. This, too, is an example of the price they pay, for his book is a melancholy reflection of the sadness of his life.

Ricalton's Adventures in the East.

Fortunately, most who pay the price pay it not in tragedy but merely in hard, oftentimes perilous, work. One man who has contributed a vast deal to the instruction of America is Ricalton, the photographer. For many years he has ranged up and down the Far East, from Ceylon to Manchuria, and his pictures, appearing in the magazines and books of travel, have done more than almost any other one thing to make these lands and their peoples familiar to the rest of the world. Ricalton has risked Indian pestilences, crossed Himalayan cataclysms on crazy rope bridges, narrowly escaped death at the jaws of crocodiles, has explored the jungles, has traveled for months on end through unknown remotenesses of China and India with none but native companions, and, during the Russo-Japanese war, repeatedly carried his camera into positions on the field of battle to which the Japanese officers refused to allow their men to venture. And Ricalton performed one obscure, though important, service to modern progress, for he is the man whom Edison commissioned to gather specimens of all eastern varieties of bamboo to be used in his experiments, one of the species sent by Ricalton furnishing the fibre from which were made the carbon filaments that demonstrated the possibility of commercial success of the incandescent electric light.

The task, then, of the man who successfully amuses the public, informs it, touches its emotions, or ennobles its life with a new example of esthetic beauty, whether in words or in the visual arts, is no mere light leap of inspiration seized at ease, but is a task whose achievement is born of intelligent use of materials forged of the harsher experiences of life—often of its tragedies—and always the result of hard, laborious effort for everything that we call beautiful, somebody has paid the price.

THE SACK OF THE GODS.

By Rudyard Kipling.

(From "The Naulahka.")

Strangers—drawn from the ends of the earth,
Jeweled and plumed were we,
I was the Lord of the Inca race, and she was
the Queen of the Sea,
Under the stars beyond our stars, where the
reinsless meteors glow,
Hotly we stormed Valhalla, a million years
ago.

Dust of the stars was under our feet, glitter
of stars above,
Wrecks of our wrath dropped reeling down as
we fought and we spurned and we strove:
Worlds upon worlds we tossed aside and scattered
them to and fro,
The night that we stormed Valhalla, a million
years ago.

She with the star I had marked for my own,
I with my set desire—
Lost in the gloom of the night of nights—
withered by worlds afire—
Met in a war twist love and hate where the
reinsless meteors glow,
Hewing our way to Valhalla, a million years
ago.

Miss Maude Adams rides a horse to keep
herself in physical trim. Madame Alla Nazimova and Miss Julia Marlowe allow themselves two hours a day for play in the open air. Henry Miller personally looks after his farm, "Sky Meadows," near Stamford, Conn., when he commutes to the theater four out of six theater days when he is playing in New York.

Hall Caine declares that his neighbors of the Isle of Man refuse to consider his novels as fictions but are sure the characters are all real people.

Robert McVade has acted on the stage for fifty-three years, and Ida Vernon for fifty years.

SELF GOVERNMENT AT SAN DIEGO

ANOTHER EXPERIMENT IN "GOVERNMENT BY COMMISSION."

(The problem of self-government in America has got to be worked out in our municipalities. The town meetings were the kindergartens of Democracy. Our municipalities must become our common schools of free government, because it is there that people come together in multitudes immediately concerned for interests common to them all. We may liken state governments to high schools of democracy and national government to the university. It is therefore the purpose of The California Weekly, from time to time, to analyze and make clear the status and tendencies of municipal government in California in the hope that each may learn from the other.)

Machine control of politics in San Diego county has for years been personified by Charles Hardy, a wholesale and retail butcher, a man of clean private life and lovable personality. But politically he has consistently traded with the Herrin machine. Locally, the county officials that he put up have been, in the main, very satisfactory. This is because he uses local politics only as a means to play the larger game of state politics. In the wider field he is recognized as one of the shrewdest, subtlest, and most far-sighted of political manipulators. His advice is said to be much sought by Herrin, and many of Herrin's plans altered by it.

In 1906, a group of public-spirited men organized the Roosevelt Republican club in San Diego. (In passing it should be said that San Diego county is overwhelmingly Republican, and that any reform must come from independent Republicans.) George W. Marston, the principal merchant of San Diego, Judge Luce, and Judge Sloane were principals in the club. They sought to overthrow Hardy's control, and nearly succeeded that year in capturing the county Republican convention, being barely beaten by Hardy's skilful manipulation of the country delegations. Later these same men organized the Lincoln-Roosevelt Republican League, and with it missed overturning Hardy by only about eighty votes.

Reform of City Charter.

These same men were also behind the movement that lately affected a radical reform of the charter of the city of San Diego. A series of charter amendments, amounting in effect to the making of a new charter, were submitted to the citizens at an election held January 12th last, and were carried by a heavy majority.

These amendments change the form of city government to, essentially a copy of the Galveston "commission" plan, and, as the legislature approved the amendments on January 26th, a few days before it approved the new charter of Berkeley, San Diego has the distinction of being the first city in California to adopt this advanced plan of government.

Ward System Abolished.

The amendments abolish the ward system of election of councilmen, substituting both nomination and election at large. One immediate practical result is the complete elimination from local politics of Councilman McNeil, who for more than ten years has represented the fifth ward where the saloon vote has held the power of election.

All past designations on the ballot are abolished, both at primary and general elections. The candidates' names are printed alphabetically, forcing a choice on the voter's knowledge of the men.

Government by Commission.

The number of councilmen is reduced to five. The Board of Public Works, the Fire Commission, and the Police Commission are all abolished, and their duties are vested in the council. The municipal business is divided into five departments: (1) Department of Finance, Ways, and Means; (2) Department of Police, Health and Morals; (3) Department of Public Streets and Buildings; (4) Department of Fire and Sewers; (5) Department of Water. Each member of the Common Council is made Superintendent of a Department. If the Council is unable to agree upon the assignments, the Mayor has authority to make such assignment. The Council elects the City Attorney, City Clerk, City Engineer, Chief of Fire Department, and such other officers and assistants as provided for by ordinance, and the Council has the right to remove them by a two-thirds vote. The purpose is to give the Council plenary control of city business and fix upon it corresponding responsibility.

Each councilman receives a salary of \$2,000 a year, so that able men may be attracted to give their time to the work.

The only other officer who is elected (besides a Board of Education of five members, elected at large—reduced from eighteen, elected from wards—who serve without pay) is the city treasurer, whose salary is fixed at \$2,000.

The amendments also provide money to insure the carrying out of the provisions for the recall, the initiative, and the referendum, that already exist in the charter.

The entire vote cast at the special election at which these amendments were carried was about 3,450, which is 50 per cent of the registration. In view of the stormy day and the small funds available for getting out the reform vote, this is considered a heavy vote.

Three Tickets at Primary.

The first primary election under the amended charter was held on March 23rd, and the result was a great encouragement to the reformers. Three tickets were in the field: the regulars, the independents (reformers), and the Socialists. The candidates for nomination for mayor were John F. Forward, regular, who received about 2,300 votes; Grant Conrad, reform, who received only 86 less votes than Forward; and W. J. Kirkwood, Socialist, who received only 1,100 votes. Forward and Conrad's names will appear on the ballot.

Forty-three candidates for councilmen were in the field. With one exception, no man not recognized as being on one of the informal tickets named above received more than a few hundred votes. The three receiving the

highest number of votes (more than 2,000 apiece) were Claude Woolman, J. L. Sehon, and A. E. Dodson, all reformers. The two next highest were Theodore Barnes, and A. E. Graham, regulars. The next was Percival E. Woods, who was not on the reformers' ticket, but was known to be in sympathy with it. These six, and the four next highest, will be named on the ballot, five councilmen to be chosen from them.

Four candidates ran for the treasurer's nomination. The two highest, who will appear on the ballot as opponents, are F. F. Woodford, reform, who got more than 2,000 votes, and Don M. Stewart, regular, who got only 1,000.

The election will be held next Tuesday (April 6th). The deciding vote will be that of the labor element, which probably massed on the Socialist ticket in the primary but will now

(Concluded on Page 298.)

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Over the Hill.

Over the hill, and a long way over;
Back to the land of the dew-kissed clover;
Back to the meadows that stretched so far
That they still looked up to the farthestmost
star;
Back where the oriole built a nest
That rocked and rocked on the poplar's crest,
My heart is a straying, a riotous rover—
Over the hill, and a long way over.

Over the hill is a dim path straying
Unto the land where I went a-Maying,
Maying with little wee laddies and lassies—
Over the hill where the dim path passes.
Hey, but the morning was golden and airy!
Hey, but the world was the realm of a fairy!
Hey, but the meadow-lark sang in the clover!
Over the hill, and a long way over.

Over the hill the world was so cheery
Never a bairn of us murmured, "I'm weary."
Nay, but we played till the lengthening
shadows
Beckoned us homeward from woodland or
meadows,
Then, with the laughter that every care
smothers,
Nesting, we turned to the arms of our mothers.
Let us go back, oh, world-weary rover,
Over the hill, and a long way over.

Never a Man Can Tell.

"Would you publish a little outburst
of poetry for me?" the melancholy man inquired.
"It's like this," he continued, as he observed
that I hesitated, "Here some time ago you
went and lifted a little lifeful lilt to our states-
men—that is, to our legislators, for I realize
that some contend it is not the same thing.
In the course of that lilt you sang of the
legislators that they 'average fairly white,' and
said other and similar things which ought to
put you at the head of the bovine class. That
is the trouble with you poets: You are too
suddenly loaded, and explode before the trigger
is pulled. You couldn't wait for the legis-
lature to adjourn before you tossed your
bouquet. No, you had to chirp your chirp and
lay your law without waiting to see whether
the statesmen-legislators kicked over the
traces and mired themselves in their own mud,
which they did. Your sweet-voiced carol had
hardly died away before they passed Grove
Johnson's change-of-venue bill and other acts
which, as I blush readily, I refuse to name. So
I have writ a second instalment of the lilt you
published, to bring it up to date, and here it is.
Will you publish it?"

After some consideration, I have decided
that the melancholy man's second instalment
is justified by circumstances, and it follows:
Oh, I say again, as I said before, of the legis-
lative crew,
That they "average fairly white," at least, 'tis
fair to suppose they do,
Though some folks claim that they average
black, while others maintain they're pink.
And others remark, with a long-drawn sigh,
"I do not know what to think."
They may be red, or they may be green, or
dappled may be their style;
They may be spotted, with stripes between—
a notion that makes me smile—
But whether they're that or whether they're
this, it's useless on guesses to dwell,
For since they've covered themselves with
mud, there's never a man can tell.

The Opinions of Rufus.

Did you ever pause to reflect how beautifully
patient mankind is in enduring the sufferings
of others?
We go to theaters an' shed bushels of tears
over imaginary woes, but we brush against reel
woe on any corner, an' all we do is to shy
off from it.

When I blow in a dollar for my own pleasure
an' then give a nickel to a hungry man, I
hope the Lord notices—but not all the time.
True heroism ain't so much in the man that
recks his life as 'tis in the lovin' woman that

has to set around, wait an' be patient while he
does it.

They said that Mrs. De Faste had no nat'ral
affection, but she proved that 'twant so by
namin' her cute little baby after her bull pup.
Trouble with most men that try to do right
is that they're so apt to git to thinkin' that
their way's the only way, an' yit I can't help
bl'iev'in' they's sev'ral paths of rightness
leadin' through this wilderness.

The longes' way round may be the shortes-
s' way him, but they's mighty few men kin make
their wives bl'ieve it at 3 o'clock in the mornin'.
The good book says to honor your father
an' mother, but I know some children that
would have to shut their eyes an' hold their
noses to do it.

After she's rejected you, Reuben, you kin
console yourself by reflectin' that they's jest
as good fish in the sea as ever were caught,
but 'tain't high so satisfyin' to notice that
middlin' often they stay there.

The diff'rence 'twen men an' wimmen is
this: If a man's self-made he boasts 'bout it;
if a woman's self-made the less that's said
'bout it the better she feels.

Concernin' of the Simple Life.

Concernin' of this Simple Life what poet fel-
lers praises,
An' city scientists maintains our high emo-
tions raises,
I wish to say I've tried the same out here at
Skokholm Corner.

For further more than twenty years, an' every
year forlornier
Than all the ones that went before. The things
the poets praises—
The mooin' cows, the gamblin' lambs, the
little dinky daisies
Is all right here, an' "nacher sings." (Them
words a poet's quote is.)

At least, I reckon that it does; I don't have
time to notice.

It is, "Whon there, Back!
Git up that, dern the luck!
That mule has tuck to buckin', an' the
plow is in a chuck!"
An' the poets all may warble of retirin' from
the strife,
But 'B' cause that I'm a victim of the reely
Simple Life.

I read a book, "The Simple Life;" 'twas full
of fetchin' kinks
Concernin' of the peaceful things what rooral
parties thinks.

Let man retire upon a farm, it says, he needn't
fear,
For while the days is glidin' by he'll git his
heaven here.
Well, I'm retired upon a farm, a most retirin'
cuss.

An' when the cows ain't got a cramp the mules
has suthin' wuss.
The song of nacher, poets claims, here falls
in the way of the plow.

But what's the use of any song you ain't got
time to hear?
Fer it's, "Whoa, thar! WHOA!
Golden rule! Won't you go!
I wish I had them poets here to learn a
thing or so!"

The Simple Life the poets loves with some
may make a hit,
But it ain't wootin' of me much—I'm too blame
close to it.

Knew Her By the Description.

The good clergyman was laboring with an
unsatisfactory member of his flock.
"There is One," he said, "who watches over
you, guides you, directs you to the path in
which you should walk, chides you for wrong-
doing—Oh, my brother, you know to whom I
refer."

"Yes, I do," said the meek little man whom
he addressed "but—" he hesitated.

"Honestly, I don't think that you ought to
drag my wife into a discussion of this kind."
With a weary sigh, the clergyman departed.

Advice to Ebenezer.

Above all, son, if you wish to avoid trouble,
and you do, it will be well for you carefully to
select the path through life that your pa didn't
take. You need not mention it to your mother,
but I have a little chart of your paternal pro-
genitor's past career, and it looks like a map
of the combined Himalaya mountains and
Mediterranean sea, as drawn by the baby.
There are all sorts of side lines and little,
iridescent paths leading to places that are
nowhere in particular, but are labeled with red
letters. Sometimes, on an evening, your pa
takes a little time off in order to tell your ma
what a remarkable man he is, but have you
never noticed that he always forgets to men-
tion these side trips? Yes, he does; his
memory is so treacherous.

As you say, Ebenezer, your pa is a man of
large experience, but you should not hold it
against him, for he earnestly tries to forget it.
And, whatever his experience may be, it will
not help you. No, for experience is a flame
wherein everyone must burn his own finger
or he will not believe it is there. My father,
too, was a man of wide experience, but I
think that I have enlarged the field of it con-
siderably, and, heavens and earth, son, how it
has pained at times!

So I say again, if you wish to avoid trouble
select the path your pa did not. But you will
not, and perhaps it is just as well, for it is in
burning our fingers that we learn where the
flame is located and how to pass safely by on
the other side.

A Mistaken Impression.

At first I thought, I really did,
The Direct Primary bill
Was passed by legislators, who
First warped it at their will;
But since I've read a morning sheet
I've learned that readers all
'Twas not the "statesmen" passed the bill;
It was the Morning Call.

Harriman at the Gate.

"There's a man named Harriman at the
gate," said the First Assistant, "and I don't
know what to do with him."
"What's his record?" Saint Peter inquired.
"Well, he did up the Chicago and Alton rail-
road, and the yells of the stockholders have
interfered with the music up here ever since
that time."

"That's bad."
And he maintained a political bureau that
was a permanent crime against civilization,
his country and God."

"That's bad, too."
"And when he wanted to pocket more money
he put up the rates, without consideration of
the right and justice of it, and the widow, the
orphan and the rest of the proletariat had to
pay them."

"That was very bad."
"And he—"
"You needn't hurt my feelings by telling me
more. Notify him that it is the subway for
him."

"But—"
"Well?"
"But he objected to seeing a polo game on
Sunday."

"Dear, dear!" sighed Peter. "Now such
cases did use to puzzle me. But how I have
adopted a regular plan in dealing with them."
"What is it?"

"Send him to the cellar, but inform him that
he can come up and look through the gate
once a week."
So it was arranged in that way.

These, or Naught.

So Palmanter is dead. Then let
The good he died, the aid he gave
To weary brothers whom he met.
The hand he reached the lost to save.
The peace he brought to eyes tear-dim.
Love's largesse for the great and small—
Let these things sing the praise of him.
Or there may be no song at all.

THE GRAFT CASES.

Peter Anthes, Sr., retired miner, 763 San Jose avenue.
 Theodore Binner, plasterer and decorator, 648 Ashbury street.
 Charles K. Blender, real estate dealer, 714 Castro street.
 James R. Cashman, clerk, 1210 Waller street.
 Joseph Dixon, clerk, 2000 Steiner street.
 George G. Gillespie, building contractor, 2204 1/2 Devisadero street.
 James Granville, retired machinist, 4227 Eighth street.
 Michael Maguire, retired hay and grain merchant, 281 Page street.
 Charles H. Suydam, wholesale grocer, 2201 California street.
 Robert B. Symington, civil engineer, 228 Liberty street.

Above are the names, occupations and residences of ten men who have been sworn as jurors to hear and pass upon the evidence against Patrick Calhoun. In addition to these ten who will serve as jurors, Otto T. Hildebrecht, a retired designer, of 170 Belvedere street, has been passed subject to peremptory challenge. So it will be seen that the case has made noteworthy gains during the past week, and, although the prosecution still may exercise one peremptory challenge, and the defense six, it now appears hopeful that the opening statement to the jury may be made in little, if any, more than three months after the labor of securing a jury began.

Recent interest in the Calhoun case, however, has been centered, not upon the notorious work of securing a jury, but upon what may be denominated a side issue. Detective Burns, becoming convinced that papers

and reports were being stolen from the prosecution, secured the issuance of a search warrant to enable him to find them. Acting under this process, he found the stolen property—in the possession of William M. Abbott, attorney for the United Railroads, and Luther Brown, chief of the United Railroads' detective agency. In the keeping of these two men were discovered 1,693 documents purchased by and belonging to the prosecution. The greater number of these were verbatim copies of reports concerning veniemen made to the prosecution, but more than a hundred were the original documents.

This thievery had continued since last October, and the method of its operation was simple. In consideration of a weekly payment of \$50, and a promise of \$5,000, Rex N. Hamlin, Mr. Burns' private secretary, turned traitor to his employer, stole the documents and turned them over to Albert McKinley, a United Railroads' employee, by whom they were passed on to Jerry Van Wormer, another United Railroads' employee, whence they went to their higher-up destination. McKinley and Van Wormer also received a weekly payment of \$50 each for their services, and it transpires that Van Wormer was receiving an additional payment from Abe Ruef, but Hamlin was not aware of the fact.

Later developments implicated Frank J. Murphy, Ruef's former attorney, as also a receiver of some of this stolen property. It also was discovered that E. A. Platt, formerly in Burns' employ, had sold duplicate copies of his reports to John Helms, at one time head of Calhoun's detective bureau, and J. H. Handlon, claims' agent for the United Railroads, and William McBrin, an employee, who were implicated. The nine men now are under arrest upon charges of grand larceny or receiving stolen goods, and are, with the exception of Hamlin, out on bail. All of the cat-paws in the matter, except Van Wormer, have confessed, and the case looks clear.

A side issue of the main side issue was developed when, after Judge Murasky had issued an order to restrain the officers from further search, they went ahead with the opening of Calhoun's and Abbott's safes, claiming that proper service of the restraining order had not been made upon them as the complaint was not read to them. This has resulted in contempt proceedings which still are in progress before Judge Murasky.

During the week William D. Harrington, a saloon-keeper, was sentenced to five days in jail for contempt in asking juror Charles K. Blender if he was going to hang Calhoun. Harrington now is serving his sentence.

Eleven men have been sworn to serve as jurors in the case of Adolph S. Newburgh, charged with attempting to bribe a juror to vote for the acquittal of Abe Ruef.

MORE NAPOLEON STORIES.

"Bonaparte is never more than a quarter of an hour at table," says Roederer, "when he has a few guests. He is never more than half an hour at the most elaborate dinners. Only one course is served, which includes entrees, roast, and entremet; then comes the dessert."

Soon after he was made Consul Napoleon was told that his dinners were too brief; he lengthened them by some minutes. I remarked to him: "General, you have become less hurried at table." "Power is already corrupting me," he rejoined.

After Napoleon became Emperor Roederer continued to serve him and to enjoy his confidence. On one occasion, while bitterly censuring his brother Joseph's conduct as King of Spain, and especially Joseph's belief that he possessed military ability, Napoleon gave vent to this outburst:

"Kings and Princes ought never to command their armies. If I command mine it is because it is my special fate. When the King commands the soldier does not feel that he is being commanded. The army feels what he does, just as it would feel the Emperor. When one is not a General and is a King it is necessary to give Generals a free hand. Alexander of Russia is a General, though he knows more about it than the King of Spain; he knows manoeuvring thoroughly and commanding to a marvelous degree. And yet he never inconvenienced his Generals. Benito begged him ten times to leave the army. Generals do not take upon themselves the responsibility of orders in which they have no confidence; such orders are badly executed."

A local reporter in describing a wedding says: "Among the presents were many beautiful articles of cut glass, including a magnificent diamond ring, the gift of the bridegroom to the bride."

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POLITICAL TABLE TALK

By THE WATCHMAN.

Where Is Gillet Going to Get Off? The thirty days succeeding the adjournment of the legislature may not determine what Governor Gillet's political future is going to be, but it may easily determine whether or not he is to have any political future at all. Under the plan to maintain the thrall of the Southern Pacific's Political Bureau it may be possible for the head of that bureau to make further use of the present governor of California, unless he makes such use impossible by signing a lot of bad bills, notably the change of venue and the Wheelan bills. It is not beyond the subtleties of politics that the change of venue bill was put through the legislature for the express purpose of giving the governor a chance to save the state from disgrace. Be that as it may the signing of that bill and the Wheelan bills, together with Wright's bill transferring the franchise graft from cities to the state legislature (where pickings have been lean of late) will make such an end of James N. Gillet that he will no longer be serviceable to the "organization" or anyone else.

Eighteen Millions For Automobiles The piece de resistance of the Gillet administration is the submission to the people of a proposal to issue \$18,000,000 of state bonds for the construction of "speedways for automobiles. That is what the road building will amount to and it will have in its favor every owner, manufacturer and seller of automobiles. The automobile has come to stay. It is a good thing. It is entitled to have good roads to trundle over but, the world over, it has reduced the problem of road-making to chaos. There is no sort of road that human ingenuity has yet contrived that will withstand the ravages of that machine. Such a road must be found. Had the governor proposed the issuance of \$500,000 in state bonds to be expended in experiment and research for the purpose of learning how to build roads the automobile cannot run on, all men would have praised him, but to venture eighteen millions on constructing a system when no man knows, or pretends to know, how to build permanent roads is as wildcatish a proposal as was ever submitted to a sane people.

The Cost Of It Not the Worst The state engineer is to have sole power to locate the roads beyond the very general stipulation that they are to run up and down the interior valley and up and down the coast. This is a considerable power to put in the hands of one man. He also has the power to establish plants for the manufacture of road material as well as to construct the roads. The counties pay the interest the state must maintain the road ever after. To do this the engineering department will have in its hands a political machine second in size only to that of the Political Bureau of the Southern Pacific company. Practically every mile of road will have a political heeler maintained by the state. Those cognizant of the power that road-making has given to county supervisors in the dispensing of political patronage will only have to multiply that power by five, eight, the number of counties in the state, and then again by five, the number of supervisors on a board, in order to determine how much more political power the head of the state engineering department will have than has the supervisor of his district. And that power of patronage will be added to that of the Political Bureau of the Southern Pacific company unless the Lincoln-Roosevelt Republican League succeeds in shaking that bureau loose from the throat of the state.

Reformatory or Penitentiary In point of intelligence and productive influence outside of political affairs the Commonwealth Club is probably the strongest body of citizens in this state. Its purpose is to further the highest interests of California. It got behind such a revision

of the penal code as would make the establishment of justice possible. Only one of these measures became a law, and that without its companion measure, which made things worse than they were, of which more anon. Mindful of the disgraceful condition of California's penal institutions the Commonwealth Club proposed the establishment of a State Reformatory. The bill expressly provided that the State Board of Political Performers, to whose dereliction the bad condition of our penal institutions is chiefly due, should have nothing to do with it. However the performers flouted the Commonwealth Club and procured the enactment of a law referring the whole matter to the State Board of Prison Directors with instructions to report thereon two years hence. Who, except the State Board of Prison Directors, and the legislature of California, is so ignorant as not to know that a reformatory is indispensable to a penal system?

A Good Joke On the Commonwealth Club One of the Commonwealth Club's wares for facilitating the enforcement of law in this state was a bill prohibiting the farcical, time-killing and treasury-bankrupting proceeding of trying the grand jurors for possible bias against the defendant rather than the defendant for the offense with which he is charged. As a compensatory measure, for taking from the defendant this tactical advantage, the Commonwealth Club offered a bill authorizing the presence in the grand jury room of a sworn stenographer to take down the testimony and furnish the defendant a copy of it at the cost of the county. This measure, being in the interest of the defendant, passed both houses. The other, being in the interests of the People of California, was voted down. About the only way to secure legislation in the interests of establishing justice will be to make district attorneys ex-officio members of the legislature that they may stand off their brethren of the bar who make their livings by saving prison such of their fellow citizens as should be in prison.

Brakebeam, Bad Wagon A new section was added to the penal code, a very good one, too, which provides that, "Every person who climbs upon, holds, or attaches himself to any engine tender, freight or passenger car shall be deemed guilty of a misdemeanor." If only the legislature had gone further and included the railroad political bad-wagon it would have caught as choice a lot of hobos as were ever snaked from brakebeams. Why this injurious discrimination?

Are They Caught On Their Own Hook? Section 587c of the penal code reads thus: "Every person who fraudulently evades, or attempts to evade the payment of his fare, while traveling upon any railroad, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$500 or imprisonment not exceeding six months, or by both such fine and imprisonment." Query, does this apply to legislators who, being prohibited from riding on passes, habitually ride on slow train tickets supplied free by the Political Bureau of the Southern Pacific company? Every such legislator "fraudulently evades the payment of his fare" without a doubt. If it is included the measure is not too drastic. Otherwise it is, though the offense is one that needs some punishment.

National Guard Emergency Fund Heretofore, when the National Guard was called into service, it had less money than ammunition at its command and had to march on credit. The late session of the legislature gave the national guard whatever it wanted, including the appropriation of three times as much money for its headquarters office building in San Francisco for the accommodation of state officers and commissions, a very dubious proceeding. It also

appropriated \$100,000 to be set aside in the state treasury as an emergency fund. "When, in the opinion of the governor, an emergency arises," in case of, "insurrection, invasion, tumult, riot or imminent danger thereof." While this amount of cash will not go far it will at least serve to get the boys together and move them to the scene of action.

Easier For Cities To Condemn Property One of the good things the late legislature did was to so amend Section 1251 of the Code of Civil Procedure as to permit municipalities to have six months from the date of entering judgment of condemnation in which to vote bonds, sell them and pay the adjudged value of the private property sought to be taken for public use. This provision was almost indispensable to the acquisition of such property.

Something For The Farmer The tribulations which farmers sometimes have with cut-throat commission houses were sought to be mitigated by a law requiring that, upon the written demand of the consignee, the commission dealer shall return a true statement of the persons to whom the produce was sold, and the price received in each instance, provided that the statement shall not be required where the cash sales were less than fifty dollars. It is to be doubted if this law will furnish the relief desired. A thieving commission merchant will so cook his statement as to deceive the very elect and an honest one will be just as honest without the law as with it. The only safe way is to consign nothing to any house whose reputation is not above questioning.

Cold-Storage Products Must Be Confessed If any fear was felt that this legislature would weaken, by amendment, the pure food legislation enacted two years ago, it was a baseless fear, because the only thing done has been to strengthen that legislation. One of the new regulations is that eggs and chickens which have been in cold storage must be marked to indicate that fact. Another amendment requires articles of food to conform to the standards of purity established by the United States government.

A New Door To The State Treasury A precedent for the direct appropriation of money from the state treasury to construct harbor improvements was set after the fire and earthquake in San Francisco. Up to that time all improvements had been made at the expense of the revenues of the harbor. Now the legislature has appropriated \$100,000 to be spent in building a section of seawall at San Diego, and a new door into the state treasury has been fairly opened.

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UP AND DOWN : THE STATE : :

E. B. Willis, who has been in the newspaper business these many years, has sold the Placer County (Auburn) Republican to Andrew E. Falch, of Chippewa Falls, Wisconsin. Probably Mr. Willis now dreams of a vacation, rest, a ranch of his own, etc., for such is the form that a newspaper toller's dream usually takes, but it is dollars and nickels that he will be back in the old harness again.

In San Joaquin county they are working captured hoboes and minor criminals on the public roads, and report has it that the plan works so well that tramps avoid the county as they would if it were pestilence-infested. Similar reports come from Bakersfield, and Hanford has decided to try the plan.

Luther Burbank, of whom it was announced some time ago that he had been incorporated, comes out with a statement that he is not a corporation. Such a plan was under serious consideration, but there were obstacles which it was found difficult to overcome, and so we still may look upon the brain of Luther Burbank as being the property of a man, and not of a corporation.

Some California towns are arranging to celebrate Arbor Day by planting trees and otherwise beautifying themselves. Doubtless this is the best way of celebrating Arbor Day, and if all of our towns should follow the lead of these certain ones, it would be the better for everybody concerned.

The Southern Pacific company now has 3,000 men, scattered from Newcastle to Colfax, engaged in tunneling for the new route through the Sierra, and it is understood that about \$10,000,000 will be expended before the enterprise is completed.

If eucalyptus does what is claimed for it in furnishing a hard-wood supply, it is evident that California intends to do its full share in that direction. Scarcely a paper comes in from the central valleys that does not tell of eucalyptus-growing projects. One of the latest of these is involved in the purchase of 2,800 acres of land on Grizzly Island from J. W. Dutton, F. N. Chaplain being the purchaser. Mr. Chaplain intends to plant at least 500,000 seeds of this land to eucalyptus within the next few months.

The Stockton-Modesto electric road has secured rights of way for an extension of its line to Riverbank and Oakdale.

Sutter county this year is making the best record in its history in the matter of planting fruit trees and vines. It is estimated that no less than 1,200 acres will be set out. Of these about 500 acres will be planted to grapes, 400 to Tuscan cling peaches, and about fifty to apples.

LITTLE TALKS WITH OUR READERS

Some years ago I was appointed library trustee. Being a busy woman and living at a distance from the library, my low attendance over the years was a running way. I said one day: "Well, I suppose I'll have to pay my fine. I don't see why you should send the librarian to my gate you spend enough time and enquire in the service of the library to make up for the rest you give the city. That would be reasonable to me and I returned over due books several times without paying a fine. The day, in thinking over the San Francisco graft case, I struck me that I was indulging in the practice of graft, myself. Not only was I doing something dishonest, but I was causing some one else, who was in a way at my mercy, to commit any wrong doing, for library trustees, according to law, receive no remuneration. Thereafter I paid my fines.

E. F.

National City, March 24, 1909.

The "Beginnings of Graft" are certainly elemental. As the same "something for nothing" mania, which prompts newsmen to "shoot crabs with penknives, accuse the speculators in Wall street, so the pocketing of petty

perquisites by legislators and other officials is a manifestation of the same mania for special privileges and immunities that has made American municipal government a humiliation to civilization and governments of states and nation a reproach to American statesmanship. The grafts, of themselves, would be beneath notice if they did not tend to so blind the moral vision as to prevent our distinguishing right from wrong in the larger relations of public life. For instance, the writer of this found that the raiding of the state treasury by the legislative body, the greater two years ago, cost his cottage home only sixteen cents in excess of reasonable legislative needs, but it was right to fight that petty graft because its existence obscured the moral vision of legislators in larger grafts. Yet there is a risk of weakening influence by being over exacting. The writer's horror of alcohol was not accentuated by the statement of his Sunday school teacher that drinking apple juice, taken directly from the cider mill, was sinful because fermentation had already begun.

Editors California Weekly:

After reading your remarks under "Right to Work Convention," I decided to withhold comment upon your paper until I ascertain your views on that issue more clearly. The problem, of course, reaches to the foundation of the Republic. Able though The California Weekly is it cannot give space for a full discussion of this subject, but it may be possible to give a brief outline of its attitude.

Respectfully,

J. A. MOORE,

Waller street, San Francisco.

"Why stand ye here all the day idle?" was asked many hundreds of years ago and the answer given then was a full explanation of the reason why. "Because no man hath hired us."

Only one person in sixteen born into the world possesses enough of executive ability to make him his own employer. For the other fifteen out of each sixteen work must be cut out, wages provided, the product disposed of and the wages fund renewed. This makes us our own employer. The keeper of the executive function has found its inspiration in that love of power which wealth gives, the exhilaration which rejoices a strong man in winning a race. It is a God-given impulse—the ten talents given to be profitably employed. It rests upon individuality and voluntariness associated with Society as a whole has it not. That element in industry cannot be democratized. It requires a free field and unhampered opportunity. The only restraint that can be put upon it safely is that it shall not be predatory, that it shall obey just laws, that it shall not reap where it has not sown and that it shall not hedge its accumulations about by such barriers as shall prevent the free flow of capacity from poverty to wealth and of incapacity from wealth to poverty. The basis of it all is that property, honestly acquired, shall be protected, without which initiative has no inspiration and the world stands stagnant, idle and hungry. Does this make it clear to our correspondent where we stand?

To The California Weekly:

What I want, and what I think the people in general want, in a newspaper, is The Truth, reliable reports on general matters so that I can act understandingly and when the people are thus informed they generally act right. So far as they have been able to judge The California Weekly meets that demand.

Yours truly,

STEPHEN BARKER.

Gilroy, California.

In our judgment Mr. Barker has struck the keynote of the journalistic need of our time. Thoughtful persons have been surfeited with the sensationalism of the spectacular. The newspaper's scream has gotten on their nerves. They do not care for the paper that "eats 'em alive." They do want the truth plainly told and the events of the week sanely explained. It was to supply this need that The California Weekly was established. In the execution of the idea the hope has been that we shall be able to make a paper that will be sane without being dull, informative without being heavy. How well we are succeeding is for our patrons to judge.

Hichborn's History.

Something of a sensation has been created throughout the state, but more especially among the politicians who have just ended their labors in Sacramento. By the announcement that Franklin Hichborn will bring out, probably, some time in May or June, a

history of the legislative session just ended. Under ordinary circumstances such an announcement would not profoundly stir the hearts of the men chosen to be the subjects of a literary work of this character; but the circumstances are not ordinary and the writer of the book is not an ordinary man.

Franklin Hichborn is one of the best-informed, most fearless—if the adjectives be susceptible of comparison—and least prejudiced writers in California. He carries his lance high in the air, and he has the eye of an eagle and the instincts of a sleuth. He has chosen a cracking big subject, full of tremendous possibilities. Situations that arose during the session just ended—many of them—were pregnant with portent; results—ah! who can say?

The Hichborn history will be one of the most dramatic stories ever related on the Pacific Coast; and being history, not fiction, and of intense and immediate interest to thousands upon thousands of men who are wondering just what actually did happen at Sacramento, after all, there is not the slightest doubt whatever that it will be eagerly read. Truth always was, and still is, stranger than fiction; and truth, dressed in attractive habiliments is generally a welcome visitor, except to the homes and hearts of men who know not this virtuous maiden. Nobody who has ever paid any attention to the writings of Franklin Hichborn needs to be told that the truth he is preparing to tell about the doings of the statesmen and others at Sacramento during the first ten weeks of this year 1909 will be bewitchingly attired.—Pacific Outlook.

In the Outing Magazine for April the following list of the recreations of actors and actresses is given: William Gillette, to overcome his chronic nervousness, walks five miles every afternoon. Miss Frances Starr and Miss Blanche Bates take daily horseback rides. John Drew plays "squash." James K. Hackett, who possessed considerable lacrosse prowess while at college, pulls weights in a gymnasium; Robert Edeson, known in the profession as the "muscle mad" actor, drives an automobile at least twenty miles a day. E. H. Sothern spends an hour with the mails.

Frank McIntyre spends an hour and a half daily in the Y. M. C. A. gymnasium; H. B. Warner boxes at the New York Athletic club and follows it up with a swim in the tank; and Robert Montgomery "settles-up exercises" out of doors for half an hour.

("San Diego"—Concluded.)

have to choose between the regulars and the reform Republicans.

One thing appears clearly from the experience not only of San Diego but of Berkeley as well: whatever the form of primary or of ballot, votes must be massed on prearranged tickets to be effective. The problem of reform is still the problem of concentrating public sentiment on sound men and fighting their election through. Reformed characters do not automatically produce reformed administrations. They only provide simpler machinery for giving the public a chance, when aroused, to get rid of bad men and put in good men.

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STATE CONTROL OF PRIVATE FORESTS

By WILLIAM THOMAS.

Section 1 of Article I of our state constitution provides that, "all men are by nature free and independent," without making any distinction between married and unmarried men, and it also provides that they have certain unalienable rights, among which are the rights of "acquiring, possessing and protecting property." This property right includes all constitutions. It is properly called a "declaration of rights." It stated no new principle, nor did it mean in stating the principle in such terse terms that the right was an absolute one; that it could be enjoyed without regard to the rights of one's neighbors or of the public.

Long before the enactment of our constitution, or any constitution, the right of a legislative body to restrain the use of private property so that such use would not injure the public was clearly defined by the courts as a necessary and proper exercise of what it called the "police power." This police power was founded upon the old common law maxim *sic utere tuo ut alienum non laedas*. The Supreme Court of the United States has expressly refused to give a comprehensive definition of the term "police power," preferring to act upon the facts of each case as it might come before them. But even if not applicable to all cases, the following definition gathered from the language used by a number of courts will give a good idea of the possible extent and application of the rule recognizing the existence of such a power.

"Police Power" Defined.

It is the "general power of the government to preserve and promote the public welfare by prohibiting all things hurtful to the comfort, safety and welfare of society, and establishing such rules and regulations for the conduct of all persons, and the use and management of all property as may be conducive to the public interest."

The exercise of this power has grown to tremendous proportions and each year marks a new infringement of what we are pleased to call our inherent and constitutional rights, and to-day there has swept over the United States a wave of pure police, prohibition and anti-trust laws, and our so-called inherent right to eat what we like, to drink what we like, or to make such contracts as we choose to make is infringed and restrained by laws designed for the protection of the public and supported under the doctrine of police power.

This power must, of course, be exercised reasonably. No one can exactly define what is a reasonable use of this power until the particular acts sought to be limited or restrained are laid before him, and after all the question as to whether or not the restriction is reasonable or not will depend materially upon the mind of the individual judge, or the minds of the individual judges who ultimately pass upon the question of reasonableness. The supreme court of one state might say that certain legislation restricting the cutting of trees upon private property was a reasonable exercise of the police power, and the statute in the same form might be deemed by another supreme court to be an unwarranted interference with the rights of private ownership.

Legal Limits of Legislation.

In seeking what legislation can be passed which will prevent the ultimate entire destruction of the forest lands held in private ownership, we may feel our way gradually, adding restriction after restriction until we reach the point where we cannot persuade a court of last resort that the restriction is a reasonable one, and in all attempts to legislate along this line experts in forestry must be able to point out one reason for a reasonable proposition, and that is that the denudation of the forests of this country will in time render such country arid, incapable of producing profitable agricultural crops, or that such denudation will destroy other valuable interests which the public are entitled to enjoy,

such as the water power, which forms one of the valuable assets of this state. For the proof on this point we would have to depend upon experts in forestry, but I am informed that their testimony would be conclusive so far as any expert testimony can be called conclusive.

Commercial Importance of Forestry

Many years ago in a discussion among forestry experts it was practically admitted that Spain had fallen to the rank of a fifth class nation, solely on account of the fact that the destruction of its forests had destroyed its agriculture.

I have also been told that the admirable forestry system of the Empire of Germany has resulted in a marked improvement in the producing capacity of its agricultural lands.

I mention these simply as historical facts tending to support the testimony of any experts who might be called to prove the existence of a premise which I consider absolutely essential to the validity of any restrictive laws. In what body or bodies must we look for legislation restricting the use of forest lands held in private ownership? The right of the Federal Congress to interfere under the clause of the Federal Constitution which empowers it to regulate commerce is doubtful.

In the sugar trust case the Supreme Court of the United States in 1895 declared that manufacture and commerce must be distinguished; that manufacture preceded commerce, but did not form a part of it. This construction would probably cut out all federal control of forest lands held in private ownership, even if the trees growing thereon were cut for the purpose of manufacturing lumber to be sold and transported into other states, territories or foreign countries. Those favoring restrictive legislation must look to the legislative bodies of the various states for relief.

Through the medium of the governors' convention, in which the chief of the forest service took such a prominent part, a system of legislation could be readily devised as uniform as the slightly different needs and rights of the various states would permit. The best preliminary advice as to what would be reasonable and what would be unreasonable legislation could be obtained from such chief of the forest service. He would know best what restrictions would so absolutely restrict the private owner the value of his forest lands as to make the legislation obnoxious to the Fifth Amendment of the Federal Constitution, and the provisions similar thereto which now appear in nearly all the state constitutions. He would know best what legislative restriction would be valuable for the preservation of forests, and yet only restrict the use, defer some of the anticipated profits, or even cause the owner some actual loss of profit.

Legislation which causes delay, but not deprivation, is valid under the police power of the state. It may restrict the use, it may defer anticipated profits, it may even cause some loss of profit, but if it leaves to the owner his lands free, their product and increase untouched and without diminution of title, estate or quantity, the legislation is valid.

The Maine Supreme Court Decision.

Under the constitution of Maine the legislature may require from the members of the supreme court "their opinion upon important questions of law and upon solemn occasions." Such an opinion was asked for and given in the spring of 1907 on the following questions, which I condense:

In order to promote the common welfare by preventing droughts and freshets, by protecting the natural water supply, by preventing injurious erosion, may the legislature—
First, regulate or restrict the cutting or destruction of trees growing on wild or uncultivated land?

Second, prohibit, restrict or regulate the wanton, wasteful or unnecessary cutting or destruction of small trees growing on wild

lands in case such small trees are of equal or greater actual value standing and remaining for their future growth than for immediate cutting, and such trees are not intended or sought to be cut for the purpose of clearing and improving such land for use or occupation in agriculture, mining, quarrying, manufacturing or business or for pleasure purposes or for a building site?

The answer to these questions was in favor of such legislation, and although such answer is not a decision in the strict sense of the word, it is the only opinion touching directly upon the validity of legislation restricting the use of forest lands.

In the opinion, the supreme court likened the proposed legislation to that which limits the heights of buildings, which prohibits the erection of wooden buildings within specified limits, which authorizes the destruction of buildings without compensation to prevent the spread of fire, which prohibits the erection of "spite" fences, the wasteful burning of natural gas by the owner, which prohibits one from allowing weeds to grow on his own land, which restricts the owners of private oyster beds from taking oysters from them, and which prohibits the flow of water from a private artesian well except for certain specified beneficial purposes, such as irrigation or domestic use.

Examples of Public Control.

The validity of the statute which limits the right to all of the waters flowing from a private artesian well was decided in our state by the district court of appeals for the second division on August 17, 1907. The opinion of Justice Allen restricts the use of water along the same lines in which some of us hope to see the use of forest lands restricted.

The Hudson River Water Company, a New Jersey corporation, laid mains for the purpose of carrying water from certain New Jersey streams in New Jersey to Staten island, in the state of New York. The state of New Jersey on May 11, 1905, after reciting the need of preserving the fresh water of the state for the health and prosperity of its citizens, provided that it should be unlawful for any person to carry the same into any other state for use therein. The state of New Jersey enjoined the water company from carrying out its plan, and in discussing the case Mr. Justice Holmes of the Supreme Court of the United States in April, 1908, said:

Supreme Court on Such Control.

"It sometimes is difficult to fix boundary stones between the private right of property and the police power when, as in the case at bar, we know of few decisions that are very much in point. But it is recognized that the state as quasi-sovereign and representative of the interests of the public has standing in court to protect the atmosphere, the water and the forests within its territory, irrespective of the assent or dissent of the private owners of the lands most immediately concerned. . . .

"The constitutional power of the state to insist that its natural advantages shall remain unimpaired by its citizens is not dependent upon any nice estimate of the extent of present use or speculation as to future needs. The legal conception of the necessary is apt to be confined to somewhat rudimentary wants, and there are benefits from a greater river that might escape a lawyer's view. But the state is not required to submit even to an aesthetic analysis. Any analysis may be inadequate. It finds itself in possession of what all admit to be a great public good, and what it has, it may keep and give no one a reason for its will."

This opinion, together with that given by the Supreme Court of Maine to the Senate of that state, are the only ones I can find on the question before us, and the reference to forests in the latter opinion is a mere digression.

Neither state any new principle, as can be seen by reference to the legislation restricting

(Concluded on Page 302.)

CLOSING SOME HETCH-HETCHY ARGUMENTS.

Berkeley, March 23, 1909.

The California Weekly:

Doctor Bade's article, and your editorial on a nature lover's view of Hetch-Hetchy are both valuable contributions to the discussion of an important question. The three queries in your editorial prompt the expression of an opinion.

First of either the public or the bay cities must make great sacrifice, it should surely not be the public. In fact it is a question, perhaps, whether the bay cities would be sacrificing anything by giving up the Hetch-Hetchy plan, as one can scarcely be said to sacrifice what one does not own. The only sacrifice involved would be the sacrifice of a prospect of profit at public expense, and we are being taught nowadays that such is not sacrifice, but a civic duty—to yield the smaller interest to the larger.

The main value of the Hetch-Hetchy to the bay cities lies in the fact that by an act of the national government a few years ago this region is national property—and therefore cheaper to obtain than it otherwise would be. If national property, reserved for national use, can be given away with property to cities for their use and enjoyment, it can with equal propriety be given to corporations. If it were the Southern Pacific company which wanted Hetch-Hetchy, for whatever laudable purpose, there would be no question raised of whether the public or the company should make a "sacrifice."

The public in yielding this property to the bay cities sacrifice not only a principle, but a trust. It is maddening to hear this talk of wasting this playground of the people upon "a few tourists." What right have we to deprive future centuries of the opportunity to enjoy something that we are now too preoccupied to appreciate? Is California always to be as scantily populated as it relatively is today? Where hundreds go now will there not be thousands who will travel through our Sierras? Was not Yosemite itself once almost inaccessible, except to "a few tourists?"

And will not roads be sometime built back and forth across our mountains, as they have been among the Alps, so that their beauties will be accessible to all? We have no right to deprive those who shall follow us of one item of this magnificent pleasure ground. Imagine some Alpine valleys turned into "beautiful mountain lakes" to provide a water supply for—Rome, let us say.

Are there other adequate outing grounds without the Tuolumne watershed? Let one travel among our Sierras from Whitney to Shasta, and then go to the Tuolumne. He will probably say that saving Yosemite alone (which is a part of the Tuolumne region and one of its gateways, though in another drainage basin) there is no feature of the Sierra which could not more easily be spared. The surpassing beauty of the long Tuolumne meadows with its many bays, its ease of access and the accessibility from it of the noble mountains Dana, Lyell, Gibbs, McClure, and of innumerable other points of interest, make it unique. Even after sixty miles of staging, the Kern Canyon can be reached only by trail, with its animals. Even with the new road into the Kings Canyon it will be a long, hard journey there. But a good wagon grade already crosses the Tuolumne watershed—the old Tioga mining road—to the very eastern crest of the Sierra. When this road has been remade and continued down into Mono county it will help to spread all over this magnificent country the annual thousands who now are making Yosemite crowded. Tuolumne meadows is logically the first region of the high Sierras that will be opened up for general use, the most favored, the best of our outing grounds. One could in time become reconciled to a dam in Kern Canyon—I am speaking for myself—but not to any use of the Tuolumne watershed which would prevent its unrestricted enjoyment by all who can get there.

I know of the great Tuolumne Canyon only from hearsay and photographs. I am quite prepared to believe that it is second only to the Grand Canyon of the Colorado. But I have heard. But I have seen Hetch-Hetchy and am prepared to say that it is one of the most lovely spots that one can hope to see. If

Yosemite were not so near, Hetch-Hetchy would be famous. John Muir has described it, and perhaps it is the only man who can. This valley completes the perfection of the whole Tuolumne region. To lose any part of the whole would be a calamity but to lose the whole would be a national disaster.

One thing only can justify the use of the Tuolumne watershed for San Francisco's water supply—the absolute impossibility of securing a supply elsewhere. As other supplies are available it is the patriotic duty of the bay cities to make the "sacrifice" of their claims to these regions that belong to the whole nation and to undertake the admittedly somewhat more difficult task of getting their water elsewhere.

Yours very truly,

ALBERT H. ALLEN.

In all such discussions there comes a point where judgment must take the issue under advisement, the debate be closed and decision rendered satisfactory to the individual mind. Let us try to dispose of a few issues raised by our correspondent and ourselves finally so far as the further discussion of Hetch-Hetchy is concerned:

1. The issue is not between public and private use, but between public and public, between millions of persons who are to live in the bay cities for all time and millions of pleasure seekers with duration equally extended. In our judgment the domestic use transcends the other and the bay cities should not make the sacrifice.

2. Emphasis is placed upon the bay cities getting something for nothing from the government that would otherwise have to be paid for. The waters of all our rivers have been appropriated, the great power companies have obtained their reservoir sites, the public domain has been given—all practically for nothing, why should our cities—the homes of the people—be asked to pay, or why should the bay cities be looked at askance for seeking, free of cost, what has been freely given from the origin of our government until now? In our judgment the objection of "free gift" is without validity.

3. "Are there other adequate outing grounds without the Tuolumne watershed?" The most that is claimed for it is that it is second to the Yosemite and second to the Grand Canyon of the Colorado. It will not be denied, on the other hand, that Kings river or Kern, or the Mount Whitney region, are good seconds in interest to Tuolumne, or that the mountains of California, Coast and Sierra, from San Diego to Shasta, from Tehachapi to Klamath, can be made to supply outing grounds for the entire nation even if the Tuolumne watershed were to be sealed against the tourist. Then there are the Rocky mountains and the wonders of Alaska, destined to become more and more accessible and frequented. In view of this embarrassment of riches of wilderness, the idea that the nation would suffer a substantial deprivation in the loss of the Tuolumne is indeed "maddening." However, the issue is one for judgment to determine and ours is that it "never would be missed," seriously.

4. If the Tuolumne source of supply cannot be kept free from infection with reasonable use neither can any other and filtration will become inevitable in any event, except that of exclusive use of the Tuolumne watershed. This affords added argument for, and not against, the claim of the bay cities upon the bounty of the government, a bounty these cities will share in common with every private enterprise that has had need for any part of the public domain.

5. It is true to say that the "absolute impossibility" of securing a water supply elsewhere is the only justification for acquiring the Tuolumne source? We think the issue relative and not absolute. It is enough to know that it is the best and the cheapest, the most likely to be adequate, the only one the government has left that it can give—Editor

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IN a dark corner of the New Amsterdam roof garden, Lawrence Van Rensselaer sat with "Laola," the premiere danseuse of the "Parisian Follies" comic opera company. Up here it was cool after the close air of the theatre downstairs, and comparatively quiet. Down below were the miles of twinkling lights of the great city, and only the ruddy glow of the illuminated signs shone up from the hot streets. Down there the life of the city beat fast to its quick-step tune, and the din of its traffic deafened all minor sounds. Up here, the roar of it came only as an undertone, like the roar of the surf. Overhead was the cool black sky and the quiet stars.

The garden was on the roof, twelve stories above ground, and dimly lit with incandescent globes festooned amongst the potted trees that separated the little marble tables. Women in evening gowns and men in black and white chattered over their ices or sipped cool drinks in silence, trying to while away the hot night in some degree of comfort.

This had been an evening of triumph for Laola. The frothy musical comedy that she starred in was the one thing in town that stirred the languid interest of the wilted and summer-worn New York. Her singing and her dancing and her beauty had hit the fancy of the hour. To-night she had done her best. It was the last night of the play. To-morrow the company would disband, its members to scatter along the Great White Way in other troupes that would rehearse the new plays for the fall revival. Laola's future was secure. As she had run laughing from the stage at the end of her "great act" the applause that called her back a dozen times assured her that her star was fixed in the Broadway constellation.

The girls of the chorus had crowded round her as the curtain ran down and the orchestra played "Home, Sweet Home." One had touched her bare arm and cried, "It's New York that's home for you now, La." Laola laughed, with her eyes shining. "Wrong as ever, Mac. I'm going home for keeps, a home of my own, this time."

Her maid threw a kimono over her shoulders that hid her ballet skirt and the pink tights.

"Who is he?" the girls cried, crowding closer.

"Oh, I know," chattered one. "That Van Rensselaer man. Millionaire, swell. What a lucky one you are! Why didn't you tell us, Lo?"

Laola ran to her dressing room without answering, and reappeared a few minutes later in a travelling dress and hat. Her maid followed her, crying softly.

"Girls," said Laola. "It's goodbye, for keeps. I'm going home. I can't tell you about it now. I'll write. But don't forget me. Marie will give you each something I've left to be remembered by. Madge gets my lucky charm and the queen of the rosettes she always wears. I couldn't but tell you all before." She hurried to the stage entrance and turned back. "I've got to tell a friend goodbye before I go, or I wouldn't hurry so." She smiled radiantly and threw a kiss to the girls.

Sometimes she cried, and was gone. Outside Van Rensselaer was waiting for her. He lifted his hat, and the handsome face showed, youthful and clean cut, in the light that streamed through the door. She took his hand and smiled.

"Well, it's all over, and I'm free," she said. "At last!" he exclaimed. "Let's try the roof, what do you say? It's cool up there, and we can be to ourselves. It's my time to talk, remember."

The elevator lifted them to the top, and they found their table waiting for them at the farthest corner toward the west, where they could see out to the Hudson and the dim Palisades beyond. The waiter hovered near attentively.

"Champagne?" inquired Van Rensselaer. "Not to-night. I'd rather not. Just something cool. Any sort of ice."

The things came and the waiter disappeared. "Smoke," commanded Laola, and Van Rensselaer lit a cigarette.

"Yes, you're free now," he began, throwing the match away and inhaling a deep puff. "You've made a hit, girl, a hit. Broadway is

LAOLA'S FAREWELL APPEARANCE

By E. FRENCH STROTHER

at your feet. I suppose you could sign with Bernstein for a thousand a week, if you liked."

"He offered me more," corrected the girl. "Twelve hundred."

"That's big money, isn't it? But you are famous now, and worth it. And there is the fame of it, and the admiration, and the applause. They're harder to resist. I suppose you'll take it."

"No, I'm free, I said. I told Bernstein to-night."

"The dence you did! Who offered you more? I know he was mad. I can hear him rage."

"He swore," said the girl quietly. "What did he say?"

"Wanted to know if Behmer had offered me more."

"Had he?"

"Yes, but that has nothing to do with it. And then—no, I won't—"

"Go ahead."

"I told him so, and then he wanted to know if I was going to marry that fool of a young Van Rensselaer."

"That's all right—I don't care what he thought of me—but what did you say? That's what I want to know. That's what I brought you here to ask. You know that I want you, that I have loved you ever since I saw you at Mouquin's that night last year, that I will give you all that a man can give you—his honest heart."

"I've got more than some fellows—social position, money, and that sort of stuff. That don't count. It's man for man in this sort of thing, and I want you as a man wants the woman he loves. You promised to tell me to-night. Don't say no. Let's talk it over, let's be fair to one another, let's clear the nonsense that my people talk out of the matter first, and then tell me squarely—yes or no. Unless—unless you can say yes right now—dear"

He leaned eagerly across the table, his eyes glowing, his breath hot on her cheek. His cigarette lay on the cement floor where it had fallen, a red dot in the darkness. The girl sat motionless, her eyes meeting his for a moment and then averted, looking past him out toward the black Hudson and the dark Palisades beyond. In the silence the roar of the city rose throbbing to their ears, the glow from the lighted streets tinged their faces, and the unheeded music of the orchestra at the far end of the garden galloped gaily through a waltz. The girl shook her head and Van Rensselaer dropped back in his chair. Laola kept her eyes on the river as she spoke.

"I'm going home," she said. "Bernstein says I'm free, I said. Maybe he's right. Quieten save? Solo Dicos, as they say out there. I've got out of all us girls have prayed for, I've caught on Broadway. That's why we put up with the night hours and the bad hotels and the long train rides—it's all on the road to New York. It's a heart-breaking road, but I've got out of it easy: hundreds of them die without a ghost of a chance to win, and I won in a night, and I'm only twenty-two. I told you I was free. I don't think you understood me. I'm not looking for a better contract. I'm through with the stage—retired. I'm going home, I say."

Her voice sunk to hot intensity.

"This means home to you. It means home to all those girls who think New York is heaven. I don't. Look yonder," her hand

swept toward the Hudson, "look over the Palisades, a thousand miles, two thousand miles, twenty-five hundred—there, out on the desert, Nevada, where I came from—that's home. You'll laugh to think anybody could love it. Caliente, a Greaser town with ten saloons and one store, and two hundred miles to an ice factory—that's home. Greenwood and sagebrush, sand and heat—that's home."

"You have been kind to me. You have paid me a great compliment—you ask me to be your wife. You have money and social position, and I think you are sincere. I should have luxury and the life of the town. But it doesn't appeal to me. I have been stifled ever since I came here. You can't realize how I was raised. You had your dancing classes and your tutors as a boy, you went to college and came back to a city where the clubs and the theatres and the restaurants and formal calls are the game. I was raised in the brush. I could ride a bronco when I was six, and I could shoot with the men at ten. It was thirty miles to the postoffice and no road, when I was a boy, and I rode it twice a week, alone. I've ridden fifty miles to a dance."

"And I was free. Here you think I'm a trifle fast because I will dine with you without a chaperone. Chaperone! What does a girl on a ranch who can shoot and ride want with a chaperone? I took care of myself, wasn't I afraid? The men respected me there, too. I saw to it that they did. Ah, they are men."

"Forgive me, but I can't help drawing comparisons. Look at that." She took a letter from her bosom and handed it to him. It was soiled and crumpled. "The writing was labored and awkward. 'Smell it' she commanded. 'You think it stinks. That's tar-weed, perfume to me. It's the breath of the desert that rises in the sun when you're horseback and miles from home, with nothing but heaven above you and the desert around you. That letter came from Jim, my pal. We've hunted and ridden together a thousand times. He can shoot your cigarette out of your fingers at a hundred yards. I can throw a spear at the length of his rope—every time. He's poor, he's rough, he swears in a way that would make Bernstein's hair curl, but he swears like a man and not like a Haymarket tout."

"What do you know of my kind of life? Could you sell a cowboy how to live if you heard it? Could you cinch a saddle on Old Buck and ride him after you got it on? Can you find a trail in the dark, or find your way home in the desert by starlight? Jim couldn't order a drink here without making a break, and you could make a menu for Demonicos as good as a chef. But I don't want that sort of life. I want to get out where there's room on every side, where the horizon is a hundred miles away, where there's cattle and no fences, where a man's a man and stands on his own feet, where there's no society, no streets, no theatres, nothing but the great wide world with the sunlight and the chaparral and the tarweed and the sand, and it's miles to water and the shade."

"Then you say Jim needs me. His mother is dead, and he's baching it fifty miles from nowhere, and he's lonesome, and he needs a cook. That's a prosaic proposal, isn't it? Oh, but you don't know Jim. You know me, and you could make that mother of his, the gentlest man I ever saw. You haven't seen him fight a dozen roughs in Caliente for insulting a woman on the street. You haven't seen him boss an outfit, the bravest man of a dozen brave men."

"He's waiting for me at Caliente. I wired him at four o'clock to meet me with the pinto and the saddle he used to lend me. I'm going home."

Van Rensselaer helped her into a hansom down in the hot street, his face white but his manner gamely light.

"May I see you in the morning before you go?" he pleaded. "Let me see you fairly started anyway."

"I'll be going now," she answered. "You may come if you like."

He stepped in and thrust up the lid with his cane.

"Where to?" he asked.

(Concluded on next page.)

WITH EYES AND :: EARS OPEN ::

The 5:20 afternoon boat carries the largest crowd that crosses the bay, and the one of last week Thursday was more than ordinarily loaded with its human freight. Every seat was taken and hundreds of people were compelled to stand. These pushed to the front of the cabins and stood packed like sardines in a box.

To the rear of this mass of assorted human flesh came three persons who began to plow their way through the crowd. They pushed, shouldered and shoved, and the victims of their jolts first looked at them and then reluctantly did what they could to make way for them. So they jammed their way through, with neither an "excuse me" nor "your pardon," until they reached the very front seat in the cabin, where, with an infinitude of jabber and cackle, they ended a rush which might have made some football teams ashamed of themselves. They had attained their end.

Were those three people who rammed, jammed and slammed their way through that patient crowd, without as much as a "by your leave"—were they gentlemen or women, admitting that they were neither gentlemen nor ladies? Judging by your observation of human nature, which of the sexes was the more likely to have representatives possessed of the "gall" requisite to such a proceeding?

Walking in a portion of our city not unknown to notoriety, I was approached at various times by three men. God save the mark, for they were not men; they were disheveled, rag-fluttering wrecks of humanity, the flotsam of our race, filthy and forlorn, who, reeking of vilest whiff, beg the wayfarer for a stray dime or nickel.

I looked at these fellows, and then I said to myself: "God of us all, look down in infinite pity upon thy handiwork, for four, indeed, that mass of nothings for which some of us trade our birthright of manhood."

Such must be the instinctive prayer of all who have hearts to feel, for—think of it—there is not one of them so intemperably low in some broken and shattered form, there still exists in him the remnant of that from which he might have developed manhood. And he has bartered that splendid possibility for this! This bruised thing in which is only unhappiness, torment and the shadow of recognition of what "might have been." Oh, these Dead Sea apples of humanity! How fair was their exterior while they still were of those of whom One said, "Of such is the kingdom," and how bitter, how more than bitter, are these ashes that lie at the heart of them!

Sometimes it seems to me that if I were a good parson I need not go far to find texts, and texts, and more texts, for my homilies.

"I suppose," said the first fair commuter, "that you are intending to attend church on Easter Sunday?"

"No," the second fair commuter responded, with a sigh, "I shan't be able to get my new spring hat until after that."

Which shows, oh, men and brethren, under what cruel and buffeting circumstances the beautiful religious element in the natures of our gentle sisters sometimes has to pull along.

("Laola's Farewell Appearance"—Concluded.)

"Grand Central Station," she called up to the driver.

The station was nearly empty, as she bade him goodbye at the gates to the waiting train. "It's good of you to make my farewell less lonely," she said.

"Goodbye. And happy days," he answered. "And give my congratulations to Jim."

He stood at the gates, watching, until the green lamps at the rear of the train disappeared in the darkness of the tunnel, and then turned grimly into Forty-second street and strode up the Avenue to his bachelor quarters. By the time he reached them, Laola was lifting the curtain of her darkened stateroom to catch her last glimpse of the Hudson, and

clasping tightly in her hand the soiled and crumpled letter that sent out the sweet, rank smell of tarweed and called her to Jim and home.

Automobile Notes.

The inauguration of an automobile line to convey the Senators through the subterranean passage leading from the Capitol in Washington to the new Senate office building, is most interesting in view of all the publicity the automobile has received of late at the hands of United States Senators and Congressmen. The cars will run from any elevator in the basement to the Capitol or office building that may be designated by the passengers. Each machine accommodates ten persons. The cars, which are built long and low, with seats ranged along the side, are of a tan color, and the seats are handsomely upholstered in leather. Because of the narrowness of the subway no provision has been made to turn them around, the mechanism being so arranged that the chauffeur can quickly change his driver's seat and reverse on return trips.

Ranchers and vineyardists in San Joaquin valley are causing automobile dealers considerable worry by reason of the severe tests to which they are demanding that automobiles be put before accepting delivery of the cars. R. Drumm of the Studebaker Bros. company of California who recently returned from Fresno and the surrounding cities says that the ranchers are not only compelling all dealers to give the machine a thorough tryout on all kinds of hills and roads, sandy and otherwise, but demand emphatically that automobiles be able to negotiate plowed ground. Several Studebaker E. M. F. "30" cars, which have been sold to ranchers in and around Fresno, have all been put through this test according to Drumm and in most instances after the test was completed the field was covered with a net work of lines drawn by the hood enclosing the differentials on the rear axle. According to Drumm, the Studebaker E. M. F. "30" car is one of the few makes to which this test has been put that has as yet never failed to "make good."

("Private Forests"—Concluded.)

the use of other private property along the same lines.

Very little has yet been done in regard to restrictive legislation, the matter being confined so far to restrictions in regard to fires. In March, 1905, our state legislature prohibited during the dry season, that is to say between May 15th and the first soaking rains of autumn, the burning of brush, stumps, logs, or grass, and prohibited blasting or the use of fireworks on any forest land without written permission from a state fire warden.

In February, 1907, Oregon enacted a statute similar to ours.

In June, 1907, the legislature of Pennsylvania prohibited fires during certain seasons on lands containing oil or gas wells, and on such lands required the removal of all brush, etc., at least once a year to points at least one hundred feet from any such lands, or from the right of way of any railroad.

Above all other states, California needs restrictive legislation. It should be the pioneer in this movement.

I do not believe that we will meet with seri-

ous opposition from the owners of large tracts. These owners have long since appreciated the fact that the wanton destruction of trees is prejudicial to their private interests. The changes in the lumbering business are very like those which have taken place in mining. Both industries are now conducted with an eye to the future and not solely with the idea of realizing all possible profit within a short period. Consultation between the state forester, the federal forest service, and some of the principal owners of forest lands would undoubtedly result in an agreement on some form of restrictive legislation, which would greatly benefit the public and inure to the ultimate benefit of individual owners. When agreed upon it could be made the basis of similar legislation in other states through the governors' convention, of which I have spoken. A campaign of education should be at once inaugurated.

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PERSONALIA

The American agent of the Rothschild's is James Speyer, the New York capitalist.

President David Starr Jordan of Stanford University has publicly expressed his belief in the ballot for women.

Ferdinand Burdorff, the artist, whose pictures of Carmel and Monterey are greatly admired, is only a little over twenty years old.

United States Senator Henry Cabot Lodge, of Massachusetts, was recently elected moderator of the annual "town meeting" of his home town, Nahant, Mass.

The wife of the Prime Minister of Bulgaria is president of the Bulgarian Woman Suffrage Association, which has a membership of more than 5,000 persons, both men and women.

Mrs. Arthur M. Dodge, a society woman of New York, is chiefly responsible for the formation of most of the Day Nurseries that have proved such a boon to the poor mothers in the large cities.

The editor of the only Latin periodical on this continent is Arcadio Avelanus, who publishes the *Prætor Latinus*, or *Latin Herald*, to promote the speaking of Latin as an everyday language. He lives in Philadelphia.

The only "human being in the German Imperial palace who does not fear the Kaiser when he is angry" is his only daughter, the Princess Victoria Luise, a charming sixteen-year-old girl who bosses her royal father imperiously.

Lord Roberts has a superstitious faith in horseshoes. Acknowledging the receipt of one sent by a friend when things looked dark in South Africa, he wrote: "I shall keep it in company with one picked up the day I entered the Orange Free State and another I found at Paardeburg the day before General Cronje surrendered."

Judge R. S. Lovett, general counsel of the Union Pacific and Southern Pacific railroads has assumed, at Mr. Harriman's direction, almost the entire burden of the legal entanglements of the Harriman system, to which the Little Wizard formerly gave much attention. Judge Lovett is a native, and was until recently a resident, of Texas, and still has large business interests in that state.

Edward L. Baldwin, of San Francisco, was recently elected president of the Ohio Society of California. This society has given banquets to President McKinley, Vice-President Fairbanks, Governor Nash, and General Funston.

Prof. Simon Newcomb, one of the most celebrated astronomers in the world, is also a retired admiral of the United States navy. He is seventy-four years old, and is still actively engaged in scientific work, devoting most of his time to completing a book embodying his investigation of the moon.

Miss Jean Webster, whose new novel, "Much Ado About Peter," will be published this month, is the author of "Fool's Mystery," a novel which was published anonymously a year ago. Miss Webster is a grand-niece of Mark Twain and a granddaughter of Charles L. Webster, the publisher who wrote the check for \$200,444 for Mrs. J. S. Grant in payment for General Grant's memoirs. This is said to be the largest single check ever made out by a publisher in payment to an author. Miss Webster is a graduate of Vassar college and lives in New York, although she spends a great deal of her time in Italy.

New York, March 26, 1909.

Among the Californians registered at the eastern bureau of the California Promotion Committee during the past week were the following:

Leo E. Alexander, Michael S. Alexander, Geo. W. Hess, M. Fredricks, Hannah Clarke, M. Marks, J. J. Gottlieb, Alfonso T. Carast, Mrs. M. Martin, Creed H. Brown, Fred W. Willy, Vassallo, J. Fleming, Roy, Edward Flinn, Chas. T. Brown, E. A. Swartz, and Henry Glasson, all of San Francisco; T. R. Waters, Miss Harriet West, and Charles Carter of Los Angeles; A. L. Williams, A. Barron, and John C. Coburn of Oakland; Alfonso A. Tredella of Valparaiso; L. Levy and Chas. B. Dana of Santa Rosa; M. Nutting of Fresno.

SHEAR WIT

The Bride: I want a piece of meat without any bone, fat or gristle. The Butcher: Madam, I think you'd better have an egg—Harper's Weekly.

The mother: "What are you crying so for, Tommy?" The boy: "Why, we were playing college, and pop came in and hazed me!"—Yonkers Statesman.

Roosevelt starts out for Africa

To-day. It seems to me

A proper day for him to go—

March! 23!

—Houston Post.

"And how is that pretty young widow?" asked Mrs. Browne. "Is she reconciled to her loss yet?" "No," replied Mrs. Malaprop, "she ain't exactly reconciled yet, but they do say she has the man picked out!"—Catholic Standard and Times.

She: What do you want? He: A pennorth o' pudden. She: Plain or plum? He: Plain. She: Hot or cold? He: Hot. She: Have it ere, or take it wiv yer? He: Ere. She: Fork or fingers? He (wearily): O blow yer pudden! Gimme 'em!—The Bystander.

Jimmie (aged five): "I'm going to have a birthday party to-morrow, at six o'clock, 'cause I was born at six on the first of May. When were you born, Bobby?" Bobby (aged six): "I was born at eleven o'clock on—" Jimmie (interrupting): "O-oh, Bobbie! You know your mother wouldn't let you sit up that late!"—Lippincott's.

A retail dealer in a small way had sent for a consignment of soap "Gentlement," he writes, "Wherefore have you not sent me the soap? Is it because you think my money is not so good as nobody else's? Dam you, Cake & Son; wherefore have you not sent the soap? Please send soap at once and oblige, yours respectfully, Richard Jones. P. S.—Since writing the above my wife has found the soap under the counter."—Dundee Advertiser.

AT TWILIGHT.

When twilight creeps upon thy life and mine,
And on the margin of the sea we stand,
Will some forgotten light gleam on the sand.

Or some lost star in shadow faintly shine?
Shall we find friendly beacons, or a sign
To lead us safely to the unknown land
That lies in far-off beauty, when my hand
Slips softly for the last time into thine?

When twilight falls, and hidden in our dust,
No rose of youth our dimming eyes discern,
When darkness comes upon us from above,

Shall we still have unstained our lifelong trust?

Dear God! Thy utmost lessons we will learn,
And not complain, if we may keep our love!

—Myrtle Reed in The Smart Set.

AFTER THE COWS.

By John Vance Cheney.

"High time, high time the cows were home;
Will lingerin' Jinny never come?"
The father stroked his grizzled head;
The mother, slowly sewing, said:
"Put one and one together;
The bars slip hard in rainy weather."

"Now, mother, do you mean to say
We've had a snitch o' rain to-day?"
A little quicker passed the thread,
As quietly good mother said:
"Put one and one together;
The cows climb high in sunny weather."

"In rain or shine, will Brindle climb
Too high to come at milkin' time?"
Good mother smoothed her sewing down;
"When this was my new Sunday gown,
Put lad and lass together,
'Twas love, not cows, in any weather."

MY FAITH.

By John Vance Cheney.

I trust in what the love-mad mavis sings,
In what the whiteweed says wherso it blows.

And the red sorrel and the redder rose;
I trust the power that puts the bee on wings,
And in the socket sets the rock, and rings

The hill with mist, and gilds the brook, and drows
The dusk; is on the wind which comes and goes.

The voice in thunders and leaf-murmurings;
I trust the might that makes the lichen strong,
That leads the rabbit from her burrow forth,
That in the shadow hides, in sunlight shines;
I trust what gives the one lone cricket song,
What points the clamorous wild-geese har-

row north,
And shifts the white calm on the winter pines.

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No person shall be held for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval operations, or in the militia, when in actual service in time of war or public danger.

The foregoing constitutes the first half of the fifth amendment to the Constitution of the United States, ratified December 15, 1791, and will suffice for this lesson. The reader should bear in mind that this relates to the relations of the citizen to the United States, not to the state government. Some states make little or no use of grand juries, but trust the administration of criminal justice to the initiative of individual citizens in making complaints before magistrates, or to district attorneys or to magistrates themselves. The United States acts only through grand juries.

A grand jury is a body of citizens, not less than nineteen, selected by the court from among the citizenry of the district to make inquiry into all reports of infractions of the law with the purpose of ascertaining, first, if any crime has been committed and, second, if there be evidence enough against any person suspected of having committed a crime to warrant putting such person on trial.

During the centuries of autocratic government the wrongs inflicted upon defenseless persons by irresponsible and, it may be, fanatical power, were so cruel, so heartless and so unjust, that the people, when they got a chance to participate in making a government, insisted that such power should be circumscribed and innocence safeguarded. What the obtaining of those few lines have cost the human race in its upward struggle is beyond estimation either in dollars, in heart's blood or in anguish of soul. A question now in the public mind is as to whether the pendulum was not swung so far toward preventing wrongful punishment as also, in many cases, to prevent rightful punishment, but of that hereafter. The above quotation from the Constitution makes one of the bulwarks of the people's liberties and one which the makers of the Constitution did not see fit to include in their handiwork. The people insisted upon it or it would not have been included in that instrument.

Grand juries hold their sessions behind closed doors. Their proceedings are conducted informally. The court selects one member to be foreman, really the presiding officer. The people's attorney usually lays before this body whatever evidence he possesses relating to the commission of crime. Witnesses are summoned and examined. The accused himself is not summoned, but if he wishes to come before the jury and be heard in his own defense he may do so. He does that confront the witnesses against him, if, after making full inquiry, it appears to the jury that a crime has been committed and that there is a reasonable certainty as to who committed it, a "true bill" or indictment is found. The court, upon receiving the report, orders a warrant issued and the accused is placed under arrest. Then, for the first time, the public knows, or should know, what action has been taken.

All the harm this proceeding has done to an accused person lies in the accusation. It does not remove the presumption of innocence that protects him, but he must now answer before a trial jury, in open court, where he may confront his accusers and have the benefit of an attorney to aid him in his defense. To put the case specifically, nineteen of his fellow citizens must first join in accusing him of crime or he cannot be held for trial and then twelve more of his fellow citizens must agree that he is guilty or he cannot be punished. As lately stated by a writer on this subject, there is now many times less danger, under our laws, of a person being convicted of crime than he did not commit than of his being knocked down and run over by an automobile. The surpassing problem before society now is as to how persons may be convicted of crimes that they do commit.

In time of war, or insurrection, or other great danger, the need for a summary punish-

ment is so great that these more orderly proceedings cannot be put up with. Such a proceeding as we are now having in the Calhoun case, where it literally requires months to secure a jury, would be intolerable in the face of a hostile army or when a navy was upon the point of going into battle, or at such a time as followed the great fire in San Francisco. At such a time a court martial takes the place of a court civil or "Judge Lynch" dispenses justice with more promptness than particularity.

Speaks For Messina.

Messina! Oh, da blacka day,
W'en firs' da news of eet ees com'
Dere was so leetla we could say,
For all da worl' was strucka dumb.
You looka me, I looka you,
An' dough we try da best we can
We have not any words weell do,
Een Englaish or Eetalian.
For tal how deep een heart an' mind
We feel da grief for Eetaly,
So are we dumb at firs' an' find
No voice at all. But, looka, see!
Here now ees som'theeng dat can speak
All theengs dat een our souls we feel—
Ees notheeng shout so loud, so queeck,
Like 'Mericana Dollar Beell!

O! 'Mericana men, you mak'
So many of dem speak for you,
I love you for Italia's sak'
An' for your ownd goodness, too.
So moocha kindaness to-day
Your bigga, warma heart ees hold.
You know da righta theeng to say,
An' shout eet weeth a voice of gold.
An' oh, eef anny voice can reach
Dose sadu souls een Eetaly,
Eet weell be yours dat cheer an' teach
Da greatness of your charity.
But, oh, good 'Mericana men,
So moocha help ees needa steell,
Com'! mak' eet speak agen, agen—
Da 'Mericana Dollar Beell.
—T. A. Daly, Catholic Standard and Times.

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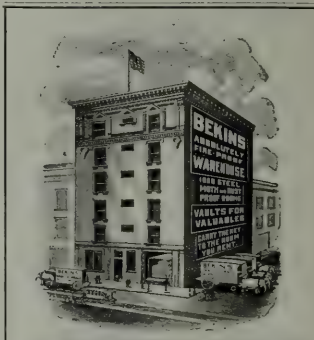


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A New Economic Wrinkle.

The up-state public service commission of New York has denied a charter for another line of railroad from Buffalo to Rochester, and on to the northeast, on the ground that the enterprise was not properly financed and that there is not enough business to be had to sustain it if built. It is something new to have that kind of a wildcat headed off with a club. The policy has been to let all who wished to build railroads build them at their own, or their backers', risk. Economically considered he who parallels a line of railroad able to carry all the passengers and freight with another road is guilty of extravagant waste, and yet had there existed a government commission with power to deny a franchise to construct a second transcontinental railroad it is conceivable that the franchise would have been denied, on the ground that one railroad across the continent was enough. The power of the up-state commission is fraught with as much danger as benevolence.

Hot Chestnuts.

No doubt Attorney-General U. S. Webb likes chestnuts. No doubt he would enjoy sitting down with Mr. Calhoun and his friends for a frolicsome feast of the old-time delicacies, but not if General Webb is to be expected to rake them from the glowing embers. He has the voice of Jacob, but not the furry fingers of Esau, and it was long ago that he learned that burnt fingers do not feel good. Therefore his declination of the invitation, oft repeated and pressing, to step into Carpenter's Hall and take over from Mr. Heney the cases of the People of California against the higher-ups will be again forthcoming with renewed thanks for the honor. Were General Webb to do otherwise he would find himself in something hotter than ashes and engrossed with something more important than chestnuts.

Promote An Apprentice.

In casting about for someone to succeed to Mr. Langdon's office as District Attorney for the City and County of San Francisco why go farther than Mr. Langdon's own office? Mr. Langdon has made good. Why not promote to his office one of the very bright men who have helped him to make good? What of Mr. O'Gara, Mr. William Hoff Cook, Mr. Hanley? Why seek for an untrained man when there are men so splendidly equipped for the office ready at hand? They can surely so adjust the matter as to be in each other's way. There are other rivers of graft to cross and let there be as little of swapping horses as possible until all are over.

Public Office In Private Control.

It has recently been borne in upon Mr. Patrick Calhoun that it is a bad thing to have public office privately controlled. Mr. Calhoun is in error in supposing that all of his troubles are attributable to that cause. He has had something to do with them himself. But the state of California is well convinced of the inadvisability of having public government either privately or corporately controlled. It is exactly against that thing that the Lincoln-Roosevelt Republican League has been doing

THIS NUMBER CONTAINS

"The Arch Roycroft"

BY

Elmer Ellsworth Carey

battle. Possibly Mr. Calhoun might feel disposed to aid it in its work, seeing that he regards himself as a fellow sufferer. But Mr. Calhoun should be careful to discriminate between private or corporate control of public office and private or associated assistance to a public officer in the discharge of duties fraught with large consequences to the public welfare. The one is prolific of injustice, the other indispensable to the establishment of justice in hard cases, such, for instance, as in the conviction of open and notorious grafters in San Francisco. It was Mr. James Rea who once inadvertently upon the political boss who made a slate and left him off it. Upon further consideration perhaps Mr. Calhoun would be willing to so far modify his aspirations against public office being in private control as to add the proviso, "Unless I or my friend Herrin control it."

The Fate of Tillman.

Senator Ben Tillman has expressed the belief that President Taft is about to inaugurate an era of good feeling. If so what will become of Ben Tillman? Of what use will that evil eye of his be if it can detect nothing about which to make a rumpus? Has he realized that the ushering in of an era of good feeling would usher out the Honorable Benjamin Ryan Tillman?

The Consumers Heard From.

It no doubt strikes Congress as curious, not to say unseemly, that the women of America should set up so much opposition to an increase of tariff tax upon gloves and hosiery. Heretofore the consumers have been little heard from, unless they were also manufacturers and were solicitous for cheaper raw materials. There have been but two parties to deal with: Those who wanted so much protection as to afford little revenue and those who wanted so much revenue as to afford little protection to American industries. The appearance of the consumer in the arena, even in petticoats, has proven disconcerting. Perhaps if women consumers gain a victory men consumers may be encouraged to make their grievances heard. The cost of living is a

pressing problem in nearly every American home and sooner or later those homes are certain to be heard from.

Why Oakland Feels Good.

There is an unusually contented feeling in Oakland just now. The public mind has settled down to the conviction that more is to be hoped for from the city government lately installed than from any other city government in many a year. The preparation of parks and playgrounds is expected to go forward, the public mind is ready to assail the slot machines and other civic sore spots, and public moneys promise to be honestly expended. The death of City Attorney McElroy was a severe blow, for the people had great confidence in him, but John W. Stetson, in whom the people also have great confidence, has been selected to take his place, so the public mind is easy on that score. Oakland appears to have struck an era of good feeling.

Good Results At San Diego.

The Lincoln Roosevelt League forces won a sweeping victory at San Diego on Tuesday and will be in full possession of the city government under the new charter which inaugurates the Des Moines plan of civil government. Now that Mr. Herrin's man Hardy has once been beaten in the southern city it is likely that many whose habit it is to stay close to the fence, and in a condition to vault it if need be, that they may alight on the winning side (there are always a considerable number in any community) will feel like coming out into the open and standing with braver men for freer government. The devoted few who have stood for good politics during all these years will find the result very full of comfort. There are, all over California, many symptoms of revolt against government by a meddlesome corporation and in favor of government by a free people. California is to be congratulated on the victory achieved by San Diego. It starts the ball rolling.

A National League of Justice.

If Prof. George H. Boker can find time and opportunity to organize a National League of Justice he may easily become a national benefactor. The diseases which impair the vitality, benumb the conscience and paralyze the arm of the judiciary of California are not prevalent in California alone. Similar conditions and tendencies have produced similar results in many states if not in all of them. They are mainly over-refinement in disquisition; the sacrifice of the spirit to the letter of the law; over-estimates of the value of procedure and under-valuation of essential justice in the case at bar, without reference to hypothetical issues which may possibly be raised elsewhere at another time; the indirect selection of judges by the chief litigants in their courts, and the crushing of the jury system under an effort to attain impartiality so strained as to make the whole proceeding as ridiculous as it is ineffective. Neither bench nor bar will eradicate these distempers without overwhelming pressure from outside, and a National League of Justice should be able to apply that pressure.

NONE BUT THE GUILTY CONDEMN.

When the so-called graft prosecution began its operations, now nearly three years ago, there were none but the guilty who did not give it approval. Argonaut.

True enough, and the same is just as true now as it was then—none but the guilty with hold their approval. If not accessory before the fact, persistent critics of the prosecution are accessory after the fact. That the aid and comfort they have given the public enemy have been productive of harm the examination of talesmen upon their records abundantly proves. They have so confused issues as to obscure the public vision regarding good and evil.

The Argonaut goes into convulsions because of certain proceedings of search instituted nearly a fortnight ago. Those proceedings were extraordinary. The conditions which gave rise to them were extraordinary and they were met in the only way they could be met successfully, inasmuch as the prosecution caught 'em with the goods on 'em.

It is undeniably distasteful to a gentleman to have the ruthless hands of the law fingering over his private papers but, if they did not find the stolen documents in the hands of Mr. Calhoun himself they were found in the possession of his attorneys and "Qui facit per alium facit per se." The thief or his "fence" can appropriately find no fault with the method of his capture if caught with the goods on him.

The friends of the prosecution are under no obligation to claim that no mistakes have been made, no errors of judgment committed, no excesses of zeal displayed, but they are under obligations to minimize any lapses that may have occurred and to stand by the integrity of intent.

The establishment of justice in San Francisco has gone up against as hard a proposition as justice ever encountered here or elsewhere. All that wealth, all that social prestige, all that craft and cunning, money and brains, subsidy and bribery, sympathy and hate, financial gain and loss, could do has been done to thwart justice of its due, and because justice had dared to assail the seats of the mighty. There remains betwixt hades and heaven not one spring of emotion that has not been touched on behalf of the accused. There has not been one form of crime betwixt petty larceny and attempted wholesale human slaughter that has not been committed in aid of the defense, there are public journals and public men who never tire of assailing the prosecution, that find little occasion for offense at tactics employed by the defense.

In the integrity, the unselfishness, the unsurpassed courage, the steadfastness of purpose, the zeal for justice and not for vengeance, of the prosecution and its friends The California Weekly has the fullest confidence and we repeat that, whether the persistent critics of the prosecution know it or do not know it, the fact remains as true now as it was true three years ago, that none but the guilty withhold from prosecution their hearty and sustaining approval.

THE FOOL AND HIS NICKEL.

To undertake to tie the fool and his money together so that they cannot be pried apart is false economy and bad morals. The nickel-in-the-slot machine was invented for the express purpose of facilitating the process of separation of the fool from his money and the success attained leaves nothing to be desired. Watch in hand a listener to the click-click lately counted one hundred such separations in one minute. This was at the rate of \$300 per hour, \$3,000 per ten-hour day, not allowing for possible winnings, which may well be left out of the computation because they will ultimately find their way back into the engulfing slot. If only full orbed fools were involved in the issue ordinance and laws prohibiting slot machines would be in contravention of sound public policy and an invasion of the

THE STAFF

A. J. PILLBURY.....Editor and Manager
CHESTER H. ROWELL.....Associate
A. J. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
O. BLACK.....Business Manager

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rights of ingenuity and enterprise. No matter who got their money it could not be in worse hands than theirs.

But to strive to prevent rational beings becoming fools is different. That is the justification of anti-slot machine laws and ordinances. Just how efficacious these machines are in depriving men of their reasoning faculties, their wills of the power of resistance, only those who have given consideration to the psychological factors involved are able to state. We memorize by repetition. By saying a thing over and over we make it our own while life lasts. By running the fingers over the piano or writing machine they learn to go of themselves to the right places. We form all our habits of life the same way. We excite our sympathies, arouse our capacities, acquire our manias and mental maladies by repetition. Petty larcenists are rarely cured of their itching fingers, for the reason that they have indulged the impulse so many times that the itch becomes irresistible.

The something-for-nothing concept is latent in the human brain. One can rarely make so many transactions in real estate, take so many flyers in stocks, as to arouse this latent concept into a ruling passion, an uncontrollable mania, but one may feed nickels into a slot with so much rapidity as to stimulate the something-for-nothing impulse one hundred times in a minute. Every organ of the body, every power of the mind, is developed by use and, at a relatively small cost, a slot machine may make a sane, honest man into an inveterate gambler, a something-for-nothing fiend akin to his brother of the "dope." There are hundreds of persons who pour all that they can into a borrow and steal into those slots, and into the same aperture goes all their manhood, strength of will, power of mind. It is in the preventing of the making of fools, not in preventing the separation of fools from their money, that anti-slot machine laws and ordinances find their abundant justification. No person with that mania upon him is safe with his own money or that of anyone else.

Therefore suffer the supervisors of the City and County of San Francisco to be sustained in their efforts to abolish this evil. As San Francisco goes so will go the state. Already California is moving in the same direction and for the reason that San Francisco is leading the way.

WHO CAN POINT THE BETTER WAY?

In another column will be found a thoughtful article on "The Christian Law of Temperance." It is right that men should think clearly about an issue that half a continent is up in arms over, and the article in question will help.

Nevertheless, those who place themselves in opposition both to the saloon and to prohibition are under obligation to point to a better way of dealing with a condition that does not

yield to theory. The consensus of American opinion is that the saloon is an intolerable institution. There are about three courses of action open for the public to take: Enmend the saloon in the future as in the past, abolish it by prohibiting the sale of the commodities in which it deals, supply a substitute for it.

The issue between saloon and no saloon, between "wet" and "dry," is simple, comprehensible, conclusive. There is no voter so stupid that he cannot determine under which banner he will enlist. Issues are seldom drawn with nicety of discrimination. It is the blunt fact that claims the championship of men, and unless those who are opposed to the saloon, and are opposed also to prohibition, come forward with a simple, workable better thing than either they are not going to command a hearing and will have to choose between saloon and prohibition or stand inconsequentially aside and look on.

The California Weekly recognizes that, whatever is done about it, the liquor evil will remain an evil. When Society exchanges the old sow of a saloon for a whole litter of post-humous blind pigs the gain has not been great. The simile is confessedly inelegant but exactly states the case.

What liquor is sold should be sold under the sanction and surveillance of the law. That much is clear, but how? Some states and cities undertook to answer the question with the dispensary. They have given it up. The Gutenberg system has made little progress. The struggle should be to make an inevitable evil as little of an evil as possible—to reduce the evil to the lowest terms. The saloon sustains the evil at its worst. The "blind pigs" and "bootleggers" under prohibition are only slightly more tolerable. It is up to those who would like something better than either, something that would not invade personal liberty, and yet would prove reasonably effective in preventing the harm that constantly comes of this traffic, to say what that thing should be.

This paper will welcome discussion of the better way for dealing with this subject. It has little space to expend in arguing the pros and cons of prohibition. They are known. If there be a better way it should be possible to find it. Constructive statesmanship should be equal to the emergency. This invitation to be heard must not be understood as opening the door to Utopian theories or stark fanaticisms. In order to be entertained suggestions must possess the grace of common sense, must advance a workable plan, a plan that can be made to appeal to men of average intelligence and it must not leave human nature out of consideration. The subject is before the house. What is your pleasure, gentlemen?

The next person who donates a building for the University of California should make his contribution for the erection of a capacious auditorium. An out-door meeting place has been abundantly provided, but not an indoor. The acoustic properties of Harmon Gymnasium are abominable. Hearst Hall is not large enough and those who sit in the rear of that room are seldom able either to see or hear. Something planned after room 101 in California Hall, only eight or ten times bigger, would meet a want that will be felt until something of the kind is provided.

If Mr. W. J. Burns really did stock his desk with documents filled with important misinformation that they might be stolen therefrom by his traitorous secretary, and sold to the attorneys for the defense, the duplicity of the proceeding will throw the esteemed Argonaut into another spasm of virtuous anguish. It was undoubtedly bad form for a gentleman to do such a thing to another gentleman. If, however, it were done by a gentleman to a member of the common herd it would be a rare joke. A change of personnel does make such a difference!

Significant News of the : : : Week : : :

The Sixth Transcontinental.

On Friday last the last spike was driven for connecting the eastern and western ends of the Chicago, Milwaukee & St. Paul railroad across the continent. This is the sixth within the territory of the United States, five of which have been built since May 10, 1869, when the Union and Central Pacific railroads met at Promontory, and this one has been constructed in the face of the fact that the Panama canal will be in operation in a few years. A seventh, the Western Pacific, is tunneling the mountains and putting down rails as rapidly as possible and, on the line of the old Central Pacific, there is in preparation one of the most tremendous engineering undertakings of our time in order that grades may be lowered and snows avoided. Let no one depreciate the splendid services these master builders are conferring upon their country and their time. Only gently remind them, as occasion requires, that railroading, and not governing, is their proper sphere of activity and enterprise.

Is the World Short of Wheat?

The wheat pit at Chicago says that it is, and the price for May delivery went to \$1.25 per bushel. And yet the crop prospects of the season so far have not been bad. There has been little complaint of a hard winter killing out winter wheat. There are grounds for believing that the almost unprecedented rise in price is artificial. We are allowing gamblers to sport with the bread of millions. With 7,000,000 wage earners, and 30,000,000 hungry mouths in our own country dependent upon wheat, the price of bread is a serious matter. What is getting so high that our American millers can afford to grind it only upon a hand-to-mouth policy, while, across the water, where such gambling is either regulated or prohibited, the millers are grinding as though nothing had been happening in the wheat pit at Chicago. There is an intolerable wrong here that needs to be righted. It is not expedient that the bread of the people be made dependent upon chance that millions, instead of nickels, may be led into slot machines.

The Baldwin Will Probated.

The probating of the will of E. J. Baldwin, and the alleged pacification of all the discordant heirs, is not important because of the size of the estate, but because the adjustment of differences, and the settling of the estate by due process of law, without undue notoriety, will avert an avalanche of sensation that could not have escaped the infliction of great harm upon the public mind. It is bad enough that so wretched a personality as that of the testator should have left so large an estate without having the line of that life laid open to public inspection, which would almost certainly have been the result had the contest gone into court. It will suffice for all purposes that the record of that life be laid bare elsewhere.

The Standard Oil Dissolution Case.

A very important legal controversy has been taking place the current week in St. Louis. The Department of Justice, of the United States government, has been seeking, in the Circuit Court of the United States, to pry apart the parent Standard Oil company from many of its subsidiary corporations by dissolving the trust formed in 1882, through which the Standard Oil has been able, not alone to monopolize the oil industry, but almost to monopolize the chief industries of the continent. We are all but governed by

Standard Oil. What results will flow from this litigation cannot be foretold, but they are likely to be of great importance however they may result. It would be enlightening to fore-know through what influence the circuit judge, before whom the case is being tried, received his appointment and what was the type of mind that governed his selection.

Roosevelt in Italy.

Remembering that Theodore Roosevelt is now only the first citizen of the Great Republic, and that his trip abroad is devoid of all political significance, it is gratifying to his friends to know how cordial and enthusiastic was his reception as soon as his feet rested upon European soil. Not only did the King and Queen of Italy receive him with open arms, and the Italian nation as well, but there were kindly messages from many countries and an especially cordial one from the Emperor of Germany. The word that Mr. Roosevelt sent back from Messina, as to the work that the American relief and Red Cross organizations have accomplished, is also cheering.

The Balkans and the Bread Problem.

The adjustment of the difficulty between Austria-Hungary and Servia, effected early last week on the basis of Servia giving up its day-dream of a pan-Slavic empire and being good or being obliterated from the map, effected through the graces of British diplomacy, will have an important effect on the price of bread in Europe and of wheat in America. The district likely to be affected by war or peace is preeminently agricultural and produces half the export oats of Europe, 45 per cent. of the wheat and 75 per cent. of the corn crop. Winter is just breaking up in that district now and the return of the soldier to the farm will mean much to the hungry millions of western and central Europe who draw no little of their supply from the Balkan district. And so peace hath its victories!

In the World of Steel.

The significance of movements in the steel industry will not be lost upon those who are scanning the horizon for signs and portents of a renewed prosperity. The United States Steel Corporation is producing at the rate of 58 to 62 per cent. of its maximum capacity and the number and volume of its orders are increasing, but prices are so much lower than formerly prevailed that its gains are diminishing and it is expected that the first quarter of this year, whose account is now being made up, will show the lowest profit scale in a number of years. One thing that holds back business is an insistence on the part of railroads that the price of rails shall be lowered from \$28 to \$25 per ton. This demand is resisted on the ground that, since the broken-rail series of accidents of three or four years ago forced upon manufacturers the need for making a better rail, the cost of manufacture has been much increased by that necessity. As soon as this issue shall have been adjusted there will be renewed activity in the steel industry throughout the country, for the railroads are waiting to begin repairs with the opening of spring.

Castro Can't Go Home.

Is Cipriano Castro a man without a country? Venezuela has refused him permission to land upon her shores and France is disinclined to permit him to take up his abode in her Caribbean possessions. The influence of the United States is being exerted, so it is supposed, to prevent his return to the land he has misruled so long. But he is a resourceful man and has no mean following in Venezuela and it is not improbable that he will again be a factor in affairs, both national and international.

The Deeper Significance : : : : of Living : : : :

Ambassador James Bryce lately concluded, at Berkeley, a series of admirable addresses upon Ethics and Religion, ethics having to do with the relations of human beings to each other, and religion, with the relation of the human soul to the infinite author of the universe. Hearst Hall was crowded upon each occasion, the attention given was of the finest and the appreciation of the best. The discourses may be classed as profitable rather than great, and as having a historical perspective at once fair and, humanly speaking, accurate.

But the purpose of this article is not to give a review of the course of lectures delivered by Ambassador Bryce. It is rather to set down some of the writer's own lucubrations, set in motion as a result of listening to that course, as the subject unfolded under the good gray statesman's admirable treatment.

The one preeminent thought that ran through the writer's mind, induced by rather than deduced from what the lecturer said, was the certainty that humanity can never fall below a certain standard of morality without wiping itself off the plane of human existence. The God who made us so surrounded us with conditions beyond our power to change that we must be moral up to a certain standard of righteousness or destroy ourselves and the race to which we belong. This is reassuring, and yet the wish can hardly be restrained that the standard of inevitable righteousness had been raised a few notches.

Ethics is a product of mental philosophy. It has been reasoned out and reason is as certainly God-given as revelation, if not as certainly to be depended upon. Before the birth of Christ, even before the advent of the few people, there were clear headed persons who reasoned out standards of moral conduct that have rarely been excelled and they, by their precepts, held the race together above the standard of self destruction. These standards were for the few, but then it was only the few who survived. The doctrine of the destruction of the incorrigibly wicked is as certainly founded in nature as in revelation.

Then there was given to man his religious faculty, his consciousness of relationship to the Most High, to inspire him to better things and to implant within his breast that still, small voice whose counsels may always be heard when not drowned in the general din of the world. Ethics and religion have not always kept company. There have been religious nihilists who were deplorably unmoral as there have been moral millions who were deplorably unreligious.

The dangers of religion are fanaticism, formalism, the following of the letter to the neglect of the spirit, over-organization, dogmatism, excess of pious zeal and deficiency in the humanitarianism of philosophers. The ethics are that they afford the multitude little inspiration. Men walk with their eyes upon the ground, not looking up for help, government is by law rather than by love, righteousness is by force rather than by free choice.

Many almost despair of the world and of the race. We need not. The destiny of the race is in wiser, more far-seeing custody than ours. It was provided for from the foundation of the universe. There were billions of lives ordered, in which the human family cannot descend without extinction and millions suffer that extinction every year. Then there was given us the sound ethics of a clear visioned mental philosophy which we may take hold of and so steady our steps as to make our lives orderly, clean and heartily endurable. Finally, we have that religion to which flesh and blood never attained and by which we may lift ourselves into communion with the infinite First Cause, our devoted brows fanned with the breezes of the skies. Let us be of good cheer. The well-being of the race was abundantly provided for before we came.

THE WORLD AT LARGE

The Situation at Messina.

The world was horrified by the destruction wrought by the great Italian earthquake of last December. It talked of little else, and its newspapers "feetured" it, it was something more than a seven-days' shocking wonder. Then other events demanded attention, and gradually it came to pass that little was heard of Messina and other Italian and Sicilian towns and villages. It should be of interest, then, briefly to review the situation as it exists there to-day. It was said in the days immediately succeeding the catastrophe that Messina probably never would be rebuilt. The indications now are that it will be, for three reasons: First, here is the only natural harbor in that part of Italy; second, the channel has been sounded and demonstrated to be uninjured, and, third, many families which have owned land there for generations are unwilling to give up and admit that it is valueless. These considerations apparently have sufficed to neutralize the first shock of horror, and about 3,000 houses now are in process of construction, although approximately 200 bodies yet are being exhumed daily and it is estimated that from 40,000 to 60,000 still are in the ruins. The greater part of about \$3,750,000 contributed to the earthquake-sufferers has been expended, and it is estimated that the work of exhumation alone will require another year before it is completed.

Castro Returning to Venezuela.

Castro, the irrepressible former President of Venezuela, is on his way back to that land of revolutions, although, as he has been notified by the agent of the French steamship which conveys him that he cannot disembark at a Venezuelan port, it is understood that he will stop first in the West Indies and later in Panama. What he intends to do if ever he reaches Venezuela may best be told in his own words spoken at the time of his departure from Paris. He said, "Like Francis I, all I lost save honor. I am going back to Venezuela. My country needs me, and my mission is there," and later in the same address, he said, "I believe that God and destiny call me back to Venezuela. I intend to accomplish my mission there, even though it involves revolution." It has been currently believed that Castro saved considerable coin, as well as some very doubtful honor, but he denies it, and it does not much matter. The main point is that "forewarned is forearmed," and if Venezuela permits this firebrand to cross her boundaries she will deserve whatever may come, whether it be revolution, to which she is wonted, or the intervention of outside nations.

The French and Their Women.

It so long has been taken for granted that the French are the most chivalrous of all nations in their treatment of femininity that cold figures demonstrating that they compel more of their women to be income producers than any other nation on the face of the earth serve to chill. Nevertheless, this is what statistics show. In France practically one-third of all women work for their living. It should be explained here that this refers to work outside of their homes, for most women earn their living by hard work, but as it principally is done in the home, it never has been largely considered in the estimates of men. In Germany about 25 per cent of the women work outside of their homes, and in the United States but 18.8 per cent, and their work here generally is much easier than it is in the old world. How magnificent the chivalric Frenchmen are in paying their women workers may be estimated from the fact that while they comprise one-third of all the toilers, they receive but one-ninth of the total pay to men and women. One average masculine worker receives as much as three average feminine workers. Some individual instances are astonishing. For instance, in Roanne, with a population of 34,901, 97 of every 100 wives aid in supporting the family. After all, it may

be that true courtesy consists in something more than the tipping of a hat.

Opposes the Salvation Army.

General William Booth, commander-in-chief of the Salvation Army, recently has been negotiating with the Russian government for permission to establish a branch of the Army in Russia. To all who are acquainted with the wonderfully helpful work done by the Salvationists this must seem particularly good news for the unfortunate Russians, and yet the move is bitterly opposed, and by whom, do you suppose? By the Holy Synod of the Greek Church, the prevailing religious organization of Russia. It seems unbelievable, but the fact is as stated. If there is an organization on earth today that is doing precisely the work Christ did in caring for the needy and the afflicted it is the Salvation Army, and yet a body organized "in His name" stands as its antagonist! Verily, the Father of All Evil must be well pleased with the work an occasional church does.

Dreadnaughts and Paupers.

The question that most agitates Englishmen at the present time relates to the rapidity with which battleships of the Dreadnaught type can be constructed. Yet there is a question, which Englishmen must solve, that exceeds this in importance as the welfare of humanity surpasses in merit implements intended for its destruction. The national wealth of Britain has increased by leaps and bounds in recent years, but between 1896 and 1906 the number of adult male paupers there increased no less than 18 per cent, and this was but a continuation of the record of twenty preceding years. Pauperism is in evidence there as it has not been since each baron had his horde of half-starved serfs. Some attention might wisely be switched from Dreadnaughts to men. Otherwise the warships may not amount to much, for a pauper is a poor man behind a gun.

An Irreparable Loss.

The building in which the Mexican Chamber of Deputies had assembled since 1872 was destroyed by fire recently. This in itself would not have been a serious loss, for the building, originally a theatre and built in 1856, was of no great value, but the loss of its contents is irreparable and will be deeply felt by intelligent Mexicans. Among them were the original Constitution of 1821, the act of independence of 1821, and the constitutions of 1824 and 1857, as well as the signatures of many of the heroes of Mexican history. In fact, the building was a sort of Independence Hall in Mexico, and feeling down there concerning the destruction of the building and its contents is much like that which would be felt here were the old building in Philadelphia and its priceless mementoes of the nation's early days and struggles to be destroyed.

Japanese Boycotting American Goods?

A weekly newspaper published in Yokohama says that Japanese are boycotting American goods and seizing them under pretense of enforcing a pure food law. This would be important news if it were true, and as such it is worthy of momentary consideration, but it is probable that there is no truth in it, for if there were it would not have been confined to a single Japanese weekly. Let Uncle Samuel's eagle have his toes stepped on in such manner, and his screech of wrath would have been heard from the rising to the setting sun.

Eighty Years Young.

To-morrow William Booth, founder of the Salvation Army, will be eighty years old, as we express it, but young in spirit and hopefulness. The message of good will he sent to America is one that might well be heeded. It was to display the same degree of initiative, invention, hustle and determination in doing

the best things we know how to do that we have, as a nation, expended in growing rich and strong. The need supplied by the Salvation Army is not one that is felt by all, but there was a peculiar strain of human sheep that was lost to other shepherds and he went forth and found them as no other shepherd ever did since the Good Shepherd taught the world that the sheep that had gone astray were better worth looking after than those that had not. Long life to William Booth, father of the Salvation Army.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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WITH BOOKS AND WRITERS

THE LITERARY SPIRIT OF THE DAY AS REFLECTED IN CURRENT PUBLICATIONS.

"THE HOLYLAND."

By Gustav Frenssen.

This book has nothing to do with the Holyland in Palestine, but with the mythical village of "Hillegien" on an inlet from the North Sea, Holstein, North Germany, a few of whose humble folk cherished the tradition that, out of their village and out of the loins of some one of them, there should yet arise one who would show the world the way to holiness of life, a practical means of reaching the state of sinlessness and physical comfort embodied in Christ's conception of the Kingdom of God, which men have not yet been able to find and which, to most of us, still seems a way off and a long time coming. Those who read our review, some weeks since, of "Jorn Uhl," will perhaps remember with what satisfaction we spoke of Gustav Frenssen and his reception by the German people as the author of the great German novel, "The Holyland" abundantly maintains the splendid reputation the author had previously achieved. It is a masterpiece of its kind, a bit sombre, perhaps, in a key something below the poetical, but healthful and helpful nevertheless. It is a story of the souls of folk rather than of people, and yet without putting the possessors of those souls upon the rack that they may be forced to give up the ghost while men look on, or upon the dissecting table that their souls may be delved for through heart's blood and tears. They tell their own stories as children do, in word, look and act, keeping nothing hid, and yet without effort to depict or to conceal. As many as ten star performers, and as many more lay figures, occupy the stage at different times and in such groups and scenes as keep the panorama moving from childhood to middle life, from middle life to age. The highest of human relations are handled without tarnish, the lowest without crassness and when one has finished the book and laid it down it is with a sense of loss such as comes to one who moves away from a town where he has long lived leaving behind the fellowships of a lifetime. The culmination of the book is indispensable to the story or a full enjoyment of it, is such a resume of the life of Jesus of Nazareth as conforms to the present day results of German scholarship. This chapter will be repellent to those who are conservative in their Christian faith, and yet of interest as embodying the consensus of latest German scholarship in that department of research. Those of more liberal tendencies will find much in the chapter that will appeal to them as a like-though explanation of problems that have perplexed them. In neither case need this chapter militate for or against the enjoyment of a good story exceedingly well told. (Dana Estes & Co., Boston, publishers.)

THE REFORMER.

By E. R. Sill.

The Editor of The California Weekly writes: "I enclose a copy of Prof. Edward Rowland Sill's, 'The Reformer,' which appeared two years ago in the July Century, 1887, and which, perhaps, you may see fit to publish. Sill must have had a premonition of the work of men like Frances Henry.

Yours truly,

FRANK T. SWETT.

Martinez, Cal.
Before the monstrous wrong he sets him down—

One man against a stone-walled city of sin.
For centuries those walls have been a building;
Smooth porphyry, they slope and coldly glisten.
The flying storm and wheeling sun. No chink,
No crevice left the thinnest arrow in.
He fights alone, and from the cloudy ramparts

A thousand evil faces gibe and jeer him.
Let him lie down and die; what is the right.
And where is justice, in a world like this?

But by and by, earth shakes herself, impatient;
And down, in one great roar of ruin, crash.
Watch-tower and citadel and battlements.
When the red dust has cleared, the lonely soldier
Stands with strange thoughts beneath the friendly stars.

MAGAZINES—MIRRORS OF MEN.

The public does not realize how intimately a magazine is the reflection of the personality of its editor. This fact explains much of the wonder that an article or poem of merit should so often "go the rounds" before it is accepted. But that the editor's personality gives a magazine its character, its quality of effectiveness, may readily be proved by a glance at some magazines and editors.

The World's Work, for example, made an instant success when it was founded in 1900. Walter H. Page has been its editor from the start. The World's Work is a weekly of articles on the South. Mr. Page is a Southern man, a native of North Carolina. The World's Work publishes many articles on the advance in education. Mr. Page taught school in his youth and is so much interested in educational matters that he devotes much time to the work of the great Southern Education Board, of which he is a member. The World's Work has followed the material progress of the West with great persistency. Mr. Page began his career as an editor of a daily paper in St. Joseph, Mo. The articles in The World's Work have, with all their seriousness of subject, a saving grace of anecdote, incident, sometimes humor. Mr. Page, in private life, is a conversationalist of rare charm and wit. The Southerner's native gift of story-telling and humor. And the fact that The World's Work has a New England, rather than a Southern, quality of compression and temperate statement is explained by Mr. Page's residence in Boston and editorship of The Atlantic Monthly, the most conservative of all American magazines.

Again, consider The Saturday Evening Post, the breezy, humorous, slangy, sometimes flippant, often flamboyant weekly paper, published in staid old Philadelphia. George Horace Lorimer is "the reason." The spirit of the Post is not the spirit of Philadelphia. It is the spirit of Chicago, where Mr. Lorimer was educated as a boy where he worked as a "Phil" Armour or "Old Gorgon Graham," as he afterwards disguised him, and where he was married. It is also the spirit of youth. Mr. Lorimer was only thirty-one when he became editor-in-chief of the Post.

Collier's Weekly is edited by Norman Hapgood. Its tendency in editorial comment toward Socialistic solutions of government problems and its articles on Socialistic questions are reflections of Mr. Hapgood's conviction of the truth of theoretical Socialism. Its frequent and distinctive studies of the American stage are reflections of Mr. Hapgood's taste and experience, for Mr. Hapgood was formerly one of the foremost American dramatic critics. Most of the fiction accepted by Collier's is written by New England writers and a large share of it by Harvard graduates. Mr. Hapgood is a Harvard graduate, and deeply imbued with the Harvard spirit of restraint and with the "New England conscience" and that subtle quality of mind that Yale men designate as "Harvard poison." Naturally fiction that reflects these characteristics appeals quickest to Mr. Hapgood, and naturally the people who write it are in the environment where he sits. Therefore Collier's also makes a social play upon all things pertaining to Lincoln, a subject that has always appealed most powerfully to Mr. Hapgood's imagination. He is the author of a biography of Lincoln.

S. S. McClure once stated his editorial creed, and hit the point off exactly. In effect it was this: "I believe I am essentially an average American man. Hence my tastes are probably the tastes of at least a large share of American men. Therefore I print the things that interest me. I am interested in politics, first of all. I like a funny story; I like stories of travel—in America; I like love stories." He hit pretty close to the broad field of average American taste.

This intimate reflection of the character of the editor is what gives a magazine its consistent flavor from month to month, so that the reader who likes it to-day will like it a year from to-day. This fact involves the further

fact that, judgment upon manuscripts being finally passed by one man, that judgment is subject not only to the tastes of one man but to the obscurer idiosyncrasies of his character and to the acquired peculiarities of his habit of mind. But, after all, the editor stands or falls with the judgment of the public, and the successful editor is, therefore, himself a reflection of the taste of a large constituency of the public.

A Magazine of Social Advance.

"Charities and The Commons" is the name under which a little magazine has been published for some years under the auspices of the Charities Publication Committee, an organization of such distinguished leaders in social progress as Jane Addams, of Hull House, Chicago, Jacob A. Riis, of New York, and O. K. Cashin, of San Francisco. The magazine has conducted elaborate researches in social conditions, most notably in its recent investigations into the living conditions of wage earners in Pittsburgh. The name of the magazine has just been changed to the more comprehensive title of "The Survey," qualified by the sub-title: "Social—Charitable—Civic." Dr. Edward T. Devine, who was in charge of the Red Cross relief work following the fire in San Francisco, is the editor in chief. The California Weekly heartily commends "The Survey" to the attention of all persons who are interested in the broad phases of social and civic betterment, as a clearinghouse of accurate and significant information.

SILK WEAVER'S PRAYER.

By Grace Latimer Jones.

O pitiful Saviour, hear, I pray,
O Jesu, pity me!
But He not stirred, nor sighed, but looked
Down in his agony.

I hear the whirr, the noisy whirr,
I hear the looms that snarl and sing;
They strain my eyes, they cramp my hand,
And make my soul an ugly thing.

O Jesu, Saviour, pity me!
In God's holy name,
Me, in God's image made, yet now
Not God's in soul or frame.

O Jesu, Jesu, Mary's Son,
Christ, in thy suffering there,
Pity the blemsied! Where the wheel
That left a body fair?

It left the dullness in my heart,
The swift silk sheet that passed my eye,
It caught from me the gleam of youth,
It took my soul as it passed by.

It stole from me the strength of limb
That should have bidden me cheer my thriftright;
All crooked of knee and curved of back,
She fires my heart and mocks my sight.

O Mary, Saviour-mother, thou,
Couldst thou then descry
The rising Cross, yet bore him to
So miserably die?

No hope of spring with fresh earth small
And rainbow shower; no comrade dear,
No flight of thought, no joy is mine;
My life a burden, mean and drear.

O Jesu, Mary's suffering Son,
O Jesu, pity me!
O Jesu, bend and kiss, and free
My soul from agony.
—From the Boston Transcript.

THE SECRET.

By Charlotte Becker.

Far and wide a pilgrim went,
Happiness was his goal;
Youth and dreams and gold he spent,
Still his quest was vain.

But when he, expecting naught,
Fled from crowd and mart—
Lo, he found the boon he sought
Hid within his heart!

THE ARCH ROYCROFTER

By ELMER ELLSWORTH CAREY.

Elbert Hubbard, sole Roycroft, High Chief of the Immortals, manufacturer of books and furniture, candy and carpets, editor, author, neoclast, lecturer, critic and so on to the 11th power, is making his regular annual tour as Head Salesman and Chief Drummer for the Roycrofters, East Aurora, which is in the State of New York. The said Elbert Hubbard is well known as the editor of *The Philistine*, a magazine of protest, which protests against ministers, lawyers, doctors and the idle rich; against colleges, churches, and the 400 and against modern methods of living and thinking and civilization in general. Elbert is the author of "A Message to Garcia," the title of a small pamphlet, of which over 2,000,000 copies have been distributed, and which is worthy of a distribution of 10,000,000 copies annually for ninety-nine years.

There is in East Aurora, of the Empire State, a manufacturing plant, known as The Roycrofters, which stands alone, distinct and unique; there is nothing like it elsewhere on the footstool; as to the desirability of the spread of the Roycroft germ there is a distinct difference of opinion among our very best citizens. Furiously attacking the ecclesiastical dogmas of the day, defending Ingersoll to the last ditch, denouncing the methods of the Sunday school and the religious revival, assaulting by invective and sarcasm the belief in a revealed religion, thundering even at the very foundation of creedal Christianity, Elbert Hubbard is a perpetually roving storm-center around which clash and dart the lightnings of an offended, outraged and indignant clergy. Hubbard has openly challenged any reputable and accredited minister in this country to meet him in the glare of the lime light and give battle for the faith within him, and I am sorry that the ministers with one accord refused the challenge. A debate be-

tween Hubbard and any minister would be read by several million people; no minister, though he lived a hundred lifetimes, could hope to reach such an audience. Ministers denounce Hubbard, but often contribute to the box-office receipts when he comes to town.

On the other hand Mr. Hubbard believes in the simple life, temperate living, the dignity of labor, the evil of idleness and idle riches, the wholesomeness of outdoor life, pure air, kind thoughts, the dignity of manhood and the religion of love. He believes in the universal church of mankind, in the law of kindness and good will, and beneficence of natural laws. He believes in the innate goodness of the human heart, denies the doctrine of original sin, human depravity and the necessity for spiritual salvation. At least Elbert Hubbard says he believes in these things. He is accused of insincerity, and there are some proofs that the charge is not unfounded.

Mr. Hubbard has genius. He has a national reputation. He can draw an audience in any city of the nation. He has a great intellect; he is a vivid and pleasing writer, a good business man, and a speaker that charms his audiences. In his lines of thought he acknowledges no master; his style is innate.

He stands for intellectual freedom; he believes that no politician, preacher, lawyer or doctor should manufacture ideas and beliefs for popular consumption; he abhors "canned thought" and "combats" superstition in all quarters. He has branded Joaquin Miller's poem, "Columbus," as the greatest poem of the ages. He is the author of "Little Journeys," a series of essays, which range over the entire field of history, science, art, and invention, and which are destined to take a place among the classics of English literature, being delightful compositions in theme, style and treatment.

In penning these comments and criticisms on the Chief Philistine, I am influenced neither by malice nor admiration; I have no bias, no prejudice. Hubbard should be praised for what he has done to develop self reliance, character and intellectual freedom and to bring about a more rational system of living and more humane business methods. His manufactured articles that he peddles about the country are artistic, original, pleasing; they appeal to those with esthetic tastes and inclinations. Those who have not read *The Philistine* should do so; they will find a brand new style; they will find epigram, wit, humor, and they will probably read to the end—even the advertisements—although they may condemn. *The Philistine* is decidedly Hubbardesque; it has served as a model for scores of freakish, one-man magazinelets, that have risen like bubbles on the literary stream only to disappear at the first whirlpool. It takes a powerful and brilliant man to write all the articles in even a small magazine twelve months in the year for ninety-nine years, which is the job Hubbard has undertaken; but even he finds it well to print occasionally an article from some contributor.

Hubbard has been accused of stealing epigrams, mottoes, ideas and inspirations from other writers. There is evidence to support a charge of plagiarism to the second degree. I am informed that Hubbard has said that any one who is smart enough to recognize a brilliant thought should have the privilege of giving it a new dress and using it without credit. However, if this is Mr. Hubbard's custom, he has plenty of company.

Hubbard loves notoriety and publicity; he often publishes in his magazine unfriendly criticisms, but more often he reprints commendatory notices. He is vain, wears long hair and a flyaway tie; he likes to pose, and he loves applause.

I am afraid that the Arch Philistine is guilty of a sublimated species of grafting; I am fearful that he plays a bunco game in an artistic manner (quite "Roycroftite") with the trusting Immortals and others who worship at the shrine of the Sage of East Aurora. In *The Philistine* and in Elbert Hubbard's lectures

the idea is delicately fostered, although indirectly and by implication only, that the Roycroft establishment is a great philanthropic undertaking on a co-operative basis; that Mr. Hubbard is giving his labors gratuitously for the common good; and that a small army of artisans and young people are living in Arcadian simplicity, working, playing and singing by turns and participating in the beneficent scheme of social and business co-operation. Nothing is farther from the truth. Mr. Hubbard owns the Roycroft establishment root and branch, and pockets the profits, which are considerable. It is strange that no Napoleon of finance has tried to incorporate Hubbard and his Roycroft plant; for the Chief Philistine has invented and discovered a new way of separating shekels from a confiding clientele. No, the Hubbard manufacturing

(Concluded on Page 312.)

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

This Is the Thing.

This is the thing that staggers and crawls
Where only life's vermin dwell;
This is the larker in crime red halls,
Sudden and foul as hell.
This is the thing, with the dim, bleared eyes
Striving life's scroll to scan,
This is the thing for the world's despise,
And yet it was once—a man.

This is the thing, all broken and frayed,
That a mother-heart held dear,
He looked in her eyes where the daylight
played,
And drew to her breast more near,
And the mother dreamed—Then the great
world came,
And he looked on its sin and smiled,
Till his soul was burned by its white-hot flame.
This thing that was once a child.

This is the thing of the depth profound
That under man's structure lies,
Less than the brutes of the upper ground,
Leering to weeping skies,
Yet never a creature—doubt not, my soul—
Is lost in the wise God's plan,
And He, as the acorns of healing roll,
Shall make of this thing—a Man.

Justice and Law Met.

Justice and Law met. Frequently they do
not, but in this instance they did.
"Well, how are you making it?" Law in-
quired.

"Pretty hum," Justice replied.
"How so?"
"Well, in the first place, my eyes are band-
aged, and it isn't pleasant."
"I suppose not, but I had to cover your eyes
myself for fear you would see too much of
my proceedings."
"I also am troubled by paralysis; can't move
one side of my face at all."
"What caused it?"
"Oh, it was necessary if I was to act as pre-
siding goddess in court proceedings."

"I don't see why."
"Don't, hey? It's like this. They drag in
a poor wretch who has stolen seventy-three
cents, try him in a hurry and send him over
the road. Now, it is my traditional duty, is
it not, to frown upon the criminal? Very well,
I turn the unparalyzed side of my face toward
him and frown, and he feels it keenly. Then
they bring, in an automobile, a man who has
been bribed for a million dollars or so. He is as
guilty as shoal, and everybody knows it, but
he has sixteen learned lawyers who insist that
he is not. It is the same old guilt that pos-
sessed the little chap, but it is gold-plated.
Then the trial begins with the summoning of
7,000 veniremen who are dismissed with great
rapidity. What is his Honor, meaning the best
but handicapped by a thousand fool statutes
and proceedings, to do? And what am I to do?
If I frown I am likely to interfere with the
defense, which would disturb the honorable
lawyers who represent it. The result is that
I have to keep the side of my face toward the
defense perfectly placid, and the attempt to
do so in some cases has paralyzed that side.
I shall be grateful if I do not drop dead before
a case now on is completed. It's a sad situa-
tion. Oh, I wish you could hold my position
for a while!"

"As you well know," the Law coldly re-
sponded, "I have for a long time refused to
have much of anything to do with you."
So, as usual, they parted with mutual dis-
trust.

An Altruistic Chap.

I am an altruistic chap,
And treat my neighbor well;
My bounty's poured into his lap,
His suitness to dispel.
And if there's doubt in one who reads
Here's proof for him who kens:
Each day I'm planting garden seeds
To feed my neighbor's hens.

The Opinions of Rufus.

Some truth, es proclaimed, is like some milk
I've bought; so much diluted one can't tell
whether it's milk or water.

"Bout the time you've got poetry so refined
It don't touch the hearts an' consciences o'
men another generation 'll come 'long an'
isint 'tain't poetry."

Now of the girls 'll have their spring hats
made waterproof they won't need to carry
umbrellas.

I don't know es I could pray for anything
much better than to have our consciences
made es tetchy for ourselves es they are for
our neighbors.

Et you go wrong, 'Lijah, turn 'round, take
another start, an' console yourself by reflectin'
that there's never ben but one Man who would
have felt easy 'bout havin' his hull history
advertised.

The best thing to do is to do the best thing
without standin' 'round an' wonderin' what
intrest 'it'll pay.

Some people that claim that heaven's their
home ain't much of an advertisement of it es
a place of residence.

Energy's all right, but they's such a thing es
wastin' it, es the feller remarked when he
found he'd ben windin' an eight-day clock
every night for 'leven years.

Blah Billins says they ain't a personal devil,
but I never heered him try to account for some
o' the things a feller sees.

When I hear a man denouncin' reel reform-
ers I can't help wonderin' what special
lay of his 'twas they interfered with.

The Devil Thought Twice.

(And this notwithstanding the presence of
the governor, mayor, supreme judges, and
other notables at the banquet.)

The devil one day in his office was sitting;
His face was lit up by a jubilant grin.
For all of his demons came flitting and flitting
To tell him that mortals his pitfalls were in
The lower-down thief, and the higher-up

The prostitute justice that shyters create,
The technical bosh and its legal subscriber—
"Oho," quoth the devil, "my business is
great!"

"Now bring me," he cried, with a jocular
caper.

A jocular caper his joy to disclose,
"Bring straight from the pressroom my
favorite paper.

Then leave me to read it while holding my
nose.

For ever, when Justice to Justice proves
traitor,

Or looking big rascals to puncture the
small.

I note with a joy that I find an elater,
The dear Oakland Tribune indorses it all."

They brought him the Tribune. He read it
and chuckled.

Then rolled on the floor in demoniac glee,
But then he bethought him, the tear-drops he
knuckled.

As he sighed, "There is trouble I sadly fore-
see."

My 'trap is some spotted I'm freely confess-
ing;

'Tis painted quite black past a question of
doubt,

But the fragment that's left I hold as a bless-
ing.

When Dargie comes here I will have to
move out!"

Out-of-Doors for the Kids.

George Wharton James, the well-known
author and lecturer, says that, throughout
much of the year, the children of California
should be taught out of doors rather than in
many schoolrooms. Mr. James is right, but
he will be dead some time before the average
school official will be made to see it. With
shimmering sunshine, a myriad of flowers and

the songs of many birds forever summoning
them to the open, the wonder is that California
urchins can make even a bluff at studying
within walls through much of our year. It is
hard enough for even adults to confine them-
selves in offices during this enchanted time,
and how much more difficult it must be for
those who still are in the bud let him answer
who has a memory that sometimes harks rear-
ward.

The trouble with us out here is that we do
not half realize that we live in California. A
large proportion of us came from a country
where, during six months of the year, cold kept
us in the house, and during the other six
months we never could tell what day or hour
it would rain. We came here and imported
the customs which were essential in the East,
among them that of keeping pupils in the
house and away from the intellect-vivifying
ozone of the out-of-doors world. We would
do well to consider where we are and give
our urchins full share in the largesse of health
which nature offers them. But we will not do
it till we wake to realization of the fact that
eastern health laws are not needed where there
are no icy fetters to bind them on the children
of men.

Interfere With Business.

First Citizen: It is a demonstrable propo-
sition that graft prosecutions always interfere
with business.

Second Citizen: With what business do they
interfere?

"Why, the business of grafting, of course,
you chump."

I Object.

To higher education and suffrage for women
because—

I notice that, as it is, they know enough to
"do up" the men quite often, and so I contend
that we ought to take no more chances; and
because—

High authorities claim that if women voted
they would make political matters worse than
they now are, and even the thought of such a
situation ought to make anyone sick; and
because—

Woman's place is in the home, and if she
has no home she ought to stay there anyway;
and because—

The theory that there should be no taxation
without representation may have been good
enough for 1776, but it is worn to a frazzle
now; and because—

We must sink or swim, live or die, by the
man made aphorism that woman is man's men-
tal inferior, and we whose mothers or wives
disprove it must cling closest to it; and be-
cause—

It is woman's divine mission to rear the
babies, and if she has none she ought to hire
a few; and because—

Woman doesn't want to vote, and if she
says she does she is a prevaricator.

At any rate, if I do not object for the fore-
going reasons it is difficult to figure out why
I should, for the current arguments are quite
generally included in the above list.

Christ Is Risen!

Christ is risen! Nay, the world
Walketh still through fog of pain,
And her robe is tear-impaired
By the drip of sorrow's rain.

Yet, oh, soul of mine, look up;
Thanks for ceaseless bounty give;
Drink thy fill from Heaven's cup,
Christ is risen, and doth live!

Christ is risen! Nay, a cry
From the depths of woe is heard
"Love is not for such as I,"
Man's response to Heaven's word
Yet, my soul, arise and sing;
Join the glad, triumphant strain,
While a million voices ring:
"Christ is risen, and doth reign!"

THE GRIFT CASES.

In the trial of Patrick Calthoun, indicted for bribery, nothing appreciable has been gained during the past week. There has been work enough; venires have come and gone, able attorneys have glared at one another, and numerous talesmen have been examined and dismissed, and still just ten men have been finally passed as jurors, and when the others may be secured no man knoweth. The full jury may be obtained within another week, and it is difficult to conceive how this end can be postponed a month, although a long-suffering people could not be greatly surprised by anything which might come to pass in a criminal trial wherein the defendant has plenty of money.

But if the main trial has merely marked time, one of its interesting offshoots has come to the front. Once upon a time James H. Bowling was secretary and treasurer of the carmen's union. At the same time, it now appears, he was in the pay of the United Railroads, whence it will be evident that Mr. Bowling is a nice man. His obligation to the United Railroads, as consideration for its pay, was to secure or manufacture evidence, direct or by implication, that Rudolph Spreckels, Fremont Older, William J. Burns, James D. Phelan, Francis J. Heney, and men of that type, were responsible for the carmen's strike of 1906 and 1907. He did quite well in securing such evidence, whether it existed or not, until his heart misgave him or he concluded he could make more money out of the job. Then he went, personally or by agent, to Burns and Older and offered to sell his evidence, secured or manufactured, to them for \$10,000. His offer was not accepted, but the District Attorney's office called the attention of United Railroad lawyers to the matter and offered to let them see that Bowling was punished for his treachery. Nothing doing; those attorneys did not appear desirous to air the facts concerning Bowling. So, on the complaint of Fremont Older, Bowling and F. E. Davidson, one of Bowling's assistants in obtaining evidence, whether any existed or not, were arrested for criminal libel, and two more were added to the many ships of delayed justice which are waiting in San Francisco's office.

In connection with the prosecution's recovery of 1,693 of its papers, copies or originals, from the desks or safes of United Railroad officials, the funniest event of the week is the attempt of the said officials to secure the return of the stolen papers by judicial process. From Judge Van Nostrand they have secured an alternative writ of prohibition, a temporary order, and to-day Judge Seawell will decide whether the filched goods are to be returned to them. After all, there is something admirable in the "nerve" displayed in such a proceeding, and it is understood that all receivers of stolen property are awaiting the decision with hopeful interest.

In the trial of Adolph S. Newburgh, charged with attempting to bribe a prospective juror in the Ruef case, E. A. S. Blake was placed on the witness stand and testified, as he did in the previous Newburgh and Murphy trials, that at the suggestion of Newburgh and Murphy he attempted to bribe John Martin Kelly. Sickness has delayed the completion of his testimony. William H. Schooler testi-

fied that he was employed as an attorney to defend Blake by Newburgh and Murphy, but his memory in relation to the details was vague.

The case of George D. Collins, convicted of perjury and sentenced to fourteen years' imprisonment, was argued before the United States Supreme Court this week by Assistant District Attorney Cook. The case has been in the courts since before the big fire, and there now are those who hopefully believe that Collins' punishment may begin before many more months have passed.

("The Arch Roycroft" - Concluded.)

plant is not a co-operative concern, and there is no philanthropy connected with it than with the Standard Oil company. Mr. Hubbard engages the young people of East Aurora by the week or month and he pays only nominal wages in the coin of the realm; he pays very high wages in taffy, fatherly admonition, instruction, advice and glittering generalities. True he is not a hard taskmaster, but if the pay-roll were published in The Philistine, or The Fra, I think there would be numerous vacancies in the roll of the Immortals. In one of his ads he says that one of the "kandy" girls makes candy (\$1.00 per pound) in a spotless kitchen while the other, curled up in the sunny cushioned window, twangs the guitar. I suppose the twanging of the guitar is to drown the anguish of the listful who have been wheedled into paying \$1.00 for a pound of candy.

Mr. Hubbard's real business is selling books; furniture, rag carpets, leather work, candy, etc., for real money. He sells his manufactured products under the guise of philanthropy and art. He publishes two magazines for the purpose of obscuring the real issue, which is hard cash; his magazines are really advertisements for himself and his rag carpets, and he is very successful in his advertising schemes. It is said that at one time 100,000 copies of The Philistine were printed monthly; it takes a genius to get 100,000 people to pay ten cents each per month for an advertising catalogue. But Hubbard has still more audacious advertising successes to his credit. He is the only manufacturer who can tour the country year after year delivering illustrated lectures, describing his plant and his goods, drawing large audiences, and charging an admission fee of \$1.00. Yet Hubbard does this very thing. He has one lecture which is simply an advertisement for his business and his wares; he delivers this homily with slides showing specimens of his furniture, book binding, etc., at \$1.00 per admission. So well does he cover up the commercial part that his patrons never suspect that they have been bamboozled. And in the lobby Hubbard has an assortment of books for sale; he uses his lecture hall as a sample room, unpacks his wares and peddles them industriously. But he does all this in the name of art and the public cannot see the dollar sign that spreads the sickly hue of commercialism over all.

Hubbard has capitalized certain ideas, popular with some classes, and is making a success of his venture; posing as a litterateur, art critic, a social reformer, an intellectual Camillus, a philanthropist, an apostle of a better civilization, an advocate of mental freedom, a foe of shams, and preaching advanced ideas socially and commercially, he never for a moment loses sight of the polestar of his existence—the Almighty Dollar. He industriously peddles candy at \$1.00 per pound, and rag carpets at \$1.50 per yard, all the profits going into his personal pocket. Is this a case of obtaining money under false representations?

The Lady's Hat.

"That lady" that reminds me of a pictured beehive I used to see in one of my school books," the writer remarked to a fellow pedestrian.

"So-o?" drawled the person addressed. "In Holstein where I spent my boyhood we never had any other kind of beehive except the painted of straw, conical in shape, only they were brown instead of blue and did not have a cluster of oranges pinned at the side."

Work basket, clothes basket, milk pail and beehive furnish suggestions of form for women's hats, and a fault with them is that they make a hydrocephalic style of hair dressing indispensable to their wearing.

Like Some Others.

"Do you consider Blinks a thinking man?"
"Certainly I do. In fact, I know it."
"Well, then, what does he think?"
"Thinks that he thinks."

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POLITICAL TABLE TALK

By THE WATCHMAN.

Out For Governor

Charles F. Curry Charles F. Curry, Secretary of State, freely told his friends, while the direct primary law was in the throes of birth, that if it came through all right he would be a candidate before the people of California for governor thereof. Whether this was given out as a horrible fatality to follow the law in the event of its enactment, or as a simple statement of deliberate intent, is not quite clear but, anyhow, it is well understood that Charles Curry is out for governor. He will carry his candidacy directly to the people, and stronger things than happened than that he should win out. What sort of a beginning would that be for our new direct primary law?

His Standards Of Morality

There have been those who objected to Charles F. Curry on the ground that he possesses no tangible, certain, definite standards of political morality. They are mistaken. His standard of morality, political and otherwise, is simple, intelligible, readily applicable. It is this: How will this act affect my political future? From rising late in the morning until going to bed (also late in the morning) Charles Curry performs no act however inconsequential that is not first judged by that standard. He would not throw a bootjack at a warbling tomcat without reflecting upon whose tomcat that was most likely to be and what effect the identification of the bootjack would be likely to have on his political future. He would not leave a brickbat at a vagrant canine without first looking in all directions to see if some sentimental animal lover would be likely to view the act with mental reservations. Those who think that Charles Curry is without a moral standard don't know their man. He has one. It is high only when compared with the moral standards of Abner Weed and Warren Porter, but it has served him many a year.

Charley Curry Nobody's Fool

Charles F. Curry's early life was hard bondage. He had few opportunities such as come to the college-bred man of a later generation, but those taken him for an ignoramus is not wise. Those black, piercing eyes of his do not look out from a dull brain or an ill-informed mind. He has a good memory, especially of political obligations and asperities, and he has been a reader of strong books. He knows men for what they are and can be kind and agreeable to a man he would like to chew up without betraying inward hostility. When he used to be in his cups he used to be ugly and he used to be in his cups every day by four o'clock, but when that brought him face to face with the skull and crossbones he stopped short. He has had the strength of mind and will to turn his back on the habits of a lifetime and so keep that Satan behind him. All honor to the man who can do that! His money goes to buy gin just as it did before, yet not for himself, but if every man in California for whom he has bought a drink turns out and votes for him at the primary he may head his party's ticket, for he is known far and wide as the best entertainer at the State Capital.

The State's Business At His Finger Tips

No man in the state has the state's business more nearly at his fingers' tips than Charles F. Curry, and no man has stuck a greater number of his personal friends into official positions. There is hardly an office in the state that has not one or more of them. In fact Charles Curry's idea of a benefactor of his race is the one who has made two official positions for him to fill, where there was only one before. He is a liberal spender of the state's money as well as his own and every legislature confronts bills for loading his office to the gunwales with starboard positions. Few appropriation bills would be vetoed if he were governor. His contempt for taxes is only equaled by his contempt for those who make a fuss about paying them. If it would make him more solid with

the toilers, he would go eighteen-million-dollar Gillett better on the state road proposition by proposing to roof in with state and state all the roads that Gillett's appropriation may build.

Where Curry's Strength Lies

Those who are giving thought to the gubernatorial campaign of 1910, and there are many who are, will make a mistake if they leave out of consideration the candidacy of Charles F. Curry. He is to be reckoned with. It is not the opinion of any well-informed person that a majority of the Republicans of California can prefer Curry to all other candidates, but there are a good many thousand voters in San Francisco, Sacramento and elsewhere who look upon Curry as an ideal politician and they will all vote for him no matter who else may be in the field. He has either conferred some favor upon them or upon some one of their friends. "He is my friend," is the touchstone of his political career. Upon that cohesive principle he and his followers conceive all governmental institutions to be founded. His personal following will make a quantity that it lacks in quality. Nor has he been disobedient to Mr. Herrin, and his own hold upon the vote that gives the Herrin machine its potency may prove so strong as to compel the Southern Pacific political bureau to come to him lest that vote be divided and the bureau be undone.

His Election Unfortunate

His health permitting, his candidacy for governor is to be reckoned with. Give him the push vote and divide the anti-machine vote between half a dozen others and the domination will be his. Against his official efficiency little can be said. California has had few state secretaries who managed their offices better or at greater cost to the state. As ex-officio purchasing agent for the state he drives no hard bargains on the state's behalf. A limited number of firms get the business and they get well paid. Yet he has never been caught in any transaction that was either very crooked or very straight. His views of state policy are narrow, political and personal. He investigated strongly against Governor Pardee's applying to the Department of Agriculture at Washington for a technically trained State Forester because Mr. Allen, the appointee, was not a citizen of California. He has steadily fought the State Board of Charities and Corrections as being obtrusive and meddlesome. These facts give an inkling as to his bent of mind, which is always that of the petty politician. His nomination for governor by a plurality vote of his party would prove a staggering blow to the direct primary idea.

Alden Anderson As Bank Superintendent

The appointment of Alden Anderson as State Superintendent of Banking, to succeed one of the state boards of "organization" politicians, was at least a clear use of the appointive power by Governor Gillett. Trained bankers will be inclined to share the opinion of Mr. Anderson himself, that it would have been possible for the governor to find some one better qualified to fill the position than Mr. Anderson. He is not a technically trained banker. He has had the same sort of connection with banks that many other business men have had without once suspecting themselves of being bankers. During the bankers' panic of 1907 there was a deep sense of public concern for the stability of a banking institution with which Mr. Anderson's name was connected and some tall hustling was done by Mr. Anderson and his associates to bridge a wide-mouthed chasm, but it was bridged and all is well that ends well. That experience probably taught Mr. Anderson a lesson in conservative banking that will stand the new State Bank Superintendent in good stead and prove an added qualification for the position. As a public servant Mr. Anderson has always proven honest, faithful in the performance of public duty, and his executive

abilities are exceptional. He is inclined to be easy rather than aggressively resolute, and the hand that he will lay upon the banks of California will be cleaner rather than strong, persuasive rather than compelling.

Not Devoid Of Politics

The appointment of Alden Anderson to be State Bank Superintendent is not devoid of political significance. He camped in the political twilight zone. He was never openly an "organization" man and he could not be induced to assume an attitude of hostility to the "organization." As a large shipper of fruits his relations with the railroad people were close and, presumably, sympathetic, and yet, also presumably, he was not disposed to take orders from the Southern Pacific's political bureau without question. Mr. Anderson has quite a political constituency, by affiliation rather than by leadership or organization, and it was good politics to place Alden Anderson under obligations to, and make him a part of, an "organization" administration. The incident will be likely to make a good machine man of him and his influence, exerted upon and through the banking institutions of the state, will not be inconsiderable. This is not saying that Mr. Anderson will suffer political considerations to stand between him and the proper discharge of his official duties. He will discharge those duties first and afterward give an eye to the "organization's" political fences. The declaration which Governor Gillett made between his election and inauguration, that he would make every appointment with the view of strengthening the Republican "organization," has not been departed from in this instance.

Governor Hughes' Primary Bill

Governor Charles E. Hughes of New York quickly sensed what the general public has been slow in understanding: that control of the party committee of the party in power involves control of the government. He was not first to discover this important fact. Our own Mr. Herrin found it out so long ago that he has probably forgotten how or when he first came to know it, but it seems to have been left to Governor Hughes to discover the remedy. Heretofore party committees have not been representative. Party bosses have been free to select the governing bodies of parties and, through these bodies to program the nominating conventions. Governor Hughes proposes to make the governing body of the party the party convention and to make the delegate-committeemen come before the party constituency for reelection as soon as they shall have done the work of the convention. If that work was not done as it should have been the people have a chance to turn them down. This is a great idea, but it will take the backing of the state of New York to force it through the legislature.

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JAMES WOODS

UP AND DOWN :: THE STATE ::

The occasional California fowl which makes a walking good mine of itself was again discovered the other day by Mrs. Emma Wagner, who resides near Lodi. In dressing a domestic duck for dinner she found in its craw a gold nugget about as large as a good sized pea and worth, presumably, two or three dollars. So again is illustrated the unique advantage of Californians in marketing for fowls. To be sure, they may draw a blank, but again, they never can tell when they will draw a capital prize in uncolored gold.

Mrs. Grace Goodyear-Kirkman has sold the Benicia New Era to John R. Cronin, and it is up to him to maintain the excellent standard in country journalism which she has set. If he does more he will have to keep moving.

Those in the best position to judge estimate that from 60,000 to 80,000 "colonists" are coming to California this spring. Out here, however, we use the term "colonist" too loosely, including a large number of people who come with no intention except to take advantage of reduced rates, see the state and return East. Possibly one in three of these "colonists" will remain, and this would be an addition to our population worthy of consideration.

The people of San Jose recently voted on the question of issuing bonds to construct and operate a municipal incinerator plant, and now the common council of that city has declared the election void. The decision was based on the fact that a voting machine failed to "deliver the goods," making no record of 153 votes in one of the wards. Such machines must do better work than this or it will not be long before they will be permanently retired.

That the Philadelphia Western Development Company believes that the Tokay will more and more come to the front as a table grape is demonstrated by the fact that it has purchased 1,000 acres of land near Marysville, every acre of which will be set out to this variety of grape. It is understood, too, that the company is likely to purchase another thousand acres in that vicinity for the same purpose.

San Luis Obispo had an election to vote on the proposition of bonding the city for water, sewers and bridges, and one might have looked some time without discovering that there was any opposition, as the following statistics concerning the result indicate: For water bonds, 725; against, 53. For sewer bonds, 710; against, 65. For bridge bonds, 718; against, 56. That is to say, one person in thirteen or fourteen was opposed to these improvements. It is a record of which San Luis Obispo has a right to feel proud.

The state board of forestry has appointed a committee of five members to review and pass upon all literature concerning eucalyptus growing sent out. The committee's "seal of approval" will be placed upon all literature it approves, and in these days of eucalyptus enthusiasm it will be just as well for the people to see that the seal is on a pamphlet before they "swallow" all of its contents.

The city of Visalia, which empties its sewage into Mill creek, now is involved in a lawsuit on that account. Oscar Evans has sued it for \$5,000 damages, claiming that the creek now is a menace to health and deteriorates the value of property in its vicinity. A suit of this sort has long been anticipated, and it is not impossible that it may result in Visalia being compelled to find another sewer outlet.

The citizens of Exeter, Tulare county, wanted to incorporate that town, or thought they did, until they held an election which decided, by a vote of 75 to 65, that they did not. However, as they still maintain that they desire nothing so much as incorporation, it is announced that another election to find out whether they do or not, soon will be held.

The charity conference committee of Los Angeles has adopted and scattered broadcast a

resolution requesting organized charities and physicians in the Eastern, Middle West, and Southern states to send no more consumptives to Los Angeles, "only," as the resolution says, "to cause suffering to the indigent and a burden to communities to which such patients have no ties." The resolution ends with a warning that if such indigent patients are sent they will promptly be returned to the places whence they came.

The Christian Scientists of Los Angeles are constructing a "Second Church of Christ, Scientist," which, when completed, will have cost about \$300,000, and is always the same when this sect erects one of its temples, there will be not a dollar of indebtedness upon it.

Considerable gold still lies beneath the surface of California hills. For instance, the value of that taken from the North Star mine, Grass Valley, last year, was \$1,084,212.08.

LITTLE TALKS WITH OUR READERS

Stanford University, March 27, 1909.
The Editors, The California Weekly:

A distinguished economist and publicist recently proclaimed his admiration of your paper in my presence. I begged him to write it. Here it is: "I read no paper whose tone and attitude towards public affairs seem to me so precisely correct as The California Weekly. It will be a great misfortune if the people of California let this journal die. Personally I intend to subscribe for it, although I do not expect to be in California more than two months. It voices the kind of tempered, discriminating radicalism which most appeals to me."

Personally I am delighted with The California Weekly. I like it for its sanity. I like it for its open-mindedness. I like it for its courage. And I like it particularly for its sympathetic hospitality to morals and religion—for these add tremendously to the significance of living!

With every good wish,
Very sincerely yours,
CHARLES GARDNER,
Chapman, Stanford University.

We like The California Weekly ourselves for exactly the reasons above given.—The Staff.

If there is one need before another in the newspaper world today it is for a paper that can be depended upon to be truthful so that it will not be necessary for one to take papers bearing upon all sides of all questions, lump their statements together and divide by two in order to reach an average of truth. The California Weekly has made a good beginning. I hope that it will develop into a first-class daily for it will never be in the competing ranks proper until it reaches that stage.

Yours for truth,
H. L. GREGORY.

Placerville, California.

It would require several hundred thousand dollars to finance a state daily on the lines laid down for The California Weekly, and it would be no new to daily journalism that it would take the public no little time to sense the significance of what was going on. Besides, dailies are and must be hurriedly written to be hastily read and the trend for subject matter for serious thinking is toward weeklies and monthlies. There is a sphere of real utility for such a paper as The California Weekly to fill and it is working its way into that field.

To the Staff of The California Weekly:

A friend, loyal to San Francisco and to justice, is sending you the Gospel of Truth to us and to the people in your night for the moral uplift of the state. We especially wish that the young voters of this state could become acquainted with your "School of Citizenship." Oregon, like California, needs an awakening and only through our new citizens can this be accomplished. Your column on "The Deeper Significance of Living" is always interesting and, we believe, what we like best in your paper.

Yours,

AN OREGONIAN.

Portland, March 27, 1909.

The two departments in The California Weekly above spoken of with favor are the ones that have received the strongest endorsement and the most unfavorable criticism, which only shows how differently different persons can think and feel. The chief comfort The Staff takes in them is that they have not been ignored.

Editors, The California Weekly:

As no one is so qualified about your paper as I am, I am sending it to you. It is comparatively easy for a man to stand up and be stout in a battle for he has the stimulus of combat and the sense of responsibility to his readers and to his country to sustain him, but the kind of courage needed to fight the battles of everyday life, the truth, to denounce, strong regardless of the standing,

socially and financially, of the wronger, this kind of courage is rarely found among newspaper men, or with many in other callings. It is an interesting fact that the digging up in recent years of instances of imposition and injustice by the few against the many in our land was done by the muckrakers and not by the daily press. In this line of work in California your paper bids fair to prove a tremendous force.

Oakland, Cal.

JOHN T. BELL.

Many daily papers have made great gifts for great causes, such for instance as the Call and Bulletin have made against graft in San Francisco, and such as the Bulletin made against the racetrack evil in this state. All honor to them. Such contests in daily journalism have a good deal of the stimulus of being out on the firing line, but are often waged more with an eye to the spectacular than for achieving permanent results. They are little adapted to the slow siege and are apt to be more effective on the surface than at the foundation of social life. Here is where the thoughtful family weekly should find its field of utility. There are two fields and it takes both kinds of papers to fill them.

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HOW THE PLAGUE WAS DRIVEN OUT

E. FRENCH STROTHER.

Among the marvels of preventive medicine, the work of the United States Health and Marine Hospital Service in stamping out the menace of bubonic plague in San Francisco is one of the most illuminating examples. Here the application of modern science and modern business methods combined to illustrate the triumphs of medical research and business organization.

In the first place, San Francisco was really infested with the bubonic plague. No sane man now denies this fact, which the city for a time tried to conceal from itself, like the ostrich with his head in the sand, while the press dispatches to the outside world told every school child the country over the facts. But as soon as San Francisco realized the gravity of the situation it nobly redeemed its reputation for common sense and vigor. This is the story of the temptation and of the worldwide epidemic of the plague of which San Francisco's experience is a part.

The History of Bubonic Plague.

Bubonic plague is as old as history. In the Old Testament, the Book of I Samuel describes how, when the Philistines stole the ark of the covenant, God punished them with a terrible visitation of "emerods," which scientists identify as the modern "buboes," or swollen glands, typical of the plague. And, to placate the Lord for this visitation, their diviners caused the Philistines to offer up "five golden emerods, and five golden mice," which shows that as far back as 1,000 B. C. the plague was associated in men's experience with rats. It remained for modern scientists to discover how the infection from the rats (which always precedes human infection) is transmitted to mankind. Science has proved that the method of transmission is by fleas. The fleas bite an infected rat and, in turn, are infected. The rat dies, and the fleas leave the cold body for the nearest warm blooded animal—usually another rat, but often enough a human being to cause the spread of the disease among men.

What Bubonic Plague Is.

The name "bubonic" is derived from the "buboes," or inflammation and swelling of the lymphatic glands that are typical of the plague in its bubonic form. There are three forms of the disease: the pneumonic, the septicaemic, and the bubonic. All these forms are caused by the same bacillus, but differ in the avenue by which the bacilli are introduced into the system. In the pneumonic form, which is very rare, the bacilli are introduced through the organs of respiration; the lungs are the first to be attacked, and the cause of death (which is almost invariable in this form) is usually diagnosed by physicians who are unfamiliar with the plague as "rapid pneumonia."

In the septicaemic form, the bacilli are introduced by way of the blood vessels. This form is also rare, because the circulatory system is well guarded by nature.

In the bubonic form the bacilli attack the glands. This is the commonest type of the disease. An infected flea bites a human being; the bite itches and the victim scratches the spot, breaking the skin and rubbing the infection in. The bacilli enter the blood, and soon reach the glands, which are simply filters designed by nature to purify foreign matter in the blood. But these filters are not adequate to the task of handling the bubonic bacilli, and an inflammation sets in, which formerly caused death in nearly all cases, and, in spite of the modern serum treatment, causes death in fully half of the cases.

An Earth-Girdling Epidemic.

The bubonic plague is an endemic disease; that is, it appears constantly in one place. But it has lately begun again to spread, as it has before in historical times, following precisely the highways of commerce, carried by infected rats that stow away in cargoes of merchandise. The present movement of the plague began about twenty years ago in a

province in Central China. In 1894 it appeared in Hong-Kong, where it wrought such terrible havoc that the British Government bought, for an enormous sum, the entire island on which the native city was built, and burned the whole city to the ground to prevent the spread of the disease to the mainland where the British Hong-Kong is located.

The Pasteur Institute, of Paris, and the Japanese Government, sent bacteriologists to Hong-Kong to study the disease, and experts from both places, within a few days of one another, isolated the specific bacillus of the disease, Orleans and New York. Then came the modern serum treatment and of the sanitary methods of combating its spread.

From Hong-Kong the plague was carried to Bombay, and into the Punjab of India, where, for the past thirteen years, it has killed on an average 250,000 people a year. From India it spread to various Mohammedan countries by means of the pilgrims to Mecca, and to Marseilles and Liverpool in cargoes of ships. It also appeared in San Francisco about 1900. It came from the west coast of South America and across to Venezuela, where it is now raging. It is now also coming up the Spanish Main, and in three or four years the problem of San Francisco will be the problem of New Orleans and New York. The example of San Francisco in successfully eradicating it thus becomes of vital national importance. If San Francisco had let it get over the Rockies, a national problem would have been created. If New York were not prepared to meet, by the example of San Francisco, the possibilities of havoc in the crowded East Side would be appalling.

San Francisco's First Epidemic.

San Francisco's first struggles with the plague were pitiful. It refused to admit its existence. The Federal Government sent Dr. J. J. Kinyoun to investigate, and he reported that it did exist. The newspapers hooted the idea and damned Dr. Kinyoun. He showed the corpses of plague victims to the health officers, together with microscopic proof of the character of the disease. The health officers laughed at him and talked of "rapid pneumonia" and typhoid. Dr. Kinyoun attempted to clean up Chinatown, which was then the focus of infection. He was met with bitter opposition from the city authorities and the press. The local public was ignorant of the facts. Only the rest of the world knew them, while official San Francisco fatuously denied their existence.

Dr. Kinyoun had two successors. They had no better luck. The first epidemic died down, another epidemic broke out, and San Francisco began the same cry, "Keep it quiet." Then, on September 6, 1907, Dr. Rupert Blue, then director of sanitation at the Jamestown Experiment, was ordered by the Federal Government to take San Francisco's plague campaign in charge. Four days later, Dr. Colby Rucker was ordered to follow as his assistant, in the capacity of executive officer. Then began the real fight that has made San Francisco one of the most sanitary cities in the world.

Doctor Blue quickly obtained the co-operation of the city authorities. He pointed out to them exactly what bubonic plague is; he proved beyond a doubt that it was abroad in the city; he proved that everybody else except San Francisco knew it was here; and he made it plain that if San Francisco did not come to her senses and eradicate the plague, San Francisco soon would be quarantined in every part of the world, which would mean that the commerce of the city would literally be ruined, and that with its ruin would come the ruin of every business in the city. "Multiply the horrors of the first weeks following the fire by ten, and then add some for good measure, and you will have a vague conception of what it means to live in a quarantined city," warned Dr. Blue.

The City Aroused.

The city authorities, the Chamber of Commerce, and the Merchants' Exchange saw the

point. They actively seconded Doctor Blue's work. Every club, labor union, and business organization was warned of the crisis and asked to contribute to a fund to fight the rats. A committee waited on the officials of the Southern Pacific company. "You are assessed \$30,000," they said. "Please dig." And they dug. To the Santa Fe they said, "Fifteen thousand dollars, please." They got it. The labor unions paid their share.

Then Doctor Blue went after the organization that was at hand to make the fight. He found about 100 men, whose principal qualifications were political pulls. He pointed out to the city that this meant inefficiency. The city asked him to get the Federal Government to take over the whole campaign, and on November 25, 1907, the Treasury Department authorized this action and got money from Congress to back it.

Organizing the "Rat Killers."

A working force was now organized on the basis of intelligence and education. Schools of instruction for employees were started, and the men were taught what the plague is, how it spreads, how to make a sanitary inspection of a premises, where to look for rat-breeding places, and how to catch rats. Others were taught how to take extreme cases into the courts and compel obedience to the law. Others were taught to dissect the killed rats and to distinguish plague-infected rats from the non-infected. Others were taught to keep the minute records of each inspection of premises, of each case in court, of each rat that was examined by the bacteriologist.

Inside two months a force of 1,000 trained men was at work. More than 200,000 rats have been caught and dissected. Hundreds of places have been made rat-proof. Every building within an area of thirty square miles has been inspected, not once but many times. Thousands of dollars worth of insanitary buildings have been destroyed. The result is that the last case of human bubonic plague was treated on January 30, 1908, and the last infected rat was caught on October 23, 1908. The plague is absolutely wiped out. To-day San Francisco is the most sanitary city of its size in America.

But, better still, the public has been educated to sanitary progress. It has been taught how to recognize the plague, how to fight it, and it has the machinery ready made to continue the work of warding off any future attack. And the incidental education in the rudiments of general sanitation is a priceless benefit. Not only has the plague disappeared, but the work of eradicating the plague has radically reduced the death-rate from both typhoid fever and diphtheria.

Incidental Benefits of Campaign.

Furthermore, scientific information of great value has been gained by the campaign in charge. The theory advanced by a Russian scientist, that the rats get the infection from ground squirrels has received strong confirmation from local experiments. Doctor Blue noticed that Contra Costa county was a focus for infection from the plague. He sent men across the bay to see if infected ground squirrels could be found. They were. Then the question arose as to whether the ground squirrels gave the disease to the rats or the rats to the ground squirrels.

This point was determined by testing the virulence of the disease among the two animals. When an infected rat died, poison drawn from its body was injected into a non-infected rat, to give the disease to him. When the second rat died, a third was infected, and so on down a series. These experiments demonstrated this fact: that the disease diminished rapidly in virulence as it was transmitted to each succeeding animal. It took a very long time longer than its predecessor to die of it until the seventh did not die at all. These same experiments, however, when tried on ground squirrels, showed the virulence to be undiminished.

(Concluded on Page 318.)

CHRISTIAN LAW OF TEMPERANCE.

A conception of civil law which provides that the grape or corn may be eaten is less comprehensive than Christian law which orders milk for babes and meat for the strong. God's provisions for gladness of heart and social joys may not be prohibited everybody because somebody overflows the stomach with wine.

The Psalmist gave thanks for wine that gladdens the heart of man. The Master walked ninety miles to comply with man's social needs, and created the best of wine to prolong social joys. St. Paul prescribed wine to the weak for his stomach's sake. But he reproveth the Ephesian Christians for drunkenness. And they who would, in interest of a spurious temperance in one thing, restrict the observance of the Lord's Supper to the use of unfemented grape juice, should note that Ephesus is situated in the heart of Ionia, and that the Ionian wines were like that which the Savior provided at the wedding feast at Cana of Galilee, the strongest and best in the world. And new wine of Christ's time would burst old bottles. Unfemented grape juice has no such effect.

The Master's heavenly life rebukes all wasteful life. Civil law should not be less comprehensive as to abuse, but should include that personal freedom in use which has Old and New Testament sanctions, and is one of "the unalienable rights" for which our American government stands.

Freedom of Use But Not Abuse.

Christ's example and Apostolic teaching permit personal freedom of use, and exclude all abuse of nature's provisions for nature's needs. This is the great temperance principle. For convenience I call it the first.

Prohibitive law excludes personal freedom of use, because personal freedom of use includes freedom to abuse. This is a second great principle. The strict application of either one of these two great principles, affects every man's interest. It touches human nature on its every side. Man's social, mental, and spiritual powers can reach only an abnormal development when personal liberty to use nature's provisions for his needs is denied him by civil law. Any municipal ordinance or civil law is Christian only so far as it is based on the first great principle and supports the spirit of personal freedom included therein.

The second great principle is intended to be personal in its application, and is sound and Christian that far. But a remedy is designed for restoration to normal conditions, and in the very nature of things, is only applicable to those in an abnormal state. The abnormal condition cannot justify denial of the needs of a normal life. As "the life is more than meat and the body more than raiment," there can be no moral sanction to sacrifice the life for meat, nor the body for raiment, nor to prohibit meat and raiment. They are nature's needs, and therefore have God's sanction for personal freedom to use. "They that use with need not a physician." The application of the second principle may only be extended to those who have abused that freedom which inheres as a fundamental "unalienable right" to normal life.

Lawful Use Must Not Be Punished.

Inseparably conjoined with the application of prohibitive law is the false assumption of the right to condemn abuse in terms to cover exclusion of lawful use. The use of the public road may not be prohibited the law abiding citizen because the robber abuses his freedom of use. Penalty is due only to the law breaker. Protection is due only to the orderly citizen. No protection by government is made so costly to the loyal citizen that either his business or health or pleasure is imperilled, his right to use the road is practically oppression. Protection becomes penalty. Such application of civil law is clearly a subversion of the fundamental system of government. Our government is a league of law and order loving citizens, primarily to create power to protect such citizens in "their unalienable rights of life, liberty and the pursuit of happiness."

None of the corporeal and grape raisers are so restricted by law, in market for their products, by prohibiting the lawful use of them to all law abiding citizens, because some

individuals abuse use of whiskey, beer and wine, then the innocent suffer the penalty due the guilty. Such law destroys the very end for which our government exists. The republic is based on the fact that man is created capable of self government. This is the basic principle of citizenship, as opposed to the status of a subject. Remedial measures are a necessity for government as for the individual. The digger of pitfalls in the public road may be justly prohibited the use of the road, because he is engaged in destroying a public need. He shows a spirit of such ill will as forfeits all right to free citizenship. His lawless spirit justifies law to take from himself control of his own body. Prison life is his just due. The temperate user of whiskey, beer or wine should not be punished with penalty due the boisterous drunken disturber of the public peace. Municipal or state law visits penalty on the temperate citizen when ordinance or statute requires every citizen to pay a doctor's fee before he can use a "little wine for his stomach"—for cold or colic, or drink a glass of beer or claret with his dinner, or before he can get a little wood alcohol to stain a picture frame, or to run the flatiron. The druggist's extra profit and cost of doctor's prescription, is not only prohibitive of use, but is penalty imposed upon the innocent. The spirit of such legislation assumes the right to direct details in the household and personal affairs. Eatables, drinkables, wearables, and all amusements fall under its oppressive surveillance. Such narrow minded intolerance and bigotry will soon brush from California's sun-bathed valleys industries as old as civilized man, and as necessary for his needs and comfort and progress as the plow or the book, the cow and the alfalfa. It invites the return of the jackrabbit and howling coyote over a great extent of country, which God, during unnumbered geological ages, prepared to be a natural home for the grape, and gave to it the most congenial climate for its residence that there is on earth. The very conception of application of law must include all man's natural needs, and all God's provisions to supply them in every foot of every zone of earth.

Aburd Restrictions Invite Revolution.

In some localities, as in some of the southern states, the presence of a large, ignorant, vicious element, unused to self-control of appetites and passions, imperils its own and the life and property of all other citizens, if a free use of intoxicants is allowed. And in every state and territory there are demoralized, covetous, and avaricious brewers and saloon keepers, who should be restricted from their evil work. But the government would invite revolution instead of aiding reformation, if she stultifies herself by choking all self respect out of her best citizens by compelling them to suffer the penalty due offenders. The day of revolution is already here, if the government cannot prevent the vicious from ruling or ruining. There is a boneless, silly, sentimental so-called Christianity that runs under cover of sentiment and so-called prayer, when the trumpet of common sense, reason and God calls to battle. The loyal grain and grape growers should be free to produce and vend all their products that the natural needs of all loyal citizens demand. The stability of free government is at stake. The loyal producer and consumer are entitled to such protection, and by conditions of free citizenship they pledge life and property to secure and maintain it for themselves and all others under its stars and stripes. The enemies of law and peaceful pursuits, whether internal or foreign, must know that there is a Rubicon which they dare not cross except at peril.

Saloons Must Go: Liquors Stay.

No lover of quiet and good morals can uphold the saloon as it has been conducted for the past fifty years. Its manner of life has been largely its immoral trend, by forfeiting its right to life. We rejoice to see it pass. But let us not apply law with as little discrimination as the old-fashioned schoolmaster did the rod. He flogged every boy who happened to be seated at the time on the same bench with the bad boy. Such a cover of conduct in government deserves and intuitively gets condemnation from all right minded citizens. J. H. WATERMAN

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IT was another one of those surprising nights that do occasionally come to California coast cities when the wind and the fog come bowling in from the sea, not cold, but chill, giving the inglorious attractions that the outside can seldom overcome. On such a night the charter members of the Galoot Club again found themselves huddled about the card table in the whist room dreading to go home, for the ghosts would walk the earth that night if any, and the hold-up man, too.

"Look here, Abner Appleby," exclaimed the newspaper man at length, "you picked out the black ball at the last try-out and it is your turn to 'fess up'. All set, drive ahead."

"Well, my story is so old," remarked the banker, hugging his meerschaum a little closer and taking from it two or three reassuring whiffs. "Yes, I did have rather a peculiar affection of the heart a matter of forty years or so ago, with occasional relapses since then, and I don't mind telling it if it will contribute anything to the professor's philosophy, although it is not altogether pleasant to have other people, even one's best friends, know too much about one's personal affairs. I have noticed that a man's heart is about the ugliest joke in the world in the eyes of all except the one who has it."

"But we loved each other, Helen and I did, talked love and all that about the same as the rest of human kind," he told, "and never fixed and I was not 'fixed' and we were both very young, too young to think of marrying yet a while. You see our folks were prudent people, economical, hard working and not very well off, and I had not thought much about life or calculated on being anything more than my father and grandfather had been, did not care about going to college, but just worked away for father good and hard, loved Helen and kept healthy. That was about all."

"But Helen took to reading matters, set my dumb head to thinking about things in general and induced me to go down to Boston to try to do something better than farming and I went the day after I was twenty-one."

The first thing I struck was being janitor for a bank and I did that till the day after figuring, just setting down columns of figures as long as my arm and adding them up quickly and right every time and when I felt sure of myself I asked the head bookkeeper to let me show him what I could do and the upshot of it was that he gave me a set of books to verify at odd hours. Then I got on as bookkeeper and it was not three years from the day I struck Boston until I understood banking pretty thoroughly, had a good salary and might have been promoted and settled down in Boston as Helen wanted me to.

"One day I had to go to the president's residence out at Brookline to consult him about something, for he was ill and off duty, and while there I heard the president's wife say to her coachman: 'John, the carriage at two, please.' That's the way to live, thought I, as I walked away. 'John, the carriage at two.' The thing kept running in my head all the rest of the day and I took it to bed with me at night. 'John, the carriage at two.' I thought I did not look sleek and comfortable like the president's wife and neither did Helen's. Their fingers were bony and hard, and they walked sort of the way that boys do on stilts, one side at a time and without stilticity of movement, while the bank president's wife glided in and out of the room with grace and elegance. Helen went about trippingly, it was true, and it was enough sight prettier to see her go about than it was the banker's wife, but perhaps it had been so with her mother and her grandmother when they were young. What made the difference? Was it hard work and scarcely a day for rest? 'John, the carriage at two.' That's the way white folks ought to live, thought I, anyhow it is the way a man would wish to see live the woman he loves and I love Helen. 'John, the carriage at two, please.' The words, the voice, the comfortable and well dressed wife of the bank president, mother with her bent back and her bony hands, and Helen—they were all in my head in a jumble and I could not shake them out."

"About this time the president's brother came back from California on a visit, wanted a good man to go back with him and open a bank, the president recommended me. A good offer was made me and I accepted."

THE CARRIAGE AT TWO

(Being the Second Galoot Club Romance.)

By TOBIAS BLACK

"I went home to see the folks and Helen and tell them about my good fortune and say good-by, and all the time I was there that everlasting John, the carriage at two, business kept dinging in my head. Helen agreed with me that I ought to go, though she did not like for me to be so far away, but calculated that I could come back for her before so very long if I cared to like the country."

"Then there popped into my head the carriage business: 'John, the carriage at two, please.' Until that instant it had not settled itself down to any determination, but it did right then and was fixed from that minute."

"Helen," said I, "I don't calculate to be so distant a place as you people think. I'm always have been. It's just no way at all to live, and I have made up my mind that I am not going to marry until my wife can live like a lady and order her carriage when she wants it. Now I am going out to California and I am going to do my level best, but I am not coming back until I am well fixed if it's never, and if you get tired waiting, why just you don't wait any longer if some good man turns up and wants you, as most likely there will, but if you've got married before I come back contrive to let me know and I'll never come back at all."

"Helen looked up into my face with a funny, frightened look, said that I meant it and began to cry. She said she believed that I did not love her any more, and she burst out and walked back to the house, for we had been sitting under the old elm tree down by the orchard where she had read to me about all the grand or pretty things in literature that I ever knew. I went to New York and took a passage for the Isthmus, but I wrote Helen as encouraging a letter as I could before the steamer sailed and did not have the smallest idea but that she would wait until the grave closed over her if need be or that I would be more than five years in making my fortune. For I was full of hard work, had a quick head and had gotten on so rapidly during the three years that I had been away from home, having been advanced right over the heads of several older men, that my confidence in myself was boundless."

"John, the carriage at two, please." That set the pace for me and I tell you I buckled down to work pretty hard. If ever I slacked up to chaff with somebody or to idle away a spell that carriage business would pop into my head and send me about my work again with the thought: 'It's for you, Helen. It's all for you and someday I will make a fine lady of you.' Talk about happiness! I never dreamed that a man could be as happy as I was, working from morning till night over columns of figures and estimates, planning and scheming, and yet the troubled face of Helen as she looked up at me when I told her of my determination passed before my mental vision many times a day and cast kind of a sweet shade of sadness over my joy. Of course I wrote to her every now and then as encouragingly of my prospects as I thought I ought, seeing that I might never succeed or ever go back for her at all and did not put into my letters any of the love I felt and that made me so strong for work and so careful in planning."

"And I did do well here from the start, but not well enough to suit me. I was getting on but not getting rich, and I soon got to casting about for a bigger thing than I had,

studied the country and the markets and in short, made a business of business. I had not lost a day from work for three years, but, partly for a few days' rest and partly with an eye to business, I accepted the invitation of a rancher and went home with him for a few days' duck shooting. This man had an island down on the Joaquin, had borrowed a good deal of money from the bank and the security needed looking into, so I went. He had a good idea if he could keep it sticking through tight times, but the water in the spring, and, I was trying hard and spending lots of the bank's money making levees, pumping water and all that, but with poor success. I saw how matters stood, that he had a bonanza if he could keep the water off but that he could not—had the wrong ideas—so I set my brain to work and waited. It was just as I foresaw it would be. The water came in on him the next spring, drowned out his crop, broke him up financially, and the bank had to take his island. I made terms with the bank and tried my hand at reclamation."

"Meantime I had studied dyking and pumping and had several alternative plans perfected and went at the work with confidence, but the problem was a match for me and for a time I sunk money pretty fast. My levees washed away like soft butter and a spring freshet and do the best I could with logs and hay and patches of grain saved out of the wash-outs I did not get any the better of the debt I had assumed, and it began to look as though the bank would have to close out on me, too. I scarcely wrote to Helen at all, and when I did it was with no promises or prophecies for the future, but I kept right on working just the same. I built levees, drove piles, pumped the water out and planted grain. The levees broke, the grain got drowned and mostly I had my trouble for my money. The engineers did not know how to build levees, and the farmers did not know how to farm, and it was five years before I turned a dollar out of that venture. I had planted a lot of crops and I had harvested parts of crops and kept my credit up."

"But my luck changed at last. 'Twasn't luck either. It was about as cold calculation as ever was, and I finally got the levees so that I knew they would hold, and put twelve thousand acres of that rich, moist sediment soil into wheat, and after harvest I put about the biggest single crop of grain into the San Francisco market that ever went there. I guess, and wheat was what that year, too."

"I bought a big drove of hogs and herded them across the stubble as fast as they could take it clean, followed with the plow and planted potatoes with which I cornered the spud market of San Francisco that winter. That year's farming campaign, with the speculative value it gave my island made me comparatively a rich man, but I foresaw the future of reclamation when other river owners got to leveeing against me as I had leveed against them, and when a syndicate of big men was planning to plant a big price on my goods."

"John, the carriage at two." Gentlemen, no genuine 'jag' was ever comparable to the intoxication I felt the day that I drew on the syndicate for the price of that land, paid off the last debt and banked the remainder of the proceeds. I lived in the heavens and subsisted on expectancy. I bought and furnished a newly completed house in the Western Addition, in San Francisco, secured the finest span of chestnuts to be found in the market, ordered some tailor-made clothes, hired a coachman and changed his name from Pat to John, then put in a few days straightening up affairs so that I could go back after Helen."

"I had put a housekeeper in charge, got my trunk packed ready to start that afternoon and was just getting a bit from having made the show-up, when a messenger came together with a servant entered with the morning's mail. The first thing that my eyes fell on was one of those stiff, square, formal affairs that may announce a birth, a wedding or only an invitation to plant a big price on my goods. It was for a portrait, but it was postmarked at Methuen, Massachusetts. Somehow my heart gave a great tug when I saw the postmark and then it stopped beating altogether. It was more than a minute before my fumbling

(Concluded on next page.)

fingers could open the thing, but when they did I drew forth a gilt and beveled edged card bearing in part this legend:

"Married: At the residence of the bride's mother at Methuen, Massachusetts, September 10, 1869, Helen Parker Bailey—

"I did not read any further. I flung the envelope, and the rest of the mail into the open grate, touched a match to the pile and sank back into my chair with arms hanging limp at my side and watched the eager flames lick up the letters and the papers, watched the little, floating films of cinema pass up the chimney and the charred residue smoke and crinkle and lie dead in the ash pan. How cold I got! My soul went sinking down, down until it seemed that my disembodied spirit must pass out at my toes and leave my frame cold and stark. 'John, the carriage at two, please.'

"Then I laughed, laughed until I made the house echo from cellar to garret, rolled on the floor and laughed until the housekeeper and servants, who came running, made sure that I had not gone mad. I had considered and had provided in advance for every contingency which could defeat my plans except death and the marriage of Helen to someone else. Death had seemed unlikely and little counted on and her marriage less likely to occur than the death of either of us. The idea of this one unconsidered and unforeseen contingency chancing at last to frustrate my plans struck me as being grotesque and I laughed.

"I rang for the coachman and in the blandest manner said to him: 'John, the carriage at two, please,' and then: 'No, confound you, I want it now, in thirty minutes, not a minute over,' and I laughed again into his startled, puzzled face.

"Stepping to my desk I wrote a note to Louise Foster and the housekeeper's son hasten with it. It read as follows: 'Be ready in half an hour to drive with me to Redwood City. You must go. It is important. I am to be married there to-day.'

"Louise's husband had been my foreman at the island and had died from malarial poison, making me promise before he closed his eyes that 'Louie' should not starve, and I had bought her a boarding house outfit in the city and had boarded there ever since.

"She was nearly ready when I drove up and we were soon off, but I could see from her face that she was uneasy on account of my behavior and so I tried to gather myself together, so to speak, upon her account.

"Why, how you drive, Ab Appleby,' she exclaimed, 'your horses will not last half way to Redwood if you let them go at that rate.'

"'I'll get some more at San Mateo then.'

"I supposed that you were to start east this afternoon for the purpose of getting married."

"Just two weeks too late."

"Has she come out to Redwood?"

"No, married another man."

"But your note said that you were to be married at Redwood to-day."

"So I am."

"For goodness' sake whom are you going to marry?"

"Yourself."

"You are insane."

"No doubt of it."

"Look, here, Louise,' I said, facing her and pulling the horses down to a respectable gait. 'I have loved a woman for more than twenty years. Never knew anything else but to love her and I have worked day and night (you know something of how I have worked and what obstacles I have overcome) to make her a lady and now, just as I have conquered every obstacle, made a fortune and bought a home fit for any lady in America and am just ready to start back to fetch her away, here comes the man who has been my enemy for years. You know that I am, or have been up to now, a good, clean man, and I know that you are a good woman, and I like you, always have and always shall, but if that sun goes down leaving me a single man I shall live single until I die. More than that I shall be a woman-hater and a scoundrel. Marry me to-day at Redwood, and all I have is yours in equal share, and I swear that I will be true to you and good to you as long as we both live. I will do everything but love you, and I promise to never look upon the face of that woman again or

let her memory cross my mind. Will you have me?"

"No, to-morrow you will be over your crazy fit and bitterly penitent."

"What of it? Did I ever make the bargain that I did not stand by?"

"A colder blooded proposition I never heard of."

"My blood never boiled as it boils this day."

"I would rather have the love of a poor man than be the purchased wife of the richest man on earth."

"And I had that love once and it will never come to you again."

"Then I'll live out my days alone."

"And I will burn my house to the ground to-night, and take passage on the first vessel that sails out of the Golden Gate."

"I turned my team round and drove leisurely back toward the city without uttering a word, and for a mile or two neither of us spoke."

"Abner Appleby, you surely do not mean all that you have said to me?"

"I swear to God that I do."

"Then turn again and drive to Redwood."

"And we did."

"We have had six children, Louie and I. Two are dead and four are living, all of whom you gentlemen know, but you do not know what a precious scrape that eldest boy of ours got me into two summers ago. But that is another story. I am going home. Good night gentlemen."

"Good night."

"And that is how Abner Appleby became so flinty," remarked the professor as he reached for his hat.

("The Plague"—Concluded.)

minished as far as the thirtieth squirrel, which is as far as they have had time to try it. The ground squirrel, then, is the one that perpetuates the disease; the rats perennially renew it by infection from the squirrels, and mankind gets it from the rats. The moral is obvious: Kill the ground squirrels. And this task will soon be undertaken under the auspices of the National Government.

The campaign also demonstrated the fact that the way to fight an invasion of the plague is to kill the rats. San Francisco is the first city that adopted this method, and its success brings a large measure of applause to Doctor Blue, who originated it.

For these great benefits the chief credit is due to "the corps," as the officers of the United States Public Health and Marine Hospital Service call themselves. They have demonstrated here again, as they demonstrated it at the yellow fever crisis of New Orleans in 1905, their fitness to cope with invasions of plague that menace human lives and American commerce as gravely and more subtly than the invasion of foreign armies and navies.

Automobile Notes.

The head vulcanizer at the Goodyear factory at Akron, Ohio, says that about 20 per cent. of the inner tubes which come for repair showed signs of dirt having been dropped into the cover when one head had been detached by the roadside, and having afterwards set up friction between cover and tube when the tire was replaced. Consequently, whenever a tube is changed by the roadside, before the new tube is inserted the interior of the cover should be mopped out from top to bottom on each side with a dry rag first of all, the wheel

should then be spun to loosen any road dirt or grit in its interior, and when one is certain that all foreign matter has dropped to the bottom of the cover at the lowest point of its circumference, that part of the cover should be carefully mopped out with a rag slightly dampened. The cover may then be lubricated with french chalk in entire certainty that the new tube will behave guilelessly.

An auto stage line between Muir's mill and Willits, Cal., will be opened on May 15th next, a distance of twelve miles, by the Studebaker E-M-F "30" agent at Fort Bragg, W. H. Ward. Associated with Ward will be Len Bernard. According to Ward, two trips will be made daily, in order to accommodate passengers for both the morning and afternoon trains. Ward has been instrumental in arousing considerable interest in automobiles in his district and lately has made several sales of the popular car for which he is the agent. Ward has also made several hill climbing records with his machine.

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PERSONALIA

King Gustaf of Sweden is an ardent tennis player.

George Meredith's daughter recently led the municipal orchestra at Harrogate when the regular conductor failed to appear.

J. F. Youngblood is the significant name of a music teacher in Saltillo, Tex., who, at ninety-nine years of age, still teaches classes in music.

F. C. Selons, the English explorer and hunter who is to accompany Roosevelt in Africa, was the original of Rider Haggard's famous character "Allan Quartermain."

George Arliss, who played many devilish parts before he became a star as "The Devil" in the play of that name, has, off stage, a particularly boyish and innocent expression.

Melville E. Stone, Jr., who has just assumed charge of the Metropolitan magazine is the son of the manager of the Associated Press, and was editor of the daily Harvard Crimson. He is thirty-four years old.

Thomas A. Edton carries a dollar watch. His \$1,700 Swedish movement watch in an engraved gold case is stored in a safe deposit vault. When the dollar watch wears out he smashes it with a hammer and buys a new one.

Bernhardt once decided to leave the stage because of an unsatisfactory part given her by her manager, and to open a confectionery shop, even going so far as to select the store. The darkness of the back room and basement discouraged her enough to make her return to the stage.

Probably the greatest swimmer in the world is C. M. Daniels of the New York Athletic Club who has broken world's records in a good share of the races he has swam. He clipped three seconds from the world's record for the 220-yard swim a few weeks ago, making it in 2:25-2-5.

Sir John Tenniel, the famous cartoonist and illustrator of "Alice in Wonderland" was ninety years old a few days ago. His "Dropping the Pilot," made British sentiment on the subject of the young Kaiser's dismissal of Bismarck. It will surprise many to know that Sir John is still alive.

Miss P. Stella Michelson, a young attorney of Los Angeles, has decided to assist William R. George in establishing George Junior Republics all over the country. She will go first to study at Freeville, New Jersey, and then travel from state to state to assist in organizing the republics.

Governor Swanson of Virginia, Senator Daniel and Robert E. Lee, Jr., are members of the advisory committee of the Patriotic Order of Sons of America which has an option on the ancestral home of the Virginia Lees, which the order will purchase and present to the state as an historic monument.

The last of the beautiful Langhorne sisters, of Albemarle, Va., is to be married. She is engaged to Paul Phelps of England. All five of these women are famous beauties: Mrs. T. Moncreux Perkins, of New York; Mrs. Charles Dana Gibson; Mrs. Reginald Brooks; Mrs. Waldorf Astor; and Miss Nora Langhorne.

The greatest mathematical prodigy is said to be Thomas C. O'Neil, of Hubbardston, Mich., who can instantly answer the most complicated problems in mental arithmetic. He is said to be able to square numbers instantaneously that would take from the first day of creation to the present to figure out in the ordinary way.

Though seventy-five years old, Justice Harlan of the Supreme Court of the United States has the ruddy complexion, face free from wrinkles, and the general activity of a man of fifty. Besides his work on the bench he lectures one hour a day in the law school of the George Washington University, besides taking long walks and playing golf.

SHEAR WIT

Patient's Wife: "Well, Doctor, I say it's influenza. What's your humble opinion?"—Punch.

Mr. Snapp: Life is full of contradictions. Mrs. Snapp: And I say it isn't.—Boston Transcript.

"Hail, gentle spring!" exclaimed the Washington Herald, and it hailed like fury.—Houston Post.

Kicker: I got mixed up in a real estate deal last week. Snicker: Did you? Kicker: Yes, they did me.—Puck.

"What do you think will be the first thing Mr. Roosevelt will do in Africa?" "I think he will shoot the g off gnu."—St. Louis Post-Dispatch.

"Is the baby strong?" "Well, rather! You know what a tremendous voice he has?" "Yes." "Well, he lifts that five or six times an hour."—Comic Cuts.

Customer (who wants a bottle of ippeacuan-hu wine): "I-I-I want a bo-bo-bottle of ip-pi-pi-pi." Shop Boy (who has received notice): "Ooray!"—Tatler.

From Good to Bad to Worst—A Fresno store advertises a list of cheap editions of books, as follows: The Christian, The Conqueror, The Eternal City, The Heart of Rome, The Jungle, The Devil.

Clutch (to menagerie attendant): "And if the aw—taw—taw should break out, y' know, what—aw—what steps would you take?" Attendant: "Deuced long ones, by George!"—Boston Transcript.

Johnnie (to new visitor): So you are my grandma, are you? Grandmother: Yes, Johnnie, I'm your grandmother on your father's side. Johnnie: Well, you're on the wrong side, you'll find that out!—Philadelphia Bulletin.

Jinks: Have you selected a trade for your boy? Winks: I shall make a plumber of him. Jinks: Has he a bent that way? Winks: He's born for it. Tell him to do a thing immediately and he won't think of it again for a week.—Tit-Bits.

"I have a serious criticism to offer against this exquisite little sonnet entitled 'The Charge of the Light Brigade,'" said Roudau Rimer, producing his monthly gas bill. "How is that?" asked the cashier. "Well, you see, the meter is wrong!"—Puck.

The school-girl with large feet was sitting with them stretched far out into the aisle, and was busily chewing gum, when the teacher espied her. "Mary!" "Yes, ma'am." "Take that gum out of your mouth and put your feet in!"—New York Observer.

"Well," remarked the minister facetiously, as the host served him with a piece of the white meat, "here is where that chicken enters the ministry." "Hope it does better there than it did in lay work," rejoined the small boy of the family.—Boston Record.

The other passenger asked the silent man why he did not "cuss the company" too. "I would hardly be fair," he replied, "as I'm traveling on a free pass; but if they don't do better pretty soon, blamed if I don't go out and buy a ticket and join you."—Harpers.

In the New York Sun's review of the American production of "An Englishman's Home," the critic writes: "William Hawtry has certain natural gifts that enable him without half trying to impersonate the stupid, fat, stolid, bewildered, typical middle class Mr. Brown."

The "wit" of a group of officers, noticing that a country boy got out of his cart and held his donkey tightly by the head when the regimental band began to play, asked the lad why he "held his brother so tightly." The reply was crushing: "I'm 'fraid he might enlist."—Tit-Bits.

The celebrated soprano was in the middle of her solo when little Johnny said to his mother, referring to the conductor of the orchestra, "Why does that man hit at the woman with his stick?" "He is not hitting at her," replied his mother. "Keep quiet." "Well, then, what is she hollerin' so for?"—Detroit News-Tribune.

THE SUM.

By Paul Laurence Dunbar.

A little dreaming by the way,
A little toiling by the day,
A little pain, a little strife,
A little joy—and that is life.

A short-lived fleeting summer's morn
When happiness seems newly born,
When one day's sky is blue above,
And one bird sings—and that is love.

A little weeping of the years,
The trials of a hot hot tears,
Two folded hands—the fainting breath
And peace at last—and that is death.

Just as living, loving, dying, so
The actors in the drama go:
A fitting picture on the wall,
Love, death, the themes! But is that all?

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The Fifth Amendment to the Constitution of the United States, which we partially discussed a week ago, was packed by our revered ancestors very full of safeguards against tyranny and oppression from power of government, so full indeed as seriously to cripple the power of government when exercised beneficially for the establishment of justice. The constitution makers are not blameworthy, if blame attaches anywhere. It was the people themselves whose insistence upon amendment carried the provisions following into the immortal document.

"Nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb." This provision had its origin in oppressive governments. When such a government failed of convicting an enemy in one court, straightway it haled him before another and so persecuted him as often to make the lives of innocent persons unsafe if not intolerable. So grievous had become the burden of oppression that the tendency of legislation since has been to make laws for the relief of the innocent rather than for the punishment of the guilty.

The meaning of this clause in the constitution is that the prosecutor shall have one chance to convict the person charged with an offense and only one, but that chance shall go to the length of eliciting one unequivocal verdict from a jury, a verdict of guilty or of not guilty. If the jury says not guilty the prisoner must be discharged from custody no matter how great his guilt, and he cannot be again arrested on that charge no matter if newly discovered evidence show his guilt to be unmistakable, or even if he confess to himself. So many failures of justice have grown out of this time-honored safeguard that there has been discussion favoring the placing of some limitation or qualification upon it, but it is almost inconceivable that the public mind will ever sanction any assault upon the integrity of this clause, either in national constitution or state. It is imbedded in the tradition of our people.

If the jury disagree, or if it find a verdict of guilty and the defendant himself be granted a new trial and the verdict set aside, it will be the same, in the sight of this provision, as though there had been no trial at all. Such a proceeding does not place one in jeopardy.

Another pregnant clause in this amendment is, "Nor shall any person be compelled in any criminal case to be a witness against himself." The defendant in a criminal action may go upon the witness stand and testify in his own behalf if he wishes to do so, and if he does so testify, he can generally be cross-questioned like any other witness. If he does not no law can force him to open his mouth and, according to the laws of California, the fact that he does not testify in his own behalf—the fact that he does not go upon the witness stand to explain what, possibly, no other living person can explain—cannot be referred to by implication in an argument to the jury by the prosecuting attorney. Fortunately, intelligent jurors cannot be prevented from drawing their own conclusions although the law does what it can to prohibit their so doing.

The origin of this clause dates back to the time when men were tortured in order to make them confess their wrongs—doing, when they were hanged until nearly dead, were stretched upon the rack, bitten into with hot pincers and had power screws applied to their thumbs. The horror of that era so impressed itself upon the minds of men that prosecutors have ever since been prohibited from extorting reluctant testimony.

This is not true of all countries. On the continent of Europe a person accused of crime is rigidly questioned by a magistrate and his every answer is taken down and confuted if possible. After further investigation the accused is questioned again and is again confronted with such evidence as the prosecution has been able to discover. If he has spoken falsely he is soon tangled in a mesh of his own making and his testimony is utterly discredited; but if he has spoken truly his testimony will have been corroborated to the mi-

nutest detail and he will be given full credit for the integrity of his story.

Much of this kind of work is done in this country also, but outside of any lawful, judicial procedure. It is done by police authorities and is commonly called "sweating" the prisoner, of which we read almost daily in our papers. It is unfeeling and yet permitted for the good reason that it is the only way to get at the truth in regard to crimes of certain types. The query is as to whether or not what seems to be so indispensable should be made legal and conducted in a more orderly manner, ancient constitutional "safeguards" to the contrary notwithstanding.

KNIGHTS AND KING.

By William Watson.

The knights rode up with gifts for the king,
And one was a jeweled sword,
And one was a suit of golden mail,
And one was a golden Word.

He buckled the shining armor on,
And he girt the sword at his side;
But he flung at his feet the golden Word,
And trampled it in his pride.

The armor is pierced with many spears,
And the sword is breaking in twain;
But the Word has risen in storm and fire
To vanquish and to reign.

Since Gladys Went Away.

Since Gladys went away
All clock seems the day,
The clock doth strike
With doleful sound;
In favorite book
No surcease found;
Each night doth slowly wear away,
And dawn doth break a duller gray,
Since Gladys went away. —(Unidentified.)

Since Gladys went away
We've pruned three times a day,
And for our one
Unchanging meat
We get but canned
Corned beef to eat,
And oh, our men's far from gay,
Won't someone send a cook who'll stay,
Since Gladys went away?

PLEASE NOTE:—This is to remind you that EDGAR C. HUMPHREY is the pioneer specialist in property from San Mateo to Menlo Park and about the Stanford University. Homes for sale and lease. Acres for sale. Offices, Call Building, San Francisco, telephone Kearny 4656; Palo Alto, telephone Palo Alto 229; residence Menlo Park, telephone Palo Alto 217.

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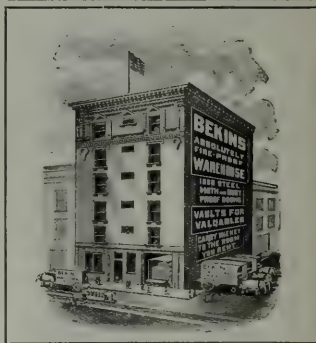
This new invention renders unnecessary such clumsy, ungraceful and frequently harmful devices as trumpets, horns, tubes, ear drums, fans, etc. It is a tiny electric telephone that fits on the ear and which, the instant it is applied, magnifies the sound waves in such manner as to cause an astonishing increase in the clearness of all sounds. It overcomes the buzzing and roaring ear noises and, also, so comfortably and electrically exercises the vital parts of the ear that, usually, the natural unaided hearing itself is gradually restored.

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Good Work By the Supervisors.

The final passage of the anti-slot machine ordinance was a good piece of work, but it will not be complete until the police power of the city is given authority to commandeer every machine found offending and smash it with a hammer. Philadelphia destroyed dray loads of them, after which the ordinance was effective. The protests made against the ordinance, showing the ruin it would spread in the ranks of commerce and property ownership, were rightly taken as conclusive evidence of the need for the ordinance and its strict enforcement. Even the proponents of the measure were not prepared to believe the enormity of the offense these machines were committing against public morality. As well might property owners have protested against killing rats on the ground that the elimination of the plague would lessen the ability of the undertakers to pay rent.

The Protest of the Bankers.

It is unfortunate, yet not unusual, that many bankers should have joined in protest against the adoption of the slot machine ordinance. We are what our occupations make us. The mind of the banker naturally addresses itself to the financial aspect of every issue. Unless he has taken pains to cultivate breadth of vision and depth of sympathy, often at financial cost, he is likely to determine issues solely upon their financial aspects. This explains why the Rothschilds accomplished the temporary defeat of a movement to lessen the evil of drunkenness in England, by lessening the number of drinking places, inasmuch as such a measure, although making for the betterment of the nation, would tend to lessen the value of breweries and distilleries upon which the banks have placed loans. This also explains why, in San Francisco, many large banking interests have thrown the weight of their influence against the prosecution of rich grafters, making their conviction difficult and the contest with injustice long drawn out. The net tendency of this attitude of bankers toward public affairs is to persuade the public mind that the banking mind is immoral if not immoral.

Give the President Time.

The pertinacity with which certain molders of public opinion are trying to make it appear that President Taft has turned his back upon the Roosevelt policies suggests that the wish may be father to the thought. Give the President time. Give him a full year before making up the mind regarding him. He has been well tried and has borne every test until now. His methods will be different, but his purposes will be essentially the same as those of Roosevelt. If the event should prove otherwise the disappointment of the public will be bitter and the resentment keen, but give the man a chance to make good. He is a good man and will redeem every pledge express or implied, but the public may not hear of what he is doing until after he has done it. William Howard Taft is no mental or moral weakling or a setter up of false pretenses. There are

THIS NUMBER CONTAINS

“Reply to
Mr. Phelan on
Hetch-Hetchy”

BY

E. T. Parsons

interests that would hug themselves with delight if they could estrange the friends of Roosevelt from Taft and his friends. Keep a weather eye on 'em.

The Gospel of Economy.

If the voice of the eastern economist can make itself heard Uncle Sam is to become as tight-fisted as the closest down-east Yankee. The more liberal West will not have it that way. The several departments of government have been asking for appropriations to suit their separate needs without co-ordination or consultation with other departments and congress has been appropriating money with an equal lack of team work. President Taft has taken steps to remedy this cause of unregulated expenditure. If he can carry his reform measure through we shall arrive at something analogous to the budget making of the British Chancellor of the Exchequer, a device that should have been incorporated into our government at the start. This will lead to prudent expenditure, not parsimonious, and the distribution of funds will be more equitable, but the demands for internal improvements are going to increase, not diminish, and those demands should be met as rapidly as the nation can bear the burden without groaning under it.

Shuffle Those Justices Again.

The states of the Union should notify Uncle Sam that the inheritance tax has been enclosed as part of state-taxation preserves and that it would be well for him to keep off. However, there is the income tax which he may have in welcome and, in order to get it, it will only be necessary to shuffle those nine justices a few times more so that five of them may be drawn for the tax to four against, a feat the contrary “interests” performed to the contrary effect in 1895. That decision cannot stand. Sooner or later the pressure of national need will reverse it. Why not apply that pressure now? The need is not for finding new ways of taxing the same old people, but ways for taxing those who escape their adequate share of the common burden or who

can bear more than their share without injury. An income tax accomplishes this end. Thirty-six states now impose inheritance taxes while only six tax incomes and these unsuccessfully and inadequately.

“Wet” Spots and “Dry.”

It should be evident enough that the anti-saloon issue has reached California. To be sure Santa Cruz, being a bathing resort anywhere, voted to be “wet” inside as well as outside. Alameda, with similar aquatic aspirations, did likewise, a rather surprising feature of the returns being that, of sixteen precincts voting separately on the issue, fifteen voted to have saloons and only one voted to exclude them from such precinct. There are relatively few cities that would make such a showing of favor toward saloons in residence districts. Fresno, the center of a great wine and a considerable brewing industry, astonished itself, and the state, by voting the saloon out, leaving only the hotel and restaurant and liquor store. Porterville lately closed its saloons, a fact that must make some of the old pioneers wonder where they are living, for it was once prophesied of Porterville that, when the earth should be consumed with fervent heat and should wander darkling in space, on the spot where Porterville once had stood there would be a little flickering blue flame of alcohol yet burning. With Dr. Rowell in the mayor's chair at Fresno the laws will be enforced whether the mayor believes in the sanity of those laws or not. Out of the turmoil of this contest betwixt “wet” and “dry” something will sometime come that will be more tolerable than the saloon and less intolerable than the “blind pig.”

What More Are They?

Of a group of sixteen railway presidents in the United States five are former clerks, three telegraph operators, two switchmen, a ticket agent, a brakeman, an office boy, a printer's devil, a rodman and a section hand, showing that the way up from the bottom rung to the top of the ladder is still open. There is a hotel man in this state who began as a dish-washer half a century ago and now is rated at \$2,000,000, but he is still essentially a dishwasher. His life has been much less than a success, for the newer standards for the measurement of success require more than that one shall get up the ladder. They demand to know how he got up and what he was like after he got to the top.

America Still An Asylum.

Upon hearing of the eastern paper's exhortation to the case of the latter paper exclaimed, “Thank God America is still an asylum!” So it is, not merely for the oppressed of all nations, but also for the lame and the halt, the insane and the criminal, the agitator and the anarchist, the fit and the unfit. America is so much of an asylum that it is time for it to think seriously upon whether or not the asylum business has not been overdone in America.

NATURAL BUT NOT ESSENTIAL.

That the labor party people of San Francisco should wish to retrieve their injured reputations as a governing power is natural enough. Any other separate element in the city's population would, under similar conditions, feel the same way, but it is essential to the wellbeing of San Francisco that they be given the opportunity? Richard Brinsley Sheridan once fought a duel with a coward merely to afford that coward an opportunity to retrieve a lost reputation and the coward, goaded to desperation, nearly killed him. San Francisco might suffer a similar fatality.

Besides, this is or should be a government by all of the people, not by a part of them. At the council board should sit the banker and mechanic, the professional man and the merchant, representing, not alone their own constituencies, but the whole people of the city. In no other way can the best interests of the whole people be represented. And it is a splendid respect which those in any walk of life will acquire for those in other walks when they have sat awhile over against them, have given and taken, tried the quality of each other's minds and understandings. There they will learn that a man is a man (if he is a man) for a' his banking, a' his working, his profession or his place in the counting room.

Organized labor should participate in city government. Labor cannot do this to advantage without being organized, but its participation should be in proportion to its ability to bring forward men of sound judgment, broad sympathies and tried integrity, being mindful of the fact that San Francisco has other interests besides those of labor. Of twenty-three Republican or Democratic union labor representatives in the late legislature not above five were fit to be there. That is not as good a showing as labor should have made even though hyphenated to Republican or Democrat, and it does not augur well for its being able to set up a safe government for this city.

Union labor should stand for a good representation in the next city government, not for taking over control of that government. No class, no walk of life, nor department of commerce or industry—not even the Southern Pacific railroad—should assume to do that. Government by anything less than the whole people is not government by The People.

STATISTICS SHOW.

The ordinary arguer feels that all he has to do in order to overthrow his adversary is to raise his voice to concert pitch and declare that "statistics show"—whatever he happens to wish them to show, and statistics are very obliging.

A storm center of statistical fury has been waging about certain statistics presented by Mayor Rose of Milwaukee, whose advocacy of beer and opposition to prohibition has given him national fame. According to Mayor Rose there are more divorces in prohibition Kansas than in beer-flowing Milwaukee, therefore prohibition encourages divorce. There are fewer deaths from alcohol than from whooping cough or measles, and only a fraction of as many as from tuberculosis or pneumonia, therefore drunkenness is not unhealthy. His prohibition adversaries come back with statistics calculated to make the hair on little boys' heads stand straight up and their ears to hear the roarings of the demon rum like those of a ravaging lion.

Sane persons will do well to view statistics, in the hands of non-expert enthusiasts, with caution. In Germany some years ago it developed that the consumption of beer, the spread of elementary education and increase of juvenile delinquency all progressed by percentages practically equal, but only a congeni-

THE STAFF

A. J. PILLSBURY, Editor and Manager
CHESTER H. ROWELL, Associate
A. J. WATERHOUSE, Assistant
E. FRENCH STROTHER, Assistant
O. BLACK, Business Manager

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tal idiot could have drawn the conclusion that the increased consumption of beer was the cause of the spread of elementary education, or that the spread of elementary education was the cause of an increase in juvenile delinquency. It requires more than two related facts to make "statistics show" anything more valuable than an unverified hypothesis.

Those reported in vital statistics as dying from alcoholism are the unidentified nobodies picked out of the gutter and sent to the receiving hospital. No man with a family occupying a station of influence dies of alcoholism even though pickled in the juice of king corn. Men made so soft with guzzling beer that they could be stabbed to death with a cat's tail die of heart failure, syncope, apoplexy. When alcohol kills it is in conspiracy with some disease that has brought its victim to the threshold of the lowly domicile and only needs a little help to deliver the body to the undertaker. Then it is that alcohol proves its potency, but these things statistics do not show.

Nor do statistics show the truth about the causes of insanity, pauperism and domestic infelicity. Causes and consequences are in such cases badly mixed, and yet not far from half the pauperism in the world has inebrity as a contributing cause, half the broken homes in the world would not have been broken if drunkenness had not entered into the problem. As to insanity, half of it may roughly be set down to prenatal tendency and the other half to the excesses of life, while halves of both halves would scarcely have developed their perfect fruit but for the aid afforded by alcohol. Yet these probable truths cannot be proven or disproven by such vital statistics as are commonly accessible.

Humanity may be divided into those who are teetotalers and those who are not. Of those who are not it may be doubted if 5 per cent. make such use of liquors as causes them to be more delirious than other folk in the performance of social obligations, yet the 5 per cent. who find the drink habit a millstone around their necks cause the world about as much misery as it can stagger under. If one person in the hundred were a confirmed criminal Society would have to fight for its life like killing snakes, and with five common drunkards out of each hundred of drinkers the burden of rum might spell the ruin of a nation.

The difficulties presented by the problem of liquor are serious enough to warrant the ascertainment of truth by an application of the scientific method, which consists in instituting comparisons with all related facts, lead they never so far afield, not in hurling thunderbolts with no better warrant than be derived from instituting comparisons between two facts out of a possible thousand bearing on the issue. Sobriety in reasoning is as truly a temperance as sobriety in beverages.

PROGRESS IN HETCH-HETCHY DISCUSSION.

Second only to the establishment of justice in San Francisco and the bay cities ranks the procurement of an ample, permanent and reasonably cheap source of municipal water and power supply. The issue is taking on national aspects. The best way to meet those aspects is to have the entire citizenry made familiar with the best that can be said pro and con regarding the issues involved. These differences may prove irreconcilable, in which event one side or the other will have to yield to superior force, but so long as there is the smallest hope of reaching a common ground of interest and understanding good citizenship should not cease to thresh the issue out, not over. Distinctly there is a difference between "out" and "over." The one marks progress. The other marks time, and is unprofitable.

Elsewhere in this paper is a readable article from the view point of a nature lover, Mr. E. T. Parsons. Succinctly stated, his chief points are as follows: That had it not been for the activity of John Muir and others the Tuolumne watershed would not have been made into a national park, and if not, all the opportunities would now be in private hands and would cost "untold millions" in being bought out; that the Stanislaus source of water supply is equally good and equally as cheap as that of Hetch-Hetchy and has fewer prior rights to be acquired; that Eel river offers as good a source of water supply very much cheaper; that the Tuolumne watershed embraces such incomparable scenery that to deprive the public of its enjoyment would be a serious loss and that to grant what San Francisco asks would involve such deprivation.

Of the feasibility of the Stanislaus and Eel river sources of water supply the writer of this cannot speak advisedly, but in both cases the generation of electric energy is not a factor, whereas a source of municipal power supply is only second in importance to a source of water supply. It will mean "untold millions" of dollars saved to untold millions of people for untold generations of men.

The beneficial results of the activity of John Muir and his friends in creating this park may be thankfully conceded. All honor to John Muir! He may have builded better than he knew then or yet knows. To have saved for the Greater New York of the Pacific Coast a permanent and adequate source of water and power supply for millions of men, women and children may make his name revered when all else he has done has been forgotten, even if "he didn't go to do it" as Columbus "didn't go" to discover America, but blundered onto a continent while looking for something else. How this source became available is not germane to the issue. That it is available is all important.

The pivotal issue of the whole controversy seems to lie in this: The exclusive sequestration on behalf of the bay cities of the entire Tuolumne watershed vs. the construction of a filtration plant. The nature lovers themselves will hardly contend that the deprivation of the floor of the valley to campers, by covering it with water, would justify the rejection of San Francisco's petition. Why not, then, mutually agree that if the issue ever comes to the point where the public must either be excluded from the entire watershed of the Tuolumne or a filtration plant be constructed, then, and in that case, the filtration plant shall be constructed. This concession on the part of the Hetch-Hetchy source may the more readily be made because of the truth that filtration is likely to prove necessary no matter from what source a supply of water may be derived. Water must be above suspicion. Will not those who write of the subject hereafter address themselves to this basis of compromise? May it not prove to be the key to unlock a chest of surpassing treasure?

THE GLASS REVERSAL.

There are times when the heart is made sick through the triumph of wrong, through the spread of decay among the institutions of men, through the ineffectuality of human effort to stem the tide of adversity. Such a time has come upon the people of San Francisco and California with reference to the establishment of justice. Such a time came to the people of Israel when the persecutions of Antiochus Epiphanes brought forth the Maccabees and extorted from an unbelieving people a conviction that if a man die he must live again that justice may not perish from the universe. Such a time came to the followers of the Christ when he was crucified, dead and buried and it seemed to those that followed him that all was lost. Such a time came when the unrestrained folly of pro-slavery interests forced that issue to an arbitrament of the sword.

These times call for steadfastness, not for despair. Right has triumphed hitherto and will triumph hereafter. Doddering dotards will yet be driven from benches upon which they are unworthy to sit and men like Marshall, Story and Kent will again so declare the law as to command the respect, and the commiseration, of men; but that will be when judicial positions are filled by a nonpartisan expression of the will of the people and not from a political bargain counter presided over by the paid manipulator of a great and greedy corporation.

This paper will not at this time attempt to analyze or criticize the decision of the appellate court by which a convicted felon has been practically turned free a year and a half after his conviction. The man whom he was accused of bribing is dead. The city and county of San Francisco has little material left but of which, under the laws and customs which now prevail in jury making, a new jury may now be empaneled for the retrial of Louis Glass. Verily, it is easier for a rich man to enter into the kingdom of heaven than into a state prison no matter what the degree of his guilt, or how unquestioned the certainty of it. It is not for us at this time to say that the appellate court has not, in the case of the People against Glass, laid down the law as it is. We only know that justice has miscarried, that the law as laid down by this court, and the one above it in a previous instance, has not been accepted as sound either by the common sense of the commonality or by those best equipped to review those decisions in the light of a broadened and progressive jurisprudence, and these facts raise a presumption that this court has again erred. Only this much may safely be ventured at this time: Whatever was irrelevant and incompetent as testimony at the former trial might have had its relevancy and competency safely left to a jury of men and women, and constitute a jury without serious danger of convicting an innocent man; any law that deprives a juror of the right to draw a conclusion that every man outside of a jury box inevitably must draw—that if a man refuses to testify it must be because that testimony, if given, would be incriminatory and not exculpatory—is bad law even though it be law.

Finally, in view of the way our courts have been constituted, there is no sanctity which so surrounds them as to safeguard their decisions from the most thorough and, if need be, unsparring analysis and criticism, albeit always with a view of establishing the truth and not with the purpose of inflicting humiliation or heaping on reproach. It is also worth while to bear in mind that, under the prevailing tendency to exalt technicality and over-emphasize procedure, any appellate court can be relied on to discover reversible error in the proceedings of any protracted trial if that is what it is seeking, and what it is seeking is depend-

ent upon the atmosphere in which it lives and moves and has its being, an atmosphere often created by the power that ordained who should fill judicial positions. These reflections refer to the entire judicial system since government came under corporate control and not to any particular department of that system.

April Eighteenth.

No one who was in San Francisco, in his senses, April 18, 1906, will, while he lives, need to be reminded of the recurrence of the day and the date. It made for us a new calendar. Thenceforth the events of our lives are fixed as to time by being before or after the great fire. Life has gone strenuously since then. Not only have concrete results been attained, but results expressed in steel and iron, brick and terra cotta. Splendid material results have been achieved and San Francisco is coming to be itself again. It is only in the establishment of justice, even handed, without respect to persons or influence, poverty or riches, that our city has acquitted itself with less than justice to itself, with less than honor to state and nation. And yet striving for justice has been as determined, as courageous, as full of resource and ability as any other department of human endeavor. In material things the people have been of one mind. In moral things they have been at cross purposes. Not all the splendid rebuilding that can be done, not all the beautifying, can make the world forget that justice still sits dethroned at the feet of predatory wealth. It is easier to rebuild a city than to re-establish justice when once it has been dethroned. The lesson of April 18, 1906, has only been half learned. That tragedy taught us the evanescent character of property. We ought also to have learned from it the enduring property of character.

The Tariff Bill.

The new tariff bill passed the House of Representatives on Saturday of last week and went to the Senate. The finance committee of that body, which had been working on the House measure ever since the extra session began, reported the bill to the Senate on Monday and the measure may now be said to be definitely upon the anvil, good and hot, to be hammered into shape, and a deal of hammering it will require. By what is claimed to have been a mere oversight standard oil products, in which the Standard Oil company does a larger aggregate business than in petroleum alone, are substantially protected while crude oils, which are mainly produced by others than the Standard Oil company, are put upon the free list.

Liquor Legislation and Divisions.

The Iowa legislature has passed two important bills relating to the liquor business. One prohibits breweries being financially interested in drinking places and the other limits saloons to one to each thousand inhabitants. Missouri appears to be on the point of submitting to the people a state-wide prohibition amendment to the constitution, notwithstanding the opposition of Governor Hadley, who recommends in its stead county, town and precinct option as promising better results morally and certainly better financially inasmuch as about one-third of the state's revenue comes from liquor licenses.

The Oakland Ledger is a new candidate for favor in the newspaper field. It is a convenient sized four-page venture under the able editorship of John T. Bell, a journalist of so many years standing that, no matter what else he may undertake as an occupation, he never can quite let the newspaper business alone. The Ledger will stand for right things and stand hard.

The Deeper Significance
: : : : of Living : : : :

It was the opinion of Ambassador James Bryce that not all of the declarations of moral law made by Jesus of Nazareth could have been intended to be taken literally, that some of them are to be understood in connection with the time in which he lived, the understandings of those whom he addressed and the capacity of flesh and blood for fulfilling the law. Among the injunctions so to be taken was the one to lay not up for to-morrow.

It would be absurd to say of the property-less that they are so because of this injunction. There have been those who have taken vows of poverty that they might devote themselves to lives of holy service, the world has found need for their services, and there have not been too many such; but the poverty that afflicts the world is that poverty that strikes the laboring population of the world live within ninety days of possible mendicancy, the poverty that gives rise to crime and disease, to physical and mental misery—that kind of poverty has no more relation to the teachings of Jesus than have war and pestilence, insanity and feeble mindedness.

The Son of Man "had not where to lay his head," but this he said in a spirit of sadness as exemplifying the sacrifice he was making for the cause of humanity. It would have been far from his thoughts to suggest that it is not a good thing for the families of the world to have where to lay their heads. With the work he had before him, and the little time he had to do it in, he could spare neither time nor effort in the establishment for himself of a home, and so it would prove with his chosen messengers to carry the good tidings to the ends of the earth, but, as for those to whom these tidings were to be carried, the more of these who have homes of their own and pillows of their own upon which to lay their heads under the sheltering security of roofs of their own the happier will be the world.

Those who live in flats and apartment houses, in tenements and cottages not their own, know little of the luxury of a first night's sleep under a roof all one's own. The things which cost us most dearly are the things we most greatly love and the things we love are the things that make us what we are. It is nearly as great a deprivation for one never to have had a home of his own as never to have had wife, husband or child. It leaves just that much of barrenness to be lamented, makes one fall just that far short of having lived a full, well-rounded life.

One hears it said sometimes that it is cheaper to rent than to own. Sometimes it is so, counted in dollars, though very rarely, but hiring a home is like hiring a dress suit instead of owning one, it never quite fits or feels comfortable. Who ever grew to love a rented home? Who ever told his God in his heart, when he drew near to a lighted window in an apartment house, and reflected that behind that window and under that apartment house roof, his family was sheltered—who ever thanked God for such a home?

And what shall we say of the citizen who lives and dies and never gets his name on the tax roll? That should be shame enough to make one hang his head forever. To go through life so careless of the future as to have the \$100 constitutional tax exemption cover all, what a purpose to have in the mind when, at the same time, the groom slips the wedding ring upon the finger of the bride and says: "With all my worldly goods I thee endow!"

The poverty of misfortune is to be pitied and forgiven, but the homelessness of heedlessness should be regarded as a disgrace. Whoever has an earnest heart, the groom slips that of a ditch digger can get for himself in or near any American city enough of God's earth to hold the foundations of a cottage and, with diligence and health, he can, sometime, somehow, get some kind of a cottage on that lot that will be worthy of the name "Home."

WHAT THE WORLD IS DOING

Why Russia Recognized.

When Russia recently recognized Austria's annexation of Bosnia and Herzegovina her action was unexplained and was the occasion of much wonderment. Now the explanation is at hand, and may be given in just four words—the intervention of Germany. Nor was the intervention of a placatory nature; Russia was compelled either to recognize the annexation or adopt the alternative of war with the Kaiser's armies. The London correspondent of the New York Sun conveys the foregoing information as follows: "It is now definitely known, despite semi-official denials from Berlin, that Germany delivered a distinct ultimatum to Russia on March 25th summoning her to recognize Austria's annexation of Bosnia and Herzegovina forthwith or else military operations would begin against immediately." And the London Times ("The Thunderer") has been heard to the same effect. It scarcely need be said that Russia did not enjoy the medicine she was compelled to take, but what was the much-cursed monarch of a much-oppressed people to do? Had he not recently felt the demonstration that there is no strength in such a people? A curious phase of the matter is the agitation it has produced in England. If the Kaiser dare issue such an ultimatum to Russia, why not next to Britain? the people of the right little tight little isle are asking, and they are inclined to believe that almost anything unsatisfactory to them may be expected from the Faderland in these days. This has no little to do with British desire to see the work of building Dreadnaughts accelerated.

A Dream of Universal Peace.

Notwithstanding the rush of the nations to build Dreadnaughts—seeing as they chance to be under discussion—and notwithstanding the many millions which are being thus expended, they will in a few years from now be but waste timber and iron, this, if Dr. Gustav de Bon, an eminent French scientist, is sound in his theory of the matter. According to Doctor Le Bon war will be absolutely a thing of the past within the next half century, not because men will be too good to fight, but because they will be afraid to do so. It is the use of these Herizian waves which will bring this desirable consummation to pass. A description of the method of their use would be technical, and will not be attempted here, but, properly directed, they would—still according to Doctor Le Bon—annihilate armies as fire annihilates chaff, while Dreadnaughts would be but shattered playthings in their mighty grasp. So one scientist, at least, affirms, and perhaps he is right. It may be that the olden dreamer was wisest of prophets when in a vision he foresaw the day when "nation shall not lift up sword against nation, neither shall they learn war any more."

Parisian Women Rebelled.

What interests one half of the world should be of fairly direct interest to all the world, and so a bit of news that floats hitherward from Paris is worth any notice. It has been said that when the Parisian milliners fostered the present peach-basket-waste-paper-basket-bushel-basket-butter-bowl style of feminine headgear upon a long-suffering world, the women of Paris, who are noted for their good taste, refused to have much of anything to do with it. On the contrary, they retrimmed their hats of the year before, and left the accumulated straw horrors on the shelves of the milliners. There they would have remained, too, had it not been for a happy thought which came to the milliners. Acting on this thought, they shipped a large number of the hats—all marked "Parisian"—to America, and here the women kindly have taken them off their hands. Re-reading this, it occurs to the writer that somebody may consider it satirical. Then the facts furnish their own satire, for the assertions herein made are, in effect, precisely as

first made by the Paris correspondent of the Chicago Tribune. And, for that matter, why should anybody who has been educated to a belief in the taste of Parisian women, doubt them?

Memorial to the Pilgrims.

A movement which is of interest to all Americans now is under way in Southampton, England. This is the erection of a suitable memorial on the spot whence the Pilgrim Fathers sailed for the then inhospitable shores of New England. Already Plymouth has three memorials commemorating the sailing of the Pilgrims from that place, but as they started from Southampton on their memorable voyage, and halted at Plymouth only for repairs, the present movement is appropriate. A "live Yankee" might wonder why the people of Southampton so long have neglected to advertise their city to the roving descendants of the Pilgrims as well as to those who would like to be their descendants, but such a question has nothing to do with the case: The point worthy of consideration is that it is eminently fitting that the place whence the Pilgrim Fathers departed on that memorable journey should contain a memorial of the fact.

How Japanese Farm.

That Americans generally know very little about close cultivation of the soil is a fact which must become quite evident to anyone if he considers some of the statistics relating to Japan. The total of the cultivable parts of that country would be equal to about one-eighth of the total area of California. A somewhat tiny bit of country, it will be observed, yet on these scraps of land more than 30,000,000 people—about two-thirds of the population of the United States—find their support. It goes without saying, however, that practically every square inch of the cultivable soil is tilled. An annual average of about 250,000,000 bushels of rice, 100,000,000 bushels of rice, barley and wheat is grown, not to mention a multitude of other things, and a large number of families live on the produce from two acres of ground each. No, we do not know much about close cultivation, and it may as well be admitted that there is an extent of knowledge to which we would sooner not attain.

Competition for Standard Oil.

Down in Mexico, where things are different, there is some evidence that Standard Oil is to be subjected to actual competition, a competition so real that it does not belong to Mr. Rockefeller. S. Pearson & Son, Ltd., the great British firm which issued challenge of battle to the Standard some months ago, are proceeding in a manner which indicates that they mean business of the strict variety. They already have an immense refinery at Minatitlan, isthmus of Tehuantepec, and now they are building another, which will cost \$3,000,000, at Tampico. Immense oil storage tanks also are being constructed, and a fleet of oil barges will carry the oil from the wells to the refinery. The British firm has a vast amount of capital at its disposal, and it seems that a battle royal which will be worth witnessing is imminent. Up here the idea of competition with Standard Oil has been pretty largely abandoned as hopeless, but, even at this distance from Mexico, it would look good to see a tentacle or two of the octopus uncoiled from somebody's neck.

One Way of Settling Opposition.

Habibullah Khan is the Ameer of Afghanistan, and a barbarian. Now comes the report that when anybody opposes him he places his name on his blacklist, and then has him shot from a cannon. This settles the opposition. How much gentler and more beautiful are the methods of civilization. For instance, how far more seemly it would be if Habibullah Khan would place the man on his blacklist, see that he gets no work and thus gradually and soothingly starve him to death.

Russia's Great Canal.

It is expected that within five years the Baltic and Black seas will be connected by water, as projected by Prince Kikhoff. The length of the waterway will be more than 1,500 miles, but only about sixty-five miles of it will be canal, which will connect the Duna, emptying into the Baltic, and the Dnieper, emptying into the Black. It is intended that the ordinary Baltic steamers will be able to navigate the waterway, but not war vessels—not for the present, at least.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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WITH BOOKS AND WRITERS

THE LITERARY SPIRIT OF THE DAY AS REFLECTED IN CURRENT PUBLICATIONS.

"LUTHER BURBANK'S WORK."

By David Starr Jordan and Vernon L. Kellogg.

The full title of this book indicates exactly its character: "The Scientific Aspect of Luther Burbank's Work." It is a book by two scientists who give the estimate of scientists in general as opposed to the exaggerated and misleading estimate derived from the newspaper and magazine exploitation of Mr. Burbank. Withal it is very friendly to him, and puts his achievements on a much more intelligible and solid foundation. It describes him as a man whose spirit is primarily artistic, though, "in his general attitude" he is "essentially a man of science." In science "he has at his command the knowledge of no new fundamental scientific principles." And yet none of us has done what Burbank has been able to do, although many of us have tried.

These things that he has done are to apply the known principles of special selection and artificial production of variation in fruit and flower forms on a vastly more comprehensive scale than any other investigator and to produce new varieties that are superior to the old either for commercial purposes or for esthetic beauty.

His genius is in his unrivaled expertness. "In this double process of recognition and selection of desirable variations Burbank's genius comes into particular play. Right here he brings something to bear on his work that few other men have been able to do. It is the extraordinary keenness of perception, the delicacy of recognition of desirable variations in their (usually) small and to most men imperceptible beginnings."

Of Burbank's character and his place in science, President Jordan concludes: "Great men are usually men of simple, direct sincerity of character. These marks we found in Burbank. As sweet, straightforward, and as unspoiled as a child, always interested in the phenomena of Nature, and never seeking fame or money or anything else for himself. If his place is outside the temple of science, there are not many of us who will be found fit to enter."

Some things in the book will be difficult of comprehension to the non-technical reader. Most of it is not. It is an admirably temperate laudation of a great man. For its correctness the lay reader will be content to trust its competent authors. It is also an excellent example of good printing and binding, and bears the imprint of A. M. Robertson, of San Francisco, as publisher. (Price, \$1.75, net.)

"A WINE OF WIZARDRY."

By George Sterling.

A truly poetic spirit, profoundly influenced by Poe and Keats, is revealed in "A Wine of Wizardry and Other Poems," by George Sterling. The author by word and sign indicates his preferred allegiance to the poetical philosophy of Poe, but the best things in his book are in the manner and spirit of Keats. "The immortal youth" would not have been ashamed to write the last line of Mr. Sterling's sonnet on "Romance":

"And find these standing on the dust of kings,

A lion at thy side, and on thy brow

The light of sunsets wonderful and lost!"

A line that stings the imagination to action like a blow. "The soul Prismatic" is a comical, and real poetry. "An April Morning," and others are real music and real imagination. One regrets to see some of the rest alongside such gems as these, for they are commonplace in sentiment if not in diction.

Of "A Wine of Wizardry" itself, it is more difficult to speak. Gorgeousness of word-painting that is as unusual as it is sure-footed, is here. Some passages have the qualities of poetry of high rank. But it seems to us to be a glowing excursion of the fancy rather than of the poetic imagination. For the distinction in ideas the reader is referred to "Poetry, Comedy, and Duty," by C. C. Everett, a most

illuminating canon of criticism. Also, to our taste, it lacks both the unity and loftiness of subject matter that characterize the highest song.

But, for all these qualifications, one's admiration of Mr. Sterling's achievements is great, and one's hope of his future greater still. A poet who can write some of the lines mentioned above before he is thirty is more than likely to satisfy high expectations of his genius as he grows older. The spirit and the skill are his already. Add one great sorrow to his experience (which God forbid!) and we shall have greatness, we predict. (Published by A. M. Robertson, San Francisco. \$1.25, net.)

"CARMINA."

By T. A. Daly.

If the reader at any time has read, in periodical or newspaper, a poem in Italian-American dialect, he will need no further introduction to T. A. Daly, the author of the book of verse which carries the above title, for the chances are fully 99 to 100 that the fugitive poem came from the pen of Daly. About all verse of this dialect now afloat on the wide sea of current literature was written by him, and yet he is not of Italian descent; it is the red blood of Hibernia that flows in his veins, a fact he demonstrates by handling Irish dialect no less felicitously than that of Italy, and his English poetry is no less good.

Probably the most striking characteristic of his poetical work is its tenderness. The Irish-American heart of him beats very close to the warm heart of Mother Nature. You laugh with him, and you cry with him, and sometimes you do both in the progress of one brief poem. His poetry that is not in dialect is the most perfect in its literary finish, but it is in dialect that he comes closest to the soul of humanity. It is difficult to imagine that even the individual who "don't like poetry" can fail to find a charm in Daly's poetry, for, though the ear be not attuned to concourse of sweet sounds, the soul of man should recognize the food on which it feeds.

"Carmina" is a book which should appeal to lovers of poetry, whether in dialect or otherwise. "John Lee's Company, New York. \$1.00, net, postage ten cents."

"THE CHRYSALIS."

By Harold Morton Kramer.

A novel of the Palouse country of Washington, in which are worked out the issues of political ambition, "high finance," love, and hate that carry the story along in a pulsing panorama of incident. The story begins with a football game between Harvard and Yale, after which the scene shifts to the state of Washington, where politicians, cattle rustlers, half-breeds, show girls, and Boston millionaires indulge in gun-play, night orgies, and automobile races, and where the lingo that the author intends to be the language of polite society is contrasted with Siwash jargon. The story is crude and melodramatic, but keeps the interest intense to the end. It is a sort of sublimated dime novel, that makes the reader read on, but impels him to wonder at the end if the author has not studied the actions of his near-namesake, Theodore Kremer, the most prolific of American melodramatists. (Lothrop, Lee & Shepard Co., Boston, \$1.50.)

THE PUBLISHERS.

New York is by all odds the great center of the American publishing business, and, like all other businesses, it tends to gather in districts, though the publishers do not flock nearly so close together as, for instance, the jewelers who crowd Maiden Lane. However, they are nearly all on Fourth avenue or Fifth avenue (or on cross-streets between them) above Washington Square and below Thirty-third street.

The old publishing district, down near

Newspaper Row below Brooklyn Bridge, has almost wholly disintegrated, as Newspaper Row itself is now tending to disintegrate. Only Harper & Bros. still nestle under the bridges; and the only other publication consequence downtown is The Independent, which clings faithfully to Fulton street.

On Washington Square, the American Book Company occupies the finest of all the publishers' buildings. The reading public hears little of the American Book Company, but every parent of a school child pays tribute to it, for it is the parent of the "school book trust." Success Magazine also has offices in this building.

Just below Thirtieth street on Fifth avenue, and only a block from the old First Presbyterian Church that George William Curtis celebrated in "Prue and I" as being on the corner where "I," the sentimental old clerk, fell over the apple woman's cart, is The Macmillan company, the largest publishers in America and the American agents of the English Macmillans. The Macmillan company occupies two old-fashioned and once fashionable Fifth avenue residences, in what is still an exclusive and aristocratic residence district. Two doors away is Thomas F. Ryan's New York home, around the corner is the famous Salma-gundi Club, across the street is the mansion of the Lenox who founded the Lenox Library, and three blocks below is Mark Twain's home. The president of The Macmillan company is George P. Brett, a native of London, but his youthful experience in America was gained in the orchard of California.

A few blocks farther up the Avenue, Scribner's, Fleming H. Revell, and the American Magazine are located. Just off Fifth avenue, on Twenty-third street, D. Appleton & Co. and E. P. Dutton & Co. are almost side by side, and directly overhead are Henry Holt & Co. The last-named are the American discoverers of Miss Sinclair, the author of the famous "Divine Fire," and of William de Morgan, whom English critics declare to be the contemporary Thackeray.

At Twenty-seventh street and Fifth avenue, Brentano's new place is established. Brentano, by the way, published "The Florentines," the poetic drama by Maurice V. Samuels of San Francisco. Away farther up, Dodd Mead & Co. lead the advance uptownward.

The Fourth avenue side of the district begins in the neighborhood of Union Square, on the north side of which the Century company and Baker & Taylor are located, and Everybody's Magazine is published. On Sixteenth street, off the square, are Doubleday, Page & Co., who, since they recently absorbed McClure's book business are one of the "Big Four" (Macmillan, Scribner, Houghton-Mifflin, and Doubleday), the biggest general publishers in the country. Frank N. Doubleday is probably Mr. Brett's most dangerous rival for supremacy in the publishing world, and he is by four years the younger man. Mr. Doubleday got his training with Scribner's, where he started as office boy at fifteen years of age, and graduated as business manager twenty years later.

The Outlook is published on Fourth avenue above Eighteenth street. At Twenty-third street are the S. S. McClure Co., Funk & Wagnalls (publishers of the Literary Digest), and System, all in the same building. Two blocks farther up Travel Magazine and Frederick A. Stokes & Co. are housed.

The Review of Reviews is near Wanamaker's, off Broadway on Astor Place, the farthest down of the uptown group. Collier's is out of either district, away over near the Hudson river on Thirtieth street, in a building that looks more like a warehouse than a business block. The Outing Publishing company has a New York office, but its plant and executive offices are at Deposit, N. J., well upstate, unless it should be said that they are now in a New York courtroom, as the company has just gone into the hands of a receiver.

PLAYGROUNDS IN OAKLAND

PLANS FOR A COMPREHENSIVE SYSTEM.

The movement to provide public playgrounds for the children of the municipality has taken firm hold in Oakland, and considerable work has already been done to realize the hope of its proponents. On June 3, 1908, the city council passed an ordinance creating the Playgrounds Commission of five members, to serve for two years without pay as an advisory body to investigate the subject and to counsel the mayor and the board as to plans for carrying the playgrounds idea into effect. The commission is appointed by the mayor, and three of its members must be women.

The Advisory Commission.

About two months ago Mayor Mott named the following five members of the first commission: A. S. McDonald, chairman, Mrs. Cora Jones, Mrs. Alice Bunnell, Miss Ethel Moore, and C. E. Hudspeth. The ladies are all active clubwomen in hearty sympathy with the work, and Mr. Hudspeth is principal of the Washington school.

This commission has done much active work already. It has enlisted the co-operation of Mr. Raitt, the superintendent of playgrounds in Los Angeles, who spent a week in Oakland investigating sites, and whose report contains suggestions that will probably largely influence the action of the council and the board of works. In connection with this report, O. A. Prager, the city landscape gardener, has prepared a series of plans designed to illustrate the arrangement of the grounds.

Five Sites Already Owned.

Oakland already owns five sites that will probably be turned over to the playgrounds commission. These are: Independence Park, in East Oakland; the park in West Oakland near Sixteenth street; the park at the east end of Lake Merritt; the Twelfth street park, at the west end of Lake Merritt; and Bushrod Park, adjoining the Washington school at Shattuck avenue and Sixteenth street. These parks range in area from one to twenty acres. Twelfth Street Park will be the largest and the nearest the center of population. Bushrod Park of eighteen acres will probably be merged with the grounds of the Washington school, making a playground of about twenty acres.

Equipment of Grounds.

These sites will have to be fenced and equipped. Improvements will necessarily come gradually, but the ideal towards which the commission is working is a series of playgrounds, one within the radius of every mile and a half (as recommended by Mr. Raitt), each under the supervision of a director, and, ultimately, of a woman attendant besides. The equipment that is desired is varied: baseball fields, basket-ball courts, tennis courts, croquet grounds, plunge baths, wading pools, sand beds, swings, teeter-boards, slides, etc. For the present, much less than this will have to do. However, Mayor Mott and the council are in hearty sympathy with the movement, and it is certain that a preliminary budget for playgrounds will be included in the next proposal for a bond issue, the election upon which will be held this summer or fall—probably in September. A tentative estimate of the amount desired is between \$40,000 and \$50,000.

Two Uses of Grounds.

The proposed uses of the playgrounds are two: one, as summer playgrounds for all the children; and, second, as after-school playgrounds for school-children. The movement is so closely linked with the theory of primary education that there will undoubtedly come a close connection between the playgrounds and the school grounds—probably in the way of utilizing the school grounds and permitting their use as playgrounds under the supervision of the commission. The board of education is cordial in its attitude toward this arrangement, which is really vital to the success of the main idea. The school children are the most numerous beneficiaries of the play-

grounds, and the locking of school yards on afternoons and holidays is a waste of useful space.

The Tompkins Summer School.

The summer use of school yards has already been vindicated in Oakland. The women's clubs have for years maintained a "summer vacation school" at the Tompkins school in West Oakland. This title is not a proper definition; it is not a "school" at all, but a summer "playground"—only school discipline is gently maintained at the play, the school grounds are used, and the toilet facilities of the schoolhouse basement are lent to the children. The Tompkins school experiment has been a great success, and has solved many problems: the child's problem of where to play, the parents' problem of taking care of vigorous youngsters during vacation, and the police problem of preventing youthful mischief.

This, in broad outline, is the preliminary work done in Oakland, the tentative plan, and the cheering sign of the times, is the sympathetic attitude of all citizens and all officials toward a movement that is immensely important to the welfare of the children and the betterment of our human product. Oakland has joined the forefront of enlightened municipal progress.

THE GRAFT CASES.

Twelve men now have been sworn to serve as jurors in the trial of Patrick Calhoun on a charge of bribery, and the jury is complete except, as a precaution in a trial which probably will be long drawn out, a thirteenth juror will be summoned to act in the event of the sickness of a juror or anything of that nature. The work of selecting this juror is in progress at this writing, and he may be found at any time. Otto T. Hildebrecht and Otto H. Mackroth were the last two accepted.

Before these twelve men were chosen 2,310 talesmen had been summoned, so it will be observed that it requires almost 200 presumably average citizens of San Francisco to furnish that rare stuff from which a Calhoun juror is made. In the Ruef case 1,450 talesmen were summoned, or about 37 per cent. less than in this case. The days consumed in the Calhoun case were ninety-one, in the Ruef case seventy-two, or 20 per cent. less. The Ruef defence stood upon technicalities; the Calhoun defence solemnly announced that it would not, and the figures appear to justify a wish that it had.

Louis Glass, vice-president and formerly general manager of the Pacific Telephone and Telegraph company, whom a jury in Judge Lawlor's court found guilty of bribing former supervisor Thomas Lonergan, will have a new trial. The appellate court, in an opinion prepared by Judge Hall, Judges Cooper and Kerrigan concurring, has thus decided.

Three points were raised by the defence in its argument before the court: First, that the evidence in the case was insufficient to justify a verdict of guilty; second, that the indictment was defective and not sufficient to base proceedings upon; third, that the trial court erred in admitting the introduction of evidence relating to the organization of the Home Telephone company of Oakland, under the direction of Glass, to forestall opposition to the Pacific company, and also in neglecting to charge the jury that it should not heed E. J. Zimmer's refusal to testify against Glass in the trial as he had done before the grand jury.

The appellate court decides, first, that the indictment was not fatally defective; but it decides, secondly, that the trial court erred in admitting the testimony relating to the Home Telephone company and also in neglecting to give the requested instructions concerning Zimmer's refusal to testify.

It probably would appear to the lay mind that the question of real importance in this case relates to whether or not the evidence was sufficient to demonstrate the guilt of Glass,

but, as is well known, the lay mind is prone to error, a fact which the appellate court happily points out in the following language: "In addition to the points discussed in this opinion the appellant has urged that the evidence is not sufficient to support the verdict of guilty. Inasmuch as the judgment and order must be reversed for the errors above noted and the case remanded for another trial we do not deem it necessary to pass upon the question." So it will be seen that the serious question was not whether or not the evidence showed that Glass was guilty but whether or not the trial judge made a mistake. The admission seems naive, but it leads to a better understanding of the law.

The case of Adolph S. Newburgh, charged with attempting to bribe a prospective juror in the Ruef case, went to the jury for decision

(Concluded on Page 330.)

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OAKLAND, CAL.

AS THE WORLD WAGS

By A. J. WATERHOUSE.

The Family.

Bit of wriggling white and pink;
Solemn eyes that blink and blink;
Pudgy arms and legs that go
Wildly waving to and fro;
Dimpled fists that look so sweet
Owner thinks they're good to eat;
Gurgled laughter, shrieks more drear;
Bud of Hebe's blossom here—
That's the blessed baby.

Like a song at break o' day
Bidding worries haste away,
Or the soul of sweetness found
Where God's blossoms star the ground;
Fairest of all things so fair
That without them life were bare;
Pure as lily-buds that grow
Where the wood-nymphs come and go—
That's the baby's sister.

Imps of mischief joined in one;
Mad embodiment of fun;
Rout and riot, blaring toys;
Noise, and noise, and yet more noise;
Mama's pet and sister's drend;
Cause of gray on papa's head;
Run by neither rule nor plan,
Yet of stuff that makes the man—
That's the baby's brother.

Center of her universe;
Housemaid, seamstress, cook and nurse,
Ay, and somewhat more than queen
Of her homely, woe desmeine;
Drying eyes with tears ashine;
One-half human, half divine;
O'er a wee form bending low,
Crooning songs that love doth know—
That's the baby's mother.

Not so handsome as he's good;
Useful in providing food,
Easter hats and divers things
Made of lace, or silk, or strings;
Somewhat bald and somewhat grim;
Used to mention as just "him,"
Child of sorrows and of dread,
Yet quite useful, as was said—
That's—now do your guessing.

Occasion for Pride.

"I notice that our governmental pension roll costs us from five to ten times as much as that of any other nation."
"Yes, doesn't it fill your soul with pride?"
"How so?"
"Why, of course it irrefutably demonstrates that we have from five to ten times as many patriots and heroes as they."

It Shall Surely Come.

It shall surely come, the fair, glad day
When the world shall turn to a better way,
Shall turn from the slough and the mire of greed

To the white, bright height by its God decreed
Ere the old, old earth, while it still was young,
Its part in the chant of the universe sung,
Ay, out of the shadows that haunt our way,
It surely is coming, the fair, glad day.

It shall surely come. Shall the dollar sign
Be worshipped for aye by a thing divine,
Half god and half brute? Nay, over the strife
Is the One who ruleth the melody of life,
And we know right well He is more than this,
The greed of an hour, or a moment's bliss,
As we hear His whisper that aetons obey;
"It surely is coming, the fair, glad day."

It shall surely come. Lo, our brother's cry
Sweeps out and wails out to the arch of sky;
While our fingers fondle the store of greed,
It is cursed by the tears that our God shall heed,

But the soul of man shall at last awake,
With the cup of love shall its long thirst slake,
For, out of the shadows that haunt our way,
It cometh, it cometh! the fair, glad day.

The Opinions of Rufus.

Don't be quite discouraged 'bout the black sheep. Lots o' times it turns out to be the best sheep in the family ef once it gits started in the right drection.

You'll have to be a mighty mean man 'fore your meanness 'll be so big that infinite love can't cover it.

Your worry seems big, but it's so small that a very few years 'll hide it forever.

When I see the self-sacrificin' devotion of some mothers I understand why the master artists painted only female angels.

Some girls might be reel bright of their ginn didn't work their jaws so much that their brain don't have much show to operate.

I don't like to say right out that anybody's a fool, but young Blarlie's livin' an' investin' in the hope of beatin' a nickel-in-the-slot machine.

Speakin' of critics, it took me a week to build the fence that my gray mule kicked through in a day.

Sometimes I think the Almighty must be reel supprised es he hears some good parsons tellin' how things are fixed in the Hereafter.

I'm mighty grateful that wimmen ain't nigh so ridic'loous es some of them look when they're wearin' their new spring hats.

I don't know es the old Hebrew that said in his haste that all men are liars could have made a much better center-shot if he'd taken his time to it.

Slidin' 'Long.

Just a-slidin', slidin' 'long.
All I have is but a song
And a little home of cheer,
But that's enough for heaven here,
'Nough to make the pathway brighter,
'Nough to make the burden lighter,
'Nough to scare old Worry's throng.
While I'm slidin', slidin' 'long.

Just a-slidin', slidin' 'long.
Bark my shins against the Wrong.
But there's someone whispers in,
"Barker luck!" and "Try again!"
And her kiss is just the same
When I limp because I'm lame:
So all life is like a song,
While I'm slidin', slidin' 'long.

Bad Effect of the Bay Breezes.

"Tis a bad thing about the bay breezes," said the man who sat next me on the boat.
"How so?" I inquired.

"You ought to know without being told," he responded, "but it's like this: I reside in Berkeley, and I do business or anybody I can, in San Francisco. Well, it is well known that the atmosphere of Berkeley is intellectually invigorating. I don't show that I feel superior to other men, but how can I help knowing that I am when the blood in my veins is fed by Berkeley atmosphere? I join a club for psychological research which happily provides that if a member unbends once he shall be suspended, and if he unbends twice he shall be disgracefully expelled, but there is no danger of expulsion while one continues to breathe the Berkeley atmosphere."

"Well, being loaded with academic atmosphere, I start for San Francisco. The bay breezes fan my Jovelike brow, and by the time I have passed Goat Island I realize that I am just a worm of the dust that is out for a dollar—anybody's dollar will do. It is a sudden drop from the calm, pure height of the coldly intellectual to the muddy slosh of the commercial. Talk about relapses! The gentleman known as Dr. Jekyll and Mr. Hyde must have had an easy time comparatively. Oh, dern the bay breezes which convert a

Berkeley philosopher into a groveling money-grubber! Don't they ever worry you?"
"Sometimes," said I.

Ladies, Take Notice.

The Yonkers Statesman republishes the following official notice recently issued by the Swiss railroads:

"Ladies' hats more than 31½ inches in diameter will, according to article 117 of the railway tariff adopted in February, 1906, henceforth be regarded as wheels (bicycles). Any lady wearing a hat of larger dimensions desires to travel by a Swiss passenger train must either ride in the luggage van or deposit her hat with the luggage guard and enter the passengers' carriage bare-headed."

Nothing could be added to the possibly unconscious humor of that official proclamation, and so no such attempt will be made. But if only railways elsewhere, as well as some church officials, would prick up their ears and take notice of the suggestion!

Is This True?

Now heed the thing I tell you, lad,
Until its purport clears.
You've done some things that were not bad,
Some things that called for cheers,
But here's a fact no less, my son,
That equally is true:
Sometimes the best thing you have done
Is what you didn't do.

A Gossiping World.

It is a gossiping world.
She said that her neighbor might be a nice enough woman, but her taste in dress was simply outrageous.
"Why, that is precisely what she said about you," her confidant confided in return.
"The miserable old gossip!" was her only comment.

Don't smile. She was not the only one of the kind; there are others. As a matter of fact, every last son and daughter of us all prattles on about Mr. or Mrs. Blank, criticising him or her without check. Then, after a while, we hear that Mr. or Mrs. Blank has exercised a like prerogative at our expense, and, who'd doesn't the fur fly! If we do not say that he or she is a miserable old gossip, we think it, at any rate. We find it hard to take our own medicine.

It is a gossiping world. Rely upon this, brethren and sisters: The critical, mean, or semi-mean, things that you say about others are being said about you also. Or if the same things are not said, perhaps they would seem pleasant by comparison. You have no copy-right on verbal stab and criticism, and your neighbor who smashes so pleasantly upon you runs a little business in that line, himself.

The Wonderland of Dreaming.

In the Wonderland of Dreaming,
Where the outside is the in,
Where the topside is the downside,
And the ended things begin,
If you give your hand unto me,
While the moon is sailing high,
We will wander there together,
Just my little maid and I.

Here are sunbeams floating round us,
Though there's ne'er a sun at all,
And a Brownie band has found us
Where the starbeam cascades fall.
Clasp my finger very tightly,
Tiny maiden, we go
To that Wonderland of Dreaming
That but dreamers ever know.

Here's a fairy vale of glory.
Candy grows on every tree;
Good, perhaps, for tiny toddlers,
But it's not so good for me.
Here's the Rose-queen of the garden;
Lily-princess, white as snow—
What, your eyes of blue are open!
Then I guess we will not go.

LITTLE TALKS WITH OUR READERS

Dear Mr. Editor:

Oakland, Cal., April 3, 1909.

You want to know "what does the reader think about 'The Deeper Significance of Living'." It is all right! It is a brilliant thing in the paper, and more, it requires heart to write it. I would gladly welcome a page instead of a column, but I wouldn't welcome more than a page because it takes all the brain I have for that much.

I am, not a newspaper man but I'm sixty years old and believe I have common sense, and it is my opinion you know more about what The California Weekly ought to be than your readers. Just go ahead, giving us a clean, thoughtful paper, and let the kickers kick. C. B.

No editor can know so much about editing a paper that the humblest patron he has may not be able to give him a suggestion that he can use to the advantage of all his patrons and self-sufficiency is a species of dry rot that lies in wait to attack every newspaper man who can be caught off his guard. Just as an orator can talk better to an audience that either applauds or hisses so every writer can write better to a constituency that he can hear from occasionally, a constituency of kickers who will kick, or of appreciators who will testify their appreciation. There is many a writer who has, metaphorically speaking, poured the best there was in him into a gopher hole for a quarter of a century at a stretch and never saw any gopher come out.

Maricopa, Cal., April 6, 1909.

Editor of The California Weekly: Dear Sir: What do I think about "The Deeper Significance of Living"? I think it is the very best column in your paper, and the keystone of your arch to uplift our moral tone—which is evidently sadly in need of many more arches to uplift it from its slough of politics.

Out of place? Yes, if morality and spirituality are ever out of place in this world of too much materiality. And why should those of us who can relish such a bit of preaching with its freedom from dogma and doctrine be denied it in this free and simple fashion, and told to take it in large indigestible doses in a religious paper? We like this exactly better than that, perhaps, so why may we not have it? Just because some one else does not wish to be reminded that life is "other than the shallow thing he makes of it."

That is what this reader thinks about "The Deeper Significance of Living," and she does not wish to miss it from her "California Weekly."

Yours truly,
MRS. ASHLEY J. THOMPSON

2331 Eagle Ave.

That the writer of "The Deeper Significance of Living" may maintain the interest in that column he would be glad indeed for contributions fitted to fill it or for suggestions as to themes that might well be treated. Contributions should be free from dogma and sectarian bias and be addressed directly either to heart or understanding or to both heart and understanding, which is better.

Los Angeles, Cal., April 6, 1909.

Editor The California Weekly: You ask for an opinion from your readers upon the weekly. Here is mine. I take two periodicals—outside of newspapers and professional journals. If I were obliged to take all but two these two would be the New York Outlook and The California Weekly. What the Outlook is to the country this weekly is to the state. "The Deeper Significance of Living" is the keystone of the

arch. To suggest its omission is a confession that should be humiliating.

Your paper is fine. I shall do all I can to increase its subscription list.

Yours very truly,

FRANCIS B. KELLOGG, M. D.

618 Auditorium.

We are very thankful for Doctor Kellogg's words of encouragement, and will merely add that the "Deeper Significance of Living" will not only not be dropped but, if possible, will be made deeper and more significant and closer to the living of the human life. The expressions in its favor have been so many and so general that I have accepted our own judgment of its value as abundantly sanctioned.

WITH EYES AND :: EARS OPEN ::

First there was John. Incidental to John there was Papa, Mamma, Grandma, and baby, all nicely dressed and off for a Sunday. There was a wait of five minutes for the car. John went down on all fours on the gravel. "John!" screamed three throats in discordant union. "Oh! what a boy you are!" There were thirty-seven admonitions to John before the car came. And baby, bare legged baby, came in for her share, too. Baby tried to do whatever John did. "Baby mustn't jump any more." "Baby mustn't run out into the grass. Baby will get her frock all dirty." "Why can't baby be still a minute?" "Next time John will be left at home sure, then perhaps baby will behave." "There comes the car. Look out, John!"

It was a beautiful Sunday, but one could not help foreseeing that it was to be made miserable for three people because three of them would have to spend the whole of it trying to head off John and Baby. It is a safe guess that he was lyingly told 500 times during that day that next time he would be left at home. The writer's sympathies were with John and Baby. They were delightful children, and were only doing the things that God told them to do in order that they might acquire mastery over their bodies, that their minds might be stimulated into alertness. If they had been "good children" and sat motionless, as their elders wanted them to do, their case in this world would have been hopeless. They would grow up to be stupid parents of stupid children in turn, human knots on logs as inconsequential as bonny-clabber. The only hopeful aspect of the whole miserable incident was that John paid little attention to the "John don'ts" that were hurled at him. His only chance of a successful career lies in being able to rise superior to these don'ts but the chances are that they will embitter his existence. Like the dripping water that wears away rocks those don'ts will reach the heart of him after awhile. The gamine in the street has at least an equal chance in life with John despite the refinements of a model American home.

In splendid contrast with the lamentable environment of John was that of Billy on the boat coming across the bay with Papa. Billy also was about five years old and had come into a strange world, just out from the East. He was taking in everything: the buoys, the light house and the wireless telegraph mast on Goat Island, the gulls, the tugboats, the ferry depot tower—everything that came in the range of vision had a question mark after it, and when Papa's knowledge was unequal to the answering as, being a tenderfoot, it sometimes was, the writer of this countered the requisite information. Not once did Papa weary of the little crooked child at the end of every boyish phrase or sentence. He answered as best he could and in form as intelligible as possible to the childish mind. The writer has not seen Billy or his Papa since, but he could not refrain from extending his hand and offering congratulations because of his intelligent appreciation of the needs of the childish mind. And with what difficulty did the writer refrain from "butting in" and giving John's three-point Nemesis a three minute talk on the evolution of the human mind. The (?) is not only the key to all language but to all human progress and the child that is not active is a jellyfish.

Wisdom of Napoleon.

"I never act when I am in a rage. There is not one of my Generals who has not conspired against me. Lannes caused my guard to mutiny. Yet I have made them all Dukes or Marshals, because I cannot forgive are the Bourbons."

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POLITICAL TABLE TALK

By THE WATCHMAN.

San Francisco's Next Election San Francisco will undergo a change in city administration next November. Issues are already crystallizing and men being mentioned for the various public offices. The California Weekly will furnish its readers developments of conditions as the campaign progresses, with concise biographies of the more prominent characters. Two phases already appear prominently: the status of the graft prosecution, and the labor party's attitude toward the present city administration.

Who Shall Be Prosecutor? District Attorney William H. Langdon has definitely announced that he will not be a candidate to succeed himself. He has large business interests that are pressing for attention, and he thinks he has earned a rest. The problem of his successor is most important. A man friendly to the corporate interests could paralyze the efforts to convict the indicted men, bringing to naught the labors of years to establish justice. If the public wants to see justice done, a man known to be in sympathy with the present character of the District Attorney's office must be elected.

Should Be Familiar With the Work Done He should also be a man familiar with the work already done in the graft cases. A stranger to the inner workings of the office would need months to acquire a working knowledge of the vast accumulation of detail information now in that office's possession, and essential to an effective conduct of the cases. The line of mental and temperamental succession should not be lightly broken under present conditions, when the defendants are trying to wear out the prosecution by delays in the hope of just such a possible break.

Mr. Heney As a Candidate? Mr. Heney himself is being mentioned as a candidate by many who want the issue to be brought squarely before the people: Shall we prosecute the grafters to the limit? If he would run, his election would mean "yes"; if defeated, it would amount to throwing the indictments out of court. Others believe that the issue should be, in a sense, sidestepped by naming as candidate one of Mr. Langdon's deputies—O'Gara, Cook, or Hanley—who would certainly continue the cases as they have been conducted, but whose possible defeat would not be a decisive vote against the prosecution per se. Mr. Cook would probably decline to run. Mr. Heney has not had occasion to declare himself. His attitude on the question will be an important element when it becomes known.

Where the Labor Party Stands Labor leaders declare that the Labor Party will certainly have a ticket in the field—that the new direct primary law makes it inevitable, even if the candidates go on the ballot only by petition. Above all things else, labor in San Francisco wants to redeem itself from the ignominy of the Schmitz regime, and its leaders declare that they mean to elect a clean labor ticket next fall for that purpose, if for no other. Incidentally, the labor men have been greatly disappointed in Mayor Taylor's administration, notably in the matter of "recognition of labor" in public offices. The reduction to the ranks of Michael Casey, formerly president of the Board of Public Works, and now, in the phrase of a labor leader, "only a cipher on the board," was particularly offensive to them.

Labor's Objections To Mayor Taylor They say that the Mayor has not been aggressive enough: that he left in office many vestiges of the old regime that properly should have been thrown out bodily; and that he should have asserted himself vigorously in the activities of the various commis-

sions instead of allowing them to have the length of their rope and pull at odds with one another. They recall with some bitterness, also, the fact that some labor leaders took the stump for the Mayor in the last campaign.

By Their Records Let Them Be Judged For thirty years the railroad interests of California have been a law unto themselves. Our statute books have been practically free from railroad legislation and the railroads have been practically free from regulation for the public's protection. It was the hope that the issue had been brought to a head and that, at the recent session of the legislature, steps would be taken to bring the transportation corporations under definite control. The corporations themselves expected this and prepared for it, how adroitly and successfully the sequel will show. Let those who were responsible for what was done, and was left undone, be judged by their records. They cannot complain that this is not righteous judgment.

Sheep and Goats Bond and Free The measure before the legislature that was really remedial in its character was the proposed Campbell constitutional amendment which provided that, in place of the present railroad commission, elected by the people, there should be a railroad commission, appointed by the governor, by and with the advice and consent of the state senate, removable for good cause shown by a two-thirds vote of the legislature. Instead of striving to define in the constitution the duties of the commission the legislature was proposed to be given full power to prescribe such duties from time to time as occasion warranted. This amendment would, if adopted, have fixed responsibility and made the powers of the commission flexible, more easily changed to suit proven needs than by constitutional provision. This measure was defeated in the senate by the vote following. It is a vote that separates the free from the bond, the sheep from the goats, with considerable nicety. Those voting for the submission of this amendment to the constitution for the ratification of the people were: Senators Bell, Birdsall, Boynton, Burnett, Cammett, Campbell, Cartwright, Curtin, Cutten, Holohan, McCartney, Miller, Roseberry, Rush, Strowbridge, Thompson, Walker and Wright—18. Those against were: Senators Anthony, Bills, Estudillo, Finn, Hartman, Hurd, Kennedy, Leavitt, Lewis, Price, Reilly, Sanborn, Savage, Wells, Willis and Wolfe—17. Inasmuch as a two-thirds vote is requisite for proposing a constitutional amendment the proposal was lost. Estudillo explained his vote on the ground that he favored election of all officers by the people. Senator Sanborn voted in the negative, that he might move a reconsideration. There were two other men who voted no who were reasonably free from corporate influence, Anthony and Welch, while McCartney and Wright of the ayes are clearly corporate men with Curtin and Burnett rated as half- and half.

The First Alternative The second best measure before the legislature, for the regulation of common carriers, was what came to be known as the Stetson bill. It was prepared in the main by Attorney-General U. S. Webb, an official classed as "organization" by predilection and affiliation and not heretofore disobedient, although there was some evidence of disobedience in drafting this measure. He had the assistance of good men, including John W. Stetson whose loyalty to right things is unquestioned. The measure made the duties of the railroad commission positive instead of negative, prohibited discriminating and rebating without equivocation, abolished the pass system, except in certain proper cases, made the rate fixing power definite, yet afforded a right of appeal to the courts where the carrier thought itself ill used.

So far as a layman may judge it was a good measure, as good perhaps as could have been prepared under the constitution as it is.

The Wright And Wrong It was not whispered in the corridors that Senator Leroy Wright had in incubation any railroad regulation measure until he plumped it into the legislative basket, and this is not the way Leroy Wright generally does things. Coming events usually cast their shadows a long way before Leroy Wright. Therefore the conclusion was promptly reached that this bill was furnished the San Diego senator ready made and that it was incubated in the Flood Building at the corner of Market and Powell streets in San Francisco. What the measure really portends the attorney-general of the state and the railroad commissioners are now trying to find out. They would probably facilitate matters by asking Mr. Herrin. Perhaps they have done so. Characterized in a word the general tendency of the measure is to go at the abuses of which shippers and travelers complain with a meat ax, but the meat ax is made of brown paper and the gore that develops is only from a red shirt worn under the white and which shows through a rent previously made in the outer garment. In other words, the railroad commission is commanded to do many things—unless it does not feel like it, in which event it needn't. As in the enactment of a direct primary measure, so also in the enactment of a new law for the regulation of transportation in this state, Senator Leroy Wright proved that, at the crucial instant, he could be relied on to serve the corporate interests rather than those of the People of California. That is the Wright and wrong of it, bright man with a predilection for bad association.

Unconstitutionality The Pretended Reason A great to-do was made over the unconstitutionality of this measure as justification for voting it down and perhaps two or three were influenced to vote against it through that fear. As for the rest they took orders and that was the whole of it. But the constitutionality of such powers as were proposed to be conferred has never been brought to the serious attention of the Supreme Court of California. We have it upon the authority of Mr. Justice Shaw that the question of exact maximum rates has never come up to the court for decision. In the Fresno rate case the court said: "We do not understand that the railroad commissioners do more than to prescribe the maximum change allowable" but, in the language of Justice Shaw, "This had reference to what the railroad commission had done, not to what they might do or had power to do." In fine, the plea of unconstitutionality was a make-believe.

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UP AND DOWN : : THE STATE : :

San Bernardinians are elated by the information, conveyed in a late number of the Engineering Magazine, that their city probably will be made a manufacturing center for the Santa Fe railroad. The Santa Fe already has such a center at Topeka, Kansas, but it is understood that the increase of its business on this coast will necessitate the establishment of another, and San Bernardino apparently is the fortunate place that will be selected.

Whatever other city, town or hamlet may conclude to go without its cocktails and other similar inducements to temporary cheer, Santa Cruz refuses to be of the number. By a vote of nearly three to one, last Monday, it decided in favor of being "wet," and as the vote was the largest ever polled there in a city election, it should be considered a fair representative of the popular opinion. Vanish the private flask in Santa Cruz, and avant the frequent trip to neighboring towns! Both will be unnecessary.

Southern California newspapers in these days contain much agitation for state division; at any rate, a considerable number of them do. The main argument for such division is the West's need of more representation in the United States Senate. Excellent; and why would not the force of the argument be multiplied by six if it were contended that California should be divided into twelve states? The logic of the case might as well be worked for all it is worth.

A. P. Bittersworth has transferred his interest in the Hollister Free Lance to A. G. Barre, and henceforth the editorial destinies of that paper will be in the hands of the latter gentleman. It has been a good local paper, and its new editor promises that it will maintain that position in the newspaper world.

"Dave" Sanders, proprietor of the Visalia House in the city of that name, has been arrested on a charge of stealing fifty-seven head of cattle. The Delta says, "the evidence in this case is conclusive, and no doubt as to his guilt exists." It is alleged that Sanders was the head of a band of cattle thieves who have been operating in Tulare and adjacent counties for some time past.

By a majority of 403 Pasadena re-elected Mayor Earley over his opponent, William Waterhouse. The election differed from some recent ones in that there appeared to be no charge of craft, "push" affiliations, etc., on either side, to be decided by the voters. It seemed to be a case of clean man against clean man, and the citizens selected whom they preferred.

Petaluma is "dry" on Sundays, but a recent arrest indicates that it has not been so dry as some people thought it. It was observed that a barber was having an uncommonly large run of Sunday business for his bathing adjunct. This led to curiosity on the part of a constable, who investigated and discovered that when he turned a bath-tub faucet a flow of very fair beer responded. Further investigation revealed that a saloon and the bath-tub were connected by pipes. Arrests followed, and Petaluma is believed to be again dry on Sundays.

Work on the Stanislaus county railroad between Modesto and Empire has begun. The railroad will be somewhat unique in one respect: It will be entirely built and owned by residents of Stanislaus county.

A syndicate is endeavoring to purchase irrigation district number ten, north of Marysville, and already has secured options on 6,000 of the 11,000 acres contained in the district. If it succeeds, it will spend about \$120,000 in safeguarding against floods, and will then sell the tract in ten, twenty, and forty-acre lots. Of course the syndicate is not doing this for its health, but how much the resulting influx of settlers and tillers would mean to Marys-

ville and vicinity only people who have lived near vast cultivated or semi-cultivated tracts can judge.

About four miles from Alpaugh, in Tulare county, 2,000 acres of land have been purchased, and now comes the information that a new town, to be known as Solita, is to be laid out on it, and that it and the surrounding country will be settled by 2,400 negroes who are coming from the larger cities of Iowa.

A rush of miners to Plumas county is reported. Many of them are from the state of Nevada, and they have been attracted by the reports of rich discoveries of gold. It is said that claims are being staked out on ground which now is covered by twenty feet of snow. It is difficult to say how much there may be to justify this excitement, but miners may do well to keep a watchful eye on Plumas.

The federal government has decided to construct its buildings in Southern California hereafter in the mission style of architecture. An excellent idea, for the mission architecture is both distinctive and attractive, but why not extend it to Central California? The old padres established their missions up this way, too.

Unlearned Lesson.

Twice and thrice he had dreamed it over,
Twice and thrice he had said it wrong;
The air was heavy with breath of clover,
And shrill with joy of a robin's song.
One could see only the sweet blue sky
With a silver cloud fleet sailing high,
And the feathery tops of the tallest trees
Stirring a bit in the lazy breeze.
"Nine times seven is sixty-three."
"What do we care?" droned a honey-bee.
"Nine times eight is seventy-two."
"And how can that matter to me and you?"
"Nine times nine—" and a butterfly,
Black and polished and pricked with flame,
Tossing and tilting airily
Over the brink of the window came.
Straight by the desk like a flower a-wing,
Poised on another, wavering,
Shut and unshut in the gay sunshine—
Who could answer for nine times nine?
So it went through the hours' retreating;
A spider wove for him magic-wise,
A clamoring rose looked in for greeting,
And the lure of its beauty was in his eyes.
The other children fared forth with laughter,
Flocking out in the golden light;
One might follow them only after
He'd learned his lesson and said it right
And the long light ebbed with the ebbing day,
And the far fleet dimmed in a sea of gray.
After the sunset glow was past
I groped my way to his seat, at last.
Twilight, now, and the task undone!
My heart was hard for the wayward one.

The book had dropped, with its pages crumpled,
Thumbed and folded and thumbed again;
And he lay quite still with his hot hair rumpled—

Fallen asleep at nine times ten!
Late, and his sky was fading, colder,
The glory that won him too dim to mark;
I stopped and laid him upon my shoulder
And carried him home through the deep'ning dark.

Ah, in our grown-up school we ponder,
Through the good days, on alien thoughts,
Letting our idle heart-dreams wander
Over the grand world with truant wings.
And often the unseen shadows creep
Close, while our erring thoughts are turned;
Master, what if we fall asleep
Still with our lesson of life unlearned?
Humbly we pray if Thou find it thus
When the sad end of the day be come,
For Thy great mercy to pardon us,
In Thy gentleness bear us home!

—Nancy Byrd Turner.

("The Graft Cases"—Concluded.)

yesterday afternoon, and it may have been decided before this number of The California Weekly reaches the reader. The evidence in general was about the same as that presented in the previous trial of Newburgh and that of Murphy. E. A. S. Blake again swore that he acted at the request of Newburgh and Murphy

in attempting to bribe Juror Kelly, and Newburgh and Kelly denied it. Attorney Schooler testified that he was employed by Newburgh and Murphy as an attorney to defend Blake, when the latter was arrested, but Mr. Schooler's memory of details was poor.

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REPLY TO MR. PHELAN ON HETCH-HETCHY

By E. T. PARSONS.

Mr. Phelan's contribution to the Hetch-Hetchy controversy in your issue of March 26, 1909, is convincing to the uninformed. The purpose of this reply is to call attention to some of the "inexact information" in which the article abounds in spite of the fact that the writer deprecates this character of information as being used by the "fine writers" who are opposing the destruction of Hetch-Hetchy Valley.

Let us emphasize two propositions foremost in the minds of those who believe that the Yosemite Park should be preserved:

1. The Yosemite National Park was created to preserve the Hetch-Hetchy Valley, the Grand Canyon of the Tuolumne, and the Tuolumne Meadows from destructive invasion and as a public park for resort and recreation. If the land now held by the Hetch-Hetchy water system would long since have passed into private ownership and would be no more available for the use of San Francisco than any of the dozen other sources that will furnish an adequate supply for San Francisco. The private rights that would have existed would have cost her untold millions.

2. This is best expressed in the language of R. U. Johnson of the Century Magazine:

"Let us say at once that we hold human life more sacred than the Yosemite. Let us say that the natural wonderlands, vastly as they contribute to save life and promote happiness; and if that were the issue, if San Francisco could not otherwise obtain an abundant water supply, we should be willing to dedicate to that purpose not only Hetch-Hetchy, but even the incomparable Yosemite itself."

Other Available Sources.

The first question that arises in the mind of every practical man is whether there are any other sources available and if so what would be their comparative cost. That there are other Sierra sources, not even Mr. Phelan will deny, for he testifies before the Senate Committee that "There are no less than half a dozen water supplies from the Sierras." That there is not sufficient information now available upon which to base an opinion as to the comparative merits of the various Sierra sources is the judgment of one of the city's eminent experts, Professor Marx. There are, however, several systems that in the matter of cost and amount and purity of water will compare favorably with the Hetch-Hetchy project.

The Stanislaus Source.

One of these, the Stanislaus, was mentioned by Doctor Bade, but it is brushed lightly aside by Mr. Phelan, who quoted from certain testimony in the Senate Record to prove his point. We cannot accuse Mr. Phelan of willfully misrepresenting facts, even though he does seem at times overcautious in denying his water scheme. The only alternative is to charge him with ignorance as to basic facts. The testimony quoted purports to establish the fact that there is no reservoir site below the tail-race of the Stanislaus. Powerful companies are sufficient to reservoir the water of the Stanislaus river for the city of San Francisco. Any person qualified to discuss the subject of water supply must know that a reservoir at the point mentioned is utterly unnecessary. All that would be required is a mere diversion dam which can easily be constructed in a score of places below the tail-race.

As Much Interested as San Francisco.

The Stanislaus Power company is as vitally interested in storing sufficient water in reservoirs above the tail-race, and in equalizing the flow of the river, as would be the city of San Francisco. A continuous maximum flow of water is essential to the successful operation of the power plant. The power company has already constructed dams and will in time construct others so as to store a quantity of water in excess of that which can be stored in Hetch-Hetchy valley. How simple then to divert the continuous flow of water that has already been reservoird and use it for a municipal supply. The power rights above the tail-race are held

in private ownership, it is true, but the generation of electric power does not consume the water in some mysterious manner as the assertions of certain of the Hetch-Hetchy advocates would lead us to believe. Until the water itself is actually put to some beneficial use it cannot be subjected to private ownership and others prevented from using it.

The Preferred Rights Problem.

The rights along the Stanislaus river below the power company's tail-race are few and of minor importance. The rights on the Stanislaus do not begin to compare in importance with the private rights that have already attached on the Tuolumne river below Hetch-Hetchy.

Since the recent decision of Miller & Lux vs. Madera Water Co. the city will have to condemn all the riparian rights on the Tuolumne which, the Supreme Court has held, attach to flood waters as well as to minimum flow. These are much more important on the Tuolumne than on the Stanislaus where there is greater rainfall and a less area of irrigable land. The Stanislaus company once offered to build a complete transmission system and deliver to the city of San Francisco for actual cost 10 per cent, a maximum supply of water equal to any possible requirements and to guarantee all titles under satisfactory bond.

Cost About the Same.

We can reasonably assume that the cost of the Stanislaus project would be about the same as the Hetch-Hetchy, and if anything would be slightly less. In actual distance the Stanislaus project would appear to have a slight advantage over the Hetch-Hetchy. Mr. Manson has made the same allowance of 10 per cent and added it to the cost of actual construction of the Hetch-Hetchy project. The Stanislaus river heads in a granite country similar in its characteristics to the Tuolumne and is protected by the same rocks.

The Eel River Source.

Another possible source for San Francisco, that has never received a complete and exhaustive investigation, but which the data now available tends to strongly indicate will cost much less than the Hetch-Hetchy project, is South Fork of the Eel river. The Snow Mountain Power and Water company has already diverted the flow of this river through a tunnel and allows the water to escape into the Russian river after generating power. This water flows down the natural channel of the Russian river fifty or sixty miles, and can be diverted near Cloverdale after being filtered through extensive natural gravel beds that exist in that vicinity. The water can then be taken in a pipe line and run by gravity along near the California and Northwestern railroad grade to the water works in San Pablo bay. The distance would be less than two-thirds of the length of the proposed Hetch-Hetchy line and, being a gravity system running close to a railroad, would mean an enormous saving in cost of pipe line and transportation of materials necessary for construction. The cost of crossing San Pablo bay would be a simple matter and small expense compared with the crossing of the San Joaquin valley and the crossing of the Coast Range at Altamont, as would have to be done in the case of the Hetch-Hetchy system.

A. M. Hunt, an eminent engineer, has estimated that 60,000,000 gallons per day can be brought to San Francisco for approximately \$12,000,000, or for a little more than a third of what the city engineer has estimated it would cost to bring in the same amount from the Hetch-Hetchy system. The amount of water can be increased to 200,000,000 gallons per day without requiring the same storage on the Eel river, its source is the snow of Snow mountain, it is protected by a forest reserve, and there is little habitation on the water-shed either present or prospective. All danger of contamination is completely eliminated by the filtering above mentioned. This is an ideal and cheap source for Berkeley, Oakland and Alameda, since the pipe line could be brought

through these cities on its way to the San Francisco peninsula reservoirs.

Other Possible Sources.

There are many other projects that have been favorably mentioned by eminent engineers. For example, the waters of the San Joaquin river could be pumped from the proposed crossing of that river by the Hetch-Hetchy system and all the expensive head works and dam construction and length of pipe line from head works to the San Joaquin river eliminated. This would result in a saving of over ten million dollars. There would have to be offset against this the cost of power for pumping over the coast range and the cost of filtration, but there would result a much less expensive source of supply. It should be remembered that water properly filtered is the safest for a municipality to use and the day is not far distant when all self-respecting communities will recognize this fact.

The Importance of the Yosemite Park.

It is difficult to convey to those who have not visited it, an adequate idea of the importance and grandeur of our great national park. Most persons confuse it with the Yosemite valley, whereas that is but a small part of the park embracing the Tuolumne watershed is by far the half. This portion of the park includes the Hetch-Hetchy valley, the Grand Canyon of the Tuolumne, and the Tuolumne Meadows. There is no finer aggregation of natural scenery anywhere in the entire Sierra, and, for that matter, in the world. The Hetch-Hetchy valley ranks second only to the Yosemite in wonder and importance. Mr. Phelan has been quoted as saying "it is only one of a thousand similar valleys in the Sierra." He has traveled from one end of these mountains to the other and I know that John Muir is correct in stating that "Excepting only Yosemite, Hetch-Hetchy is the most attractive and wonderful valley within the bounds of the great Yosemite National Park, the best of all the camp grounds." And I agree with Mr. Keith in declaring that "in varied picturesque beauty Hetch-Hetchy even surpasses Yosemite."

One of the Greatest Canyons.

The Grand Canyon of the Tuolumne is one of the greatest and most stupendous canyons in the world. Let any one take a topographic map of the Yosemite quadrangle and one of the Grand Canyon of the Colorado and compare them. He will find that in the case of the Grand Canyon of the Colorado there is a vertical drop of nearly 5,000 feet from the hotel on the rim of the canyon to the river at the bottom. But this is in a horizontal distance of two miles. There are places in the Tuolumne Canyon, however, where there is a vertical depth of almost 5,000 feet in a horizontal distance of one mile. While the Tuolumne Canyon lacks some of the sculpturing and coloration which the Colorado Canyon possesses, it has other charms that are none the less attractive and wonderful. Spires, domes, towers, castellated promontories, lace-like waterfalls pouring in over sheer walls of dizzy height, the mighty thundering cascades of the river with their "water wheels" that cannot be matched even in the Yosemite, and a hundred lesser charms of forest and flowery meadow. All this drains directly into the Hetch-Hetchy valley and is not separated from it by a distance of twenty miles as Mr. Phelan would have us believe, but it is a part of those twenty miles. While now somewhat inaccessible except to the hardy climber it can be made easily accessible at not a great expense, and in time the government will undoubtedly make it so.

The Tuolumne Meadows.

Then just above and on the same river are the Tuolumne Meadows. Prof. Joseph LeConte, the late eminent scientist, described them as "a beautiful grassy plain of great extent thickly matted with low-flowing canyons surrounded with the most magnificent scenery. . . . To any one wishing really to enjoy

camp-life among the High Sierra, I know of no place more delightful. . . . The scenery is nowhere more glorious."

The United States engineers sent out to report on the park said: "The scenery is particularly grand. . . a paradise for campers."

John Muir says that "The upper Tuolumne valley is the widest, smoothest, most serenely spacious, and in every way the most delightful pleasure park in all the High Sierra."

While we keep in mind the fact that John Muir, Stewart Edward White and others who have camped in all parts of America, and in fact, the world, agree that our Sierra is the finest campground of them all, we can commence to gain some faint idea of what this means.

The Artificial Lake Idea.

But Mr. Phelan says that damming Hetch-Hetchy will make a beautiful lake of it and enhance the scenery. It ought to be a sufficient answer to say that John Muir, Wm. Keith, and those who know the valley best deny this. It is sophistry invented to mislead the uninformed. **Camping or living on the edge of the valley or anywhere in the immediate vicinity would be rendered impossible, and one of the three great scenic campgrounds in the park absolutely destroyed.** This fact has been overlooked. Five thousand people could be accommodated in Hetch-Hetchy valley in camps and hotels. This is only true of the Tuolumne Meadows and Yosemite. With Hetch-Hetchy valley gone, travel to this portion of the park must necessarily be stifled.

Danger of Pollution.

Mr. Phelan thinks that travel to the Tuolumne Meadows would not be greatly interfered with and that danger of pollution would be less than on other watersheds. He falls into the error of judging by the present conditions. If the travel into the Meadows never increased this might be so, though even this is doubtful. But travel there has increased ten fold in the last decade and bids fair to increase in the future in the same proportion. The state road from Mono county is now being built up the eastern slope of the Sierra and is nearly completed. It will connect with the old Tioga mining road and will be one of the great highways of travel across the Sierra, which will pass through these Meadows and cross the Hetch-Hetchy river. **It is certain that any one of the other available sources, all of which are protected by forest reserves, will be subject to less liability of contamination than will the Tuolumne supply with its constantly increasing travel.**

Divided Use Irreconcilable.

J. Horace McFarland, president of the American Civic Association, and all the authorities on the subject of sanitation differ with Mr. Phelan and agree that the use of Hetch-Hetchy as a reservoir for a municipal supply will mean the eventual exclusion of the traveling public from the entire watershed. We can look into the future far enough to realize that this irreconcilable and divided use of the water shed will mean continuing warfare with the municipal authorities. Once let an epidemic of typhoid occur in San Francisco and no power on earth could resist the effect that would be made to effect rigid exclusion.

Other Scenery Not Comparable.

But Mr. Phelan says, "Go into other portions of the Sierra for your pleasure travel." It only illustrates how little he knows of the region he is talking about. North of the Yosemite park there is no scenery comparable to it and no region so thoroughly adapted to camping and recreation. The same is true to the south. There are no such spacious and attractive camp grounds. The San Joaquin region cannot be classed with it for a moment. Portions of the Kings and Kern river regions do compare favorably, but even there we find no great scenic camp grounds where large numbers can be accommodated. Feed for animals is scarce for even the few who now resort there. **It is the only great national park in the Sierra and in California.**

Esthetic vs. Utilitarian.

I take issue with Mr. Phelan when he says that the esthetic must give way to the utilitarian. The millions of dollars invested in city parks and public galleries and museums are a refutation of his statement. It is not

all of life to eat and drink and sleep and be clothed. The wage earners and wealth producers may not all be able to visit the Yosemite National Park, but many of them have already done so and many more will follow. In time, I predict that the wage earners of this state will be doing as the citizens of Germany now do—deprive themselves of luxuries and save throughout the year in order that they may spend a few days of rest and recreation with their families in the scenic regions of Europe.

Honor to John Muir.

When that time shall have arrived, those wealth-producing pilgrims will revere the name of John Muir and call him blessed because he had that prophetic vision and patriotic unselfishness which caused him to labor and endeavor to preserve from the ravages of the present day commercialism and save from unnecessary destruction some of the most wonderful handwork of the Lord.

A BALLAD.

By Ray McIntyre King.

Once 'pon a time, when politicians

Overran the sea and land,

Making speeches, kissing babies,

Shaking voters by the hand,

To a simple country village,

Came an orator of note.

He'd orate 'till save his country.

And, mayhaps, he'd charm a vote.

Just before the ev'ning session,

In a parlor stiff and cold,

Sat he on a horse-hair sofa,

While his entertainer told

Of the ways of Old Bill Bailey.

The amusing ways he had,

How he interrupted speakers,

How he tangled them up bad,

How he'd mix 'em on the tariff!

On "fee-nance" he'd have a bout.

Yes, he asked some stunning questions,

Knocked their underpinning out!

And the young man on the sofa

Wished to goodness he was home!

Said his host: "You should a heered him

Muddle Senator Jerome!"

(And the young man saw in fancy

How Old Bill would fuddle him

On that memorized oration.

And its arguments so slim,

And the young man's collar wilted.

Should he send the chairman word

He was very indisposed?—

Mother dying, he had heard?—

Must excuse him to the people?

That the misusing farmer said:

"Yes, Old Bailey was a terror!

Poor Old Bailey! He is dead!"

Gridley, California.

More Napoleon Stories.

"Alexander has often remarked to me: 'I feel that I am not an Emperor like you because I depend on my generals.' He asked me a hundred questions about the art of war. When we rode together on horseback he would ask: 'Is that a position? How might it be developed? How might it be used to kill the enemy?' If I made war on Austria he would like to lead a corps of 30,000 men under me in order to learn the art of war. And the King of Spain thinks me a genius. And Jerome also! When Murat left me Jerome asked to be my Lieutenant-General. 'Are you joking with me?' I asked him. 'When you have been through six campaigns and had six horses killed under you we'll see about it.' But I said he, 'I have less experience. I have more ability.' 'And what do I care for your ability?' said I, 'it is ability for the one thing which I want. There is no fool who is not good for something, and there is no ability that is good for everything.'"

Then he reverted to war:

"There is nothing in war which I cannot do myself," he declared. "If there is nobody who can make cannon powder, I know how to make it. If gun carriages are needed, I know how to make them. If cannon must be cast, I know how to cast them. If the details of maneuvering must be taught, I can teach them."

"I am always working. I think a great deal. If I always appear ready to answer everything, to face everything it is because, before undertaking anything, I have thought a long time and foreseen what may happen. No guess reveals to me the future. In secret, what I am to say or do in an emergency; it is reflection, meditation. I am always at work at dinner, at the theatre. At night I get up and look at the stars. Last night I got up at two o'clock in the morning, sat down in an armchair before my fire, looked over some papers from the Ministry of War, found twenty errors in them, and sent them back with my corrections to the Minister, who is now busy with his staff in rectifying them."

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Capital \$3,000,000
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The German Savings and Loan Society

326 CALIFORNIA ST.

(Member of the Associated Savings Banks
of San Francisco.)

Guaranteed Capital \$ 1,200,000.00

Capital actually paid up in cash . . . 1,000,000.00

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Deposits Dec. 31, 1908 35,079,468.31

Total Assets 37,661,836.70

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Emil Rohite; Cashier, A. H. R. Schmidt; Assistant

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Mission Branch, 2572 Mission Street, between

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Manager.

YOU will have to imagine a good deal of this story, because, in the first place, it has to do with certain exalted people at whose doings one must look, perhaps, as through a veil, and, again, because the lady would naturally shrink from exposing to the world even a glimpse of her true emotions, and, still further, it may all be a mistake. Anyhow, whose business is it if a man who rose from nobody to be the envied and honorable man of millions chose to become exclusive and wished to ally his house—not the walls and the roof over his head, such usage of the word is for the poor; but his "house," his family, his name, and all that—to ally his house, we say, with another "house" more distinguished by age and not less by fortune?

However, let the facts speak their own inferences.

Let us call this man Plummer—Lemuel Plummer. He made his millions by contracts—engineering feats such as dredging a river for the Russian government, running a railroad through Siberia, opening a new harbor in India, and contributing to the success of a great dam in Egypt. His residence was in New York, but he kept valises and steamer trunks packed in his office in Wall street, and an hour's notice by cable sufficed to start him hither or yon to the earth's end, a citizen of the world. His patrons were kings and viziers: he wore odd medals and ribbons in European courts. In the field he wore overalls, and swore strange Mississippi river oaths that made the coolies of Shanghai shiver and the boys in the office in Wall street call him the Old Man. The boys judged him well. They laughed at Lemuel Plummer's pretensions to social position: they admired the Old Man, who knew his business and loved his work.

And his daughter. She burst into the office one day, home from a preparatory school in Boston, where she was being trained to her part as mistress of Plummer's millions; and had demolished the decorum of the staff. The married men shook their heads and went mumbling back to work. The bachelors and boys begged one another for admiring synonyms to express their admiration of Plummer's spectacularly helpless, begged off from four appointments by telephone, and submitted to being hurried forth to show her the sights of New York. She was more to him than his daughter and the pride of his life: she was the reminiscence of his life's memory. Business was suspended at 21 Wall street that day, while every youth in the place dawdled with pen or rule and dreamed golden dreams of a dress suit and a dark corner in a conservatory alone with Her and the envious eyes of a dozen rejected suitors outside the door.

All save Jones. Jones's name was unromantic, but do not suppose that Jones invented his name. He was plain to look on, plain as his name, but within constituted about as we all. He beheld the vision face to face—to be exact, he was he to whom the vision had spoken, her glorious eyes meeting his frankly, her smile and "Thank you" repaying his reply to a question. Every companion envied him, but Jones was unmoved. His fellows did not suspect it nor did he assert it; but let the facts continue.

Lemuel Plummer spent the rest of the day with Miss Constance Plummer, and the Old Man made much over Conny, and Mr. Plummer showed Miss Plummer the very most desirable residence sites on Fifth avenue that he had a mind to buy, and the Old Man went with Conny to see "The Heart of Maryland" at a matinee performance, and Mr. Plummer got a great deal of pleasure out of being the Old Man and Conny's mind went whirling down long vistas of delights as Miss Plummer of Fifth avenue. And a number of friends saw a vision of a face amongst the youthful subordinates in her father's office, though she had seen it first this day.

Soon after, Conny vetoed the Old Man's command that she return to the school in Boston, and the Plummer society friends took Miss Plummer in hand and brought her out. The great Mrs. Van Verden did the honors herself, and the society papers made much of the event, and society made much of the new belle. Miss Plummer enjoyed herself immensely, and was the radiant center of a

A WAR IN THE EAST

BY

E. FRENCH STROTHER

group of handsome young men who, however distinctly they saw the Plummer millions, saw more vividly the Plummer beauty who would inherit them.

Miss Plummer, however, developed a peculiar fad for a society girl. She besought her father to be allowed to learn something of affairs, and the papers again had a good story in the beautiful Miss Plummer who chose to devote half of each day to studying business in her father's office, and as the Old Man profanely refused to be interviewed, the story was naturally better than the facts. And as society easily allows what a beautiful and wealthy young lady chooses to do, her strange avocation only added to her charms a claim of originality.

What one might imagine about this story might, perhaps, have been different if Mr. Plummer's mind had not been busied with momentous things. Murmurs of an approaching war in the East came to New York by way of Lemuel Plummer's office in Wall street, in the form of a cipher cable from the mandarin of a province in China, informing Mr. Plummer, as a great engineer, that his services were wanted in devising some changes in a great river's mouth to permit freer ingress of battleships drawing more than average water, and could he come at once. Mr. Plummer slept that night on the Limited for Chicago, calm in the knowledge that the San Francisco office had booked him on the next steamer out of the Gate.

This turn of the Fates left Miss Plummer mistress of 21 Wall street. The executive officer in charge had received brief instructions to "let her sweat this nonsense out of her with hard work at a typewriter." Miss Plummer did the rest of the ordering. She chose to work on the foreign mail, and as Jones did the foreign correspondence, she was duly installed his stenographer. Hence, under Jones's careful, but impassive eyes, she wrote reams of specifications for dredgers that were building in Scotland for use on the Volga river, yards of instructions for French to subordinate engineers who were wrestling with the harbor of Antwerp and the contrary river Scheldt, and books of other dry and matter of fact detail correspondence.

All this she did with great speed and accuracy, winning from Jones an earned commendation of her capacity, and even conquering the sour old executive who loathed women as office workers and thought Plummer was crazy to let his daughter drudge. Miss Plummer, however, did not seem to consider it drudgery, but worked with sprightliness and energy until the Chinese mail brought word that the Old Man would be back in thirty days. Then Miss Plummer instantly resigned and was seen in the office no more, to the much sorrow of the young men, who mourned her absence, and to their mingled pleasure that Jones was deprived of his monopoly of her presence.

The next morning's mail, however, brought Jones a surprise. The stationery was surprising enough, but the note was more so. In the bold hand that girls like to simulate she expressed Miss Plummer's appreciation of Mr. Jones's great kindness and patience in helping her to gain an insight into business methods, and concluded with the phrase that "Miss Plummer's aunt wishes her to invite Mr. Jones to dine with them this evening, so that she

may thank him on behalf of Mr. Plummer, now absent in the East."

Jones felt a little uneasy, but the invitation of the queen is the king's command, so he went. Miss Plummer's aunt did thank Mr. Jones on behalf of Mr. Plummer, now absent in the East, though with obvious reserve; but Miss Plummer's gracious cordiality put him at his ease through the ordeal of dinner and the rather bewildering splendor of an evening in a Fifth avenue mansion. Never had Miss Plummer looked more lovely. Never before had Jones realized the beauty of the family name charm, for the Miss Plummer of the office was a cog in the machine—an extraordinary and disconcerting cog, but still only a cog—whereas the Miss Plummer of Fifth avenue in her own home was the most individual and interesting of young ladies.

Jones left the house that evening with feelings of wonder and alarm mingled in his mind. He could not but be amazed at the suddenness and the completeness of his intimacy in the household, for Miss Plummer, with a nod at her aunt, had engaged his presence for the next evening at a theater party and supper, and had dismissed him with friendliest informality; and he could not but be alarmed at the possibilities of anger when the Old Man came home and had a talk with the reserved Miss Plummer senior. Other feelings of alarm perturbed him, but of these we must not surmise.

The theater party was only the forerunner of the most splendid month of Jones's career. Miss Plummer's sense of gratitude was large, for she repaid her debt with a spendthriftness of hospitalities. Jones ones grew outwardly more impatient, inwardly more perturbed. Then the Old Man came home.

Miss Plummer senior, the aunt, and Mr. Plummer had a long private conversation the day after. The Old Man swore, and Miss Plummer senior that evening announced the most gorgeous series of social functions with the most exclusive lists of guests that New York society had the opportunity to discuss in years. The Old Man appeared at the office in more violent raiment than his worst offenses had ever before sanctioned, and in the most violent manner the boys had ever seen. The executive left his sanctum sorer than ever. Jones was called in. The Old Man glared and announced in veiled but forceful terms that Jones was badly needed to manage the office in Hong-Kong and would he please see that he did not miss the next steamer. His pay would be increased to meet the dignity of his new position, but it was understood to be a three-year contract and no leave of absence.

Now comes the hardest part of all this story to imagine. Jones was not downcast; he was radiant. He thanked the Old Man with fervor. His pay would be increased to meet the dignity of his new position, but it was understood to be a three-year contract and no leave of absence.

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Now comes the hardest part of all this story to imagine. Jones

RECENT VERSE.

Retrospection.

He was better to me than all my hopes,
He was better than all my fears;
He made a bridge of my broken works,
And a rainbow of my tears.
The billows that guarded my sea-grit path
Carried my Lord on the crest;
When I dwell on the days of my wilderness
march,
I can lean on His love for the rest.

He guided by paths that I could not see,
By ways that I have not known;
The crooked was straight, and the rough made
plain,
As I followed the Lord alone.
I praise Him still for the pleasant palms,
And the water springs by the way;
For the glowing pillar of flame by night,
And the sheltering cloud by day.

Never a watch on the dreariest halt,
But some promise of love endears;
I read from my past what my future shall be,
Far better than all my fears,
Like the golden pot of the wilderness bread,
Laid up with the blossoming rod,
All safe in the Ark with the law of the Lord,
Is the Covenant care of my God.

—Yonkers Statesman.

She Did!

Whin back to the Ould Sod me day dreams are
wingin'.
Sure Kathleen Mavourneen's the song I'll be
singin'
But more often me thoughts, the truth to be
tellin',
Wid a nearer Kathleen an' dearer are dwellin'.
One's known all the homes o' the poor an' the
rich in,
But my mavourneen is the Queen o' the
Kitchen.
Wid the two of us waitin', slavin' an' savin',
Faith 'till not be long till that same she'll be
lavin'.

An' faith 'tis her swate self is nadin', God bless
her,
Some more of a man than a Father Confessor!
An' faith 'tis meself an' no other is wishin'
The colleen'd stayed home whin she wint to
confession.

The day before Bridget O'Flaherty's party
Some bit of a sin she tells Father McCarthy.
"For your fault," then says he, "which God
knows was glarin',"
Tin days twenty beans in each shoe you'll be
wearin'."

"Sure the praste—I spake wid the riverence due
him,
An' little it is, may the bad scan be to him!"—
Says I to the colleen, "ain't fit to lie dead on
The same ground at all that your darlin' feet
tread on!"

"O Kathleen, acushla, ye'll never be thinkin'
O' doin' this penance at all; for it's drinkin'
The good father's been, ayther that or he's
crazy,"—
"Ochone! But he said it," says she, "so go
aisey."

"Ye mustn't be hard wid dear Father Mc-
Carthy—
But sorra the bit can I go to the party.
An' there's the new gownd as I've just finished
makin'!"—
"Ahas-liga," says I, "'tis me heart you are
breakin'!"

"Although I'm no praste, I'll absolve ye," I
tould'er,
Me arms 'round her waist an' her head on me
shoulder,
"So dry your dear eyes, for I'll not have ye
spoil 'em—
The beans will set aisy, ashore, av ye boil
'em!"

—E. T. Nelson

MR. PINCHOT ON HETCH-HETCHY.

United States Department of Agriculture,
Forest Service.Washington, D. C., April 8, 1909.
Hon. James D. Phelan,
Phelan Building,
San Francisco, Cal.

My dear Mr. Phelan:—On my return to
Washington I want to send you my best
thanks for the copy of The California Weekly,
containing your article, entitled, "Hetch-
Hetchy for the Wealth Producer." You have
certainly emphasized vigorously the fact that
the decision in the Hetch-Hetchy matter in-
volved the foremost principle of the conserva-
tion policy—the greatest good to the greatest
number for the longest time. With you, I
feel that the wisdom of the decision has been
thoroughly established by now, and I think
the controversy should cease.

Very sincerely yours,

(Signed) GIFFORD PINCHOT,
Forester.

Automobile Notes.

Three thousand miles without once having
to open the hood while on the road, is another
Studebaker record, according to G. E. Tarbell
of New York city, who three months ago pur-
chased a Studebaker '40' touring car from the
New York branch of the Studebaker concern.

"We ran the car more than 2,600 miles
before we even had a puncture," says Tarbell
in his letter to the Studebaker company.
"Another thing we appreciate is the easy rid-
ing of the machine and the ease with which
the speed of the car may be controlled, the
driver being able to drive as slowly as three
or even two miles an hour without any incon-
venience. Our car has also proven itself re-
markably quiet."

Mr. Tarbell is probably the greatest life
insurance solicitor who ever lived. Until he
became vice-president of the Equitable Life
Assurance Society his income from commis-
sions was more than \$100,000 a year.

A motorist who takes particular pride in
the bright appearance his car always presents
says that an automobilist can remove dust and
mud from his machine by letting water from
a hose play gently over the varnished surface
of the body and wheels as soon as possible
after the return from off the road. When mud
has been thoroughly soaked through it may
be removed with a wet sponge, which must be
constantly cleaned in water.

There will be something saved if, whenever
possible, as it often is when running through
the rural districts, the radiator is replenished

with rain water instead of hard water. A con-
stant deposit is being made in water jackets
and radiators by the mineral elements in
spring water, from which the water of the rain
barrel and cistern have been freed in nature's
distillery.

AUTOMOBILE
EFFICIENCY

of the highest type is embodied in the
Studebaker-Garford car. Consider it
point for point and you will find the
only logical conclusion to be reached
is that it is the best car on the market to-
day. Call and inspect our recent
arrivals of Models "C" and "D" and make
appointments for demon-
strations.



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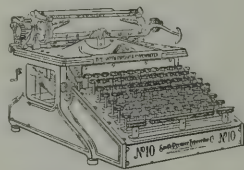
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world. This world-wide appreciation of THE SMITH PREMIER
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send full information on request.

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SAN FRANCISCO

CALIFORNIA

PERSONALIA

Marie Dressler owns a copper mine and a tent at Goldfield, Nevada.

Miss Dickens, a granddaughter of Charles Dickens, starts a typewriting office.

Berkeley Smith, son of F. Hopkinson Smith, has inherited some of his father's artistic ability.

Mrs. Humphry Ward's next novel, to be published in the fall, will have a Canadian setting.

Denman Thompson says that "The Old Homestead" has earned \$2,000,000 in its twenty-two years.

Jack Binns has fallen. He is now playing a small part in "Via Wireless" and writing for the papers on "How I Did It." C. Q. D.!

Lord Kitchener will retire as Commander-in-Chief in India next August. His successor has been appointed—Gen. Sir O'Moore Creagh.

Caruso's ambition is to make his second son his successor, believing that the youth has a voice of greater beauty and power than his own.

Robert Grant, the novelist, has been judge of the probate court and court of insolvency for Suffolk county, Massachusetts, for sixteen years.

It is believed that the Prince of Wales will be the next Englishman to challenge the American right to retain the international yacht trophy.

Edward Payson Weston, a famous pedestrian and now over seventy years of age, has crossed New York state in a tramp from New York city to San Francisco.

Henrietta Crossman's early ambition was to be an operatic singer. She studied in Paris until ill health compelled her to abandon all hopes of an operatic career.

Aunt Millie Barrow, an old negress living in New York, is attending night school at the age of sixty-three in order to realize her ambition to learn to read the Bible.

Grace George is one of the few successful American actresses who graduated from a dramatic school, the American Academy of Dramatic Arts being her sponsor.

Chauncey M. Depew has celebrated his birthday every year for the last eighteen years by attending a birthday banquet given in his honor by the Montauk Club of Brooklyn.

A large share of the most noted actors and actresses in America will to-day give an elaborate benefit performance to assist Clara Morris, who is now ill and pressed with debts at her home near Yonkers.

Mrs. Mary Moses, grandmother of City Magistrate Moses Hermann of New York City, was never ill in her life until she developed the cold, at ninety-three years of age, that caused her death a few days ago.

Two new members have been elected to the Academie Francaise: Jean Aicard, the author, and Rene Doumic, dramatic critic of the Revue des Deux Mondes. A candidate named Pons received one vote: he combines the running of a cheap restaurant and writing poetry.

The editor of Scribner's Magazine, Edward Livermore Burlingame, is the son of Anson B. Burlingame, one-time minister to China. He has been editor of Scribner's since 1886; his name is probably less familiar to the public than that of the editor of any other great American magazine.

Lippincott's Magazine bought two manuscripts from Ouida when she was in the prime of life with the stipulation that they were not to be published until after her death. These papers are: "Shall Women Vote?" a study of feminine unrest, its causes and remedies; and "Love vs. America," an analysis of the causes which make for social evil.

SHEAR WIT

When 'Omer smug 'is bloomin' lyre,
He'd 'card men sung by land an' sea;
An' what he thought 'e might require,
'E went an' took the same as me!

The market girls an' fishermen,
The shepherds an' the sailors, too,
They 'card old songs turn up again,
But kept 'it quiet same as you!

They knew 'e stole: 'e knew they knowed,
They didn't tell, nor make a fuss,
But winked at 'Omer down the road,
An' 'e winked back—the same as us!

—Rudyard Kipling.

Basil: Mother, how is it that soldiers' music always makes me feel so much happier than I really am?—Punch.

Mother: Why do you scratch your head? Little Boy: Because I'm the only one that knows it itches.—Delineator.

At the Bar: "Judge, did you ever try an absinth frappe?" "No, but I've tried a lot of fellows who have."—Cleveland Leader.

A foreigner, watching a kitten playing with its mother, asked of his friend: "Vat you ze cat call ven he is a little pup?"—The Circle.

Missionary: I hear your chief is an author. Cannibal Native: Yes, he has just finished a digest of European anatomy.—Fliegende Blätter.

A parent who evidently disapproves of corporal punishment wrote the teacher: "Don't hit our Johnnie. We never do it at home except in self defense."—Sacred Heart Review.

"Do you think you can manage with my salary of \$12 a week, darling?" he asked, after she had said yes. "I'll try, Jack," replied she; "but what will you do?"—Universalist Leader.

"Have you ever had any hairbreadth escapes from death?" "Yes, two. Once I was judge in a baby show. Another time, I interfered with a man who was beating his wife."—Cleveland Leader.

Judge: Did you strike this man? Prisoner: What would you do, judge, if you kept a grocery and a man came in and asked if he could take a moving picture of your cheese?—Harper's Weekly.

"I say, mamma," asked little Tommy at his home in Point street, "do fairy tales always begin with 'Once upon a time'?" "Not always," replied mamma; "they sometimes begin with 'I have been detained at the office to-night.'"—Yonkers Statesman.

McCafferty: An' have yez heard of these preachers who are goin' round to our saloons invitin' th' saloon keepers t' come out t' the revivin' meetin's? Policeman Murphy: Yis, an' it's wrong they are. I don't believe in this mixin' av church an' schtate.—Life.

Wealthy but plebeian Casey, after years of relegation by his wife and daughter to the back of the house, died, and the coffin was placed in state in the parlor, banked with flowers. An old friend viewed the remains, and said: "Faith, Casey, an' they've let ye into th' parlor at last."

Said the traveler to the priest: "Monsieur le cure, have you heard the news? The devil is dead." "Indeed," replied the priest. Then, seeming deeply touched, he added, "Monsieur, I have always taken the greatest interest in orphans. Will you accept these two sons?"—London Globe.

The head salesman, in from a successful trip, was drunk in the office. The junior partner, Rosenberg, tried to put him out. "Rosey, go jump on yourself," was all the satisfaction he got. The senior partner, Blumenstein, tried it. "Blumenstein, go to thunder." The firm consulted, decided to fire the salesman, and called for the bookkeeper. "How much do we owe Richards?" "Fifteen hundred dollars. He has sold \$60,000 worth of goods in the past three months." Long silence. "Rosey," said the senior partner, "you go jump on yourself. I'm going to thunder."—Success.

UNCLE JIM.

By Camilla J. Knight.

When crops are small or cattle sick,
When droughts or freshets threaten him,
"It ain't so bad's a broken leg,
For I kin work," says Uncle Jim.

When foreclosed mortgage takes his farm
And want comes near with menace grim,
"It ain't so bad's a broken leg,
I kin work out," says Uncle Jim.

When rheumatism knots his hands,
When hearing fails and sight grows dim,
"It ain't so bad's a broken leg,
I kin git 'round," says Uncle Jim.

At last it comes—a broken leg.
Complain? Not he—you can't down him.
"Tain't near so bad as if I'd broke
Both legs," says brave old Uncle Jim.

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Due Process of Law.

In this lesson we shall try to finish considering the fifth amendment to the Constitution of the United States, and we may well begin with the clause reading, "Nor shall any person be deprived of life, liberty or property without due process of law."

"Due process of law" is at once an exasperation and a safeguard for the lives, the liberties and the properties of the people. Every similar clause in the constitution has behind it, as a provoking cause of its existence, long ages of suffering wrong because of the want of such a safeguard. Autocratic power has taken what it wanted wherever it found it and has hardly asked "by your leave," of the possessor.

In Russia it has long been the custom to send men out of their own country and into far Siberia by what is called "administrative process," that is, as an act of the executive and not the judicial arm of government, without trial and, in all lands except our own, in former times thousands of persons have rotted in prisons because the hatred, the fear or the caprice of some despot had so ordained. It was to prevent such history repeating itself that this clause was inserted in the constitution.

"Due process of law," has reference to the orderly, customary, time-sanctioned proceedings in the trial and adjudication of causes. No short cuts or summary proceedings are permitted, except where custom and proceedings have provided for them. An undue drawing out and refinement of these processes have given rise to complaint of the law's delays working as great an injustice perhaps as the more summary processes of some autocratic power. Unscrupulous lawyers and litigants, with careless or indifferent judges, can work almost as serious injuries through a perversion of laws made for the preservation of order, though they were made for the infliction of wrongs. This only emphasizes what the writer of this series of citizenship lessons has, from the first, sought to drive home to the reader's consciousness—there is a law on paper and a law written into the minds and customs of people and public officials, and it is the conscience law and not the law written on paper that governs us.

There are times, however, when the due processes of the law are suspended and autocratic power yields the scepter with no one to restrain. This is when the act of God or the public enemy throw the orderly machinery of law into such disorder that it cannot be operated. There was such a time during and following the great fire in San Francisco. The earthquake and fire were, in the meaning of the law, acts of God. Men were shot without trial when caught looting; were arrested without warrants and committed to jail without preliminary examinations. Such powers are commonly used in war times in disturbed districts and for the reason that society has a natural right to protect itself with summary processes when the usual machinery of the law does not suffice to that end.

The concluding clause of the fifth amendment reads thus: "Nor shall private property be taken for public use without just compensation."

Private property cannot be taken for private use at all without the consent of the owner. This is sometimes very exasperating, as when an adjacent lot is wanted to enlarge a church ground, or an eligible site is wanted for a factory that the public would like to see erected, and the owner will not sell at a fair price, but every man's house, or farm, or town lot is his castle and cannot be entered for any private purpose whatever against his will.

But if the public needs private property it can be taken by what is commonly known as the "statute of eminent domain," which prescribes just how (what process of law) such property may be acquired for public use. Unless an agreement can be reached as to price the services of a jury are required to assess the value.

Private property may thus be taken although the title to the property may never vest in the public. This is done in the case of lands taken for rights of way for a railroad or an irrigation canal. In such case the power of eminent domain compels a private owner to sell this property to a corporation, often very much against that owner's will, and for the reason that the public has authorized (franchised) such corporation to perform some service on behalf of the public in the public's room and stead.

Those who have followed this series of articles will not have failed to notice how carefully the Constitution of the United States safeguards property. While the body is more than raiment and the spirit more than what we eat, yet without security in property we can have no civilization worthy the name. Whatever one lawfully acquires the law must enable him to keep while he lives, no matter if his acquisitions are as great as the fortunes of a Rockefeller, a Carnegie or an Astor, and no matter if his palace be surrounded by the hovels of the poor, for, otherwise, incentive to enterprise will be wanting and the world will be involved in a hopeless level of poverty and hardship.

Nevertheless, the question, "How did he get it?" is always a pertinent one and if the answer does not bear the test of lawfulness society must find some way of restoring the ill-gotten gains, if not to their rightful owners, because they cannot be ascertained, at least to the common fund to be used for the common good. Along this line of reformatory work there yet remains much to be done, but not at the expense of property rightfully acquired.

The Sun Shines on Forever.

The rain-clouds come and the rain-clouds go, And life is a song with a strain of woe.

As ill from the good we sever,
But over the clouds and over the rue,
Is the arching cup of a changeless blue,
Where the sun shines on forever.

What the Telegram Said:—"Twins this morning—more later. Sadie."

PLEASE NOTE.—This is to remind you that EDGAR C. HUMPHREY is the pioneer specialist in property from San Mateo to Menlo Park and about the Stanford University. Homes for sale and lease. Acres for sale. Offices, Call Building, San Francisco, telephone Kearny 4656; Palo Alto, telephone Palo Alto 229; residence Menlo Park, telephone Palo Alto 217.

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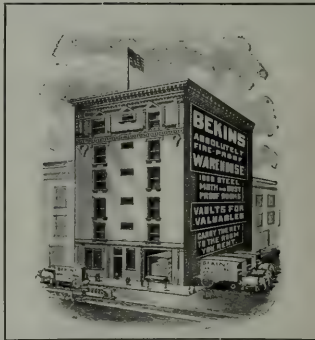
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The Sorrows of Biggy.

The unfortunate taking-off of former Chief of Police W. J. Biggy will leave a note of pathos in the strain of San Francisco history until the present generation shall have followed him to another world and, meantime, it is not very likely that the mystery of it will be revealed. But this will not prevent the utilization of the incident as long as it can be made to do service in obscuring the visions of men or to turn the rivulets of sympathy into perverted channels. If Mr. Rudolph Spreckels went to Chief Biggy's office and, to his face, charged him with being an associate of brothel keepers and with surrounding himself with crooks and, therefore, demanded his resignation from office, he might certainly have paid the visit for a less meritorious purpose. If all good citizens, having reason to believe that such charges were true, would go to public officials thus openly, and make such charges thus specifically, such officials would soon come to avoid even the appearance of evil. If Chief Biggy did in fact commit suicide it was not because he knew Mr. Spreckels' charges to be untrue, but because he knew them to be true and dared not face an investigation. Men do not take their own lives through fear of facing charges they know to be without foundation, but through fear of facing charges that cannot be faced down. That Chief Biggy had fallen into bad company was painfully evident. If a reason must be sought for justifying a suicide theory that reason should prove sufficient without seeking to attach responsibility to one whom the facts as stated convict of nothing worse than good citizenship. But, be it remembered, there is as little to justify the suicide theory as the theory of accident in Biggy's taking off.

The Civic Center Idea.

The problems which confront a community of individuals are not essentially different from problems that may confront any individual in such community. We all of us have to do without things that we cannot afford and we all of us, if enterprising, take some chances on the future in the belief that time will warrant the hazard. It is true that San Francisco is confronted with need for large expenditures for necessities, most of them indispensable. It may be that it cannot afford to invest \$2,000,000 additional in pursuit of an artistic ideal, in the form of a civic center; but let the people of San Francisco beware of the spirit of the huckster. It was due to a surrender to the chief huckster of them all in this particular that Montgomery and Sutter streets were not made as broad as Van Ness avenue, and because they were not so broadened property owners will pay usurious interest on what that broadening would have cost to the insurance companies in added premiums to the end of time. A newspaper that hucksters its news columns is an unsafe guide in such an emergency. Besides, it is not observable that the builders of the new San Francisco have paid no homage to art, added no item of cost for the sake of beauty, unless

THIS NUMBER CONTAINS

"A Rational Way to Temperance."

BY

Andrea Sbarboro

we except the lofty pile of the Huckster-in-Chief. Individual millions have been expended in adding mere beauty to the utility of the new San Francisco. Can it be that, collectively, the city is too poor to do what individuals have done twenty times over? The presumption is on the side of being able to afford a civic center that will make San Francisco the model city of America.

Unpleasant Publicity.

The government has been offered \$260,000, far more than the amount of penalties involved in the smuggling of certain fine dresses through the custom house at New York, on condition that investigations be dropped and the government rest content with more than the making good of its losses. The report also has it that Collector Loeb has said: "No, we want the smugglers." It is to be hoped that Collector Loeb will stick to that policy until every guilty person, high or low, rich or poor, has been brought to book and justice done. If rich women have been smuggling, or have knowingly been the beneficiaries of smuggling, let them stand at the bar of justice and take such medicine as would be given them were they unheard of in society. Desire for even handed justice does not spring from any feeling of resentment toward the rich. The scoundrelly rich are making the status of the reputable rich difficult and they may easily make it dangerous, dangerous to the rich and dangerous to the poor. For this reason, if for no other, rich and poor should stand at the bar of justice as they stand at the brink of the grave—equally dependent upon character and mercy for their salvation.

The Income Tax Again.

When protection came to be the American policy there was freedom of competition within the tariff walls. There is such freedom no longer. This makes a difference wide, vast, deep, resulting in as much extortion as protection. To tax incomes is to tax the power-holding class for, in this country, prop-

erty holds the power. To tax consumption is to tax the burden-bearing class, with the result that those least able bear the greatest proportionate burden. The burden-bearing element in social life never yet won a victory over a united power-holding element. The nearest they ever came to it was in the enactment of the income tax law attached to the Wilson tariff bill of 1894, which the Supreme Court of the United States first sanctioned and then, after a new rallying of the forces of property against the forces of humanity, pronounced unconstitutional. There are evidences that the justness of an income tax is dividing the power-holding social element on an issue of good conscience. If this be so, or when it shall become so, an income tax will be a part of the law of this land and cost of living will be greatly lessened where that burden now rests heaviest. It is unfortunate for the movement that Senator Bailey of Texas should be its sponsor. That leadership suggests more of politics than of conscience as an inspiring motive and victory cannot be won on that line. It is not, however, proposed to tax incomes in America as in Japan, from 15 to 68 per cent, the latter per cent. reaching incomes of \$50,000 or over. Two or three per cent will do.

How Were They Made?

The San Francisco Star comes to the defense of the sanctity of the appellate judiciary. It is a terrible thing when people lose confidence in their higher courts of justice. It is a more terrible thing when they continue to repose confidence in those courts after they have become unworthy of it. The issue requires clear thinking and calm, and it involves an understanding of how those judges became judges. Judge W. P. Lawlor, before whom Louis Glass was tried and convicted, is a judge because of the imperative mandate of the people. There is not a judge betwixt him and the chief justice of the state who holds his position by any such mandate. They got their places by due process of politics, and not otherwise. Chief Justice Beatty and Superior Judge Lawlor got theirs by emphatic expression of the will of the people—the source of law. Moreover, Judge W. P. Lawlor is a wiser and safer judge of law and fact than stands between him and the Chief Justice. Our courts, if they are to be respected, if they are to do the habitations of sanctity, must be reputedly constituted and be presided over by men publicly known to be worthy of exalted station, and this can only come about through a non-partisan selection of judicial candidates. It can never come about through nomination by the political bureau of a corporation that is the greatest litigant before courts that it has itself constituted. The sooner the people face this state of facts in fearlessness and truth the sooner will our courts be entitled to that reverential consideration which all good citizens will wish to accord them, but while little men strain at gnats and swallow camels that rich wrong may go unwhipped, little reverence will be shown courts over which such men preside.

NATIONAL OBLIGATIONS.

When the United States went to war with Spain it was to put an end to a condition in Cuba that had long been intolerable. The civilized world justified that war on moral grounds. Turkey has been misgoverned for generations. It has been impossible for the people of Turkey to be happy or prosperous under a form of government that belonged to a by-gone age and under a character of government that was a travesty on any government at all. Civilized Europe has been recreant to obligations to common humanity that it has not joined in putting an end to so intolerable a condition. Central America is no better governed than Turkey. The atrocities there committed year after year and generation after generation have been as little bearable as those in Cuba under the Spanish regime. Our government is recreant to its obligations to humanity that it does not stretch forth its puissant hand and put a stop to such doings and an end to such conditions. The situation in Santo Domingo and Hayti is no better than in Central America. Our nation has obligations there also that have been long overdue. The legalists will aver that Uncle Sam has no right to meddle in the affairs of Guatemala or Salvador, Honduras, Santo Domingo or Hayti. Like Pontius Pilate they would have Uncle Sam wash his hands of these distracted countries and disclaim jurisdiction. The moralist will say, "go to now, and do your duty in these countries as you did it toward Cuba." And the God of nations will pronounce, "Well done."

WHICH WAY SHALL WE TAKE?

An incident occurred last week at Valardena, Mex., not devoid of interest. A village priest headed a religious procession and the mayor attempted to stop it, such processions being unlawful in that free country. Trouble arose between the authorities and the procession and a riot resulted. Troops were telegraphed for and arrived by special train. The governor of the state of Coahuila took charge and ordered many of the rioters shot at sunrise and many more who escaped to the mountains hunted down and slain like wild beasts. That is the Mexican way of establishing justice in such cases, and it has the merit of being non-reversible on appeal.

At Ada, Oklahoma, between midnight and dawn on Monday, 200 men stormed the jail in which four white men, charged with the assassination of a reputable citizen, were being held, took them, set an adjacent barn and hanged them until they were dead. Two of those hanged were rich cattlemen and report has it that they had boasted that they would never be brought to trial. They were right. Their trial was dispensed with. That is the Oklahoma way of dealing out justice in such cases.

For more than three years as brave and self denying an effort as was ever made to establish justice by due process of law has been making to convict men possessed of predatory millions of high crimes and misdemeanors. Their guilt is so notorious that it is not denied even by their close friends and is denied in court only pro-forma, yet not one among the number of them has slept a night in state prison and it does not now seem very likely that any one of them ever will. The onerousness of the burden of expense, the strained and multiplied difficulties of securing impartial juries where the press has been corrupted by the prodigal uses of money, the deadened condition of a moral perception that would hedge a rich rascal about with defensive armor not to be shared with a poor malefactor, the narrow and technical and over critical attitude of courts of appeal toward procedures—all these have so broken down efforts to establish justice

THE STAFF

A. J. PILLSBURY.....Editor and Manager
CHESTER H. ROWELL.....Associate
J. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
O. BLACK.....Business Manager

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by orderly processes that good citizenship stands appalled before the power of a wealth that is rapacious rather than predatory. That is the San Francisco way of establishing justice.

J. Whittaker Wright was a British promoter, financier, man of affairs. He held his head high. Noble Lords were his associates, fellow conspirators, dupes. He transgressed the law of England. All the influences that would naturally dread scandal and side with rich raciality arrayed themselves on his side, but in vain. British justice reached out for him, reached its hand across the Atlantic and gripped him in New York, brought him home, promptly convicted him and sentenced him to a term in prison. The only way he could beat British justice was to take an appeal to the Court of the Most High, and this he did with a pellet of cyanide of potassium which he smuggled into his mouth just before he was to start to prison.

Here now are four forms of justice. We must choose of these which we shall have for our form. The issue is not to be sidestepped or very long delayed. The San Francisco way is only a stepping stone to the Oklahoma way of dealing out justice, and the Oklahoma way is only a stepping stone to the Mexican way, where men's lives are taken because some dictator orders them taken by being shot out of them at sunrise.

If we would avoid the Mexican method we must install the British. British justice and American had the same origin. Their ways parted a century ago and their divergence has become greater year by year. American justice took the direction of exalting the lawyer and belittling the trial judge. British justice exalted the trial judge—the impartial arbiter who stands face to face with the facts—and made the lawyer keep his place as an inferior officer of the court. American criminal legislation has all been in the interest of the defendant, with the result that the innocent, together with the guilty who have wealth or influence, escape punishment with almost equal certainty. British justice may not make the escape of the innocent so absolutely certain as with us, but the escape of the guilty is practically impossible. British legislation has not been permitted to blight the judicial arm of government. In America judicial positions are largely filled by a combination between the powers of great, rapacious corporations and the tenderloin, the one taking courts of appeal as its share of political spoil, the other the courts of police. In Britain judicial positions are filled by the Lord Chancellor or the British Ministry.

To make American justice more like British and less like Mexican justice is the purpose of the League of Justice, which every law-abiding citizen should join.

MR. SBARBORO'S REMEDY.

It is with genuine satisfaction that we call the attention of our readers to an article, elsewhere in this issue, from the pen of Mr. Andrea Sbarboro and directed to a dispassionate consideration of what may best be done to mitigate the evils of intemperance in this country. The article is well written, candid and deserves a calm-tempered consideration of thoughtful persons.

But it cannot be taken as the final word upon the subject. It was the beer mug and not the whisky bottle that was put to the lips of inebriate Germany to make it drunken. Beer drinking Germany has found the issue of temperance of so much consequence as to demand governmental investigation and consideration. In that Fatherland a man is valued by his government, first, as a possible soldier and, second, as an industrial asset, and it was because of the palpable impairment of the value of the individual man as soldier and artisan that the German government has taken cognizance of the issue. It has been reported, with what truth this paper is unable to say, that the German Emperor himself has become a teetotaler as an exemplar for the Fatherland.

In France the drinking of absinthe has become a source of national alarm. While the phylloxera was devastating the vineyards of France, and curtailing the production of honest wines, dishonest wines were concocted from drugs and from that day to this, notwithstanding the rehabilitation of the grape, temperance has come to be very much of an issue even in France.

As to Italy the writer of this is unable to speak advisedly, further than to say that, throughout California, what is commonly known as "Dago Red" is believed by peace officers to be at the bottom of the many cutting scrapes that take place wherever groups of Italians are employed.

We are not inclined to agree with Mr. Sbarboro that alcoholic stimulants are indispensable to good health and a sound digestion. We think that the millions of Americans who touch not, taste not and handle not, prove the contrary to be true; but we do agree with him that the world has always found use for alcoholic beverages and is likely always to find use for them. Our quest is to find the way in which they can be used with least harm.

Mr. Sbarboro's answer to that question is: "In the home." It would be a bold man who would advise the introduction of wine into a home where its presence had never been known before. The teetotaler is and always will be the only person who occupies an absolutely safe position, but fifty-one persons will never prevent forty-nine from using liquors if they want them, and finding ways of buying them if they would use them, and our contention is that, whatever liquor is sold, should be sold under the surveillance of the law and not otherwise.

It cannot seriously be questioned that the family liquor store, where no drinking is allowed on the premises, and the cafe, where liquors are sold and drank only with meals, are safer dispensaries than the American saloon, from which treating is inseparable and bad politics as certainly a concomitant as bad liquors. Mr. Sbarboro would rid society of this pest gradually, would amputate the gangrened arm an inch at a time. Our judgment is that the saloon should be voted out of existence as Fresno has voted it out, leaving in its place something better—the cafe and the family liquor store—and not something worse, the "joint," the "bootlegger" and the "blind pig."

Nevertheless, Mr. Sbarboro's article finely and temperately presents a view of a pressing subject that well merits thoughtful consideration.

Significant News of the : : : Week : : :

Action and Reaction in Turkey.

To many persons the news from Turkey reads like Greek. If an explanation of the situation, from one who does not understand it any too well himself, will afford any aid to the reader he is welcome to all he can get out of this resume.

The party of the first part is old Abdul Hamid, the crafty, unscrupulous, power loving Sultan who, despite his sixty-seven years and feeble constitution, clings to life and to the throne with astonishing tenacity. During the third of a century in which he has reigned he and his people have lived in an atmosphere of intrigue, assassination, plotting and counter-plotting. His reign has been cruel, tyrannical and murderous, and he has fairly earned the appellation of the "great assassin." His supreme ambition has been to bring all Mohammedan peoples under one government—his government—and to reestablish in his own line of descent the caliphate, that is, the right to rule Mohammedanism, as well as Mohammedans, as the divine successor of Mohammed the Great, the founder of the faith of Islamism. As a step toward this consuming ambition of his life Abdul Hamid, thirty years ago or so, suspended a constitution constructed on something like modern lines, and has ruled as an autocrat. The government he gave was rotten in its administration and taxation has so eaten up the substance of the people that all are involved in almost a universal poverty.

Over against this policy there has been a "Young Turkish" movement, not in the hands of young men, as the name would suggest, but in the hands of men who want to see Turkey rejuvenated, made young, and on the lines of modern constitutionalism in Europe. The men behind this movement are, first of all, Turks and Mohammedans. They want Mohammedanism to be the state religion, but are willing to give other religions such toleration as will not be inconsistent with Mohammedan supremacy. They, too, want to see all Mohammedan peoples brought under Turkish government and the head of the government made the head of the church, but their prime consideration is for good government and material prosperity. Ahmed Riza is the leading spirit in this movement, but the power wielded by the Young Turks is in the hands of a self-constituted Committee of Union, an oligarchy or cabal of ambitious and determined men.

A third element is the reactionary, fanatical Mohammedan, militant followers of the ancient prophet. They are one with Abdul Hamid and whenever it is the pleasure of the "great assassin" to have them sally forth to slay Christian Armenians they are ready to respond. The army is full of them and there can be no question that the recent overthrow of the Young Turks in the government was brought about by Abdul himself by his customary use of this fanatical element, and his coup d'etat nearly succeeded.

A fourth element in the Turkish situation, and the one that has the strongest claim upon our sympathy, is the liberal element, the element that stands with the Young Turks for a constitutional government, but goes farther than that organization in demanding equality in government for all Turkish races with the Turks themselves and equal opportunities for all regions with special privileges for none, not even for Mohammedanism. For some reason, better understood in Turkey than outside of it, this liberal element, which stood by

the Young Turks last August, has forsaken them in the recent crisis and either stood alone or with Abdul Hamid, presumably because the Young Turks seemed determined to make the government of Turkey by the Turks for the Turks. An issue second in importance only to equal rights for all, as viewed by the liberals, has been home rule for the vilayets, or Turkish provinces, such as our American states enjoy. The Young Turks, on the other hand, stand for a centralization of power at Constantinople and, as with Great Britain, in the hands of parliament.

The latest turn of events is that the Young Turks have marched on Constantinople at the head of so much of the army as stood with them last August. Unless the Sultan makes such terms with them as he can, or must, and so restores order, the army is likely to be divided against itself on politico-religious lines and civil war will result. It looks at this moment as though the crafty old assassin were in a position to force a compromise, keep his throne and do some more waiting for the day when the reactionaries can more firmly establish themselves. After which the "Great Assassin" will be a greater assassin than ever.

An Important Conference.

On Friday last a delegation of workmen, headed by Samuel Gompers, had a heart to heart talk with President Taft lasting fully two hours. They took up with him such issues as the right of injunction; the eight-hour labor law, which they wish to see extended to all contracts for doing government work as well as for work done by government; the danger of the destruction of all labor organizations under unfriendly construction of recent decisions of the Supreme Court of the United States, which has already provoked many indictments of labor leaders in the South; competition of convict with free labor and the extension and better enforcement of laws against child labor. The conference was very frank and friendly and the President promised to make such further investigations along certain lines as were needful, but he made clear to his visitors that what he had said in his letter of acceptance, and his inaugural address, touching the right of injunction, was final and could be relied on as constituting his policy in that regard.

The Philippine Tariff Issue.

The President has, during the past week, made it clear to Congress what his views are regarding the Philippine tariff. It is clear from what has developed that he is not in favor of holding those islands merely that they may be plucked, a policy toward a colony that the American Tea Party made odious long ago. "What is best for the Philippines" is just as much to be considered as what is best for the United States regarding the Philippines. Congress seems inclined toward a jug-handled free trade with the Philippines, a free trade that will admit our goods to their markets free, without furnishing any revenue for the support of Philippine government, while admitting only certain Philippine commodities to our markets free and some of these to only a limited extent. It may well be that free trade with the islands is not best for them or for us, but it cannot be questioned that fair trade is the least that American sense of justice will stand for with its dependencies.

The latest theory of defense in the graft cases appears to be that, although there was bribery, and although Ruef got the money from Calhoun and passed it on through Gallagher to the supervisors, nevertheless, inasmuch as the money got to its intended destination in advance of any promise to give it, the defendant cannot be convicted of having made any "offer" to bribe.

The Deeper Significance : : : of Living : : :

There are whole sects the ruling passion of whose lives is to keep themselves unspotted from the world. They withdraw from it as far as they may and continue to live in it. They take no part in its political life, wash their hands of its public affairs and reduce their social responsibilities to a minimum. Only in commerce and industry do they make their influence felt, and in these activities they are not unfrequently strangely regardless of the risks of being bespattered with earth. This attitude of mind is the essence of selfishness.

We often see a man with dinner pail in hand swinging off toward home with a stride that tells against distance, but at whom we must look twice to determine whether he be black or white. When at length he reaches his bar of soap and basin of water, in which he splatters and sloshes like old Joshua Whitcomb at the wash-bench by the kitchen door down at Swansea, he comes out every inch a white man, none the worse from having been spotted in the shop or smudged by the forge.

The Men's League of the First Congregational Church of Oakland probably consists of the best 200-man group of the citizenry of that city that comes regularly together by any species of natural selection. Mayor Mott gave them particular fits one evening last week for their neglect of civic duties. He charged that, of the immortal element in Oakland civic life, not to exceed 10 per cent. failed of voting at every election while 50 per cent. of the so-called best citizens could not be counted on to get to the polls by anything short of a violent hand upon their shoulders. It was protested that this was unjust to that body of men, but when a call was made for all those who voted at the last city election to stand up it was plain to all that half those present had not voted. A few more guests from that of Oakland and a few had not acquired citizenship, and yet, making due allowances for this, it was evident that practically half of those present had kept themselves unspotted from politics at the cost of subjecting their home city to the risk of becoming infected as political leprosy had made it in past years.

It is true that in those commandments commonly known as the Decalogue there are nine "shalt-nots" to only four "shalts," but the shalts are of the most positive and uncompromising character. Thou shalt have no other God than the one living God. Remember the Sabbath day to keep it holy. Work the other six days—good, stiff aggressive work, from Monday morning until Saturday night. Honor thy father and thy mother, positively, not merely refrain from dishonoring them. It is any wonder that, to the children of Israel, the mountain seemed to smoke when they saw this job cut out for them! They foresaw that it would be comparatively easy to refrain from doing bad things, but to go forth and produce results of positive righteousness—that takes vim.

Who that is worthy to live can be content to go through life with the minus sign (—) ever in front of him, indicative of his character and his status in the social whole? There are such persons. They submerge from everything they touch. There is always less than there was after they have been alike to the bank, the church, the breakfast table. They carry no burdens that they can shrink. They dare not wrestle with hard problems for the same reason that a boy in his Sunday best dare not wrestle with another "kid" lest he get spots on his trousers. There is scarcely a serious civic or social evil to-day that does not owe its continued existence to the moral inertia of the self-emacipated politician, the politician who serves as ballast instead of able seamen on the ship of state. They bear a similar relation to affairs that the dapper clerk, with milk-white linen and dainty tie, bears to commerce and industry—spotless but cheap. They are Pontius Pilates washing their hands of the country's blood while graft and greed are dragging its institutions off to be crucified.

ORIGINAL THINKING A LOST ART

By ELMER ELLSWORTH CAREY.

During the progress of a lecture in a southern city, the speaker stated that originality and initiative in thought had practically disappeared, and that probably not one in his audience did his own thinking. A gentleman arose and took issue with the lecturer; he protested that he did his own thinking. The lecturer asked what church he belonged to; asked about his politics, his opinions, and shortly drew from the gentleman the facts that he was a Baptist because his parents were, having been trained in the tenets of that church; he was a Democrat, all his relations being Democrats, and he had heard democratic doctrine from boyhood, and certain journals gave him inspiration as to his beliefs on current affairs. His likes and dislikes in dietary matters were fixed in youth by the ignorant negress who cooked in his father's kitchen; he belonged to several lodges, societies, etc., because his associates and friends belonged; he went to the theater because the play was well spoken of by the press or his friends; he allowed his tailor to select his styles in clothing; his doctor furnished all his ideas as to health; certain books gave him ideas on philosophy, art, etc. In fine, it was demonstrated very clearly, that the gentleman, although an attorney of standing, was passing through life without doing any original thinking; he didn't even decide on his clothing, his amusements; his food was suggested by another; the barber who selected his collars and ties; his automobile was selected by a friend; some broker directed his investments. The lawyer supposed he was a free agent, selecting, choosing, judging and thinking. In the last analysis he was an automaton. He was an echo of certain opinions and beliefs; he was a mirror which reflected certain thoughts; he was a phonograph which gave out only that which it received.

The power of original thought is very rare; we move in droves actuated by the "spirit of the crowd." Thousands of men are seen daily, all dressed exactly the same, they move with a common impulse; their business habits are almost identical; their pleasures are similar; their opinions vary but little; they obtain ideas and plans by imitation; by watching others. A thousand or ten thousand insects in a swarm will rise and fall in perfect harmony; the swarm moves here and there as though one thought animated each one of the thousand of separate units. The swarm seems to have a consciousness apart from that of the individual.

Do we not see this same "crowd consciousness" in the masses? In the case of women, especially regarding styles, the lack of individuality is strikingly noticeable. No woman has anything to do in originating the styles she wears, but she would feel ostracized could she not move with the masses regarding the kaleidoscopic changes of the fashions. In her social life, customs, habits, dress, methods of thought, pleasures and fads, woman is swayed by the feminine crowd. Originality is dead, for an original woman is treated as an outcast by her sister. Woman, more than man, is a slave to habit, inconvenient custom, usage; and as woman is dependent for the necessities of life, she must conform to the crowd or suffer social disbarment with financial disadvantages.

For these reasons a woman with independent ideas, original thoughts and free from the bondages of custom is almost unknown. There is some excuse for this state of affairs, as woman can never be free socially and intellectually till she is free economically.

There is no particular excuse why men should follow the "calf path"; originality and initiative are in demand in business life, and without inventive faculties and power to originate, a man or firm can hardly hope to rise above mediocrity.

The habit of original thinking is a most valuable one to young men, and our schools

and colleges should give more attention to developing the power of thought. To-day when a young man leaves college, he has a big conceit, a pair of turned-up trousers, a knowledge of tobacco brands and card games, a lot of memorized facts and a stock of ideas absorbed by imitation, but little of the real ground work of success, little of the mental foundation upon which to build a name and establish a career. He has been too long with the crowd to develop a strong intellectuality. Still the young man with the turned-up pantaloons and the discriminating knowledge of tobacco, may not be altogether to blame. There is a tradition in the land that as soon as any college professor shows symptoms of having been inoculated by the thought germ, he is discharged for fear the malady may be "catching."

If any lady feels that her sex has been maligned by my remarks, the editor will be glad to give her an opportunity to enter testimony in rebuttal, only please be brief.

LITTLE TALKS WITH OUR READERS

Vacaville, Cal., April 11, 1909.

Publishers The California Weekly,

Dear Sirs:—Your disinterested attitude reminds me of the days when Harper's Weekly was at its best, under the leadership of George William Curtis.

In my opinion The Saturday Evening Post is not making good. A million a week circulation is paralyzing the editorial page of that paper. Hold out for the 1,000,000 mark before losing your grip.

Yours truly,

L. J. HARRISON.

We have been many times advised to cut down our editorial and other solid matter in order to make room for more such stuff as makes the Post so entertaining, and if the purpose of The California Weekly were primarily to entertain we should do it, but it was not especially for that purpose that it entered the journalistic world. It was that it might help to make things better than they are. As for a million subscribers, well, ten thousand would look good to us just now for a starter, and with our paper permanently going into 10,000 cultivated California homes the influence for good of The California Weekly would be commensurate with that of Harper's Weekly in its palmiest days and under the master hand of George William Curtis. The way to help in bringing this about is to tell your friends all about The California Weekly and send us their names and addresses that we may talk to them, too.

Palo Alto, Cal., April 14, 1909.

Editor of The California Weekly:

Dear Sir: I have read your paper from its beginning with ever increasing interest and satisfaction. If you maintain a paper which shall always stand for what is just and right and of good repute you will confer a blessing upon the long-suffering reading public of California.

I sentimentally approve of your political attitude and the sentiments set forth in your department devoted to the "Deeper Significance of Living."

Sincerely yours,

F. E. PERHAM.

We can definitely promise that The California Weekly will stand for what is just and right as it is given to its staff to know what is just and right, but the success of the enterprise depends upon reaching that "long suffering reading public of California." Those interested in our success can help us mightily by telling their friends all about The California Weekly and impressing upon their minds the need for supporting such a paper with their subscriptions if they want California to have such a paper. Only in this way can the sufferings of the long-suffering public be mitigated.

Frederick William Macmonnier is a native of Brooklyn, and some of his finest sculptures are in Prospect Park in that city. He had the usual youthful hardships of artists, and slept on a bench in the Luxembourg Gardens before he won the ribbon of the Legion of Honor.

The smallest man conscripted into the French army is Julien Touchard, a native of Manves, Department of Orme. Though twenty-one years old, he is only three feet two inches high, and weighs only forty pounds.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not put a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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WITH BOOKS AND WRITERS

THE LITERARY SPIRIT OF THE DAY AS REFLECTED IN CURRENT PUBLICATIONS.

WHEN THE HOUNDS OF SPRING.

By Algernon Charles Swinburne.

When the hounds of spring are on winter's traces,

The mother of months in meadow or plain
Fills the shadows and windy places

With hiss of leaves and mellow of rain;
And the brown bright nightingale amorous

Is half assuaged for Ithylus,
For the Thracian ships and the foreign faces,

The tongueless vigil, and all the pain.

Come with bows bent and with emptying of
quivers,

Maiden most perfect, lady of light,
With a noise of winds and many rivers,

With a clamor of waters, and with might;
Bind on thy sandals, O thou most fleet,

Over the splendor and speed of thy feet!
For the faint east quickens, the wan west

shivers,
Round the feet of the day and the feet of the

night.

Where shall we find her, how shall we sing to
her,

Fold our hands round her knees and cling!
O that man's heart were as fire and could

spring to her,
Fire, or the strength of the streams that

spring!

For the stars and the winds are unto her
As rainment, as songs of the harp player;

For the risen star and the fallen cling to her,
And the southwest wind and the west wind

sing.

For winter's rains and ruins are over,
And all the season of snows and sins!

The days dividing lover and lover,
The light that loseth, the night that wins;

And time remembers its grief forgotten
And frosts are slain and flowers begotten,

And in green underwood and cover
Blossom by blossom the spring begins.

The ivy falls with a Bacchanal's care
Over her eyebrows shading her eyes;

The wild vine slipping down leaves bare
Her bright breast shortening into sighs;

The wild vine slips with the weight of its
leaves,

But the berried ivy catches and cleaves
To the limbs that glitter, the feet that scare.

The wolf that follows, the fawn that flies.

SWINBURNE'S CAREER.

The death of Algernon Charles Swinburne, the poet, has impressed the literary world with a sense of profound loss, not merely of a great poet, but of the last living link connecting the present with the great Victorian group of poets. The New York Sun recently printed the following account of his life and art:

He was born on April 5, 1837, in London, so that at the time of his death he had just entered upon his seventy-third year.

Swinburne was the son of Admiral Charles Henry Swinburne and the daughter of the third Earl of Ashburnham. His father owned a beautiful place on the Isle of Wight, where the poet spent much of his boyhood.

Neither at Eton nor at Oxford did young Swinburne especially distinguish himself as a scholar, though he became known as an ardent student of things that interested him peculiarly. He went in 1856 to Balliol College, Oxford, where he speedily became intimate in a literary set that included such young men as John Nichol, T. H. Green, R. V. Dacey and James Bryce, the present British Ambassador to the United States. He did not take a degree at Oxford, leaving in 1860.

It was shortly after this that he published at his own expense his first volume of poetry, "The Queen Mother," and "Rosamund," two dramas in the Shakespearean style, thus early showing the influence of the Elizabethan dramatists which was destined so long to keep its hold upon him. He had before this made the

acquaintance of such growing figures as Rossetti, Burne-Jones and William Morris. His appearance at this time seems to have made a vivid impression upon a number of beholders, who took the trouble to record it. Standing scarcely five feet two inches, he was slight of frame and lean of flesh. But there was a strong individuality about him. His complexion was startlingly pale, his then slender, his features refined, and his manner both shy and proud.

Yet Swinburne had a sound constitution and led a vigorous life. He was a powerful swimmer and dearly loved a long walk, especially if it rained in torrents. To the last day of his life he scorned to carry an umbrella or to wear an overcoat, and it was only in the latest years of his old age that he reconciled himself to wearing gloves, and then only in the bitterest winter weather.

His conversational powers were uncommon from his early youth and at Oxford he was noted for the keenness of his wit, though he never seems to have had much sense of humor. In his later years he is said to have been very fond of reading his own poetry.

After he left Oxford he made a tour of the continent, forming there the acquaintance of Walter Savage Landor, from whom he no doubt acquired certain of those republican sentiments which were supposed to have inspired "A Song in Time of Order." At a much later period in the poet's life a certain leaning toward republicanism appeared to find expression in a poem in which many persons thought they perceived an invitation to the nihilists to make away with the Czar of Russia. In the House of Commons this poem caused inquiry to be made as to whether the poet were to be prosecuted for inciting murder, to which the speaker replied that the House had "no control over the poet Swinburne."

The two plays which were the poet's first pretentious publications, made at a time just before he went to live at Chelsea with Rossetti and George Meredith, did not attract much attention, but his "Atalanta in Calydon," published four years later, made such a stir that he was hailed as a new poetical star of the first magnitude. It had certain faults of style which to the end were characteristic of the poet, but his criticisms, for all these faults, were quick to recognize the quality of the new writer.

Mary Queen of Scots, for years an inspiring figure to Swinburne, furnished the inspiration for "Chastelard," which followed "Atalanta." In "Chastelard" appeared the first symptoms of his poetical eroticism, and it was the signal for a critical onslaught as violently condemnatory as the comment on "Atalanta" had been eulogistic. The poet vigorously defended himself, but for years the critical uproar was considerable and the confluent personal gossip amazing. Meaning "Swallowtail" and "Faustina" and "Dolores," and all England read them first and then committed them to memory and quoted them in season and out. So great was the shock when "Laus Veneris, and Other Poems and Ballads" appeared that the British publisher suppressed the first edition. There have been many editions since.

It was about now that the poet went to London to live and passed much time with William Morris, Theodore Watts-Dunton, Whistler, Burne-Jones and Rossetti, coming thus strongly under the influence of the pre-Raphaelite movement. The long struggle for liberty then going on in Italy also excited his intense sympathy, and "A Song of Italy" and "Songs Before Sunrise" were the results.

The second of the Mary Stuart plays, "Bothwell," he published in 1874 and the previously offended critics gave it a large measure of approval; they had withheld it from him, his lyrics. In "Erechtheus" there was exhibited much of the Greek spirit that had marked the earlier "Atalanta." About this time he turned his attention to prose and published a critical study of Shakespeare, together with an essay on William Blake. "Songs of Springtimes" came next, followed by "Mary Stuart," the

third of the trilogy dealing with the unfortunate Queen of Scots. There followed the long narrative poem called "Tristram of Lyonesse," "The Century of Roundels," "A Midsummer Holiday," a collection of ballads, a tragic poem of the Venice of the Middle Ages called "Marino Faliero" and another tragedy, "Leoline." A number of prose works came late in the poet's life, among them being a novel called "Love's Cross Currents," 1905, which did not excite much comment. His last years Swinburne passed at Putney, where he lived with the friend of his youth, the critic, Theodore Watts-Dunton.

Many traditions exist of the poet's eccentricities. He was exceedingly nervous and quick tempered; moreover, his singular lack of sense of humor occasionally betrayed him into absurd performances, and he excited much merriment by his extraordinary behavior on the occasion of a public dinner to which he brought a footstool, upon which he insisted on sitting literally at the feet of Robert Browning.

NEW VERSES OF SHELLEY POEM.

Three additional verses of Shelley's poem "St. Irvyne" have been discovered in a three-page letter in his handwriting, recently sold in London. They come between section four and five, and are as follows:

For there a youth with dark'ned brow,
His long lost love is heard to mourn:
He vents his swelling bosom's woe.

Ah! when will hours like these return?

O'er this torn soul, o'er this frail form,
Let least the fiends of tortured love,
Let hover dire fate's terrific storm;

I would the pangs of death to prove.

Ah! why do prating priests suppose
That God can give the wretch relief?
Can stop the bosom's burning woes,
Or calm the tide of frantic grief?

ACTING AND THE SOUL.

By Mm. Helena Modjeska.

It is the keeping your inside that is the fountain of life. I have kept my ideals. I have not lost my faith in humanity. I haven't forgotten how to enjoy and be glad.

I cannot play a part at all unless I can feel the part. I do not work the wards of hospitals to study death in its terrors.

My success is due to my earnestness. Then, besides, though I know it is out of fashion to be poetical, there are still germs of poetry in my soul, and I am a religious woman.

There are certain characters that cannot be portrayed by a woman who does not believe in God.

The first essential for a successful actress is a soul; after that a pretty face, a winning voice, an attractive personality; but soul first.

MODJESKA.

By Richard Watson Gilder.

There are four sisters known to mortals well,
Whose names are Joy and Sorrow, Death and Love;

The last it was who did my footsteps move
To where the other deep-eyed sisters dwell.
To-night, when I was in the painted curtain fell,
These one by one, before my eyes did rove
Through the brave mimic world that Shakespeare weave.

Lady, thy art, thy passion, were the spell
That held me, and still holds; for thou dost show

With those most high each in his sovereign art—
Shakespeare supreme, and Tuscan Angelo—
Great art and passion are one. Thine too the part

To prove, that still for him the laurels grow
Who reaches through the mind to pluck the heart.

WHAT THE WORLD IS DOING

Two More Planets In Our System.

Time was when it required less than a scientist to name all the planets that danced a stately minuet about the sun, but times have changed since then, and now no man may foreknow how many may have been added to the list—between the shades of eve and the next flush of dawn. The latest such additions have been announced by M. Gaillot, a noted French astronomer, and their number is two. According to Gaillot, one of these planets, never to be seen by mortal eye, is in the region occupied by the constellation Gemini. Its distance from the sun he estimates at about forty-five times that of the sun from the earth, or, approximately, 4,050,000,000 miles. The other planet is still farther from the earth, such as the figures already have passed all human comprehension, we need not stop vaguely to dream of its distance from us. When one pauses to reflect that these inconceivably tremendous distances are included within our solar system, and that that system is as a grain of sand on the beach of the universe—well, one does not pause to reflect concerning it, for one cannot.

A Hold-Over Dinner.

Doubtless the most remarkable dinner ever eaten by man recently was consumed in St. Petersburg by a party of noted European scientists, Professor Otto Herz, of the Imperial Russian Academy of Science, being their host. Note this menu, and judge if the foregoing assertion be justifiable: Steak from a mammoth which lived perhaps 20,000 years ago; bread from wheat which was placed in the Egyptian pyramids something like 5,000 years ago; wine, mellowed by more than 2,000 years of age, which was found in the ruins of ancient Corinth. The table furnishings were in keeping with the edibles, consisting of tablecloths taken from the tomb of a daughter of one of the Pharaohs, stone knives and bone forks once used by the cave-dwellers of Denmark, and clay cups and other dishes from prehistoric times. The body of the mammoth which furnished the piece de resistance of the meal was found on the top of the Bjijudi mountains in Siberia. As it had been frozen and entombed in ice since the hour of its death, which doubtless resulted from a flood, its meat was found to be fresh and sweet. This suggested the unique dinner, and the rest was comparatively easy. Professor Amelieneau of the Egyptian national museum furnished the wheat, and Professor Henle, director of the French archaeological school in Greece, supplied the wine. A rare and wonderful repast, but probably there are people who would prefer a beefsteak that had not been dead so long.

King Edward As Professional Man.

It is a rather curious and not generally understood fact that King Edward of Great Britain would be entitled to practice almost any profession—if he could find people who would be willing to have him practice on them. He is a lawyer, having been called to both the English and Irish bars; but who would care to have him try a suit for him, provided the factor of "pull" were obliterated? He is a physician, being a member of the Royal College of Physicians, and a surgeon, having been admitted to the Royal College of Surgeons; but who would have him treat his case of typhoid or remove his unruly vermiform appendix? He even is a clergyman, being a prebendary of St. David's cathedral, Wales; but where is the soul which would trust itself to his cure? Apparently dentistry still remains uncaptured, but perhaps that is because it has not been assaulted. Think of these learned professions opening their doors, with profound salaams the while, to a man who knows naught of their lore, solely because he was born to a throne, and decide for yourself if it be not a queer world.

Airships As War Vessels.

It was apprehension caused by Germany's activity in building warships that caused the present British furor for a like activity in Great Britain, and now comes a correspondent of the London Times and adds to that apprehension, or endeavors to do so, by calling attention to the possibilities involved in Germany's rapid construction of dirigibles of the Zeppelin type. His warning is poor-pooled to some extent, and yet some facts to which he calls attention might seem worthy of rather serious consideration. According to him, Germany will, in 1912, at the present rate of construction, have twenty-four mammoth Zeppelin ships, each one capable of over-sea excursions, and speedier than any naval vessel. As each could carry a ton or more of explosives, it is suggested that they would make short work of a navy of Dreadnaughts. To offset this condition England has nothing, or practically nothing, to offer. She has taken little active interest in airships and could not, at present, say the Times writer, build more than one airship while Germany was building five, and even the one would be of inferior quality. The striking feature in the controversy, whether on the side of the alarmist or of the poor-poolist, is its implied recognition of the atmosphere, rather than sea or land, as the possible scene of man's future warfare.

Railway Across South America.

Little has been said in this part of the world concerning the railway now in process of construction across South America, and yet the enterprise will be of great import to the people south of Panama, and of indirect importance to those north of it. The railway will connect Valparaiso and Buenos Aires. The journey between the two cities will be accomplished in thirty-eight hours, whereas the journey by water around Cape Horn now requires ten days and the overland journey much longer. South America has been lethargic in its development, but there are signs that this condition is undergoing a change for the better.

Divorce In England.

While many Americans are advocating more stringent divorce laws, the British judicial committee, which was recently appointed to inquire into the divorce law in effect over there, has made recommendations which, if they should become law, would make divorces more readily obtainable than they now are. These recommendations include one for the establishment of provincial divorce courts and also suggestions for cheapening the procedure. As at present there is but one divorce court, and that is situated in London, and hence is often inaccessible to other than wealthy people, the recommendations may be considered to look rather to securing justice in divorce proceedings than to facilitating them, but, of course, it follows that there would be a decided increase in the number of divorces.

CALIFORNIA POLITICAL GOSSIP.

The Thompson Senator Thompson's High School Law School bill was an orderly codification of the mass of high school legislation which had been growing up in chaotic shape for a good many years. Besides the advantage of having this portion of our educational legislation clearly codified, other benefits have been secured; for example, it is made possible for two or more cities or towns to join forces by consolidating their high schools; it is understood that Pacific Grove and Monterey, and possibly other municipalities which are contiguous to one another, will do this, and thereby obtain better, if not cheaper, schools. Again, the act contains some provisions relating to test-books, and it is probable that henceforth the prohibition of changes of books oftener than once in

four years will have to be observed, thus stopping a perennial cause of complaint. The new act, taken with certain supplementary legislation in the Penal Code, makes it a misdemeanor for any teacher to refuse to use the legally adopted text-books, as many teachers in the past have been known to do, and it is also a misdemeanor for any teacher to urge, or even suggest to a pupil to buy a book not in the official series. So that teachers who fail to watch out may find themselves in jail.

Another section of the law which may or may not be wise makes the tuition expenses of pupils attending high schools when they do not live in the district a county charge. That is to say, principals must report the number of such pupils, and the county supervisors must levy a sufficient tax on the territory outside of high school districts to meet the cost of tuition.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Back In a Vale I Know.

Oh, to be lolling back in a vale I know,
Where days are a hymn of praising and nights
are an anthem low,
Where the baby-blue-eyes nestle and drowsing
poppies nod,
And hills are a mighty trestle on a highway up
to God,
Where the glory of stars is nearer than here
in the city's roar,
And the vision of souls is clearer than e'er it
has been before;
To be resting, ay, and giving no thought to the
ebb and flow
Of tides in the sea of living, far back in a vale
I know.

Oh, to be resting, resting afar from the city's
strife,
The clamor and roar divesting the soul of the
peace of life,
For the world is a-worn by hurry, its spirit
benumbed by care
And the clutch of a ghoulous worry lest coffers
of Greed be bare;

But list to the mountains' story, afar from the
restless rout:
"Better one day of glory than aeons of fear
and doubt."

I hear it; 'tis more than seeming, the voice of
the hills, and so
I fain would be resting, dreaming, far back in
a vale I know.

Up-to-Date Definitions.

Technicality—The shuffling sand on which
Justice stands—when she doesn't fall down.

The Jury—Twelve of the defendant's peers—
sometimes, great care being taken that they
shall be no more than that.

The Judge—The gentleman whose legal
opinions not improbably will be reversed.

The Verdict—Something the law promises as
a basis from which an appeal may be taken.

The Sentence—Something else provided for
the same purpose.

Higher Court—One which points out to the
amazed populace how little the lower court
knows about law; also useful when the de-
fendant, by having money, proves that he is
not guilty.

Still Higher Court—Useful when the ordi-
nary higher court has overlooked an oppor-
tunity to order a new trial.

Highest Court—Established with power to
reverse anything except God's decrees, and oc-
casional affects that temporarily.

Ignorance of the Law—Something that ex-
cuses no man, unless he has been admitted to
the bar.

Penitentiary—A place of incarceration for
friend-forsaken or poverty-stricken criminals.

Justice—A poor, old girl whose eyes have
been blinded so long that some who are of
little faith begin to doubt that ever she will
see again.

The Most Beautiful Thing In Life.

The most beautiful thing in life, what is it?
Here, where the glory of the sunlight is about
us and the tender blue of the skies is above us;
here, where the clamorous noises are hushed,
let us sit down together and try to decide.

It is not so easy to do. The eternal wonder
of the mountains, cloud-reaching, with dainti-
est lace-work of shimmering waterfalls, and at
their feet the cool green of far-reaching
meadows spanned by multi-colored blossoms
—is not this the most beautiful thing in a
beautiful world? If you urge that it is I shall
not wonder, and yet I cannot quite agree with
you.

The infinite majesty of the ocean, now weak-
ing its Titanic wrath on heaving crags that
confine it and again murmuring a lullaby to
the sun-kissed beach it woos with coy advance
and reluctant retreat; here is beauty over-
powered by grandeur, and yet I have seen that
which surpasses it.

Maidenhood, with the spirit of purity en-
veloping it like a halo, and in its eyes the

dream of that glorifying love which shall come
to hover the mist-dlad hills of time. Beautiful,
and more than beautiful, yet let us look farther.

Youth, with untried ambition and unshat-
tered faith, confident in itself, sure that it shall
win success from the reluctant hand of the
years, as yet unknowing the hope that buries
hope, the faith that crucifies faith; if you
tell me that this is most beautiful of all I
shall not hold it strange, and yet I have seen
that which was infinitely more beautiful and
sweet.

Ay, for sometimes I have seen a mother as
she held her babe against her breast and
looked down upon it as it nestled there, and
that look, no master artist has succeeded in
transferring it to his canvas, in no poet's song
has the ineffable sweetness of it found
perfect expression, no mighty musician has
written even faintest reflection of it in undying
melody. It is such look as heaven knows, per-
haps, but earth sees it nowhere save in an
adoring mother's eyes.

And this look—the look of inexpressible
tenderness and yearning that a mother bestows
upon her little one—this is the most beautiful
thing in life.

It Interferes With Biz.

Now why should we mind for a crime or so,

If it interferes with biz?

Or heed if the knaves unbranded go,

If it interferes with biz?

If a briber has gold, as a briber must,

Lest slander and libel then raise their dust

Till Justice is buried and damned, we'll trust,

For it interferes with biz.

If a traitor would sell his country and God,

Don't interfere with biz,

But think of his wealth and airy nod,

Lest you interfere with biz.

Let the low-born varlet your Justice know,

The higher-up laugh in its face—"he's hot!"

For right and its god to the deuce should go

If they interfere with biz.

Somewhere, I have heard, is a Judgment Bar

Which interferes with biz.

There weighed in one scale all mortals are,

For that is the High Court's biz,

And, brother, my brother, if right we flout,

Let wrong step in lest a dollar step out,

That High, High Court, I have scarcely a

doubt

Will interfere with our biz.

The Opinions of Rufus

The earth is the Lord's an' the fullness
thereof, but my faith won't 'low me to b'lieve
He's much to do with sub-lettin' some parts
of it.

Even a prize fighter's on the ladder of evolu-
tion, an' jest one more step up on it an' he
may be a pedigreed bulldog that some folks
'll respect.

Facts can't be changed by pretty words.
You might name your cat Adelina Patti, but
I'll bet the neighbors would git their guns
jest the same when she sung.

I know some folks whose relegion would be
a good deal improved, I should think, if they
wasn't any days between Sundays.

Their salvation in a sense of humor. They
say Old Nick's hardest job is makin' up his
mind what to do with folks that have one.
"Drat 'em!" he says, "What is one to do with
a fellow that finds somethin' to laugh at in the
hottest place I've got in my conservatory?"

It's sad to do a wicked thing, but, oh, my
brethren an' sisters, how much sadder it is to
git ketcht at it.

I'm sick of hearin' ants called examples fer
man's sake. Ef I was to pick up a house, carry
it twenty-seven blocks, try to scale the Call
building with it, then drop it an' go huntin'
fer the Examiner building at the corner of
Third an' Market, you wouldn't call me an
example. You'd say I was plum crazy, an'
you'd be right. But that would be like what
an ant does ev'ry day.

Honesty is the best policy—until a higher
court gits a whack at the case on appeal.
After that it don't matter so much.

He laughs best who laughs first, fer heeily
appreciates the joke. 'Bout half the other
chumps laugh 'cause they saw somebody else
doing so.

How the Martians Caught On.

Professor W. H. Pickering of Harvard says
that men soon may communicate with Mars by
means of flashes from gigantic mirrors.

The Martians saw the flashes,

But they couldn't read their light,

For it's one thing to see flashes,

Quite another to read them right,

But a sentence was deciphered,

To the Martians' joyful yell,

And the tale of how they did it

Is the story that I tell.

The mighty Earth astronomer

A charming wife had

Who often sent a message,

For she made it quite a fad,

And all the Mars astronomers

Would think and think and think,

Then say, "Well, drat this message, for

It puts us on the blink."

For, be it here or be it there,

'Mid Earth's or Martian scenes,

No man may ever, ever know

Just what a woman means.

It chanced one day a woman came,

A Martian woman she,

Who said, "Now let me try to solve

The thing that puzzles thee."

They laughed at her, they chortled too,

They jeered at her distress;

Said they: "The thing man cannot solve

No woman e'er could guess."

But, while they scoffed, the flashes came,

She watched, with drooping head,

"She is a beauty!" the men remarked,

"Six words," was what she said.

Oh, then she stood, with flashing eye

And head erect, elate:

"Why, any fool should read those words:

"Say, is my hat on straight?"

Ah, little matters time and space;

Sho little heeds their claim;

For, here on Earth, or there on Mars,

Dear woman's just the same.

A Tariff Dialogue.

"I don't see," said Uncle Bildad, reflectively,
"why Congress didn't keep the proposed tariff
on stockin's 'stead of changin' it just because
wimmen hollered. 'Twould have ben a gret
savin'."

"Dum yew pectectionists!" said Uncle K.
Vort. "Yew don't seem ter give a dern 'bout
the downright people. 'Dont yew know
that stockin's would have gone up an' stayed
up?"

"That's jest it, that's jest it," Uncle Bildad
gleefully remarked. "Then we'd hev saved
the price o' garses, wouldn't we?"

Uncle Bildad chuckled, but Uncle K. Vort
never smiled at all.

You Cannot Judge.

Yo' kin jedge a wata-million by de tumpin'
it'll stan';

Yo' kin jedge a niggah's breedin' by de coluh
ob his ha'r;

Yo' kin jedge de size ob apples by de bottom
ob de sack,

An' kin jedge de gal dat's 'lopin' ain't immejitt
comin' back;

Yo' kin jedge a niggah nebbah to de Heaben-
lan' would go,

Wiles dere's possum in de oven an' de chicken's
perchin' low,

All dese things, beloved bredren, yo' kin jedge
mos' anyw'ere,

But yo' ain't kin jedge a bruddah by de clodin'
dat he wears.

WITH EYES AND :: EARS OPEN ::

Have you ever noticed the difference between the regular newsboys who sell the daily paper on the streets and the once-a-week newsboys who sell The Saturday Evening Post? It is more than a difference in clothes, though the Post boys are usually better dressed. It is a difference in manner, a difference that wins many sales for the weekly that are creditable rather to the manner of the boy than the merit of his wares. It is the difference between the amateur spirit and the professional spirit.

The newsboy has the professional attitude. His eye is keen for gain; his interest in his patron ceases instantly upon a sale; it ceases more than instantly upon the failure to make a sale. It is an attitude that breeds an air of restlessness, alertness, shrewdness, and a professional indifference to the personal element of vending.

The weekly salesboy's manner is wholly different. A sale is more than a business transaction; it is an act calling for an expression of appreciation. The boy rarely omits a "Thank you" in return for your nickel. His manner is that of a schoolboy working for the success of a school entertainment to raise funds for the gymnasium; it is personal, friendly, half in the spirit of a novel adventure. It is the manner and the point of view of the amateur.

And the amateur spirit never loses its appealing quality. It draws bigger crowds, of better disposition toward the performance at more money for less return than any professional effort can. A college football game will attract more people than a deciding game of a championship series of the national baseball league. Perhaps the amateur spirit calls to man's joy in youth, freedom, irresponsibility—primal passions of primitive origin that still surge in the blood.

The writer climbs frequently to a favored spot near the Presidio, far up on the heights overlooking the bay, where one may see the Golden Gate, Tamalpais, all the bay around to Alcatraz and across to the blue hills beyond Angel Island. Wealthy folk have homes here overlooking all these beauties, but a few vacant lots remain where we less favored ones may stand an hour and look. And we note that the least favored ones come oftenest here. The freemen make a point of exercising their horses on the street that leads here, and slow them to a walk to gaze with those of us who are afoot. The carriages of the rich roll past us, the well-dressed within them chattering, heedless of the wonders that we see, but the cabmen all turn on the box to look. And of those who come oftenest afoot, the out-at-heels or plainly clad are the majority. The love of natural beauty, one would think, is commonest among the poor.

Speaking of the Presidio, any one who wants fresh inspiration of his love of country should be on the parade-ground near sunset of Thursdays, to see "retreat," and watch the soldiers on the side-lines doff their hats as the colors pass, and to feel the thrill of pride that answers to the sunset gun when Old Glory flutters from its staff and the band plays "The Star-Spangled Banner." Not all forms and ceremonies are empty show: the human heart responds to certain things that awaken the imagination to the glory of the past; and "retreat" subtly and powerfully links the mind with the long roll-call of mighty men and deeds that made our country great.

THE SABBATH.

By Henry Vaughan.

[Henry Vaughan was born in Wales in 1621, and therefore called "the Sibrarian"; he was active as a physician and poet in England and was also known for certain religious writings. He died April 23, 1693. His biography was written by a kindred poet-spirit, Henry Francis Lyte.]

Bright shadows of true rest, some shoots of bliss;

Heaven once a week;

The next world's gladness preposset in this;

A day to seek;

Eternity in time, the steps by which
We climb above all ages; lamps that light
Man through his heap of dark days and the rich
And full redemption of the whole week's night!

The pulleys unto headlong man; time's bower,
The narrow way;

Transplanted paradise; God's walking home;

The cool o' the day!

The creature's jubilee; God's parle with dust;
Heaven here; man on those hills of myrrh and
flow'ers;

Angels descending; the returns of trust;
A gleam of glory after six days showers.

THE BIBLE IN SCOTCH.

The Rev. William Wye Smith, of St. Catharines, Ontario, Canada, has rendered the New Testament into the broad Scotch dialect, and his version has found immediate favor with many an old Calvinist. His reason for the translation is:

"Whiles thar has been a chance o' makin the meanin plainer; whiles a Scots phrase o' uncommonness or wondrous pith could come in. And at a' times, ahint the pen that was movin, was a puir but leal Scots heart, fu' o' prayer that this small effort micht be accepted o' the dear Maister—and, survivin' a' the misca'in o' the pernickety and the fashionable—micht bring the memory o' a worthy tongue, and the better knowledge o' a Blessed Saviour, to this ane and that ane, as they micht chance to read it."

SEA KINGS.

The sea foam made us,
The sea wind weighed us,
And found us true and sturdy, so she tossed us
to the waves.

The long swell swung us,
The spirit it thrung us
Across the marching breakers, as they sang
their battle staves.

The mermaids sought us
And wisely taught us
The roadways of the ocean that the starry
heavens show.

The moon hung o'er us
And set before us
The great law of the waters, how the tideways
ebb and flow.

The sea birds knew us
And wheeling threw us
A softly dappled feather for the wings upon
our helm.

The deep sea called us,
The ships installed us,
And we followed, followed boldly, and the wide
world was our realm!

—From the Pall Mall Gazette.

Rex Beach is joint author with Paul Armstrong of a new play, "Going Some," produced by Belasco in New York on April 12th.

Besides Miss Garden and Miss Farrar, the opportunity to study vocal art was provided through the generosity of wealthy friends of the following: Emma Eames, Edyth Walker, Riccardo Martin, Sembrich, Fremstad, and Bessie Abbott.

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POLITICAL TABLE TALK

By THE WATCHMAN.

San Francisco Party Factions The approaching municipal election in San Francisco is causing attention to focus on the factional differences that have severed every one of the parties in local affairs. These divisions are all from the same source: boss rule in the party. The "regulars" are those to whom it is natural to "take program" that is devised in the boss's office and then "passed down the line." The other faction is composed of the men who resent boss rule, and stand out for democratic methods of determining policies and selecting candidates by free discussion and majority vote. Naturally the regulars have certain strategic advantages: they act in mass under one man's orders, and their leaders have all the strength that comes from the ability to deliver the mass en bloc. The democratic faction, from its very nature, tends to wide divergence of ideas and lack of unity in action. However, when the insurgents do unite on a policy that appeals to the conscience of the majority of its individual members, they have the advantage of a clearer vision and more intelligent purpose than the herded vote of the regulars.

The Split of Republicans The factions of the Republican party in San Francisco are the regulars and the Lincoln-Roosevelt Republican League. The regular wing is largely controlled by John C. Lynch, the former United States collector of internal revenue. Lynch learned practical politics in San Bernardino county, from which he went to the state legislature. At Sacramento he trained consistently with the machine, and was rewarded by various political positions secured through machine influences. He resigned the collectorship to practice professional politics in San Francisco under the tutelage of the same influences. His chief lieutenant is Timothy Sullivan, whose principal business is politics, with an electrical business as a sideline. Sullivan is the local boss of the Thirty-ninth Assembly District, which is in San Francisco. He is also a member of the Republican county committee.

The Lincoln-Roosevelt Republican League The Lincoln-Roosevelt Republican League is active in San Francisco politics as the demagogue, and reform branch of the Republican party. It includes such men as Rolla V. Watt, Rudolph Spreckels, Byron Mauzy, C. H. Bentley, and Supervisor C. A. Murdock. The League failed to defeat the organization at the last campaign in San Francisco, but its success was sufficient to justify its activities. Readers of this paper are familiar with the profound effect that the League had upon the character of the last legislature.

The Gavin McNabocrats The regulars in the Democratic party in San Francisco are led and delivered by Gavin McNab, the former boss of the state Democracy. McNab's control of the state organization was wrested from him by Theodore A. Bell, but he has retained his power in city politics. His faction of the Democratic party is legally recognized as being the Democratic party in San Francisco. It is informally recognized as being of the machine type, boss-managed, and never out of rapport with the Southern Pacific political bureau.

Independent Democrats The anti-machine Democrats are organized into the San Francisco Democratic Club, which includes in its membership Walter MacArthur, the editor of the "Sevens" Journal and a leader of the conservative union labor people; Matt I. Sullivan, of the League of Justice; ex-Superior Judge Jerry Sullivan, Matt Sullivan's brother; Harry Sullivan, son of Jerry Sullivan; R. P. Troy, and Jerry Mahoney. The Democratic Club has failed times past to oust McNab from control of the party ma-

chinery, but the club's strength is recognized as a potent factor in any possible coalition of reform forces to back, for instance, the graft prosecution.

The Labor "Bloc" and Independents The union labor people in San Francisco are divided in their union allegiance between the San Francisco Labor Council and the Building Trades Council. Some years ago the unions engaged in the building trades quarreled with their brother unionists in the American Federation of Labor and withdrew from the Federation, forming a separate organization. Of late years, while they have retained their organization as distinct from the other unions, they have again affiliated with the American Federation. The Labor Council represents all the unions besides those engaged in the building trades, and is, in spirit at least, more closely representative of the American Federation. The Labor Council and the Building Trades Council are quite distinct in San Francisco, and trades unionists diverge politically at about the same point where they diverge as unionists.

McCarthy vs. P. H. McCarthy is the president of the Building Trades Council, and is the political leader of its membership. The Building Trades Council is of the "regular" type, politically, and McCarthy's political control is not contested. His organization is very compact, so that, while the membership of the Building Trades Council is considerably less than that of the San Francisco Labor Council, it is more nearly a political unit and its power in the Labor Party in San Francisco is correspondingly great.

The Other Labor Leaders The secretary of the San Francisco Labor Council is Andrew J. Gallagher. He, and John J. Kelly, president of the council, are political leaders of great influence. Michael Casey, formerly president, and still a member of the Board of Public Works, is, after McCarthy, probably the leader of the strongest labor faction. Andrew Furuseth, of the Water-Front Federation, is leader of a conservative minority faction. The chief rivalry, however, is between McCarthy and Casey, and one of the most significant facts of the hour is the probability that they have settled their differences for the present and will unite all the labor factions upon one ticket to be supported unanimously by labor at the next election.

The Gubernatorial Bee In the Gillett Bonnet To his personal friends in San Francisco and elsewhere

Governor Gillett has said that he is not a candidate for re-election, and no doubt he thinks so, at least sometimes; but when was there ever a governor of California who did not shape his policy with a view of realizing that remote possibility, or, as some politicians say, impossibility, of succeeding himself? Governor Gillett, all statements to the contrary notwithstanding, is hoping to be struck by that kind of lightning which has not struck any governor since old John Bigler, more than half a century ago. To be elected in 1910 is the one supreme ambition of a California governor, all the more cherished because realization is so difficult, and though the sensible governor will strive to put the darling wish out of his mind, it will always come back to tantalize and bedevil him. You can depend upon it that Governor Gillett now and then wakes up in the night and wonders whether there really is a chance. He may decide there is none, and so turn over and resolve to go to sleep thinking about a future law practice in San Francisco, but the spectre of his ambition refuses to be away at such bidding.

The Gage Lesson Not to Be Repeated While the politicians, who are not the sort of men who are looking for miracles to happen, do not give much import-

ance to the second-term proposition, they are inclined to think the governor, as an outcome of the last legislative winter, has improved his position before the people and is now more popular than he has been before since his election. He has been fortunate in not having put up to him for approval many measures in which the railroad organization has interests strongly adverse to the public interests, and by disapproving some bad bills, such as the Johnson change of venue bill, he has scored several credits. It is quite possible that the bonds of the alliance between the governor and the organization have been considerably loosened, and one reason may be that the governor has a shrewd suspicion that the organization, after having once made him governor, does not care to undertake the task a second time, seeing how near it came to failure on the first occasion. It is true that the organization nearly broke itself to pieces in trying to renominate Governor Gage, but he had rendered such services to the railroad that it could not in ordinary decency decline to make an effort which was recognized from the first as being a forlorn hope, if not absolutely hopeless. Mr. Harrin will not do for Gillett what he attempted to do for Gage. Instead, he will look around for some other plausible man with whom to fool the voters—some man who looks like an independent citizen but who can be easily "reached."

His Instincts Right, When Governor Associations Unfortunate Gillett appointed three new Superior judges for Los Angeles the general verdict upon his selections was that they appeared to be intended to pay the political debts of Walter Parker, or somebody else belonging to the organization, rather than to improve the character of the bench. But when William S. Wells was appointed to the new judgeship in Alameda county it was regarded as a creditable selection. So, too, the appointments of Judge Sturtevant in San Francisco, made a year or more since, and Judge Wood of Amador county were unobjectionable. Governor Gillett is a lawyer, who has stood well in his profession, and if organization politics did not interfere now and then his judicial appointments would be uniformly good. But when the governor named M. C. Chapman, a criminal lawyer, whose politics are much the same as the kind of law he practices, to be a director of the Institution for the Deaf and Blind, he did about as bad as he could have done.

"Surely you must know what my constant visits here mean," said the young politician, who was about to propose. "Not at all," she replied, "as you are a politician, I naturally supposed they were 'entirely without significance'."

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MEN WHO DO THINGS

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Edwin T. Earl is built from the ground up. He is a self-made man financially and in every other way. He has a keenness of mind that pierces through all subtleties and a resolution that gives unshaken nerve energy to whatever he undertakes.

He is also blessed with a breadth of mind that gives him an interest beyond his financial investments and beyond his mere duties as a citizen of the city of his choice. For instance,

and excited the cupidty, of the Armours with the result that they finally bought out his business and he retired. Among the evidences of wealth and credit turned over to him in payment for his fruit handling business was the Los Angeles Express, very much of an elephant if not always spotlessly a white elephant. It was a money loser. It had not had a moral purpose and its influence in Southern California affairs might easily have been over estimated. Mr. Earl had no particular liking for journalism, but the paper was on his hands and its success became a matter of pride with him.



EDWIN T. EARL.

he is founder of the Earl Lectureship at Berkeley, the interest on the foundation fund bringing to our coast, yearly, one of the most thoughtful men of the world of ethics and religion that he may deliver a course of stimulating and edifying addresses. This year Ambassador James Bryce was the lecturer and he left behind him influences for good that will long survive either the Ambassador himself or the founder of the lecture course.

Mr. Earl made his fortune in marketing California fruit products. He organized and put in operation a commercial mechanism for picking, icing, shipping across the semi-arid West and distributing over the East the fresh fruits of California so perfect that there were few communities east of the Rocky Mountains that he did not reach, few jaded appetites for fruit that he did not quicken into a keen relish and few would-be consumers that he did not find means to supply.

His success in this activity attracted the at-

Up to that time no sort of opposition to General Otis and the Los Angeles Times had been able to command a hearing or a livelihood. The Times charged so low a rate for advertising per thousand of circulation that no other paper, held down to the same per thousand rate, could, with its smaller circulation, earn enough to keep it alive. Mr. Earl soon saw the logic of the situation. He surrounded himself with a lot of bright men, got out a corking good paper, put the street sale price down to one cent, and—lost money hand over fist; but the Express got a subscription list that enabled it to do business on a pro rata per thousand circulation rate against the Times, and now the paper is a money-maker, plenty able to give the Times a Rowland for its Oliver any day in the week, except Sunday, for it is only a six-day paper.

But it was not merely the making of a good paper of the Los Angeles Express that made the Express a success and its owner a power

in Los Angeles and Southern California. The thing which, more than any other, made it and its owner was the willingness of the owner to take the unpopular side of a hopeless cause,

(Concluded on Page 351.)

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A RATIONAL WAY TO TEMPERANCE

By ANDREA SEABORO.

Our country is at the present time afflicted with two great evils; one is drunkenness and the other is prohibition. Unless some rational, fair way be found by which these two great evils may both be removed from our midst, we are in danger of drifting into another civil war.

In a recent number, the California Weekly, in calling attention to this grave question, very sensibly said, "Nevertheless, those who place themselves in opposition both to the saloon and to prohibition are under obligation to point to a better way of dealing with the condition that does not yield to theory. . . . In order to be entertained, suggestions must possess the grace of common sense, must advance a workable plan, a plan that can be made to appeal to men of average intelligence and it must not leave human nature out of consideration. The subject is before the house. What is your pleasure, gentlemen?"

Mr. Editor, with your permission I am going to try to solve this grave problem in a fair, rational, sensible and practical manner.

The evil of drunkenness is sometimes fostered by unscrupulous saloon keepers, some of whom run their places of business against the law and against decency, and partly by foolish persons who have given up their appetite. On the other hand, prohibition is frequently fomented by equally unscrupulous leaders who work under the cloak of the Christian religion and prayer, aided in many cases by a designing class of politicians who hope to float into office on top of the wave of prohibition.

These merciless people would trample under their feet the sacred personal rights of the free American citizen and ruin without any scruples of conscience or Christian charity, thousands employed in the ultimate work of winning the soil for the production of grain, hops and grapes by which to earn an honest living for themselves and families.

A Mild Stimulant Human Necessity.

Man is so constituted that he requires some stimulant to assist his digestion and invigorate his system. Beverages containing alcohol have been used by all people from time immemorial, and will continue to be used, notwithstanding all the laws which can be made against them by man, until the end of time.

Drunkenness has also existed, more or less, for many centuries, but the real drunkenness which causes so much misery to mankind is a comparatively modern evil, and we know that in some countries it exists to excess, whilst in others it is almost unknown.

A few months ago I traversed Italy, Switzerland, Belgium, Germany, France and Spain, where every man, woman and child uses light wine at their meals and I saw practically no intoxication. When I reached England, one of the first items I read in the London Times was that, during the year, two hundred and seventy thousand persons were arrested for drunkenness in that country, nearly half of whom were women.

Light Wines the Solution.

Here then have the true solution of the great problem before us. Educate the American people to the use of light wines in moderation at their table and they will soon become as sober as are the residents of France, Italy and Spain.

This can be done gradually without destroying any property or throwing thousands of families on the charity of the world. It appears that the people who use wine at their table have no desire to imbibe any stronger intoxicating beverage between their meals. Thus the ill-conducted, undesirable saloon will gradually lose its business, the proprietors, instead of being ruthlessly closed up, will have time to reform or find another occupation, probably become engaged in the production and distribution of the health-giving, non-intoxicating wine instead of the strong, intoxicating liquor and, in this way, the sacred

rights of the American people will not be interfered with.

The proprietors of decent saloons themselves desire that they should be strictly regulated, and that no one be permitted to sell alcoholic beverages to minors or to persons who are nearing the point of intoxication, under penalty, for the first offense, of having their licenses removed for thirty days and, on conviction for the second offense, that the license be permanently revoked.

Penalize Drunkenness.

I hold that it is unreasonable under any circumstances to punish the innocent for the guilty. Why deprive millions of people who enjoy a stimulant before their meals because a few hundred depraved men lose control of themselves and drink to such excess as to become drunkards? If the minister who preaches prohibition really desires to remove the curse of drunkenness, let him advocate the reformation of the drunkard by reasonable punishment, as is done in the suppression of other transgressions of the law. Let the drunkard be condemned for the first offense to thirty days in jail; and for the second offense, sixty days, and for every offense thereafter, add thirty additional days. In order that the honest man who earns his living by the sweat of his brow should not pay a part of his earnings to sustain a drunken sot idly in jail, let him be made to work on cleaning the streets in the city and repairing the roads in the country; and if the culprit has a family, let the community support the wife and children with the earnings of the drunkard's labor. In this way, I confidently believe that wherever it is vigorously carried out, in six months there will not be a drunkard. The former drunkard would be reformed. He would become either a good sober husband and father with his family or be working on the streets for the community which he had offended.

I have said above that in the wine-drinking countries of the world, where every man, woman and child uses wine at their meals, intoxication is almost unknown. To forcibly impress upon the American people the truth of this assertion, during my recent visit to Europe, I made it my business to call upon the American Ambassador at Rome, Italy, and the United States consuls of the principal cities of the wine-producing countries, from whom I obtained official letters, showing the conditions that prevail there and proving that there is a remedy for the removal of drunkenness if we will only follow the example of such enlightened countries as Italy and France. Fearing that you may not have space to publish these letters in full, I am quoting significant extracts from a few of the most striking letters addressed to me.

Testimony of Americans Abroad.

The Hon. Lloyd C. Griscom, our American Ambassador at Rome, writes: "I have pleasure in stating that during my residence in Italy I have seen very few cases of drunkenness. The people as a whole are accustomed to drink wine at their meals, which prevents them from having a craving for stronger intoxicants."

Our American Consul at Naples, Hon. C. S. Crowninshield, says: "In this great city of 600,000 inhabitants no saloon sees a person the worse for drink. Wine is taken freely among all classes; most workmen drink from a pint to a quart every day, but there is almost no use of strong liquor. I have lived nearly eight years in Italy, and have seen very few drunken men during that time."

The Hon. James E. Dunning, our Consul at Milan, did not hesitate to give similar testimony. He writes: "In the four years that I have been stationed here, I have seen but two cases of intoxication in the streets of Milan; both of these were on holidays, and in each case exhibited anything more than a slightly accentuated good nature. It would be entirely within my conception of the truth to say that drunkenness is unknown in Milan."

The Hon. James A. Smith, Consul General, who ranks after the American Ambassador, and is from Vermont, the state in which some cities do not allow wine or liquor to be sold, says, under a doctor's prescription by the drug stores, says: "I do not hesitate to say that a ten years' experience in this country, and a careful observation of the people, have convinced me that drunkenness is exceedingly rare. So much so is this the case that I do not remember to have seen a dozen Italians who were obviously intoxicated during all the time I have lived in Italy. This condition prevails in spite of the fact that the very large majority of the Italians habitually drink the light wines of the country at their meals. Accustomed to wine from very early childhood, the Italians use it moderately as a mildly stimulating beverage. So used I cannot discover that it produces harmful results."

The Hon. William Henry Bishop, our American Consul at Palermo, a fine old gentleman of long experience in the consular service who has the reputation of weighing every word he says or writes, remarks: "The use of native wines would seem to fill the needs felt by many for light stimulating, or fortifying beverage, and in Sicily, while the people do doubt have their faults, it is a pleasure to witness their general temperate habits. Even the usual place where drinks are publicly sold is most often a pasticceria, cake-shop or a pleasant cafe, which the most respectable persons, including ladies and children, may freely enter. There are no screens put up; there is no concealment of the interior or the inmates, for nothing takes place there requiring concealment. The drinking saloon in an offensive sense can hardly be said to exist at all."

Wine the Universal Drink.

Our American Consul at Florence, Hon. Jerome H. Quirk, writes: "Wine is almost universally used by all classes. At the Gambrius, a popular cafe, hundreds gather in the evening, men, women and children, drink the light wines and beer of the country, and spend the evening in a pleasant manner and without disorder; and many of the lunch baskets prepared for little children attending school are provided with a small flask of wine." This city has given to the world more great men than any other city on the face of the globe.

Our American Consul, the Hon. Carl W. Schmidt, in a letter from Kohl, Baden, says: "The wine flask is quite as familiar a feature of the table in Alsace-Lorraine as the water bottle is in the United States. . . . At hotels and boarding houses half a pint of wine is usually supplied without any extra charge. In the cafes and restaurants between meals in the evening, wine is constantly drunk, costing only nineteen cents a quart. It is a matter of common knowledge that the people of Alsace-Lorraine are a careful, industrious and particularly sober community. The spectacle of a person overcome by liquor is so unusual as to excite amusement."

In Spain the conditions are practically the same, according to the Hon. R. M. Bartlemann, our American Consul at Madrid, who writes: "The drinking of wine here at meals is universal, and, like France and Italy, there is practically no drunkenness."

The Hon. Solomon Berliner, our American Consul at Teneriffe, Canary Islands, writes: "During my nine years here I have not seen more than a dozen under the influence of wine or liquor. . . . All saloons, cafes, restaurants and hotels are open Sunday and every other day; other business is prohibited on Sundays. . . . In this country, on account of the food not having enough substance, and the greater part of the inhabitants being 'ametics,' the doctors recommend wine to be taken with all meals, more especially foreigners. The children receive wine with their food. Of course, this mixed with water according to the age of the children."

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Thomas Jefferson's Belief In Wine.

The beneficial use of wine as a temperance beverage is not only emphasized by these disinterested United States Consuls living in the great wine-producing and wine-consuming countries, but there are many other Americans who believe that if wine were universally drunk in the United States, the evil of drunkenness would promptly disappear. George Washington, the father of our country, always had his cellar stocked with wine. Thomas Jefferson, who had been Minister to France and had observed the salutary effect of wine, in one

of his addresses to Congress, said: "I rejoice as a moralist at the prospect of a reduction of duties on wine by our national legislature. It is an error to view a tax on that article as merely a tax on the rich. It is the prohibition of its use on the middle classes, and a condemnation to them of the poison of spirits. No nation is drunken where wine is cheap, and none sober where dearness of wine substitutes ardent spirits as its common beverage."

The Rev. Dr. C. H. Parkhurst, the well-known reformer, who has studied the question carefully, says: "Judging from what I see in this country, and from what I know of conditions of things in Europe, which I have visited twenty-five times, I am decidedly of the opinion that the more wine is produced in this country and the more freely it is transported from state to state, the less whisky will be used, and the smaller the amount of drunkenness."

The Hon. W. W. Morrow, Judge of the United States Circuit Court of Appeals, is also of the opinion that the use of wine at table should be encouraged. "Wine may, of course, be had in the saloon, but it is not the cause of the intemperance," he writes, "and is not the attraction that makes the saloon the rendezvous of vice. The use of light table wines at meals has been found by long experience to promote health and sobriety and prevent ill health and drunkenness."

Regrets Abolition of Canteen.

Rear-Admiral Robley D. Evans, who has just been visiting San Francisco, has always been a strong advocate for the canteen for both the army and navy, and, according to a letter received from his secretary while he was convalescing at Paso Robles, The Admiral feels certain that there would be less drunkenness in both services if the men were allowed their ration as of old.

To come nearer home, let me quote the words of Dr. Martin Regensburger, President of the Board of Health of California. He says: "If the people of our country were educated from boyhood up to drink wine, alcoholism would be a rare disease, as has been proven in the wine drinking countries. It is the forbidden fruit that tempts. In my experience, in families where the wine flows freely, drunkards are the exception, whereas many of the offspring of teetotalers and wine abhorers who have not tasted alcoholies until they almost have grown to be men become drunkards."

William Gladstone, England's great Chancellor, reduced the duty upon light French wine for the purpose of encouraging the English people to drink this mild beverage in preference to strong intoxicating liquors. But the reduction was not sufficient to permit the great masses to use wine at their meals and as grapes can be grown only in hot houses in England, the solution of their great liquor problem is going to be very much more difficult than in the United States.

Contrast of England and Continent.

This thought was impressed upon my mind forcibly while I was crossing the English Channel. On one side I could see from the decks of the steamer the wine growing countries containing over two hundred million inhabitants (all wine consumers) where drunkenness is practically unknown, and on the other side the non-wine drinking countries of England, Scotland, Ireland and Wales where, with a population of only 34,000,000, there were 270,000 persons arrested for drunkenness in one year, 120,000 of whom were women. I am sorry to say. Which is our country going to represent after such an example? A wine drinking country or a non-wine drinking country?

The American people are quick to adopt every novel innovation that will contribute to their health, happiness and prosperity. If a physician in Rome, London, Paris or Berlin discovers a new medical remedy, it is immediately introduced by our medical men; if some new servicable machinery is invented in Eu-

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* The original letters mentioned in the above are in my office and are subject to the inspection of any person interested in the subject.

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IT was remarkable how, regularly for ten straight years, and until the hand of death began to lay heavily upon the charter membership, the little group of founders of the Galoot Club came together every Thursday evening in the whist room. The rain never descended in such torrents, the fog never rolled in so thick, and the wind never blew so hard as to keep them away, and it was a point of honor with all of them to permit no personal engagements to interfere with that appointment. Their passion was not for whist, but for each other's society. They were good men and true and over that card table, with the pasteboards face down for an hour at a time, were formulated policies relating to the public good that seldom failed of fulfillment, albeit they were conservative policies and took on none of the attributes of promotion and boom. They held the community steadfast in sober courses of action with the result that, though taxes were kept low, the citizens received a dollar of value for every dollar of taxes paid. What a little group of determined, capable men can do to make a community better or worse is beyond calculation. The relation of their personal romances took place only when nothing more important came up for consideration.

"Doctor," demanded the Professor late one evening, when other matters had been disposed of, "you once said that you had told your wife all about all of your little romances save one. That of course was saved for us. Let's have it to-night."

Well, if you say so, I suppose I must, but it has ever been far from my intention to tell it to any one except my wife, and that only on the Day of Judgment, when I throw myself upon his mercy.

I had lately come out from the East and settled in a small town in the Middle West. There are a thousand just such towns scattered through the great Mississippi valley, so the name of the place does not much matter. I had received as good a medical education as the schools of those days could give, had seen hospital practice and was, if anything, more in love with my profession than with the girl who had left behind me. My bent was for interior medicines rather than for surgery and I looked forward to establishing a good family practice. My means were limited. It was hard scratching, but I kept up appearances and kept out of debt.

The strong man of the community was the banker, who also owned the principal general store, and a number of farms and held mortgages on a lot more. His only children were a spoiled son and a beautiful, robust, what you would call buxom, daughter, just home from school, and the undisputed belle of the community. There was not an ambitious young man in the county who did not cherish at least some hope of winning her favor, and she was the life of the social community. I had met her, but had not run after her, having no anchor to which I could attach my feet. If I had felt myself free it might have been different.

The town had no sewerage system as yet and earth closets were obvious adjuncts to every home. There had been a few cases of typhoid in the town, but none of them had fallen to my care and only a few of them had survived the treatment of the other physicians. Perhaps it was a fly that came through the window, having been spawned in the vault of an outhouse, that had rested an instant on a strawberry as Florence raised it to her mouth. I have seen as much in a dream. Anyhow that robust girl was taken down with typhoid.

I was sent for. She would have it so, and insisted that the calomel, quinine, morphia and whisky, which the old fashioned physician was sure to prescribe, could do her no good and she loved life too well to trust herself to him. The father protested, the mother scolded, the brother made fun of her, but they all yielded because she always had her own way anyhow and because she was so desperately anxious about her and wisely felt that lack of confidence in her physician might tell against her in the coming struggle.

I went. The diagnosis had been accurate enough and the type of fever was virulent that

HIS ONE REAL ROMANCE

(Being the third of the Galoot Club Series.)

By TOBIAS BLACK

year. The whole community was profoundly concerned. On every person's lips, night and morning, was the query: "How's Florence getting along?" I was told a hundred times that my future was made if I saved her and lost if I didn't, which so angered me that I could scarcely treat people civilly. It was not of my future, but of hers, I was thinking. She was too full of vigorous, pulsating life to make it tolerable to think of her dying.

And yet I was not thinking of her future either, at least not beyond being resolved that she should have a future if care and nursing could accomplish it. To my mind her body was a laboratory in which some strikingly interesting phenomena were being worked out under my observation. The rest of my practice went by the boards. There were no trained nurses in those days, so I was nurse and physician, too. I fought for her life inch by inch. I invented contrivances of my own for unsmothering her in a labyrinth of small rubber hose through which went a steady stream of cold water to keep the temperature down. When, after months of struggle, she began to move about and paralysis still kept its blight upon her, I massaged her limbs from hip to the tips of her dainty toes as I would have she been a man and so worked the stiffened members back into suppleness and elasticity.

With what absolute abandon did this buoyant, wilful, headstrong girl submit herself to my ministrations! I can see her great, confident, antelope eyes looking at me now in such utter confidence as only an infant is expected to repose in its mother. She wasted to a skeleton and I carried her in my arms as I might have carried a child, and yet, in health, she was taller than most women and well proportioned without being stout. It was half a year before she was herself again.

When her father handed me a check for a thousand dollars I tore it into fragments and blew the bits into the wind before his face. "Money cannot pay for that kind of service," I said, "besides, she has taught me how to deal with typhoid," and I turned on my heel and walked away. He then made sure that I would claim the life I had saved, and the whole community was of the same opinion. No thought had been farther from my mind. To me she had been only a remarkably interesting case for my hands, which I had needed to try my skill to its fullest. To her I had been her savior to a life she loved, loved passionately, with a love wholly of this world, and she had grown to love me as she loved her life.

No one not in the practice of medicine, or the profession of the ministry, knows the temptation that women constantly throw at the feet of physicians and clergymen. I have wished a thousand times that Protestants might have confessionals where morbid women might unburden themselves to the relief of these two burden bearing professions. Many a physician is paid round fees for no other service than that of making love to women who are not ill and whose only malady is that of a lack of some sort in their marital relations. They never tell us the truth, but they seem to feel better after they have unconsumed a lot of falsehood to us, and their husbands promptly pay the bills. Nothing makes me sicker than that, and the reputation I have acquired of being cold and unfeeling is due to

nothing else so much as my refusal to stomach such doses.

But whatever the state of my own mind was I could not blind myself to the state of hers. My practice increased by leaps and bounds and gave me more to do than I could well handle. I went into society little, only occasionally with her, and my mind was absorbed in my practice. Had I been free it might have been different. I felt as much then but my troth had been plighted and, honorable man that I was, I felt that it must needs be unshaken. I would have despised anyone who, without good cause, had broken an engagement, as heartily as one who had been false to marriage vows. I told Florence of my engagement, thinking that that would put out of her heart whatever might be in it, but the only result was that she hated the woman she had not seen and resolved to get me away from her at every hazard.

I shall not forget her fine outburst of scorn when I showed her the photograph of my wife. "There," she exclaimed, "she is!" "There are twenty such in every town, comely, likable, too inert to be disagreeable, a model wife for an ordinary matter-of-fact man, cherishing no ideals and content to replenish a stupid world with stupid progeny. You are not an ordinary man, you are a man of a thousand, one out of many thousands, and if you were to marry a woman your equal in intelligence and aspirations, you would give the world a family that would be factors in the world. There are enough human tabbagages and cauliflower heads to go around, but I can do better by you and by those that are to bear your name than that woman can and for you to prefer her to me merely because you met her first, is a sin and a shame."

How her eyes flashed, and her breast heaved as she spoke. Her blunt frankness stunned me, and yet stirred a spirit of resentment within me, and I snatched the photograph from her and walked away.

I was now abundantly able to build a home, go back to the city and marry and settle down, but I did not dare to bring my wife to that town while Florence remained in that frame of mind. I could see that Florence was desperate and I did not know what she might or might not undertake to do. I pitied her from the bottom of my heart, but she seemed so selfish in her desire to possess me that my soul revolted at the love she proffered without the smallest advance having been consciously made on my part. She not only asked but implored me to make her my wife. She freely declared that the other two should never take such liberties with her person as I had taken as her physician and nurse and that if I did not marry her she would live single until she died. I pool-poohed the idea but she remained unshaken in it.

I was at my wits' end to know what to do. I had the cream of the practice of the town and county. The fondest hopes I had dared to entertain had been realized and more than realized, if only this infatuation of Florence for me, for I could not regard it as anything more, were not for the fact that she loved me and hers, not to speak of the happiness of the woman who had promised to be my wife. I set myself to the task of treating her mind as I had treated her body, but to less purpose. Though we had long walked and talked together I could not make her see the unreasonableness and injustice of her point of view. She went right on holding up to me the plans she had made for our future. Her father would give us half his fortune if we needed it and we could remove to the principal city of the state and there I could set up my office. She would buy a fine home, go into society and fetch to my offices the cream of the practice. She opened out before me a vista of honor, reputation, and a broadened sphere of usefulness that, under other circumstances, I might have proven alluring, but while I pitied her from the bottom of my heart my own resolution remained as unshaken as hers.

It was after such a walk and talk one evening that a boy brought me a note from Florence. "My love for you is so terrific that it verges on hate. At this moment I feel as though I never want to see your face again." She has not. Worn out with overwork and worry about Florence I

had sent for an old classmate of mine, who had determined to make a change of location, to come and take care of my practice while I went to Europe for a rest and half a year of special study. He came that night and I left on the night train East. He has my practice still. On my return from Europe I married the girl to whom my troth was plighted and we came here and have been here ever since. I have not dared to return East even for a visit.

Through my former classmate I have kept track of Florence. She remained single as she declared that she would. She went into her father's office, mastered his business to the minutest details and is reputed to be the best business woman in his state. She lives in the old house alone, carries on the business left by her father and turns over the greater part of the profits to her renegade brother and his spendthrift family to squander in giddy gadding about the world, while she slaves like a hired hand, virtually a woman Shylock.

And now comes the strangest part of it all. The blight of her life rests like a mountain on my spirit. I love her. I love her as she loved me. My heart did not go out to her until more than a year after I had married my wife. It spread through me like an infection. I never go to sleep without looking again into those antelope eyes that looked into my own so trustingly while she and I fought for her life. I never look into the face of my wife without hearing Florence's voice declaring that "there are twenty such in every town," and knowing that it is true. I never look into the face of one of my children without seeing the brand of mediocrity burned into the tissue, and I think of what a wife and what children we should have had if I had married Florence. If ever marriages are made in heaven then the soul of Florence and my soul were mated together forever, and somewhere, some time, they will enter into their own.

As I have said, had I been free, my love for Florence would have found itself sooner, but my faith was plighted, my honor was involved. I kept the faith with the result that I have lived a lie for thirty years and must go on living it to the end in spite of the fact that there is not a man in which I do not long to go and throw myself at the feet of Florence and beg her forgiveness for my not being the scoundrel she wanted me to become. I stood steadfast then. I am standing steadfast now. Did I do right then? Am I doing right now? I blame Florence because her love was utterly selfish. Is there any other kind that is worth while? I have hurled those questions at my God ten thousand times and I shall do it again at the last day, for I want to know if I did right or wrong and no one else but God himself can tell me to my satisfaction.

"You are too deep for me, Doc," declared the newspaper man.

"A highly important contribution to the working out of my matrimonial philosophy," remarked the Professor.

ORIGINALS OF WHITAKER'S CHARACTERS.

Herman Whitaker, whose novel, "The Planter," a story of the Tehuantepec rubber plantations, has just been published by the Harpers, tells many an interesting story of his tropical experiences. It seems that one Gaudaloupe, the mandator on one plantation at which Mr. Whitaker stayed, was somewhat of a character, and the novelist informed him that he was to be one of the characters in his story. "He never failed to question me each day as to the things I had done in the story," says Mr. Whitaker. "When, one morning, I informed him that I had killed him off, he expressed great surprise.

"Porque, señor, porque?"

"Because you are a bad man, Gaudaloupe. Which was perfectly true.

"I, señor?" he questioned, greatly surprised.

"Si, Gaudaloupe, you are bad. Think of how many men you have killed according to your own count.

"He thought for a while, then looked up with a humorous smile. 'Oh, well! Did I put up a good fight?'

"You bet you did, Gaudaloupe."

"Whereupon the eyebrows and shoulders went up in a shrug. 'Bueno! Bueno! Then it ees all right.'

SHEAR WIT.

Miss Smith (to her mother): You must remember that children have their uses, if only to perpetuate your name. Now when I die, I'll afraid the name of Smith will die with me.—Sketch.

"Shame on ye!" exploded his wife. "A big shapalpen the loikes of you to get bate up by a little emadoun of a Dutelman the size of him! Why—" "Whist, Nora," said Patrick, "don't spake disrespectfully of the dead!"—Everybody's Magazine.

The Rector's Wife: I am sorry, Hodgkins, that you do not engage in any church work. Hodgkins: W'y, blesses, m'lam, I was a regular church worker, I bees. W'y, every Saturday night I goes up the steeple with the beer for the bell-ringers.—Tit-Bits.

Senator Beveridge tells this story: An orator was addressing an assemblage of people. He recounted the people's wrongs. Then he passionately cried: "Where are America's great men? Why don't they take up the cudgel in our defense? In the face of manifold wrongs, why do they remain silent, cold, immovable?" "Because they're all cast in bronze!" shouted a cynic in the rear.—Baltimore American.

Mrs. Julia Ward Howe's sense of the ridiculous has always been a saving grace, leading her to avoid grandiloquence. On one occasion a lady at Newport, trying to get a fine sentiment out of her, said, one moonlit evening on a vine-hung veranda: "Mrs. Howe, do say something lovely about my piazza?" Whereupon everyone listened for the reply. In her delicately cultivated voice Mrs. Howe responded: "I think it is a bully piazza!"—New York Herald.

Automobile Notes.

During a test of a Rambler motor fire truck in Pomona, Cal., the machine carried nine men and a load of 1,500 pounds of pig iron at a speed of forty miles an hour, although the specifications called for a speed of only twenty-five miles with a load of 3,000 pounds. The men carried in the test comprised the Pomona Board of Trustees and Fire Commission. The truck is equipped with a body for carrying chemical tanks and 800 feet of water hose. It is proposed to buy a duplicate of the machine in the near future so that the first can be driven direct to a fire with the chemical apparatus, while the second stops to connect a line of hose with the fire hydrant.

Roads down the valley to the raisin city were found to be in excellent condition last week by Frank B. Dickson, Jr., of the Studebaker Bros.' company. Mr. Dickson says that persons who are contemplating attending the raisin city fete at Fresno and who have auto-

mobiles may add considerably to the pleasure of the event by driving down in their cars.

The writing of the first chapter of this year's Glidden tour was begun last Monday week when the pathfinder car, a Studebaker E-M-F '30," left Detroit, Mich.

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("E. T. Earl"—Concluded.)

if need be, and fight all the way to his own defeat without flinching and without being frightened half to death by a bad balance sheet at the end of the month. These things he did when he thought the public welfare demanded it with the result that the people listened when his paper talked and took its own seriously and frankly into their confidence.

Without this popular backing it may be doubted if the city government of Los Angeles could have purified itself as it recently did. Mr. Earl became confident that vice was being officially protected, in Los Angeles, and mulcted. His paper said so. It warned the public of the situation and it warned the public officers and the grand jury. The public officers and grand jury found nothing tangible, nothing that indictments could rest on, and nothing seemed likely to be done about the infamy.

Meantime those attacked began to file libel suits against the Express and its owner and these suits kept piling up until the damages claimed aggregated \$650,000. They are now not so large as they were. The District Attorney and grand jury failing to understand Mr. Earl himself got busy. Those libel suits began to look big to him, too, but our law permits the truth of such charges to be proven, if proven, to be a complete defense. Mr. Earl's hunt therefore was for the truth in so tangible a way that it could be used as evidence.

Now again we have what Mr. Calhoun so deprecates—private persons mixing in public affairs. Mr. Earl put detectives on the trail of the official malefactors with the result that Chief of Police Kern resigned his office after a hint had been given of what was in store for him, Mr. Earl's desire being to shield the city from public scandal if he could clean it without scandal. Mayor Harper likewise received a hint but ignored it. A second time a hint was dropped when he was picked up if he felt so disposed and, this time, he called at the office of Mr. Earl, was confronted with the evidence obtained, resigned the mayoralty, jumped into his automobile and skipped out for the rural districts, a dishonored, broken and distracted man. He and his friends could keep still and so the story got out in all its details.

Vice had first been centralized by police compulsion in buildings controlled by the vice-dealing syndicate, and then were forced to pay the syndicate enormous rents for the building occupied.

All of which goes to show that Mr. Edwin T. Earl has a clear title to enter The California Weekly's galaxy of California men "Who Do Things That Are Worth While." He knows the value of doing as well as the next man, and does not throw them at birds; but his career since the Los Angeles Express fell into his hands shows that he knows the value of character as well as that of dollars and is capable of placing character above dollars whenever a collision of values becomes necessary. It is that particular type of man in which our state and our time stand in greatest need.

Joaquin Miller's real name is Cincinnati Hiner Miller. He is a native of Indiana.

The world's record ski-jump is said to be 146 feet, three inches, made by Harald Smith, a Norwegian.

William de Morgan's forthcoming novel will be called "It Never Can Happen Again." It is longer than "Joseph Vance."

John D. Rockefeller's share of the stock of the Standard Oil company (247,690 shares) is estimated to be worth \$164,691,540.

Robert Edeson, the actor, has asked Theodore Roosevelt to write him a play based on his African experiences for Mr. Edeson's use season after next.

Miss Eleanor Colgan of Brooklyn, N. Y., is the first woman in this country to be honored by having the order of Knighthood of the Church and the Papacy conferred on her. It was granted to her by the Pope for her work among Italian children in America.

("Temperance"—Concluded.)

rope, our engineers are not long in using it to advantage here, if a new wider and less explosive or gun be manufactured, with which to deprive thousands of soldiers of their lives, our government immediately takes steps to secure the destructive powder or the bloody infernal machine for our army and navy; as soon as the French way of fashion is seen riding in the Bois de Boulogne in Paris with a new style of hat, presto, the mode is flashed by wire across the ocean and be that hat in the shape of a saucerpan or coal scuttle, in an incredibly short time, we see the American lady in New York, Boston, Washington, Chicago and San Francisco, displaying the identical creation!

Ever since the first pilgrims landed in the Mayflower at Plymouth Rock, we have been introducing ideas from every section of the world in the moral, social and commercial development of our country. But, unfortunately, there are some important customs which we have failed to adopt—wine drinking, for example. And yet we have proof galore that the general use of wine at meals is conducive to temperance and happiness.

American and French Restaurants.

Go into an American restaurant in San Francisco and you will find the guests devouring their food hurriedly, eating half baked bread and drinking dyspepsia-producing ice water, probably too busy with their newspaper to waste much time talking to their companion. They are serious looking men, with long faces and appearing as sanctimonious as if they were in church or at a funeral. Not a word escapes their lips unless it be to talk "shop" to their neighbor.

Then go to a French or an Italian restaurant and you will find the guests with smiles on their faces, cracking a joke or perhaps discussing the voice of the prima donna or the grace of the first danseuse at last night's opera. They all have before them well cooked and deliciously seasoned viands, with the baked bread, and invariably a bottle of red or white wine. By the hubbub in the room and their smiling faces you can see that they are all as sober as a judge and as happy as school children.

Now, Mr. Editor, you ask for a practical solution of the evil of drunkenness. My answer is, encourage the use of wine in the American home. Let every man, woman and child be taught the benefit of its adoption as a delicious, non-intoxicating beverage.

This is to encourage the grace of common sense and is a plan that ought to appeal to men of average intelligence and does not "leave human nature out of consideration." It is not an experiment, for it has been in use in the grape-growing sections of Europe from time immemorial, and as a result, drunkenness is practically unknown.

A Great Productive Industry.

Now, it has been shown that when the demand will justify, the states of California, New Mexico, Ohio, Missouri, Virginia, New Jersey, Michigan, and many other states of the Union, especially in the South and Southwest, where grapes are grown, can produce just as much wine, of as good quality, and as cheap as that now produced by the European countries. And, as the grape vine thrives along the mountains and hillides where few other products can be profitably grown, we have within our reach the power of developing a new agricultural industry which will furnish annually a revenue of \$600,000,000, almost enough money to pay the ordinary expenses of running the government of the United States, and bringing millions of acres of waste land into production which will give remunerative employment to several millions of happy vineyardists, turn our mountains, now even fit for sheep ranges, into luxuriant vineyards, erect numerous wineries and thus create new towns and cities throughout the states of the Union.

Now, Mr. Editor, I think I have given you a "workable plan"—a plan that will remove the "evil of drunkenness" from our midst and save the viticultural industry the most important in our country. Let the people of the United States give it a trial and they will soon find that history will repeat itself, that the same conditions of sobriety that prevail in the

wine-drinking countries of Europe will be promptly duplicated here.

American people, it is up to you!

Lady: "Do you take instantaneous photographs?" Photographer: "Yes, madam; I can photograph a hummingbird on the wing, or a swallow in its flight." Lady: "I want my baby's picture taken." Photographer: "Yes, madam. Get the little fellow ready, and I will prepare the chloroform."—New York Weekly.

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Criminal Proceedings.

The sixth amendment to the Constitution of the United States reads as follows:

In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Having read the above paragraph once will the reader kindly read it over again just to notice its simplicity and directness, the reasonableness of the provisions made for the protection of those falsely accused of the commission of crime? What more could such a person reasonably ask than for a speedy trial rather than rotting in jail for a year or so, or thousands in other countries have done without being tried at all; that the trial shall be public in order that all the world may know how fairly it was conducted and that no mean advantage of innocence was taken; that the jury shall be impartial—that is, disposed to judge equitably between the accused and the state; that the trial shall take place where the crime was committed, not off in some far corner of the Union; that the defendant shall be informed of the nature of the charge against him so that he can prepare himself with the needful witnesses and a proper line of defense; that the witnesses against him shall give their testimony before him openly and not sneakily behind his back; that witnesses on his own side of the case shall be forced to come to court and give their testimony and not selfishly stay away and suffer him to be punished because it was of no concern to them and, finally, in the event of the accused being too poor to hire an attorney, the public shall hire, or the court instruct, some one to aid him in the conduct of his defense? What more could reasonably be asked than these constitutional rights of the American citizen set forth in this amendment, which the people demanded for their protection? Does it not all seem very simple and direct and easily understood?

And yet the interpretation of those simple clauses has furnished opportunity for thousands of lawyers to hammer and hack at the obvious meanings of words, for judges, more learned in the subtleties of disquisition than wise in their knowledge of good and evil, to potter over the crossing of t's and dotting of i's while justice has been dragged through muck and mire at the tail end of chariots proudly driven by criminal captains of industry and past-masters of financial legerdemain. Of all departments of government there is none other that falls so far short of making good as the Department of Criminal Justice, and this is about equally true whether reference be had to national or state administration.

In some respects the sixth amendment was unfortunately drawn. It declares that the accused shall "enjoy the right," to a speedy trial, but it does not say that the government shall "enjoy the right" to force the defendant to a speedy trial, that there shall not be delays and continuances until the witnesses for the people shall have died or moved beyond the jurisdiction of the court and public interest has lost sight of public wrongs sustained. The delays of the criminal law have become a national disgrace.

And what constitutes an impartial jury? We, of San Francisco, have just seen three full months devoted to an attempt to secure the impaneling of one such jury, during which 2370 citizens were summoned into court out of which considerable army to select thirteen impartial men. Is impartiality so rare a quality that only one citizen in each 200 is capable of it, or has an artificial and technical system of jurisprudence whittled at the meanings of words until that which was once obvious to ordinary understandings is now inscrutable even to the most learned?

What of the "right to be informed of the nature and cause of the accusation?" It would seem that if a man were charged with murder,

arson, robbery, bribery or graft it should be easy enough to so state the nature of the accusation, as fully to advise the accused of the nature of the offense of which he stands charged, but the adroitness of professional sophistry, and the attenuated discriminations of a technical judiciary, have made of the wording of indictments so fine an art that the mastery of it has been accomplished by perhaps one attorney in the thousand. Indictments are so far removed from being models of written expression as to read, to the untrained, like meaningless jargon.

This sixth amendment to the Constitution of the United States was designed to safeguard innocence against the power of the politically strong to oppress, and if the judiciary had held it to that sole function all would have been well; but under the guise of protecting all men in the full enjoyment of "their constitutional rights," it has come to pass that those able to avail themselves of the services of maladroit attorneys, no matter what the character of their crimes or the degree of their guilt, are able to purchase immunity from human punishment with the same certainty (if not facility) that, in a former age, criminals were able to buy churchly indulgences, at so much per, for the commission of offenses against the moral law. Unless there shall be one and the same law, and one and the same administration of that law, whether it have to deal with the rich or the poor, the humble or the great, our civilization must be written down a failure and a better form of government than the one our fathers founded must take its place. This makes the administration of justice in the United States the supreme concern of the People of the United States, and demands of them a trained and consecrated citizenship.

BROADENING.

By Charles J. Woodbury.

Mary may not have been of all
Immaculate of mothers.
May be the flash that blinded Paul
Has blinded more good brothers.
Perhaps from Patmos what John saw
Was but a passing panic
Of sea and sky disturbed by law,
A spectacle volcanic.
What if within Messiah lurked
Some flaw that found correction?
What if there were no wonders worked;
And if no resurrection?
Yet dreams and gleams as high as these
Come, blessing and unsealing.
To those who seek the verities
And follow their revealing.
And Heaven is his who now on earth
Gives Heaven or tries to give it.
There is no faith of better worth;
And good believers live it.

—From The Open Court.

Elmer B. Harris, author of "Sham," in which Henrietta Crossman has scored a hit, is a graduate of the University of California.

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Gathering of the Clans.

It is encouraging to note that the forces of civic righteousness, in the Republican party in San Francisco, are getting together to stand for right things in the government of this city. This paper entertains a sense of disappointment that the rallying of the clans is not to be under the Lincoln-Roosevelt banner. There are not two other names connected with modern American history that stand for so much of value to the American people as these two, and the skirmishes fought, lost and won, under that banner make a part of California history for which California has no call to be ashamed. That movement had arrayed against it every unwholesome political and corporate influence in the state and if it did not make out to whip them all it was because not all of the voters were made to understand the essential quality of the issue. Nevertheless, the name under which the task in San Francisco is to be undertaken is relatively unimportant. The important thing is the task itself. The soul of the Lincoln-Roosevelt League movement was the emancipation of California from corporate control. No movement that has not that for its central purpose will prove worth the powder it will burn. Corporate influence makes for bad government, bad political and commercial morals, the overthrow of popular government and the setting up in its place of government by a purse-proud, oppressive feudalism. Proof of this is to be found in the fact that there is not one Herrinized political worker, officeholder, judge on the bench, whose influence is not thrown against the graft prosecution and in favor of shielding rich rascality from punishment. The struggle for good government must be fought out on the Lincoln-Roosevelt line of action, whatever the banner carried, if it takes forty years to win the victory.

Ho! For Hetch-Hetchy.

Governor Gillett did a good deed when he signed the bill permitting the formation of a water district, composed of more than one city, and placed in that district the power of eminent domain. With an abundant supply of pure water the future of the bay cities must depend upon themselves, not upon untoward conditions over which they have no control. If the graft prosecutions result in no other good they will at least render it tolerably safe for municipalities to undertake large enterprises without fear of serious loss from grafting. Even if no malefactor of them all goes to prison not one of them, and no one like them, will wish to undergo a similar experience. If the Hetch-Hetchy water system can be developed without making millionaires of half a dozen uncommon thieves it will be a profitable enterprise to undertake. The way seems to be clear. Ho! for Hetch-Hetchy.

The Road to Eureka.

Deferred hopes never made hearts sicker than those of Eureka, Humboldt county. They have longed for a railroad to the outer world and have longed long, but it came not. It is to be hoped for their sake, and the sake of

THIS NUMBER CONTAINS

The Eucalypts in California

BY

George W. Peavy

of the United States Forest Service

our good coast counties to the north, that President Ripley's assurance of the speedy completion of the missing railroad link will not vanish into hot air. It is a difficult section for railroad building, but in our day nothing is impossible in engineering if financing can do its part. Eureka has sent out some good human and other timber in past years. It may do still better when facilities for getting out are improved.

The Pleasures of the Populace.

It was a wise school teacher who said: "Give me control of the play of my pupils and I will guarantee control of the school." A wise supervision of the pleasures of the people of a city will make that city easily governed. New York City has just constituted a Recreation Commission, with committees to investigate and report on theaters, nickelodeons, dance halls and out-of-door recreations, not with the view of closing them up, but with the purpose of making them more attractive, wholesome and cheap, in the belief that recreation and amusement are necessary to the welfare of the people. The movement of the Musicians' Union in San Francisco to have Sunday concerts in a number of the parks is a good one. There should be such concerts of evenings, too, and at public expense if the thing be possible. It will lessen the demands for better policing as certainly as well equipped playgrounds lessen juvenile delinquency, and that fact is now beyond the domain of argument. There is no better way in which the earnings of all may be shared with the many than in providing wholesome diversions and in seeing to it that unwholesome diversions are placed under ban, albeit with a large liberality in discriminating between that which is wholesome and that which is not. All attempts to smother, instead of direct, the instinct for diversion, will result in harm and no good.

The Raising Day Triumph.

Fresno raisin dealers and growers have made shift to call a good deal of attention to their product. Their raisin day is a success—

for the day and, let us hope, for days that are to come. They have a good and honest product. It deserves to be more largely consumed than it is, and yet the general tendency will be to offset every added pound of raisins consumed with a pound of prunes left unsold. The great Mississippi Valley is the vortex into which the raisin and the prune are poured. Whichever of these is cheapest gets the call of the market and, if both are dear, the market turns to dried apples and even to pumpkins evaporated or carefully kept through the winter. Where the quantity of any product cannot be absolutely controlled the study must be how to get that product to the consumer at the lowest price, not the dearest, for the mouths of the millions—which constitute the market—have to convenience their appetites to what they can afford to eat. Whatever the price of raisins to growers may have been, to consumers that price has been extortionate, even here in California.

Making Enemies For Protection.

Investigations, through the consular service, have shown that representations made to the Ways and Means Committee of the House of Representatives, by the protected industries, as to the cost of labor in European countries, were grossly inaccurate. They represented that the labor cost of production abroad was much less than it is with the evident purpose of securing a higher protective duty than is needed in order to equalize the cost of production in this country. This denouement emphasizes the need for a permanent tariff commission to do the investigating.

His Redeeming Qualification.

Senator Aldrich is probably not the ablest man in the United States Senate. Since Elihu Root came into that body Aldrich cannot dispute the primacy of ability with him, but he is the most powerful senator in that body and is likely to remain so for some time, even with Root as a factor. He comes from the pocket borough of Rhode Island, where politics is conducted on almost a strictly cash basis, and he has now represented that borough twenty-eight years. During that time he has done at least one honest thing: He has sought to know the business of the government down to the smallest detail and he does know it better than any other member of the Senate. If he does wrong it is not because he does not know right from wrong, but because of an inherent preference for the wrong.

Why Oakland Rejoices.

The commuter is a good deal of an affliction to both San Francisco and Oakland. He can't vote in San Francisco because he lives in Oakland, but he cannot take much of an interest in Oakland affairs because he spends all day in San Francisco. However, the commuter is not without patriotism. He loves both cities and is loyal to them both, in proof of which it may be stated that recent efforts to increase the membership of Oakland Board of Trade have resulted in adding 1,728 new names to the roll, a due proportion of them, without a doubt, being commuters.

ARE OUR UNIVERSITIES DANGEROUS?

The Cosmopolitan Magazine has discovered a mar's nest. Through the efficacy of Mr. Harold Bolce the college professors of the country have been caught in the acts of "up-heaving ancient foundations," shattering cherished faiths, overturning institutions without which humanity has so far been unable to get on and doing many other things all and sundry of which make against the peace and dignity of the nation and the quietude of the people. Mr. Bolce seems likely to become the vortex of a ten-day sensation.

There is no question that there is "something doing," at our universities, that there are many college professors out with hammers in search of images that they may whack them. There is considerable whacking done and now and again a professorial rocket shoots up into the sky leaving in its trail a string of startling phrases which, taken by themselves, have an evil look and an odor not like the attar of roses; but as the rocket vanishes and cometh down, no man knowing or caring where, so it is with the greater part of these professional luminaries. They do not stay lighted.

Nevertheless there is a deal of hard and painstaking work being done in our universities with no other purpose than to get at the truth. If now and then a truth-seeker cackles too soon (or when no egg has been laid) the harm is not serious. It is sufficient that in our universities, as nowhere else, men are seeking if haply they may find that which is to come. Were as nowhere else the mind is freed of shackles and good faith guides the hand of intelligent effort.

Nor need we fear that error, once launched in a university, will go forth to practice piracy upon the high seas of thought and influence. No idea either good or bad can stick up its head at a university without having something thrown at it. Every utterance of every professor is mercilessly criticised by every other professor in the institution. If fares are sown with the good wheat they are uprooted even at the cost of pulling up the wheat, and without stopping to say: By your leave. If the utilitarian idea promises to reduce culture to that which is commercially useful the teachers of belles-lettres come to the rescue with an insistence that nothing useful should be taught and that only the ecstasies of life are its realities.

Let us have no fear for our universities, even though they harbor some whom much learning has made mad. The eternal verities are not to be shaken by madmen and anything that is shaken by them is not a verity. The only thing we need to dread is lack of a free forum and a fair fight in the realm of a painstaking investigation and a trained and accurate thinking. As for the multitude, the saving grace of common sense, denied to many learned minds, will preserve it from serious harm. So long as we can trust the upright-ness of university instruction we can safely leave its rightness to the test of time. It is only when great interests or an unrequited passion of the public mind, begin to fetter or corrupt the integrity of instruction that the public need fear for the universities or the quality of instruction they impart.

"IT IS THE LAW."

It is related that when Jesus of Nazareth healed the paralytic at the pool of Bethesda, and the happy man went bounding away carrying his bed on his back, he was arrested before he got half way home for carrying his bed on the Sabbath day. It puts no strain upon the imagination to conceive with what cold indifference the court looked upon the man's exuberance of spirits as he meted out to him the prescribed penalty with the remark: "It is the law."

THE STAFF

A. J. PILLSBURY, Editor and Manager
CHESTER H. ROWELL, Associate
A. J. WATERHOUSE, Assistant
FRENCH STROTHER, Assistant
O. BLACK, Business Manager

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When the factory system began to establish itself on the running streams of the Atlantic Coast, and dye stuffs began to be turned into them to the discomfiture of the shad, suits were brought by the farmer folk living on the banks of the streams in defense of their piscatorial rights. The courts upheld them. When it was objected that the weaving of cloths for the clothing of the naked meant vastly more to the public than the right of a bank owner to sit and doze at one end of a fishing tackle with a mudworm at the other, the honorable courts looked gravely over their spectacles, shook their sage heads and said: "It is the law," and for fifty years the factory system had to fight for its life against the river shad and the judicial fossil, but it finally won its victory.

Under the Common Law admiralty courts took cognizance of offenses rising on rivers so far as the tide ebb and flowed. Above the tide lands the local courts on the banks of the streams took such cognizance. When navigation of the great lakes began to be a fact the issue arose as to whether offenses taking place thereon should come under the jurisdiction of admiralty courts or of local district or county courts nearest to where the offense took place. Learned judges looked at the subject over their gold-rimmed spectacles, but through the microscope of long established definition and precedent. They saw the absurdity of local courts undertaking to assert jurisdiction over those inland seas, yet as the tides did not ebb and flow thereon they shook their pates for half a century, ruefully denying admiralty jurisdiction, saying: "It is the law."

When water began to be taken from the streams of California for irrigation, and the bank owner asserted his right to the "full flow of the water undiminished in quantity and unpolluted in quality" the courts saw that the strict enforcement of that principle condemned the fairest portions of California to remain desert wastes to the end of time, but again they adjusted the judicial spectacles to their fossilized noses and ordained that it should be the right of the last man on the stream to hear the rivers sing lullabys to the bay of San Francisco while the fertile valleys were left to be the playgrounds of whirlwinds. "It is the law," they said, "and we are helpless in the matter."

To be sure, they changed the position of the Boss of the River from the last man on the stream to the first man, and judicial influence forced upon the state an unworkable, self-bankrupting irrigation district law as a means of getting around a technicality; but in spite of mitigating concessions grudgingly made to common sense by the courts, irrigation litigation has cost California more than all the irrigation works it has constructed and the end of that cost is not yet.

When it was discovered, through the patriotic efforts of brave and self-denying citizens, that the government of San Francisco had be-

come a hotbed of moral leprosy, and franchises worth hundreds of thousands, even millions, could be had for thousands expended in bribery—when the facts were brought out so clearly that the accused themselves had not the face to deny them—and men were convicted of high crimes and misdemeanors, higher courts set the culprits free, or turned them back to the starting point to begin their journey to state prison all over again, for the alleged reason that not all the stations enroute had been stopped at, not all the procedures had been observed: "It is the law," they say, as they wash their hands of responsibility for a palpable miscarriage of justice, a miscarriage that they would not themselves have the face to deny.

California has suffered from drought, it has suffered from the rapacities of a great and greedy transportation company, it has suffered from pestilence and it has suffered from being placed by nature far from the markets for its products, but no one of these causes of suffering, handicap and hardship has equaled the burden of having to carry on its back the weight of a narrow, technical, word-serving, spirit-losing judiciary. It takes not one step forward that is not forced upon it by a pressure from without that should have moved mountains.

It is characteristic of the small mind to get into a groove and follow it. It is characteristic of the broad mind, the mind of a Marshall, to blaze new paths through the wilderness in advance of human progress, and one such brain upon the Supreme Bench of California, during the last third of a century, would have been worth more to California, almost, than Abraham Lincoln was worth to the nation. The superlative need of our state at this time is for one great and broad judicial emancipator from the innumerable "small minds" with which Lilliputians have bound our great state to the dead world of judicial formalism.

"It is the law," is no sound excuse. The law is what our courts, rather than our legislatures, have made it or have permitted it to be made without protest. "No error—in the record of a criminal case, carried to a court of appeals, should lead to the reversal of the judgment unless it affirmatively appears that, but for the error, a different verdict would have been reached." So says William Howard Taft, a man whose preeminence as statesman and jurist entitles him to be heard with such attention as to give to no member of the California judiciary justification for breaking silence. Judged by that standard not one of the appellate decisions, in re the graft cases, could or would have been rendered and, if that rule had been applied, "manufacturers of great wealth" would now be in San Quentin prison where they so richly deserve to sojourn, at least for a season. The trouble is that our big men are at the bar and not on the bench. Until that condition is somehow reversed, California cannot hope for the cheap, speedy and certain establishment of justice, and that condition cannot be reversed so long as judicial positions are mainly filled from the political bargain counter of a great corporation.

A MISUSED WORD.

The tariff issue has brought into the foreground a school of publicists who demand that there shall be economy in public expenditure and, coupled with this demand, is the assertion that the administration of President Roosevelt was extravagant. The question before the house is, What do these people mean by economy in expenditure? Do they mean merely that the taxpayers shall receive a dollar in value for every dollar expended, or do they mean that the dollars expended shall be reduced to the lowest terms? If economy means going without things that the country

ought to have and can afford. The California Weekly is against it. If it means a careful account-keeping of all the money that comes into Uncle Sam's coffers, and a scrutiny of what goes out with the purpose of knowing that Uncle Sam gets his money's worth we are for it. Let us understand what we are talking about.

Public taxation should go to the limit where it verges upon, but does not inflict injury to, the productive power of the people. This continent of ours is a raw farm needing improvement. Improvements should be made as rapidly as increase of wealth will allow. The waterways need to be improved and many rivers canalized. There are hundreds of thousands of acres of swamp lands that should be reclaimed to settlement. The semi-arid West needs to be brought under irrigation. Uncle Sam should own his own postoffice buildings in every second-class office in the country. Harbors need to be dredged and protected with breakwaters. We want as good a navy as any power except Great Britain, as good coast defenses as are necessary to our protection, the rehabilitation of deforested areas and a further spread of expert research in such directions as will stimulate private enterprises and show the way to the highroad of industrial success. All these things the American people need just as fast as they can afford them and no faster.

If possible they should have these things without voting bonds for them. If they can be paid for out of current income so much the better. If the farmer can improve his farm out of the proceeds of the farm work he should not borrow money to do the improving, and what is true of a single farm is true of Uncle Sam who owns all the farms in America.

We should not suffer this cry for economy to stop progress or relieve stored up wealth from the necessity of bearing an income tax, and there are reasons for surmising that the clamor for economy has that eventuality for an inspiring motive. Let it be repeated, economy is good if it be taken to mean opposition to waste. It is bad if it be taken to mean a cessation in government activities along wholesome lines of internal improvement and external defense. If we keep these distinctions clear in our minds we shall avoid being betrayed into the wrong camp.

Putting Away Childish Things.

No one who visited the House of Representatives at Washington while in session was ever afterward able to conceive of that house as a deliberative body. It has always been a go-as-you-please, catch-as-catch-can pandemonium. The quality of statesmanship sent there is so absurd that the statesmen themselves refuse to accord each other the courtesy of a hearing. Not even men in the hundred can command so much as the patient endurance of the others. It will not be so after December. The desks are to be taken out and benches brought in, after the manner of the British Parliament. Having no conveniences for letter writing and lounging it is expected that members will either absent themselves entirely or sit and listen respectfully. There will be sessions only when there is business to be transacted and something akin to order will come out of that chaos. We got our parliamentary idea from Britain in the first instance and the more nearly we follow the British parliamentary pattern the better will the idea get on.

A Government Train.

A bill has been introduced in Congress asking an appropriation of \$60,000 for the purchase of a special train for the President and his suite in order that he may go about the country with facility and in a style befitting

his station. Why not? He needs to see much at first hand, to know the country whose laws he is to execute. Unfortunately, during his pilgrimages, he is more likely to meet men who love the limelight than those who constitute the spinal column of citizenship, but there are compensating advantages. It is worth a great deal to the country to have the people see the President, to look into his face and measure him up. Our government tends toward incorporeality. There is not much to which the citizen can point and say: "This is the government." The President is coming to be the popular personification of government, largely for the reason that legislatures and courts are coming to be the corporate personifications of government. Therefore the people should have every facility for seeing and knowing what of government they have left. Not only should the President have a special train and a yacht to go about with, but an aeroplane as soon as they get to working more definitely, if he wants one.

Eucalyptus.

When the Wright Irrigation District law was enacted it was soon evident that many district enterprises were launched with the purpose of voting and selling bonds rather than irrigating land. When the furor for vineyard and orchard investment struck the state it was soon manifest, to the cost of confiding investors, that the purpose of many fruit enterprises was to sell, or to plant lands at so much per acre, and not to grow grapes or fruits. There are intimations that similar purposes, wide of the mark of growing eucalyptus trees for timber, may be characterizing some eucalyptus enterprises now being promoted. It is not the purpose of The California Weekly to take these enterprises up individually and pass upon their wisdom or their sincerity. That would require a larger effort than we are able to put forth; but it was with the view of laying before the investing public the foundation facts regarding eucalyptus, its production and probable profitability, that arrangements have been made with a gentleman connected with the United States Forest Service for the preparation of a short series of articles dealing with the subject. After that, "caveat emptores." We commend these articles to our brethren of the interior press as being thoroughly dependable in sincerity as well as in the best ascertained knowledge up to date.

The Cup of Misery.

Only in the Book of Life will all the atrocities and agonies attending recent events in Turkey be fully written down. But this is known to a certainty: Turkey has forfeited the right to exist as an independent nationality. It is not fit to survive, and especially is this true of the scheming old scoundrel, Abdul Hamid, who has inflicted upon his people every misery that flesh and spirit can be called upon to endure. The Young Turks seem to have the upper hand, but there is as yet no guaranty that the cohorts of Islam may not march on Constantinople from Asia Minor. If they do it would be a good time for Europe to intervene and close out so much of the Ottoman empire as clings to the soil of Europe. It is not fit to exist anywhere, but less fit in Europe than anywhere. The issue will depend upon whether or not the "Most Christian" nations of Europe are as pagan as the most pagan nation on the earth. As for Abdul Hamid, the best disposition that can be made of him will be to fasten a cannon ball to each of his legs, take him out into the Bosphorus and drop him overboard to keep company with many a troublesome Turkish statesman he has sent on before. First diplomatist of Europe, as he is and has been, he will be a prolific source of difficulty so long as he is above ground.

The Deeper Significance : : : : of Living : : : :

"What our country needs," declared a Stanford professor, lately lecturing at Berkeley, "is more men who dare to be patient and clean thought at the expense of being poor. That is a thought that will bear thinking over."

There is a kind of poverty of which every person should be ashamed. This is the poverty of sloth, the poverty of a low standard of industrial efficiency, the poverty of eating, drinking and being merry regardless of the future. These kinds of poverty are born of lack of moral courage. The saying that it is no sin to be poor is only half true, or, to state it more exactly, is true less than half the time. It is a sin to be poor where sin is the cause of poverty, as it frequently is.

But there is a kind of poverty, or relative poverty—it is seldom absolute—that is glorious. It is a poverty that comes of a refusal to pay too much for wealth, a poverty that refuses to grow rich by coercing the lives of children into dollars through a wage slavery, a poverty due to a refusal to put the cup to the lips of inebriety at the cost of manhood groveling in the mire, a poverty that would be the price of debauching the moral standards of a people, a poverty endured because it could not withstand the competition of extortion practiced by a rival actuated by an unbridled lust for gain, a poverty that is the price of abstinence from graft, chicanery, autocratic pressure. All these forms of poverty are riches beyond the capacity of accountants to compute, and our cities, states and country have need of more persons who dare to be poor rather than purchase riches at the prices here suggested.

It was the same speaker referred to above, Prof. Bert Estes Howard, who declared that we Americans are gaining the world but losing our own souls. The latter statement may be questioned. It is to be doubted if we are gaining the world. We have been shipping the fertility of our soil to the rest of the world to its gain and our loss. We have stripped our mountains and hillsides of their forests and washed our soil coverings into the sea. The generation that settled our valleys and prairies outlived the virginity of their fertility, and yet they must somehow feed humanity until the end of time.

It may be doubted, too, if there be a crevice in the universe through which a human soul may lose itself from the ken of the Almighty, however much it might wish to be hidden under a mountain or lost through a crack; but it cannot be doubted that millions of Americans have paid more dearly for wealth than they could afford, even though they succeeded in getting it, who are ordered on a hurried or so, who throw themselves into the striving, ever did.

It is to be doubted if those who are brave enough to be poor need be very poor. There is no reason why any man of good, fair efficiency may not get on in the world without sapping the blood of childhood, overworking women, debauching men, wronging the city he lives in or overcharging any person, firm or corporation for any service performed. There are thousands who have become affluent and hundreds of thousands who have acquired competency without ever coming into possession of the dollar that they have not fairly earned, and they have accomplished these results without paying too much for them. They have not only not lost their souls in so doing, but have found them, have built them up and made them strong, for it is in the work to which we devote our lives that we fashion our souls.

Nevertheless, our country has need for robust men and women, "Who dare to be patient and clean thought at the expense of being poor." Our country has need also of more persons who not only dare to be poor themselves but dare to demand that others shall share their comparative poverty with them.

WHAT THE WORLD IS DOING

Moral: Build Better Buildings.

After investigations covering a period of three or four months, scientific experts appear to be arriving at the conclusion that the Italian residents of Messina and vicinity were in no slight degree responsible for the terrible disaster that overtook them. Among these is Frank A. Perret, formerly honorary assistant at the Royal Vesuvian observatory. As the result of his observations on the scene, he reports that the great destruction of buildings, and consequent fearful destruction of life, was due in large degree to the faulty construction of most of the buildings. Everywhere, he says, is the evidence that they were largely composed of rubble loosely held together by plaster—a building material which is more successful as a deathtrap than as a shock-defying structure. Better constructed buildings stood the shock very well. In connection with his report, Mr. Perret issues a warning that the country adjacent to Messina is certain to be visited by earthquakes hereafter, and unless structures are better built the disaster of 1908 may be repeated at any time. All of which may as well be read and noted with intelligent interest right here in California.

At Work Among the Hittites.

It has been a long, long time since the Hittites, of Biblical note, lived, did their deeds and passed from the ways, and almost from the memory, of men, and yet the German oriental society may, in a sense, be said to be holding daily communication with them. At Boghaz Kewin, in Asia Minor, Khitta, the capital of the Hittites, has been unearthed by representatives of the society. And so it has come to pass that, after many centuries of concealment under the dust and refuse of ages, articles this all but forgotten people manufactured are taken in German hands and the things they wrote are read by German eyes. Most of the writings are in the Babylonian language, but some are written in Hittite. Among these is a Babylonian version of the treaty of Rameses II with the Hittite king, which was entered into after the battle of Kadesh, and it is anxiously awaited by oriental scholars, as it may, in some degree, overturn ancient history.

Cowardice Defeated the Sultan.

Now that the Sultan of Turkey apparently is "down and out," it is of interest to note that one of his leading generals attributes his defeat to cowardice. Mahmoud Mukhtar Pasha, who commanded the first army corps in Constantinople, maintains this view in the following language: "If the minister of war had taken proper steps immediately, the movement easily could have been nipped in the bud, without bloodshed. I was informed too late, and when I reached my headquarters I found it surrounded by a mob of thousands of excited people. I immediately collected the troops that had not yet become disaffected and with four battalions of infantry, three regiments of cavalry, one battery of artillery and a machine-gun division, I was able through repeated attacks to disperse the people. It would have been child's play to crush this movement at the start if authority had been given me to proclaim a state of siege, but the ministry and parliament were too cowardly. I was forbidden to take energetic measures, and hence the movement became an avalanche." All of which may be true, or it may be only the outcry of one disaffected. Nor does it really matter greatly; however it came to pass, the point on which the civilized world congratulates itself is that this murderous old ruffian is at last de-throned.

To Harbor Airships.

Now that airships have come to stay, the question which agitates many inventors concerns the manner in which they shall be har-

bored. Heretofore airships have been housed in a long, low structure subject to the serious objection that great inconvenience was experienced in getting them out and in. But now comes F. W. Ilges, a German inventor, with a plan which is not unlikely to be generally adopted. Its simplicity is so extreme as to be almost amusing, yet it is but another illustration of that simplicity which scores. Mr. Ilges' suggestion is that an excavation, wide and deep enough to hold the ship, be made in the earth. Into this the vessel would glide, and then a frame of wood or aluminum, covered with sailcloth, would be drawn over it by hand. It looks right as well as simple, but why had no one thought of it before?

English Law to Protect Children.

That which is known as "the children act of 1908" now is in effect in Great Britain, and, as a consequence, the children are more thoroughly protected than they have been. Briefly, it provides, That tobacco shall not be sold to any person apparently under the age of sixteen years, that every child under the age of seven placed out to nurse for more than forty-eight hours must be registered with the local authorities by the foster parent; that foster parents shall not insure the life of a young child, and insurance companies are forbidden to receive such insurance. The act strengthens prior laws dealing with cruelty to children and increases punishments therefor. It attempted to forbid the presence of any child under fourteen years in a licensed barroom, but an error in its construction has been seized upon by liquor-dealers to defeat it. The mistake occurred in defining a barroom as a place used for the sale and consumption of intoxicating liquor." It should have read "sale or consumption," and the publicans, as ready in England as elsewhere to avail themselves of any defect in a righteous law, are contending that the act does not apply to a place where intoxicants are consumed, but not sold—the liquor can be sold in the next house. Notwithstanding this error, the act is doing good work.

The Awakening of China.

China, lethargic through many centuries' at last is awakening, and one of the first symptoms is its determination to have a navy in line with modern armament. The Regent has decided that the conditions which prevailed during the war with Japan in 1894 shall no longer exist, and to this end Duke Tsai has been ordered to raise funds for naval organization on a liberal scale. The Chinese of the Straits Settlements have sent word from Singapore that they will contribute 3,000,000 ounces of silver to such a fund. Prince Su is to be sent on a trip around the world to study foreign naval methods. Most significant of all, perhaps, the Wai-wu-pu has been instructed to confer with the British minister to China concerning a possible retrocession of Wei-hai-wei, now held as a British naval station, to China. So it will be seen that a modern navy for China is imminent, the sleeping dragon will awake, and—what then?

Swiss Watch Industry Ebbing.

There was a time—and it was not so long ago—when, in order to establish the fact that a watch was a good one, it was deemed necessary to demonstrate that it was entitled to bear the label, "Made in Switzerland." That time is past, and the timepiece industry is languishing even in Geneva, its former home. It is competition by the artisans of Germany, France, and particularly of the United States, which has brought about this result. When it came to pass that an equally good timepiece could be made for less money here than there, the Swiss tide began to ebb, and machinery accomplished this result. How hard the Swiss manufacturers have been hit may be judged

by the fact that, whereas in the palmy days they paid their artisans from \$10 to \$15 a week—that their best wages seem scant enough to us—they now pay them but \$6 or \$7. He who once proudly wore a Swiss watch now, with equal pride, wears the American article, unless he chances to be afflicted with Europomania, when he wears one made in France or Germany; and that which advertised Geneva to the world advertises it no more.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

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THE LITERARY SPIRIT OF THE DAY AS REFLECTED IN CURRENT PUBLICATIONS.

CHARLES WARREN STODDARD.

Obit April 23, 1909.

Charles Warren Stoddard, poet—in prose and metre both—was distinguished beyond the common lot of literary men who rank below the scale of genius—distinguished in two respects: in the devotion he inspired amongst his friends; and in his success in opening up to the world a new locale, a new background of literary impression, for he was the literary discoverer of the South Seas, their most sensitive and ardent admirer and their most successful interpreter.

His literary fame will undoubtedly rest upon his "South Sea Idyls," and that part of his verse that sings the haunting fascination of the tropic isles, their languorous delight, their solitary isolation, the beauty of their palm grove beach and azure sea. These are the things that sought his soul, and these his prose and verse sent out in wonderfully picturesque and vivid form to please an unfamiliar world. The "Idyls" found instant favor; they appealed to all the romantic sentiment that lingers in the adult mind with reminiscences of Robinson Crusoe, and the sense of mystery and ease and remoteness and soft dolce far niente that the dweller in the temperate zones ascribes to the tropics. And they did more than simply appease a momentary curiosity: they have a lasting quality that was observed by Robert Louis Stevenson, his friend, who wrote in '86: "I was re-reading some of your 'South Sea Idyls' the other day; some of the chapters are very good indeed; some pages as good as they can be." High praise, from a sound critic, who also knew the subject and the art.

None of Stoddard's later work ever quite redeemed the promise of this first. It was good—some of his verse has the simplicity and music and color of high song. But probably no other subject quite so much appealed to him. Again and again he reverts to it in his poetry, and then he is at his best, as in the "Wind and Wave" and "The Cock." It is a pity that he

California owes him honor and gratitude for his work with local scenes for its background. His mission studies did much to carry the fame of the state for historical interest and native beauty to the older world. And both San Francisco and the little world owe him much for two things: his long identification with the Bohemian Club and his friendly aid to Stevenson. As a Bohemian—in clubdom and in the wider sense of the word—he was famous as a leading exponent of its spirit.

But his friendship for Stevenson was a vital service to literature. When "R. L. S." first visited San Francisco, a very lonely and discouraged exile from his own country, Stoddard was one of the three really intimate friends he made here, and from Stoddard he borrowed books and in his company found encouragement and sympathy that strengthened him mightily for the work that made him later a great name in bookland. Stoddard's quaint lodgings in an old home on a hillside here are described in Stevenson's "The Wrecker" in the chapter entitled "Faces on the City Front."

This genius for friendship persisted in him to the last. Men who scoffed at his work have frequently described how they fell, upon meeting him, at once and irrevocably under the spell of a magnetic personality, a wonderful speaking voice and a rare charm of manner. Perhaps his closest friend for the longest time was Ina Coolbrith, the poetess, who knew him for thirty years and was his intimate to the end.

WIND AND WAVE.

O, when I hear at sea
The water on our lee,
I fancy that I hear the wind
That combs my hemlock tree:

But when beneath that tree
I listen eager, why
I seem to hear the rushing wave
I hear far out at sea.

THE COCOA TREE.

Cast on the water by a careless hand,
Day after day the winds persuaded me:
Onward I drifted till a coral tree
Stayed me among its branches, where the sand
Gathered about me, and I slowly grew,
Fed by the constant sun and the inconstant dew.

The sea-birds build their nests against my root,
And eye my slender body's horny case.
Widowed within this solitary place,
Into the thankless sea I cast my life;
Joyless I thrive, for no man may partake
Of all the store I bear and harvest for his sake.

No more I heed the kisses of the morn;
The harsh winds rob me of the life they gave;
I watch my altered shadow in the wave,
And hourly droop and nod my crest forlorn.
While my fibres stiffen and grow numb,
Beckoning the tardy ships—the ships that never come!

THE PLOT OF "CHANTICLER."

Probably no play has ever been talked or written of so much before its production as "Chanticleer," to adopt Rostand's old French spelling of the word, and such details of it as are known may be interesting. Its five acts are prefaced by a prologue which is said to be a work of high art in itself.

One of the actors steps before the curtain and announces in polished verse that this is a play by animals. But the animals are timid, he says; they must wait until the men have gone away. Then, looking through the curtain, he declares, "The men have disappeared, the play can begin."

The story is concerned with the conceit of the Cock. He is already a personage of great consequence, but he wishes to increase his reputation among the birds. He therefore makes the announcement that the sun cannot rise without him. His bluff succeeds. Every morning there is fresh proof that the Cock's boast is true, for dawn is invariably heralded by him.

The proud rooster falls in love with a guinea fowl, driven to him for protection by the guns of sportsmen. They flee together to a nearby forest, and she, with feminine curiosity, tries to extract his secret. Whence comes this mighty power of calling up the sun?

It is, in a way, another case of Samson and Delilah. The Cock boasts of and explains his power, but one day sleeping overlong, he fails to salute the morn. The sun rises as usual. The result is that the Cock loses much prestige, being regarded as a humbug, and, as a moral, pretentiousness is punished.

One of the daintiest and most amusing incidents in the play is said to be the plot of the night birds. They hold a tea party. As there is danger of being interrupted at 5 o'clock in the morning, the hour is changed to 5 o'clock in the morning, and then they conspire against his Majesty the Cock.

The last act concludes with a line spoken by the dog, who tells his friends the birds that a man is coming, upon which the feathered company disperses.

RUSKIN'S ESTIMATE OF DICKENS.

Of the death of Dickens, whom he greatly admired, Ruskin wrote to Professor Norton: "I know you would deeply feel the death of Dickens. It is frightful to me—among the blows struck by the fates at worthy men, while a mischievous ones have ceaseless strength. The literary loss is infinite—the political one I care less for than you do. Dickens was a pure modernist—a leader of the steam whistle party par excellence—and he had no understanding of any power of antiquity except a sort of jackdaw sentiment for cathedral towers. He knew nothing of the nobler power of superstition—was essentially a stage manager, and

used everything for effect on the pit. His Christmas meant mistletoe and pudding—neither resurrection from dead, nor rising of new stars, nor teaching of wise men, nor shepherds."

THE WIND'S SONG.

By Evelyn Day.

(For The California Weekly.)

I am the lord of the sea,
Master of lands am I;
I tear from its earth-banks a tree,
Aloft I ride to the sky—
I—the wind!

I wander through grass-covered hills—
Dear to the mountains am I;
I toss red leaves to the rills
Aloft I ride to the sky—
I—the wind!

I drive the sea-foam before me
Lord of the mists am I;
The waves and the sea-cliffs adore me,
Aloft I ride to the sky—
I—the wind!

I chase white foam o'er the sands
Playful and wanton am I,
I cry over long prairie lands,
Aloft I ride to the sky—
I—the wind!

Who, who has ever beheld me,
Except the great Lord on high!
I have neither parents nor kindred,
But mighty, mighty am I—
A mighty, blustering wanderer,
A glorious vagabond I!
I—the wind!

THE ELIOT FIVE-FOOT CLASSICS.

Announcement has been made of the titles of some of the twenty-five volumes of masterpieces designed by President Charles W. Eliot of Harvard University for his "five-foot library," which, he declares, will make a complete equipment for the education of the average man, if read with care and understanding.

The entire twenty-five volumes will be published early in July under the designation of the "Eliot Edition of Representative Masterpieces." Of this number six have been edited to date, these being Penn's Soliloquies, one volume containing Robert Burns' complete works, one volume containing Shakespeare's leading dramas and light comedies, one volume containing three works of old Scottish ballads, one volume of histories of biblical times and one volume containing two books on Quakerism.

William A. Neilson, professor of English literature at Harvard, and a close personal friend of President Eliot, is engaged in the work of editing the works for the publishers, who will be F. F. Collier & Sons of New York.

Miss Marcia Craft, a native of California, is winning laurels as a grand opera singer in Germany. She is about to return to America, and will appear in California this summer in concert.

Col. Alexander K. McClure of Philadelphia, one of the best known journalists of America, though eighty-two years old, recently visited the South and spoke before the board of trade in several cities. He is a veteran of the civil war, was for thirty years editor of the Philadelphia Times, and always a force in Republican national politics.

Gabriel d'Annunzio, the Italian dramatist, works only at night, arising at five in the afternoon, beginning work at seven, and working until nine in the morning, with a dinner of two eggs at two a. m. He wrote "Phedro" in seventeen days and "Pieta" in fifteen days.

Sir William S. Gilbert, the librettist of the famous Gilbert and Sullivan operas, is at work on the book of a new comic opera.

HOW CAN WE PEOPLE CALIFORNIA?

By ELMER ELLSWORTH CAREY.

If the farmer can thrive in spite of the ice-bound winters of Manitoba and Winnipeg; if he can exist on the blizzard-swept plains of the Dakotas, Montana, Wisconsin and Minnesota; if he can find life tolerable in the cyclone cellars of Kansas and Nebraska; if he can eke out a precarious existence amid the stones and stumps of New England; and if, throughout the East, he finds life worth living during the furnace-like heat of summer and the long hibernation of Arctic-like winter, what would he think of a home in California where spring is perpetual and the most fertile soil on earth pours forth golden treasures every day in the year? I can answer the question. The dwellers on the plains of Manitoba, and the blizzard-swept acres of Wisconsin, and the rock-ribbed New England farms know nothing definitely of California and its attractions; they know nothing of our five-acre farms which are as profitable as forty acres of Connecticut rock holes; they know nothing of our great state as a home and haven where the bounties of lavish Nature may be enjoyed perennially and where sleet, snow, blizzards and cyclone cellars are but a memory.

There are in the East tens of thousands of dissatisfied farmers who are needed within our boundaries. But an insignificant portion come to this state.

What is the reason?

Why does not the eastern farmer come to California?

What can be done to induce him to come? I will briefly indicate some of the reasons why he does not come, and then suggest a plan to interest him in a California home.

It is quite true that attempts are being made to advertise this state in the East; but these attempts are not made by those who understand the science of advertising; our promoters and friends are not acquainted with the psychological processes that govern the human mind; the art of creating a *Desire* is unknown to them. Our friends are not acquainted with the mental calibre of the average eastern farmer, or how to cultivate the proper mental conditions which precede emigration. In the first place, this state does not need capital. Money never built up the West or laid the foundations for a great state. No American Commonwealth was founded on money; rather all were founded by the ax and the plow and a good strong arm and heart.

This state does not need capitalists; it has no particular use for millionaires; it has enough of its own, who, with a few shining exceptions, are ever a drag and an obstruction. Millionaires and progress will not mix. Millionaires have been put to some use around Los Angeles, where they have laid out orange groves and fine boulevards and spacious villas. But these things are not of any particular benefit to the state. They do not fill our vacant acres with vine-clad cottages, and we need those vine-clad cottages and the attendant crop of roses and youngsters.

Advertising the bank clearings and the number and value of building permits is of little use. We want settlers. The kind of people we want have no need for safe deposit vaults and they are not interested in building permits. We want tillers of the soil. We want people to cultivate small farms. We want chicken ranches, vegetable farms and fruit orchards; in one word we want the land settled. We do not want manufacturers for we have no population to supply employees. Manufacturers will follow population; they can't precede it. We can't get labor to pick our prunes. We want farmers to come, so that the children can pick the neighbors' fruit. Advertising our daily temperature in the East makes no impression on the prospective settler. All such methods never touch the main issue; they create no *Desire* for a home in the Golden State.

In our advertising we have overlooked the man with a hoe. We talk about the land of

sunshine and flowers—glittering generalities—but the man on the chicken ranch a few miles from Milwaukee has no definite idea of this state. I have talked with him. This man on the little truck farm near Joliet, Illinois, frozen six months in the year, has been overlooked. He has told me so. California is as far away as Patagonia; he knows California is a place where they found gold; California is a concrete proposition; California as a home for him; the real California, with its wealth of opportunities, has never been presented to him. He has been overlooked. He sees no vivid picture of that little California home with an acre or two and the chickens and the cow in the alfalfa and the glorious radiance of the setting sun tinting the crimson tomatoes. This picture of a little farm about two miles from Santa Rosa, near the Sebastopol road, has never been painted for him. Had it been, he would be occupying it.

We have been shooting over the mark. We never touched him. We never used the right kind of ammunition. Our efforts have been scattered; we know not how to concentrate and get results. We couldn't "close the contract."

A man born and raised in a certain locality near Paw Paw, Michigan, surrounded by friends, relatives and neighbors, will not frantically pack his trunk and madly flee to California because some transportation company sings in two or three colors,

"Seventy-two hours

To the Land of Flowers."

The transportation company has little knowledge of human nature or it would use different bait. The transportation company never talked with the man near Milwaukee or Joliet or Paw Paw.

The simple reason why the eastern farmer does not come is because we have not offered him the right kind of attraction; and he has not even heard of the attraction we have offered. Our glowing descriptions never have reached him. The rank and file of the people of the East have been overlooked. Again, a farmer down in Ohio, near Columbus, read of California and was interested. He said to his wife one evening, "Suppose we move to California." After a minute's consideration, she replied:

"John, it is very nice to talk about moving to California; but what will we do when we get there? Where will we settle? Where will you find a farm? California is a big state, over seven hundred miles long and you know nothing about the land there; you know nothing of the various localities. How can you select a farm in a strange country when you know nothing of local conditions? You have no friends or friends you would not know or to what to believe. Real estate men will tell you anything to make a commission. John, don't you think it would be a wild goose chase to start to California without knowing where you were going, or what you were going to do or where you would settle? Seems to me it would be a leap in the dark."

These expressions of that farmer's wife are the expressions of thousands of wives; just put yourself in the farmer's place and think it over from his standpoint. You will see one reason why there is not a wild stampede for the Golden State. The farmer has no definite, objective point; there is no localized magnet to draw him.

The populating of a state is a business; it must be conducted scientifically; it must conform to a well thought-out plan, embracing all the conditions and providing for all contingencies, and recognizing all the laws governing the migration of large bodies of people. It can be no haphazard plan must take note of the actual conditions in the East; the personal equation must be provided for; the wife must be convinced; the campaign cannot succeed unless all the elements are considered. The moving of large numbers of people to a

strange land cannot be done by colored posters and handbills; you can sell soap by means of lithographs, but you cannot draw people 3,000 miles by means of colored pictures and paeans of praise for our glorious climate, and right here is the corner-stone of our troubles; we have tried to advertise a state in the same manner as we would advertise shaving soap, or a country fair or a circus.

Such methods will never fill our wailing valleys or dot our foothills with farm houses. At least they have not so far, for our valleys are still waiting, and our foothills are not yet dotted with the farm houses.

And yet there is a man up in New Hampshire on eighty acres where he has struggled for twenty years with adverse conditions in a heart-breaking struggle to keep the wolf and

(Concluded on Page 367.)

Fairmont HOTEL

AN ILLUSTRATION OF THE
PALACE HOTEL SPIRIT AND THE
PALACE HOTEL SERVICE.

Room, with bath, \$2.50 upward

Under the Management of
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IN ALL DEPARTMENTS

"Quality is remembered long
after price is forgotten."

VISIT THE NEW BUILDING

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OAKLAND, CAL.

AS THE WORLD WAGS

By A. J. WATERHOUSE.

He Walked a Lowly Way.

He walked a lowly way:
For him no white, bright height of earthly
fame,
No idle jaunt in days devoid of care,
No store of gold to win the fools' acclaim,
No crown or robe that mortal might may
wear.
Nay, all the fates conspired that he should be
To humble circumstance a constant prey,
And so, in paths that none but love might see,
He walked a lowly way.

He walked a lowly way

Yet ever at his feet fair blossoms grew,
Such as the sweet, rich soil of love doth
yield.
And in their fragrance calmest peace he knew,
And smiled at all the bodeful fates revealed.
Wee hands reached out to bless him where he
stood,
And sweet Love cried, "Let me thy love
repay,"
And so he held that life to him was good,
And walked a lowly way.

He walked a lowly way.

He saw the legions dumb of woe or guilt,
And, lo, his eyes were wet by pity's rain;
Saw those who fell in pitfalls man had built,
And reached a hand to lift them up again;
And so it came that he of discord made
The wondrous song that Love doth sing for
aye,
And blessing reached him from the pits of
shade
Along his lowly way.

He walked a lowly way.

Ay, lowly in the sight of men who dare
To judge by tinsel trophies of life's need,
Yet, when death came, their voice was like a
prayer
Who sighed, "He served me in my bitter
need,"
And who shall doubt a hidden door swung
wide,
As to a victor in the earthly fray,
What time he passed unto the other side
Along a lowly way.

Rev. Vaughan On Religion and Rats.

Rev. W. E. Vaughan, a clergyman who is said to be the editor of a sectarian paper published in Oakland, is wandering from California and it should be noted with gratification that recently he had gotten as far away as Atlanta, Georgia. In the course of an address there, he is reported as using the following language: "Irreligion is rampant among the colleges of California and something must be done to save the students from the devil. I should venture to state there are more saloons in California than there are Methodists, and yet we are going to turn the west over to northern ministers. We should as well turn it over to the devil." Again in the course of the address, he is reported as saying that "amongst the 7,000 students in the colleges of California there isn't enough religion to save a rat, if a rat were subject for salvation."

It must at once be conceded that Rev. Vaughan is better qualified to discuss some phases of his subject than are most of us. For instance, how sadly little, as compared with his knowledge, the generality of people know concerning the amount of religion that would be required to save a rat! And, again, how regretfully must we admit that his knowledge of the ways, works and personal characteristics of the devil leaves ours out of sight! He is in his own field there, and the rest of us comparatively grope.

But, even thus handicapped, there are some of us who enjoy a considerable personal acquaintance with students in the universities and colleges of California, and we know they are a long way from being so universally irreligious as this wandering shepherd would suggest. Many of them belong to churches, as do a large proportion of their professors (what-

ever that may prove) and they support both young men's and young women's Christian Associations.

The fact of the case is that the students of California, like those of other states, are composed of good, bad and indifferent, religious and irreligious, and he who proclaims there is naught but evil among them is an infamous villifier. Rev. Vaughan should confine his oratory to the subject of religion and salvation for rats, for, in so doing, he will not so rapidly acquire a reputation as a vicious slanderer.

The Automobile at Bourbon Camp.

The day was calm an' peaceful, an' the citizens the same
Which at Bourbon Camp had gathered for a friendly little game.
The sun was gaily shinin' an' a-smilin' through the leaves,
An' Bill Boggs was also smilin', with three aces up his sleeves.
Oh, they wan't a thing a-breakin' of the silence an' the hush,
An' the western sky was painted like my hand—a royal flush.
When there come frum up the canyon half a yell an' half a shriek,
Like the torched soul that's askin' which 'll be the iceman's week.

"Lawd of love!" said Hiram Bottle, "That's ole Gabrel's horn, I claim."
An' he's caught me playin' poker, with a hand that is a shame.
Won't somebody ask the blessin'? Now I lay—"
"He stopped right there,
For there come a hon-less waggin whoopin down the thoroughfare,
Not a hoss, an' not a critter, not a thing on earth to pull.
Says Long Bill before he fainted, "Beats four aces or a full!"
Never stopped a single minute; just a streak of red an' smel'
Madly hustlin' down the canyon an' pursuin' of its yell.

So it come an' went. The seasons still to Bourbon come an' go,
An' the hills are shaped in purple 'gainst the western afterglow,
But the joy of poker's flitted, an' the players' faces wan.
Fer when someone mentions Gabrel, then the argument is on.
"Gabe be blowed!" says Hiram Bottle, "Twas Elisher's chariot."
"Twas Ole Nick," says Bijah Podger, "foamin' 'er his medder lot!"
An' we all our oives have promised that we'll sinless live, an' pure,
For no more that yellin' waggin, it is goin' to git us sure.

The Opinions of Rufus.

All mankind is divided into two classes: Them that wouldn't tell a lie under any circumstances, an' them that still livin'.

Educatin' some boys an' girls I've seen seems to me too much like sowin' the Mojave desert with the idee of gittin' a good crop.

I alters hesitate sorn 'bout heavin' a rock at the devil, fer I've noticed he has considerable many infoerential friends round our neighborhood.

It takes a mighty bright man to git along much if he ain't ever joined the You-tickle-me-an'-I'll-tickle-you society.

The Hebrews traveled in the barren wilderness forty years, an' the Republican party was 'bout forty years goin' frum Lincoln to Roosevelt. How hist'ry does repeat itself.

Blowin' your own bugle ain't allers so successful. The rooster cackles the loudest, but he don't make anybody b'lieve he laid the egg.

Love laughs at locksmiths, but it often heaves a deep sigh when it thinks of the butcher an' baker.

Seems to me 'tain't es much what you b'lieve es how hard you b'lieve it that counts in this world.

It's wuss than useless to teach a boy that heaven's a place where good folks set 'round in marble paws an' play harps when what he wants is to git out on the diamond an' play ball.

Faith without works is dead, an' works without faith is a horse on a treadmill.

What Delayed the Judgment.

Political rumor has it that John P. Irish has been requested to hand in his resignation as naval officer. Returned scouts report that Mr. Irish has been observed in an attitude as of deep thinking, but no noise like a resignation has been heard in his immediate vicinity. All of which naturally and gracefully leads up to—
I dreamed a dream. The Judgment Day was here;

At least, the day announced was come at last.

And Gabrel's bugle blast resounded clear, And doubting ghosts in long processions passed.

That awful day To which the years Have gone their way

Thatough smiles and tears; And yet we know, for so the record run, It still must wait till man's last deed is done.

The peoples came, and still the bugle blew The blast of hope, the wail of evil dread.

There came a pause, and longer yet it grew, While waiting stood the ranks of living-dead.

A spirit spoke: "What seems to clog? Has something broke, Or slipped a cog?"

Sighed Gabriel then, his eyes with tears ashine, "I'm waiting for John Irish to resign."

Shade of Henley, Listen to This!

A correspondent of the Modesto News is heard as follows:

"May I commend to you a poem from one inured at Sing Sing? The whole poem I have not, but two stanzas stick:

"Up from the hell that harbors me,
Black as the pit from pole to pole,
I thank whatever gods there be
For my unconquered soul.

"It matters not how straight the gate,
How charged with punishments the scroll,
I am the master of my fate;
I am the captain of my soul."

Great shade of William Ernest Henley, may you never, never know! Out of the anguish and travail of your mighty, fate-defying soul that poem was born, and now, save for a mutilated first line and one or two minor barbarisms, it is credited verbatim—so far as the quotation goes—to an inmate of a penitentiary! The verses belong to Henley, an Englishman whose life was a tragedy and whose gift to the world was his tremendous, death-disdaining poem, "Invictus."

Law and Common Sense.

"Law is based upon common sense," said the distinguished attorney.

"But supposing you haven't your pick, shovel and dynamite, how are you going to dig down to it?" the interested listener inquired.

"Don't talk so. As I was saying, law is based upon common sense, as—as—well, as the ocean is based upon land, for instance."

"Your simile is good," was the response. "The trouble in both cases is that man has not as yet been able to devise an apparatus in which he can get down deep enough to find the foundation."

Whereupon the lawyer disgustfully turned away and filed another bill of exceptions.

LITTLE TALKS WITH OUR READERS

My dear Mr. Pillsbury:

I desire to acknowledge the receipt of your favor of the 23rd inst. If I had had any special criticism to make which I thought would have helped you I would have given it to you before. I am not dissatisfied in any way with the attitude or policy of The California Weekly, and I premise what follows with the statement that I do not feel that it should abuse anybody or thing more vigorously than it does. My criticism is rather as to its style. It strikes me as not sufficiently virile or bright. I read it regularly and read it with interest, but my personal interest in it is so great and its views accord so with my own views as to matters, that I am not an average reader. I do not believe the average reader is very much attracted by it.

I know this is all very indefinite, but it is about the best that I can do.

Respectfully,

A. SHAREHOLDER.

San Francisco, April 26, 1909.

Hearing that the writer of the foregoing letter was not wholly satisfied with The California Weekly the editor wrote to him asking a frank and unsparring criticism. The reply is given above complete, save the name of the writer, whose disinclination for publicity compels its being withheld. There are three important points made in this communication, each of which deserves frank consideration.

The first is that The California Weekly should not "abuse anybody or thing more vigorously than it does." This implies that it has "abused" some person or thing. It has not done so consciously, but there are wrongs so flagrant, and conditions so intolerable, especially in relation to the establishment of even-handed justice in this commonwealth, that they deserve to be hit as hard as they can be, even "slugged" if the hitter has power to slug. When Christ uttered his "Woe unto you Scribes, Pharisees, hypocrites," no doubt the Scribes and Pharisees complained that they were being abused. The editorial staff of this paper will promise never to use stronger language in denouncing wrong doing and doers than was employed to the same end by the Savior of Men.

The California Weekly is not sufficiently virile or bright. The justness of this criticism is conceded. There are few sparks of genius scintillating through its pages. Its one constant prayer is, however, that heaven may deliver it from being dull. Some say that it is dull, others that it is not. The makers of it are the poorest judges as to that, but they sometimes wonder if its critics have not mistaken "clever" writing or strong and ill-humored sarcasm for virility. All its competitors strain after literary cleverness and sarcasm and so have fixed a standard of expectation by which newer ventures are judged. The Staff of The California Weekly have sought to avoid just those two things and to substitute for them frankness and good humor. This is done in the belief that time will prove it the better way.

Finally, our critic does not believe that the

"average reader" is much attracted by The California Weekly. Right again. The average reader is not and never will be much attracted by The California Weekly. It never entered into the calculations of the founders of this enterprise that he would be. California has a population of approximately 1,750,000. Of these probably one-half are, to some degree, readers and 500,000 of them "average" readers. The average reader craves excitement, not instruction. He wants thrills of intellectual interest to chase each other with lightning-like rapidity throughout all the ramifications of his sensory system. It is pleasurable. The tragedies of domestic infelice, the crunching of bones under automobiles, the groans of the dying in wrecks and the starkness of the dead are as ecstatic as tickling a boil where the collar button ought to be; but these are not they who make society what it is. It is the exceptional and not the average reader to whom The California Weekly addresses itself. He is probably one in ten in ratio to the average. That leaves The California Weekly a possible constituency of 50,000 in California. Its present ambition is to find one in five of these. With 10,000 readers, who really want to know what is so and so, and to whom The California Weekly to tell them, this paper will become the most puissant force in the journalism of California, and for the reason that its constituency will be the molders of public sentiment and the doers of things worth while. Whoever helps The Californian Weekly to reach one more exceptional reader, one more reader who will stand for the right when he learns what is right, is a friend to the Weekly in need and deed.

Editors The California Weekly:

Gentlemen: I am sending you herewith another subscription. I take a great interest in The California Weekly and its welfare. As long as you maintain your present moral standard many people will go far out of their way to aid you.

Cordially,

WILLIAM CRANSTON.

Middlefield Road, Palo Alto.

When we fail of maintaining our present moral standard we shall deserve to have people go far out of their way to kick us. It is the failure of the public to go out of its way, either to help or to hinder, that is responsible for the lax journalism so generally deplored. Periodicals conducted primarily as financial enterprises will be only as good as they have got to be to maintain their existences for the reason that the commercial side of the venture constantly tends toward lowering ideals and making compromises with expediency. This has given rise to the thought that an honest paper must be endowed in order to live. A principal mission of The California Weekly is to prove that, after a nursing period has been tided over, an honest paper can live because it is honest and in the expectation that "people will go far out of their way to aid it." On that peg of expectation we hang our future.

POLITICAL GOSSIP.

Who Will Bell The Cat? The recent upheaval in Los Angeles has led to a general desire, if not to a actual determination, to drive Walter F. X. Parker out of politics in that city. That might not be wholly an advantageous thing to do for, if driven from Los Angeles, he might come to San Francisco and John C. Lynch is plenty and to spare. What has galled Los Angeles to the point of taking extreme measures is the public avowal, of what was well enough known before, that Walter Parker was responsible for Harper and his administration. The official representative of the "organization" that never tires of shouting "renegade" at every Republican who asserts his independence of the party boss, has been publicly convicted of throwing overboard an "organization" Republican and putting in office an "organization" Democrat in order to defeat an independent Republican for office. This shows the quality of the Republicanism of the "organization" in so plain a light that no person can longer doubt that it is "organization" first and, afterward, Republican or Democratic as convenience warrants. However, Walter Parker and his injurious functions can best

be disposed of by interesting better men in public affairs. Parker is what he is because good men are not always good citizens.

"Baker is not a bit up-to-date." "Orthodox or badly dressed?"—Life.

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The Victor without a horn! It looks like a music cabinet—it plays and sings like the artists themselves without rasp or mechanical noise. Now being installed in all the best homes in America, in the choicest suites of the finest hotels, aboard the ocean greyhounds and in the palaces of nobility throughout all Europe.

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POLITICAL TABLE TALK

By THE WATCHMAN.

San Francisco a Republican City? The most significant fact in San Francisco's municipal campaign is that, of the registration to date, 56 per cent is Republican, 22 per cent Democratic, 10 per cent Union Labor. This is said by astute politicians to reflect an undercurrent, silent but powerful, of dissatisfaction amongst laboring men with the political methods of the labor leaders, McCarthy and Casey. Both these men have been juggling candidates and sparring for control in the Labor Party, though they will probably drop their differences in time to combine their factions on one ticket. But a lot of labor men believe that McCarthy and Casey are playing politics rather than making a straightforward effort to get union labor worthily represented, and they are registering as Republicans and Democrats in hope of sounder nominations from those parties. If the "regular" and the independent Republicans unite on a clean ticket, they have apparently a clean sweep in prospect next November.

The Memory of "Tim" Sullivan Several things, however, seem to stand in the way of a united Republican front. The only Republican candidate for the mayoralty nomination who has definitely come out is William H. Crocker, "the retired mill man, not to be confused with William H. Crocker, the active millionaire man at the Woolworth bank," as one man phrased it. Crocker's political manager is "Tim" Sullivan, who, the Lincoln-Roosevelts declare, was a renegade in the last campaign, posing as a reformer for practical purposes only and jumping to the machine at the critical moment. Sullivan was the moving spirit in the one or two unfortunate compromise alliances made by the League in San Francisco during that campaign, and his activities have not been forgotten nor is his identification with a Republican candidate going to help toward a united Republican party next fall.

Independent Republicans Further evidence of this state of affairs is the formation, a couple of weeks ago, of the Municipal League of Independent Republican Clubs, with practically the same leaders as the Lincoln-Roosevelt League and some new men besides, representing the reform element of the party in the local campaign. These men have profited by the mistakes of the last campaign, and with an organization of eighteen permanent clubs in the assembly districts are determined to force the machine to put up a clean ticket or be whipped. The new League is formed primarily to represent reform Republicans in the local issues of the city election, but its fundamental principle is the same as that of the old: to cleanse government of the political contamination which has been the bane of the members of the advisory committee that launched the movement have their doubts of the full sympathy of one or two of their fellow members regarding this principle. It is possible that a reorganization of the committee may become necessary as this organization develops.

Labor Politics The Labor candidates for mayor are pretty much in the air. Casey is toying with Andrew J. Gallagher, secretary of the San Francisco Labor Council, on the one hand, and with Frank J. Sullivan, the recent convert from Democracy, on the other. We are informed on credible authority, by the way, that Father Yorkie is responsible for Sullivan's hold play for labor favor. Sullivan is a brother-in-law of James D. Phelan. One of the strong candidates for the labor nomination is Harry I. Mulerevsky, the county clerk, who is especially anxious because he believes he will have the fight of his life if he runs again for his present office. His troubles are increased by the fact that his own

deputies are doing everything they can to keep him from getting the nomination for mayor. "Where do we get off if he does?" is their philosophy.

Rejuvenated Good Government League A hopeful sign of the times is the enthusiastic rejuvenescence of the Good Government League. From a moribund condition it has suddenly taken on a great activity; its membership is increasing, and its meetings are largely attended by earnest men of all parties. It will undoubtedly figure strongly in the campaign. It is non-partisan. A great part of the voting on election day will be non-partisan, too, but it seems unavoidable that nominations must be mainly partially made.

McNab's Dilemma An amusing feature of the political complication is McNab's dilemma. He personally favors William H. Crocker for mayor. Crocker is managed by Sullivan, and McNab and Sullivan have that regard for each other that the Kilkenny cats had for one another. A political rapprochement between the two would have to be carried on through the bars of a couple of cages. To further discomfit McNab, he is bound up so tight with Coroner Leland that he can't break loose without a complete rupture, and Leland insists on being a candidate.

The Fattest On Record Of the making, and unmaking, of laws there is no end, and the present governor of California is not very useful as an obstructionist. He has given his approval to about 750 acts of the legislature, about 200 more than two years ago, when he took the easiest ones out of the pile and let the rest go for want of time or inclination to consider them. This time he has been given more time by constitutional amendment and may have felt more inclination to oblige legislators by the fact that there is a campaign ahead. The statute book for 1909 will be the fattest on record, but its tendency ever has been to grow session by session a little faster than the state and certainly faster than any need for legislation. Fortunately most of the acts are entitled acts to repeal or amend other acts and not much really new law is made. If it were otherwise our condition would be deplorable. Legislation is mainly tinkering with mainly tinkers who are doing it, but this is about equally true whether in parliament, congress or legislature.

Appropriations Are Very Heavy However Governor Gillett may deport himself with reference to the subject, he certainly is disposed to give to those who ask—appropriations. His approval of appropriation bills two years ago was a record-breaker, and this year he approves appropriations, including the general appropriation bill for the support of state government, aggregating about \$2,000,000 more than two years ago. However, it is not fair to grumble at the aggregate of appropriations and not grumble at appropriations in detail. Further comment will therefore be reserved until the finished schedule is before the public.

Does Not Sound Altogether Sound The reason given by Governor Gillett for refusing to sign the bill specifically extending the power of eminent domain over private water companies, so that their properties may be condemned on behalf of municipalities, does not have the true ring to it. If, as he declares, this measure is necessary for the reason that a court has so held in the Brooklyn case, at least it cannot be worse than unnecessary and that risk is not so seri-

ous as to counterbalance the advantage of making assurance doubly sure. The preference of judges for judge-made law rather than for statutory enactment may make the Brooklyn case important in the eyes of the judiciary of California; but should the Spring Valley people find another court holding a contrary doctrine, than which nothing is likely to be easier, how is it to fare with San Francisco? Without wishing to be unduly invidious, attention may properly be called to the fact that Spring Valley is regarded as one of the allied interests of the Political Bureau of the Southern Pacific company which made James N. Gillett governor of California.

If the Same Be True With reference to the other measure, important to San Francisco, which the governor has declined to sign it is to be said that if the facts are as he is reported to have stated them: that the bill allowing a city six months after condemnation proceedings have been concluded in which to vote bonds, sell them and make the payment, made no provision for maintaining the interim, either explicitly or by operation of law, then the measure was defective, deserved not to be signed and the men who drafted it were strangely lacking in foresight. Judgment reserved until the makers of the measure are heard from.

A Municipal Clearing House Mayor Alexander of Los Angeles has inaugurated a system for keeping in rapport with the citizenry that should be productive of good results both to official life and to the citizenry. He has invited all citizens who find anything out of joint in city affairs, any fire-trap menacing life or man-trap menacing public morals, or whatever else concerns the moral and physical well-being of Los Angeles, to sit right down and write to the mayor the full particulars. These letters will be carefully read in the executive office and duly assigned to the proper official for verification and action. The receipt of the communication will be acknowledged and a report from the proper official required after investigation. There is nothing that keeps a public official so attentive to his duties as looking at him. With ten thousand pairs of intelligent, discriminating eyes focused on public affairs in Los Angeles, with postal facilities normal, nothing can go far wrong without being brought up with a short turn. Mayor Alexander is to be commended for this innovation. If now there are ten thousand Angelenos with moral courage enough to sign their own names to their own cause, of complaint, great results are likely to flow from a very simple device. It is right there that the strain is likely to be felt hardest.

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WITH EYES AND :: EARS OPEN ::

Sometimes intelligent people deprecate the bad taste displayed by the public in its choice of reading matter, as indicated by the records of public libraries. The depreciation is justifiable enough, but—query—do not intelligent people owe something to the public in the way of endeavoring to provide it with librarians and assistant librarians who are competent to educate it to higher literary ideals? As it is, such officials sometimes are either incompetent or grossly negligent of their high privilege in the matter. Here is a case in point.

An acquaintance of mine took a friend's card to the Berkeley public library, and said to a person in attendance there:

"I want to get a book for the owner of this card, as he is unable to come. He wants a good book, not trashy, but of genuine merit." Now, here was a chance, was it not, for the library attendant to do a little missionary work in the way of encouraging a taste for good books? Did she eagerly avail herself of it? Not an eager avail that anybody noticed. What she did was to reach out her hand for the book nearest her, make a record of its number and pass it out to the inquirer, with the remark, "This is a good book."

The book thus airily recommended was "The Brass Bowl," and there may be ranker and more rotten bits of alleged literary work, but I hope that no friend of mine will have to read them. It is the old-fashioned dime novel, slightly modernized but not improved, and encased in a pasteboard-and-cloth cover. The "literary taste" to which it would appeal would not be literary taste, but a scarecrow imitation of it.

Yet this fragment from the garbage heap of literature was recommended by an assistant in a public library as "a good book!"

About how long do you fancy it will take the public to be educated up to a fairly correct literary taste by means of this sort of aid on the part of librarians or their assistants? Surely not the work of a library know and love books, and so help others to know and love them?

Ever watch a man getting ready to go to a theater, or a party, or something? If you have, you never again will say that tragedy does not touch the little things of life.

"Mary," he says, after he is that far along in the process, "where's my shirt?"

"Why, I suppose it is in your drawer," Mary responds, at the same time winking covertly at their eldest daughter.

"Oh," says the man. Then he makes a dash for the top bureau drawer, madly paws over the laces and frills contained therein, and at last announces in the tone of hopelessness, "That's her!"

"Did you look in the drawer?"

"Course! What do you suppose I've been doing—running an automobile?"

"Which drawer did you look in?"

"The top drawer."

"Well, the middle drawer is yours, just as it has been for the last ten years."

"Oh-h!" says the man; then he goes to the middle drawer and exhumes the shirt. He remembers that the middle drawer always has been his, but, he says to himself, how is a man whose mind is preoccupied with important matters to remember such things?

Now things progress swimmingly until another crisis is reached. "Where is my collar button?" he demands to know.

"Isn't it in the box?"

"Which box?"

"What in thunder is the jewelry box?"

"It's the box we've always kept jewelry in."

"Oh-h!" A search. "It isn't there."

"Is it on the bureau?"

"No, I've looked there."

"Fetch it in the shirt you took off."

"Well, of all the imbecile suggestions—oh-h!" The man has found the collar-button, but he

neglects to mention where.

And so it goes. It might be continued indefinitely, but there is such a thing as over-doing tragedy. As the man remarked to me, "It is an infamous outrage, sir, the way women put things away where no man can hope ever to find them."

I look forward to the day when men who brush against one another daily for years will venture to speak as they pass by and will no longer treat one another as if everybody considered everybody else a suspicious and probably nefarious character. But with that day comes I shall be very certain that Time's mighty drop-curtain is about to be raised on the play known as The Millennium.

UP AND DOWN :: THE STATE ::

To look on the youthful and pleasant face of it, one would not judge that the Chico Enterprise has been old enough to vote during the last nineteen years, but it nevertheless is a fact that, quietly and without fireworks, it celebrated its fortieth birthday anniversary recently. The writer does not know what it has been through all these years, but he feels no hesitancy in saying that it is turning out an excellent newspaper to-day.

Now comes the report that Charles F. Lummis may lose his position as librarian of the Los Angeles public library, it having been charged that he is incompetent. At this distance it is impossible to judge of the merits of the case, but, on general principles, it would seem a pity to see Mr. Lummis go. He is a poseur and is spectacular, but he knows the cream of literature from its skim-milk, and this, an excellent qualification for a librarian, is what many librarians glaringly lack.

Judge J. H. Pryor has sold his interest in the Pasadena News to his partner, Lou F. Chapin, and henceforth the latter will "go it alone" in conducting that newspaper. The News was founded by that sterling man and splendid citizen, the late Walter S. Melick, and it is high praise to say that the fine ideal he placed before it always has been maintained. The citizens of Sebastopol, Sonoma county, are to hold a rose carnival beginning May 12th and lasting three days. Money running into four figures will be used to make the carnival a success.

An Oaklander is likely to give Lakeport a somewhat unique industry. He is taking steps looking to the raising and canning of mushrooms in or near the county capital of "the Switzerland of America."

Speaking of Lake county, it is being fairly flooded with prospective railroads in these days. A Napa and Lakeport line has been under consideration for a time now, running into years; it was thought that the Pieta and Lakeport line was assured, and now a line from Ukiah, via Blue Lakes, Laurel Dell and Upper Lake, to Lakeport, is being much discussed. Sooner or later, from all this agitation, a railroad will materialize, and then how beautiful Lake county will boom!

The average eater of horseradish may not consume a great deal of that comestible, but that a large number of such eaters succeed in stowing away a considerable quantity is indicated by the fact that an Oakland man will devote ten acres of land in Sutter county to raising horseradish and nothing else. It seems that he should be able to supply the world, but as he is the owner of a horseradish factory, he probably knows what he is doing.

The El Dorado Republican and the Placerville Nugget have been consolidated into a single newspaper of which W. S. Kirk will be publisher and J. W. Shanklin editor. It is expected that this union of forces will result in a better newspaper.

Orange-growers from Central to Southern California will be interested in the fact that the Santa Fe henceforth will ship that fruit through to Chicago in nearly a day less time than heretofore. The new Belan cut-off makes this fact possible.



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THE EUCALYPTUS IN CALIFORNIA

I. THE VANISHING HARDWOODS.

Written for THE CALIFORNIA WEEKLY by GEORGE W. PEAVY, United States Forest Service.

[This is the first of a brief series of articles dealing with the various phases of the question of planting Eucalyptus for profit in California. The writer, as a member of the United States Forest Service, may be trusted as an informed and conservative guide. He describes the opportunity, the dangers, and the methods of the important industry. Subsequent articles will be: "The Plantation," a discussion of varieties, soil, and climatic adaptability, and "The Product," a discussion of the returns from Eucalyptus plantations. The Editor.]

The interest which is being manifested at this time, not only in California, but in other parts of the country as well, concerning the commercial planting of eucalyptus trees, renders a consideration of the merits of the whole matter desirable as well as timely. The proportions of the eucalyptus planting movement are apparent when it is understood that fully one hundred companies are engaged either in planting eucalyptus seedlings, contracting to plant acreage, selling acreage in prospect to plantations, or selling stock in companies whose avowed object is to plant, care for, and harvest the product of eucalyptus plantations. In fact, the eagerness with which the public is putting its savings into the coffers of the promotion companies is conclusive evidence that they have properly gauged the psychological moment from the business viewpoint.

Hardwood Famine in Sixteen Years.

The peculiar conditions attending the movement, which favor the astute promoter, result logically from the reckless destruction of the American forests. Statistics collected by the Forest Service show conclusively that at the present rate of consumption the available hardwood supply of the United States will be exhausted in sixteen years. There has been sharp increases in the values of hardwood stumpage and manufactured hardwood products in the past few years, while a limited supply and no prospective decrease in the demand points to a still greater increase in prices. The natural casting about for substitutes for our native woods has disclosed the fact that the various species of eucalyptus are suited to practically all the uses for which the American hardwoods are employed. The area upon which eucalyptus can be successfully grown is limited by the peculiar temperature and moisture requirements of this genus. The hardwoods native to the United States are so slow in growth that they cannot be relied upon to supply the demands of the market for many years to come, but the eucalyptus under proper conditions can be grown to a size suitable for utilization for non-pulp purposes in from ten to fifteen years. Consequently it can be made to appear that California has a prospective corner on the future hardwood market and that exceptional yields will bring fabulous wealth to the man who invests his money in eucalyptus; at least, such is a very mild version of the story told in some of the extra-optimistic circulars issued by the eucalyptus promotion companies.

Eucalyptus Exacting In Soil and Climate.

Without question, there is a great future for the business of growing eucalyptus in California and fair returns doubtless await the man who plants the trees under correct conditions. Success or failure, however, depends on whether or not a situation for planting has been chosen where all the peculiar requirements of the species used can be met in a high degree. Since the various species are very exacting in their soil, moisture and temperature requirements many pitfalls lie in the way of the inexperienced or ill-advised individual who starts out to grow a crop of Australian gums. To determine just what the conditions are which make for success in the venture in order that the planter or investor may reap a profit rather than a disappointment, and that the people may receive the benefit of a useful commodity produced by the legitimate expenditure of time and money, is the purpose of this series of articles.

A matter of primary consideration in plan-

ning for the production of any commodity is whether or not there will be a demand for it, once it is produced. In other words, the question is one of a satisfactory market. No thinking man would enter into a business venture unless he felt a reasonable assurance that there would be a demand for his product and that the material expression of that demand would be a price sufficient to cover his initial outlay with fair interest on the investment. Will there be a certain and profitable hardwood market in the years to come? An examination of market conditions for the past few years points to a conclusive affirmative to this question.

Notable Shrinkage of Hardwood Cut.

The hardwood lumber cut in 1899, according to the census, was 8,634,021 M feet; in 1906 it had fallen to 7,315,491 M feet, a decrease of 15.3 per cent. This decrease took place during a period when American industries forged ahead at an unparalleled pace; when there was the strongest demand ever known for every class of structural material; when the output of pig-iron increased 15 per cent.; that of cement 132 per cent.; and even that of softwood timber 15.6 per cent. That the decrease is due to diminished supply rather than to lessened demand seems to be proved beyond question. During the same period the wholesale price of various classes of hardwood lumber advanced from 25 to 65 per cent. Every kind of hardwood found in sufficient quantities to make it useful has been put on the market, and hardwood timber is now being cut in every state and locality where it exists in quantities large enough to be cut with profit. These conditions could not prevail were the decrease in production due to a falling off in demand.

The most notable shrinkage has been in the leading hardwoods to which the public has been accustomed. One which in 1899 furnished over one-half the entire output of hardwood lumber, fell off 36.5 per cent. Yellow poplar, which in 1899 was second among the hardwoods in quantity produced, fell off 38 per cent. Elm, the great standard in slack coorage, went down 51 per cent.

The Diminishing Hardwood Areas.

The main source of hardwood supply is in the lake states, the lower Mississippi Valley and the Appalachian mountains. The greater part of the area covered by hardwoods in the two first named regions can be more profitably devoted to the production of agricultural crops than to timber. Consequently, the principal part of the timbered area there will pass into the hands of farmers who will clear it and turn it permanently to agricultural use. The Appalachian mountains, however, are non-agricultural. There has been no wholesale tendency to clear them for farming. Profitable farming exists as a rule only on the lower slopes and in the valleys. Many attempts have been made to farm the higher mountains, especially in the southern Appalachians, but the farms have been small and generally unprofitable. After the pioneers' patience has been exhausted, the forest has slowly crept back and reclaimed the land from which it should never have been removed. Besides, the low prices which prevailed until a few years ago rendered it unprofitable to bring the timber down from the higher mountains. These conditions mainly account for the fact that the Appalachians have maintained their hardwood production. At the same time, it is only in the Appalachian portions of the mountains that the cut has held up or increased. The truth is that in the Appalachians, as in other regions, the hardwood lumbermen are working on the remnants. The supply is getting short and the end is coming in sight.

Enormous quantities of hardwood timber are required each year for railroad ties, telephone and other poles, for piles, fence posts, and fuel, and a great amount is wasted in lumbering and manufacturing. The present lumber

cut of seven and one-third billion feet represents probably not one-third of the hardwoods used yearly. Twenty-five billion feet is certainly not a high estimate. The largest estimate for standing hardwoods sets the figure at four hundred billion feet. If we are using hardwoods at the rate of twenty-five billion feet annually this would mean a sixteen-year supply.

It is only within the past eight years that the prices have begun to reflect the lessened supply. During that period quarter-sawn oak has advanced from \$55 to \$80 per thousand feet, hickory from \$45 to \$65, and yellow poplar from \$32.50 to \$54. These figures indicate the trend of prices in the other and less important hardwoods.

Great Industries Affected.

Several great industries use hardwood timber mainly or almost exclusively for their material. Notable in this list are hardwood lumber manufacturing, the cooage, furniture and vehicle industries, and the industries engaged in the manufacture of musical instruments, coffins and small wooden ware. All of these would suffer greatly and the largest would fail entirely upon the exhaustion of the hardwood supply. Other industries, such as the manufacture of agricultural implements, freight and passenger cars, boxes and crates, use immense quantities of hardwood, while great amounts are used for home furnishings, railroad ties and telephone and transmission poles.

The situation in brief is this: We have apparently about a sixteen years' supply of hardwood lumber now ready to cut. Of the four great hardwood regions, the Ohio Valley States have been almost completely turned into agricultural states, and the Lake States and the lower Mississippi Valley are rapidly following their example.

In the Appalachian Mountains we have extensive hardwood lands which have been culled and greatly damaged by fires. These are practically all in private hands, and while they contain a large amount of inferior young timber they are receiving little or no protection, and even such young timber as exists is making but slight growth. Even if these over-land be rightly managed they cannot greatly increase their yield of merchantable timber inside of from thirty to forty years.

The inevitable conclusion is that there are lean years close ahead in the use of hardwood timber. There is sure to be a gap between the supply which exists and the supply which will have to be provided. How large that gap will be depends upon how soon and how effectively we begin to make provision for the future supply. The present indications are that in spite of the best we can do there will be a shortage of hardwoods in running time at least in five years. How acute that shortage may become and how serious a check it will put upon the industries concerned cannot now be foretold. That it will strike at the very foundation of some of the country's most important industries is unquestionable. This much is true beyond doubt, that we are dangerously near a hardwood famine and have made no provision against it.

Inadequacy of Substitutes.

The belief is common that the substitution of soft wood, metal, and concrete for hardwood will gradually take place as the supply of the latter is reduced. Already the substitution of metal has made much progress. It has replaced the hardwood in a considerable extent in the manufacture of implements, furniture, and cars, and even in the interior finish of office buildings and in general construction work. Concrete has also come into wide use in construction. Yet, prominent as these materials have become, they are not likely to have reached the demand for hardwood, which, besides being retained for the greater number of

(Continued on next page, first column.)

its original uses, has also found new ones. There is not now much tendency for saw-woods to replace hardwoods, because they have not the strength or other properties to make them acceptable as substitutes. The replacement of hardwood by other materials is to be welcomed where those materials make for better service and cheaper cost. Where they will not, and experience thus far shows this list to be a large one, the problem of a hardwood shortage must be solved in another way.

There seems to be but one practical solution

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according to amount; small loans of \$500 to \$1,000 bearing the highest rates, and those of, say, \$15,000 and upwards, bearing the lowest of six per cent.

I have some mortgages on hand now for sale on that basis, besides several applications for new loans on the same terms.

Did you ever stop to consider the advantages offered by a loan like this where you are sole master of the situation so far as this one investment is concerned, and not for a lot of other reasons I can name?

This is the safest class of investment known to-day.

The security is almost invariably double the amount of the loan and sometimes a good deal more. Mortgage, note, fire insurance policy and certificate of title go with each loan.

To complete a loan you can either come to my office yourself, set through your broker or send the money to me, as you choose.

I personally inspect the security for every loan, examine all the papers in the transaction, select reliable fire insurance and title companies and collect and remit the interest to you every month or every quarter, as you like, without charge to you.

The borrower pays all expenses.

I have placed millions of dollars on these loans without a single loss or foreclosure.

I turn down lots of applications for loans because I am not personally satisfied with every detail. Those that I offer to my clients I guarantee are all right in every way.

A close investigation of my loans, my methods and myself.

The population of Oakland is 240,000 and growing fast; there is much of activity in building and other lines of development here, plenty of opening for capital, and, especially, unlimited opportunity for the use of money.

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References: Any commercial agency anywhere; any bank in Oakland and the Oakland Chamber of Commerce and hundreds of satisfied clients, among whom are, very likely, some you know.

and that is to maintain permanently, under a proper system of forestry, a sufficient area of hardwood land to produce by growth a large proportion of the hardwood timber which the nation requires. This land cannot be found in the Ohio Valley, the Lake States, or Mississippi Valley for reasons already given. A large part of it, however, will be found in the Appalachian Mountains. On the principle of using the land for its highest purpose they should produce not less than 75 per cent. of the hardwood required in this country. The remaining 25 per cent. will need to be produced elsewhere.

California's Opportunity.

The necessities of many industries give California an opportunity. The state can produce in large quantities and quickly, a commodity for which it appears practically certain there will be a demand sufficiently strong to insure a good financial return. Any one who undertakes the commercial planting of eucalyptus, makes sure that the soil, moisture and temperature conditions are correct for the species employed, in which case who plants under correct conditions, may safely assume that the future will bring him a satisfactory return on his investment. These conditions, and the return which may reasonably be looked for, will be discussed briefly in following articles.

STATE NOTES.

Having been successful in its crusade to drive saloons from Fresno, the anti-saloon league feels encouraged to cope with any situation, and so it is announced that it will turn its forces upon Sacramento. There is the making of a strenuous field for such a contest in the Capital City, and the league already has sent its district superintendent out to investigate it. The outlook is warm, but the league thinks of Fresno and takes heart of courage.

The citizens of Modesto propose to paint that city red, white and blue, figuratively speaking, on the Fourth of July. More than \$800 already has been subscribed toward the attainment of that end, and everything indicates that the city will be "a hot time in the old town" on Independence Day.

Redlands is to have a university. Work on the University of Redlands, a Baptist institution, was recently begun, with appropriate public ceremonies.

Rumor recently had it that a workman, in excavating a sewer in Santa Cruz, found a gold nugget worth \$64 at a depth of fourteen feet below the surface of the ground. As this is not the summer-resort season the rumor seems worthy of note, even in Santa Cruz.

It is reported, with apparent authority, that work on the construction of the San Diego and Arizona railroad, to run from San Diego to Yuma, will be commenced within the next two weeks. The road will be laid partly in the United States and partly in Mexico.

In the San Juan canyon, in the vicinity of Hollister, a mountain lion which has caused more than seven feet from tip to tip was recently killed by William Bingham, the animal first having been treed by dogs. The killing involves a state bounty of \$20 to Mr. Bingham.

It is announced that an electric railroad between Santa Ana and Huntington Beach will be completed and in operation between now and the first of July. The line will be a branch of the Pacific Electric system.

SAFE TO TRUST.

Oakland, charged full from the lodestone, has at last become a magnet. And those who look ahead (an awful lot of time is lost by running around) know it. Investors and even speculators are planting their cash there now. Some of it will fall by the wayside and disappear, and some of it will not be as wisely placed as it might. The California Weekly goes all over the state and is read by those who would like to share in Oakland's appreciating values, but who cannot be there to select, respect and safeguard, and to all such we would say that the writer of this has known Geo. W. Austin, at 1018 Broadway, for over twenty years; and our experience is that strangers are entirely justified in confiding to him their correspondence.*

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THERE never was a more unfortunate wretch than am I, lying here, in an age when other men are commencing their enjoyment of life in its prime, ill and helpless, crushed and conscience-stricken, and daily and hourly at the mercy of a woman who hates me.

She is not my wife. She would have been had I not acted the part of an infatuated fool, and I verily believe that I should have been happy with her. It is hard to reconcile such a belief with the existing condition of affairs, for I detest the woman nearly more now less than I have ample reason for doing. Yet there seemed at one time no earthly reason why, as man and wife, we should not have lived contented and comfortable together, with love and sympathy, one for the other, in sickness or in health. As is, she is my nurse. I am dependent on her for food and shelter. I am in her power absolutely, for she has but to say the word, and, invidious as I am, I should be taken from my bed and carried to prison. Yet her heart all the time is full of unrelenting bitterness for me, and I should not kind look or word from her till the hour when I die. She is inexorable as Shylock.

Yet, it is barely three years since Deborah Day and myself were sweethearts. She never was a beauty. Older than me by a year, she could never have claimed to be more than passably good looking, even had it not been that when a child she was afflicted with small-pox, which scarred her face considerably; but she was kind-hearted and amiable, with always a pleasant smile and a winning way. She was by no means anxious to be married. Her mother was dead, and she kept house for her father, who had retired from business, and was a man of considerable means. The house they lived in was his own, with the fine old garden and a few acres adjoining, and they kept two servants, besides a groom who looked after a pony and a gardener. I mention this that the reader may better understand why it was that I (who was spoken of as a handsome young fellow), being but five and twenty, should make advances to such a plain young woman as Deborah.

Being matronly and composed, there were half a dozen girls far better looking from among whom I could have chosen.

I need make no secret of it. My position was not a brilliant one. I assisted my father, who was an architect and surveyor, and my salary was but \$450 a year. Mr. Day, who was an elderly man, had but two children, Deborah and her sister Alice, whom I had not yet seen, and who since the mother's death had been living with an aunt in Devonshire. It was fair to assume that at his death the old gentleman's money would be divided between the two daughters, and I frankly admit that, at all events, it was a consideration that weighed not a little with me when I commenced to cultivate an intimacy with Deborah. I wish to do justice to one who now hates me. She gave me but little encouragement. I don't believe that she for a moment suspected me of mercenary motives, but she was a girl of shrewd sense and plain speech, and one day when I tried her with some flatterer's flattery, she just turned and laughed at me.

"You must have a very low opinion of my common sense," she said, "or have a particularly high one of your own wisdom. Anyway, I must ask you not to address me so nonsensically again."

"It will be the same thing," I made answer, "if I do or do not tell you that you have the sweetest face I ever saw, or wish to see. I must always think so."

"Then all I can say is there must be something amiss with your eyesight," she retorted. "I know exactly what my face is like, sir. I do it more than justice, perhaps, when I say it is quite a plain face. But it serves my purpose—which is not," she added, with sudden seriousness, "to bestow it with myself on the first good-looking young fellow who wishes to marry me."

"I am thankful, at all events," said I, "that the objectionable proviso does not apply to me."

"Bah! You know better," returned Deborah, shrugging her shoulders, "but you must be insincere, seemingly."

A SHE SHYLOCK

By JAMES GREENWOOD

(From Ballou's.)

"So, I think, are you, if you will pardon the rudeness of my saying so. No young lady wishes for an ugly husband."

"Rather than a one, than a man who loves himself better than his plain wife, after they are married, and neglects her, as well, perhaps, for another. I should hate him," and her gray eyes flashed, and she clenched her small fists. "God forbid that I should ever be so tried, for I believe I should kill him."

That, of course, was after I had proposed to her. I should not have thought her capable of such a fiery outburst, she who was always so equable in temper and undemonstrative. But I had yet to learn the sort of woman she really was.

Well, our courtship progressed, and honestly and truly I learned to love her. At all events, I thought so. Her frank and generous disposition, her unselfishness, and, more than all, perhaps, her sincere affection for me, made me perfectly happy in the prospect of making her my wife, and her father's consent having been obtained, we should have been married, had not the old gentleman died almost suddenly. That, of course, caused the ceremony to be postponed; and Alice Day, the sister, came from Devonshire to be present at the funeral. As I have already said, I had never seen her previously, and as soon as we met I knew she was my fate. She was three years younger than Deborah, and as beautiful as the other was plain. The electrical feeling of love at first sight was mutual between us, and we were equally conscious of it before we had known each other a week.

I suppose I should take all the blame to myself. At all events, being a man, and considerably the elder of the two, I would, of course, be credited with all of it; but an impartial world knows nothing of the woman I was brought in contact with. Of her artful witchery, and her darning, and her utter heartlessness. She might, had she pleased, have checked me at the first dawning of my baseness toward Deborah. But from our very first exchange of meaningful glances she gave me encouragement, and took malicious delight in robbing her sister of her husband, pledged and promised. Deborah had no suspicion that there was anything wrong. It was arranged that our marriage should be postponed until Christmas, it being then the beginning of November, and Alice was to stay at Greythorn's, as the place was called, and be her sister's bridesmaid. I should tell you that the father's will had been proved, and it showed that he was quite as wealthy as he had been expected. To his daughter Alice he left \$25,000, and to Deborah the same amount, with the house and grounds, which probably were worth as much more. Alice resented this division.

"She won't have it all her own way, anyhow," she remarked, spitefully.

This was when one of the two months had elapsed since the father's death, and there was no longer any reason why she should not speak openly to me then. The whole scheme of treachery had been discussed between us, and resolved on. Her money was at her own disposal. It was already banked, and she had her own check book, and could have drawn out every cent of the \$25,000 at short notice.

We arranged our plans so cleverly that

when the day came for us to take our departure, Alice and I were being married at Bournemouth, while "old Deb," as my beautiful young wife laughingly called her, was probably looking out from the parlor window at Greythorn's, and wondering how much longer Alice would keep the dinner waiting. Next day I wrote Miss Day a long letter, in which I expressed my deep regret for the annoyance and disappointment she would naturally feel at what had happened, at the same time begging her to try and think it was all for the best. I admitted that my behavior toward her was in the highest degree reprehensible, and added, with wanton mockery (my wife was looking approvingly over my shoulder as I wrote), that I was deserving of severe punishment, and should probably receive my due at the hands of a just Providence, in shape of agonies of anxiety and jealousy that inevitably the portion of a man who, in rash haste, marries an exceptionally beautiful woman. My wife added a postscript, imploring her sister's forgiveness, but we received no reply, and after a while we went on to the continent and were happy.

We went to Italy and to Germany, and made a stay at Baden-Baden, where my wife found the fascination of the gaming table irresistible, and we there made the acquaintance of a young man, whose father was a wealthy banker. He was a reckless profligate, and with whom appeared to be unlimited means at his command, lived in magnificent style, and gave balls and parties that must have cost hundreds of dollars. He, too, had a passion for gambling, and his amazing luck was the envy of all the other players. I never played myself, but my wife's constant rearing temptation, and "for good fortune's sake" she almost invariably sat next to the banker's son. Before the end of the season she had lost all her money. I was unaware of it, for she kept the fact from me, and kept on playing, and was highly excited, and, as it were, a good deal extravagant, when one day it came to my knowledge, quite by accident, that she was indebted to young Wilbraham, as I will name him, to the extent of \$7,500—not in the way of a gambling debt, but money borrowed. It was not until then that I could cool a little, and I could call to mind many instances of familiarity among them passing the bounds of ordinary friendship. But it never entered my mind to suspect him. Had he been a showy, handsome fellow I might have done so; but Mr. Wilbraham was an under-sized, plain-looking person, with weak eyes, that made it necessary for him to wear green spectacles. He was lame, too, and walked with a stick. I accused her of the uncompromising indiscretion of concealing the debt, and she at first flatly denied it (I had never before known her to tell me an untruth), and afterward on her knees confessed it. At the same time she most solemnly declared that it was an act of pure and disinterested friendship on Wilbraham's part, and that he had never behaved toward her otherwise than as a gentleman. I had no proof to the contrary, and knew not what to do. To make the matter commonly known would have been to expose my handsome young wife's conduct to scandalous comment; but it was impossible for me, as an honorable man, to remain silent and take no action. Had we possibly been married, the easiest way out of it, of course, would have been to repay the borrowed money, and quietly take our departure; but my wife was compelled to own that of the \$7,500 the gaming table had absorbed all but \$1,250. The one thing, however, I was determined to do, was to return at once to England, where, with the scanty remnant of her wasted fortune and the realized value of my wife's expensive jewelry, we might provide a modest little home, and I could, probably, prevail on my father to renew my employment with him. To this she, with apparent willingness, consented, and even suggested that we might economize our means by slipping away, leaving our serious debts and our somewhat heavy hotel bill unpaid. But the accounts were settled, and, further than that, rather to my surprise, it appeared to me that it really did seriously touch my conscience, on the eve of our departure I sent Mr. Wilbraham an I. O. U. for the sum of \$7,500, with an intimation that I would remit

the amount as soon as possible after our arrival home. But now I have to tell of how possible it is that beneath a woman's fair exterior there may lurk the spirit of a devil incarnate.

I have no proof that my beautiful wife administered to me a deleterious dose, but all things considered, I think it highly probable that she did so. We were to start from the hotel by an early train in the morning, but on the previous day I was taken seriously ill with excruciating internal pains, and next day could not rise from my bed, and the attack rendered me so weak and prostrate that I was invalided for more than a fortnight. At the end of that time, and while I was in the midst of again preparing to go away, I was arrested for the amount of my indebtedness to Wilbraham! My wife, who had nursed me most assiduously during my illness, wept, and appeared quite overcome with grief. She suggested that she should go to Wilbraham and endeavor to arrange matters, but this, as I need not say, I would by no means allow. So, being unable to pay, I was sent to prison.

I am ignorant of, and, therefore, cannot describe, the legal formalities applying to imprisonment for debt in that part of the country, but at the expiration of six weeks I was let out of jail. I had spent nearly the whole time in the infirmary. The doctor there informed me that I had been poisoned; that I had a narrow escape, and that it was doubtful if I should ever again recover perfect health. How correct his dismal prognostication has since been verified. My wife had not been near me for a fortnight, but that did not alarm me, as the rules of the prison were peculiar as regards visitors; but when, still weak and ill, on regaining my liberty I hastened to her, she was nowhere to be found, and in the course of the day I ascertained, beyond a doubt, that she had gone off with Wilbraham.

I made my way quietly to where Wilbraham and my wife had betaken themselves, with the set determination, if I could catch them together, of shooting both. The opportunity was afforded me before I had been three days on the watch, but I was still ill, and my nerves were shaky, and beside that, no doubt, I was half blind with passion when I saw them sauntering up the quiet avenue together, and heard her laugh. I took deliberate, and as I thought deadly aim, for they both fell, he at once, and she after she had run, screaming, a few yards. I got away easily enough as the shots had not been heard. And when, next morning, I saw the newspapers, it made me furious to read that it was merely fright that had caused the lady to faint and fall; the bullet had not touched her, even. But the gentleman had escaped by a miracle, his under jaw being so terribly damaged that it was doubtful if he could survive.

That was something at all events, not enough by half, but better than no revenge at all. I had scarcely any money. So little, in fact, that arriving in England in a very few days, I had to sell my watch. My intention was to go to my father, but I found that he, as well as my mother was dead, and the old home a thing of the past. My means gradually dwindled, and I was too weak to work. I grew so impoverished at last, that the doctor who visited me at my poor lodgings, recommended the hospital as the best place for me; and there I was carried. They were mistaken in my symptoms, I suppose, for I was told if I was desirous of communicating with any one, I had best do so without delay. I knew what that meant. I was going under a false name, and so no one knew me. There was only one person I wished to see, for the mean trick I had played her haunted my conscience. But I had no hope that she would come to me. I wrote to her, however—to Deborah Day, of course, I mean—and the letter being posted over night, by noon next day she was at my bedside. She had much changed; she had grown older and more stern looking, and her hair was streaked with gray.

"Why have you sent for me?" she asked, coldly.

"To implore you, as a dying man, to forgive me," I replied. "You would not refuse, did you know how sorely I have suffered, and how

AUTOMOBILE NOTES.

The first gasoline automobile ambulance ever used on this coast was recently sold by the Studebaker Bros. to C. A. King of San Francisco, who will use it in local ambulance service.

The progress made in vehicle construction from the time of the Egyptian chariot down to the modern automobile is handsomely illustrated in connection with decorative panels in a book entitled "Progressive Locomotion" just issued by the Firestone Tire and Rubber Company, Akron, Ohio. A second section of this work is devoted to an illustrated "history" of the automobile tire, showing the methods used in harvesting crude rubber in the tropical forests and combining it with cotton in the manufacture of Firestone automobile tires.

Contrary to the popular impression rubber is not derived from the sap of the tree, but from a milky juice found only in the bark. With 400,000 acres under successful cultivation and large areas ready to produce there is no great danger of the crude rubber supply being exhausted, notwithstanding the enormously increased demand for tires and general rubber manufacture.

terrible is the penalty I have had to pay for my mad infatuation. You see what a poor wreck I am."

I was so weak that as I spoke the tears trickled down my cheeks, but they had no softening effect on her. With a face of stone she sat by my bedside.

"Tell me all about it," she said.

And I told, disguising nothing—not even the fact that I had shot the man, of whom my base wife was enamored, and who, for aught I knew to the contrary, might be dead. I might as well have made the revelation to a statue, for all the emotion Deborah exhibited. She sat with her face half turned from me, with her thin lips tightly compressed, and her eyes fixed on the opposite wall, till I had concluded. Then after a long silence, she remarked:

"Do you wish to remain here?"
"It is not for such a poor stricken wretch as I am to choose."

"I offer you a choice. Will you remain here, or will you be taken to my house?" There was no compassion in her tones, no softening of the grim set of her features, which made her offer the more amazing.

"God bless you! Since in—"

But she held up her hand.

"I have no mercy for you," said she, "no feeling of pity. I promise you nothing in the

(Concluded on next page, second column.)



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PERSONALIA

Luther Burbank's birthday was set aside as California state bird and arbor day through the efforts of the California Club.

An unfinished and hitherto unpublished novel by Taine, the great critic, is now appearing in the *Revue des Deux Mondes*, under the title, "Etienne Mayran."

Cyril Maude, in his history of the London Haymarket Theatre, likened Bernard Shaw's activities at rehearsals to those of a personal devil in their demagogical irritations.

Norah Davis, the author of the new "Wallace Rhodes," a novel of New Orleans society, once served as clerk of the United States District Court for the Northern District of Alaska.

Mrs. R. H. Tucker of Spokane, Wash., is said to be the first woman wireless operator in the world. She is in charge of the station on the steamship Indianapolis, plying between Seattle and Tacoma.

Professor Senator, the venerable president of the Berlin Medical Society, is charged with bribing wealthy patients, principally foreigners, to his clinics, and has resigned his office pending an investigation.

Mrs. Ellen M. Richards, instructor in the department of chemistry at the Massachusetts Institute of Technology, has accepted a call to lecture in the summer school of the University of California. She will come in June and will give a course of lectures on household economics.

Mrs. Henry Villard, Mrs. William M. Ivins, Mrs. Carrie Chapman Catt, the Rev. Anna Shaw and Mrs. Elizabeth Smith Millen are among the American women who are going to London to be present at the suffrage quinquennial which takes place in the week of April 26th to May 1st.

Fanny Crosby, the blind hymn writer, recently celebrated her eighty-ninth birthday at her home in Bridgeport, Conn. Her health is good and her mentality sound. Grover Cleveland was one of Miss Crosby's instructors when she attended the New York Institute for the Blind in her youth.

Robert Womack, the man who discovered the riches of the Cripple Creek regions, is now paralyzed and poverty stricken in Colorado Springs. However, he declares, and his friends believe him, that he knows where there is an enormous deposit of gold in the Pike's Peak region that will rival Cripple Creek.

Mrs. Tomas Estrada Palma, widow of the Cuban patriot, has returned to the United States and will spend the remainder of her days at Central Valley, Orange county, New York, where her husband was teaching school when he was notified of his election as first president of Cuba. Mrs. Palma gives as the reason the love she has for the land that sheltered her husband and children in exile.

The poems of James Whitcomb Riley are favorites with the composers of songs, and hundreds of musical settings have been provided for them. The one which has been most frequently set to music is probably "A Life Lesson" (better known as "There, Little Girl, Don't Cry"). Among the composers who have tried their skill upon it are H. A. Norris, P. A. Schnecker, H. B. Vincent, C. Forsyth, C. Sosbeski, Mary K. Wood and J. Jordan.

Here are some of the prices which some of the grand opera stars receive per performance at concerts or private entertainments: Enrico Caruso, \$5,000; Geraldine Farrar, \$1,700; Alessandro Bonci, \$1,500; Olive Fremstad, \$1,500; Johanna Gadski, \$1,500; Emmy Destinn, \$1,200; Berta Moresa, \$1,000; Louise Homer, \$800; Antonio Scotti, \$800. The following singers each earn a total of more than \$100,000; Caruso, Bonci, Geraldine Farrar, Fremstad, Sembrich, Melba, and Tetrassini.

("A She Shylock"—Concluded.)

way of kindness. I am your inexorable enemy, and would not pardon either of you through my eternal doom depended upon it. Still, you shall have the asylum in my house, if you desire it. You are not, as you have been led to suppose, a dying man. It was thought so when you were brought here, but I have spoken with the physician, and he tells me you may live for months or a year, maybe. Do you accept my offer?"

What was I to think, but that despite her bitter utterance, she still retained some regard for me, or why had she come at all, unless she wished me well, for all that I had wronged her? Why was she willing to have me under the same roof with her? I gratefully accepted her offer, and the next day went in a carriage to Greythorn.

It was three years since I last saw the place or crossed its threshold. Deborah was not there to receive me. She had provided a qualified nurse, and she it was who escorted me to the room that was to be mine. It was late, and I was tired, and went straight to bed.

When I awoke next morning, the first object that greeted my opening eyes, caused me to start up in uttering my hateful wife's name. There she was before me. Not in the flesh, but in shape of a marvelously truthful portrait, her winsome smile, the parted lips showing her pearly teeth to the very life. The last time I had seen that smile was when skulking behind a tree in the avenue, I saw her coming toward me, leaning on the arm of the scoundrel Wilbraham. It was not there the night before, or if so, it was covered with the cloth that now lay on the floor. I had never seen the portrait previously. It must have been painted before she came from Devonshire. Why had it been hung in the room? I dared not look on the detested thing, smiling down on me in mockery and derision. With my back to it, I hurried on my clothes and rang the bell.

"It was Deborah Day herself who came. 'That horrid picture!' said I, covering my eyes. 'Have it removed, for heaven's sake! The sight of it will drive me mad. Why—why was it placed there?'"

"By my desire, and for your punishment," she made answer, with a stony face, and speaking quite calmly. "You had best become reconciled to it, for here it will remain as long as you are here."

"Then that will be a very short time; indeed, I would sooner wander the streets, or go to the workhouse. I will go from your abode, cruel woman!"

"To a jail if you leave at all," she sternly interrupted me. "You came of your own free will. I have not deceived you. I told you I was your inexorable enemy, and I am. You are here, and your wife shall have you company, day and night, as long as you live, be it one month or fifty. That, or you go from here to a prison. I know your story, and a word from me will cause you to be arrested for attempted murder. You are not a prisoner at present. The doors are open, and if you choose to leave you may."

That seven months ago and I have not seen her once since, and the cursed portrait still hangs in its place to torture and torment me. I am well cared for, and have every comfort money can purchase, but the hateful smiling face haunts my dreams, and dawns to life in the gray of the morning. I have written imploring letters to Deborah, begging that it may at least be screened with a curtain, but she makes no reply.

("People California"—Concluded.)

the sheriff's notice from the door. He is ready to seek a better land; he has five neighbors that would like to go with him. Ay, there is a glimmer of light—his neighbors. If a little group of neighbors could go to California together, securing adjoining farms, life would not be so lonesome in the strange land among strange faces. We don't like to leave our friends. Can we not get that man on the bleak New Hampshire eighty to pack his belongings and start west with some of his neighbors? I think we can.

San Jose, California, April 21, 1909.

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So reads the seventh amendment to the Constitution of the United States. It relates, of course, to civil actions, actions having to do with property and not with criminality, but even regarding their disputes over property our forefathers felt safer to trust their interests to their neighbors than to a judiciary independent of public sentiment, or as nearly so as conceivable. The people of those days were fearful that courts might come under the influence of higher powers capable of oppression. That fear was not groundless.

Reference in the amendment to the Common Law may need to be explained to young persons, and if older persons understood the principles of the Common Law more clearly they would the more safely be guided through the affairs of life. It is a wonderful repository of common sense, and the nearer our jurisprudence sticks to Common Law principles the more certainly will it be found to promote justice and not injustice.

The Common Law, then, had its origin in the customs which grew up among the common people in their dealings with each other. The world is making such law all the time and it is generally good law because it fits the needs of the people who make it at the time it is made, where it is made. This is not saying that it will always be good law, for the conditions of life which caused certain customs to be established may be so changed as to cause new customs to take their places, but it is a principle of the Common Law that when the reason for any of its rules of conduct fails the rule fails with it.

For, after all, a law is only a rule of conduct prescribed by some power having authority to make a rule, commanding what is right and forbidding what is wrong. In our country that power emanates from the people themselves, or is presumed to. It does this in three principal ways: by force of the habits—customs—of the people, by judicial decision, by legislative enactment.

A custom, in order to be worthy of recognition as a law, must have so long prevailed that no one remembers when it was not the custom. That gives it the force of law and courts will recognize it as having validity.

Courts, in our day, generally disclaim law-making functions. They gravely state that it is not the purpose of the courts to make law, but only to construe it, that is, to explain it and fit it to cases as they arise. That is a time-honored legal fiction. Courts do make law, lots of it, and generally very good and intelligent law. The old custom, bad customs, out of existence and procure the acceptance of better customs in their place, but they also lose themselves in labyrinths of their own making, build intellectual cob-houses that fall down upon their own devoted heads and the heads of the common people to the common injury. They, too, finally have to come back to the customs of the people for the ratification of the laws they make.

Of all law-making powers the legislatures and congresses are the worst sinners. Their safest function is to crystallize into statute, for convenience of expression, what rules of action the people have evolved out of their every-day experiences and the courts have sanctioned by applying them to cases that come into court for adjustment. But legislatures are seldom content with this modest function. They want to make customs what they fancy they should be instead of what they are, with the result that nearly all legislative enactments are entitled, "An Act to amend an act entitled an act, etc.," or else to repeal, all because the legislative scheme did not work in practice as it was hoped that it would. Customs always work because they could not have become customs had they not worked, but laws never work well until they become customs, and if

people will not have them for customs that is the end of them no matter if they do begin with, "The People of the State of California, represented in Senate and Assembly, do enact as follows." If the legislature which lately adjourned had enacted that salutation should hereafter be by rubbing noses instead of shaking hands, not a nose would have been rubbed in consequence or a hand foreborne to be shaken. It will be even so with many laws that were enacted. They will be dead letters on the statute books.

This, then, is the Common Law referred to in the seventh amendment to the Constitution of the United States. We derived the bulk of it from mother England, where it grew out of the customs which obtained among our Anglo-Saxon ancestors. At the Revolution our Common Law and the Common Law of England parted company, although the two have kept within speaking distance of each other. Ours has been more modified by legislation than England's, hers, perhaps, more by judicial decision than ours. We have suffered the lawyers to make too much of our law, and therein justice has chiefly suffered.

SHEAR WIT.

Professor of astronomy: I have discovered a new star, boys. Student: What's she playing in, professor?—Harvard Lampoon.

"Did you meet any of the members of the nobility when you were in Europe?" asked Miss Gushleigh. "Sure. I sat between an earl and a viscount at a prize fight one evening."—Chicago Record-Herald.

A young captain, who was drilling the awkward squad, commanded thus: "Now, my men, listen to me. When I say 'Halt,' put the foot that's on the ground beside the one that's in the air, and remain motionless."—Success Magazine.

1909: Been to the theater much this year? 1910: Yes, went to "The Girls of Gottenburg." 1909: Anything else? 1910: "The Merry Widow." 1909: Yes? 1910: Then I went to "The Soul Kiss" and "The Follies of 1908." 1909: What then? 1910: Why, I went to "The Devil" after that.—Harvard Lampoon.

Mrs. Malone's patience was much tried by a servant who had a habit of standing around with her mouth open. One day, as the maid waited upon the table, her mouth was open, as usual, and her mistress, giving her a severe look, said: "Mary, your mouth is open." "Yessum," replied Mary, "I opened it."—Success.

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After Fifty Years.

• The unexpected does sometimes happen, but not often enough to warrant the expectation that the unexpected is to be expected. This is especially so in "organization" politics. Once in a while the men they have politically made refuse to commit political hari-kari to oblige their makers and so unexpectedly make good. Jim Gillis, State Librarian, affords an instance, and Surveyor General Kingsbury appears to afford another. He was Walter Parker's man and, as such, was expected to stand in with the predatory interests in disposing of remaining state school lands in the aid of close-in speculators. He failed of "making good" according to the "organization" standard and is probably now looked upon as an "ingrate." He stood for a law providing for the sale of such lands at public auction to the highest bidder, after due notice given, and, with the aid of Attorney General Webb, secured its enactment, against the influence of the powers that made him Surveyor General. As the result of the first auction showed, with good results to the state. The margin between the \$1.25, formerly received, and prices netted by the auction, \$2.50 to \$4, went to the state and not, as heretofore, to a select group of speculators who always managed to occupy a preferred position as buyers of state lands. This is important as an instance of unexpected good arising out of a bad political system. It does sometimes happen that the associated villainies acquire a Man, thinking that he will prove only a handy tool, but not as often as the public chooses a tool of those villainies thinking that they are getting a Man.

A Loss to the Coast.

In the departure for London of Mr. T. A. Rickard, editor of the Mining and Scientific Press, for the purpose of establishing a similar publication in that mining hub of the world, San Francisco, California, and the Pacific Coast sustain the loss of a brilliant journalist and very likeable gentleman. More than that, the loss is of a man of capacity who has convictions and the courage to stand for them whether popular or unpopular, a man undaunted by opposition and undecieved by pretense. British born and reared, but American trained, he goes from us fitted for that larger citizenship of the world of which the world, for its continued peace and abundant prosperity, stands in constant need. We may be sure that the journal which Mr. Rickard goes to London to establish will be bound by no narrow spirit of provincialism and that America will have in its editor an understanding and appreciative friend.

A New National Issue.

The speeding of automobiles is rapidly becoming a national issue. The auto is here to stay and its influence in social and business affairs will increase from year to year, but suppose that we had a thousand trackless locomotives darting about San Francisco, each one a law unto itself, would such a state of affairs be long tolerated? We have ten

THIS NUMBER CONTAINS

What Our People's Lobby Did

BY

George Baker Anderson

thousand automobiles, as deadly as so many locomotives, and every other city has proportionately as many, many of the drivers governed by no law except their own convenience. Society has at least some claim upon the consideration of the drivers of these vehicles, the more especially that all of the roads of the country have got to be reconstructed for their benefit and use. Some day the speed problem will be settled so that it will stay settled. Meantime the advance is marked by a lengthening row of headstones in the cemeteries of the country.

Roosevelt and the Lions.

Word coming from darkest Africa is to the effect that former President Roosevelt and his son have killed some lions. Doubtless there are those besides the higher-ups, and their admirers, whose sympathies are with the lions. The interiors of their anatomies are suffering agonies over the ruthless destruction of God's innocent creatures, especially of the gazelles and wildebeests, the antelopes and zebras, not stopping to reflect that every lion killed means the sparing of the lives of more of the gentler creatures than Roosevelt and his whole party are likely to slay during their expedition. The jungle owes the lion a living and he is as likely to get it as any other brigand. Lest we allow ourselves to be betrayed into needless displays of emotion it may be prudent to reflect that Mr. Roosevelt's parting admonition was: "If you hear anything about me that does not come from me it ain't so."

State Prison Industries.

Secretary W. A. Gates, of the State Board of Charities and Corrections, is doing what has long needed to be done. He is sending out to the press of the state accurate information regarding state institutional affairs. In a circular letter before us he has instituted the following comparisons between the prison industries of California and Minnesota. The total earnings of both our prisons during the last two fiscal years was \$152,378.22. Their cost of maintenance for the same period was

\$879,786.84, or a net cost over earnings of \$727,408.62.

Minnesota has but one state prison to California's two, a fact noteworthy in itself, and a prison population of 678 against our 2,603. For the last two fiscal years the earnings of the Minnesota prison were \$521,240.94, and the cost of maintenance \$264,020.68, leaving a balance to the good of \$257,220.26. Every prisoner in San Quentin and Folsom costs California \$140 per year over and above all he earns, while every prisoner in Stillwater prison earns \$190 a year over and above what he costs.

It may be noted in passing that the Minnesota prison is practically out of politics, whereas the prisons of California are in politics head over ears; but a chief difficulty in California is that the bugaboo of competition of prison labor with free has been allowed to dominate. Organized labor must be shown its error in this particular and when it is shown it clearly it will cease to compel so mistaken a policy as California is following. The state has a right, which should be held unalienable, to supply all its own needs, and the needs of the public subdivisions of the state. Free labor has a right, which should also be held unalienable, to demand that the products of prison labor, sought to be sold in the open market, shall not be sold, grade and quality considered, at less than the going prices of such commodities on a free market. Under such a system of prison manufacture and distribution no one is substantially injured. Under the system obtaining in California no one escapes substantial injury, and the greatest injury is inflicted in the form of an unredeemable and ever increasing criminal population.

All In Being Used to It.

Gentlemen of sympathetic tendencies are scarcely able to restrain their language within the proprieties when they speak of the domination which Messrs. Spreckles, Heney and Burns were at one time supposed to exercise over the city government of San Francisco, and to this day it is a nightmare fresh as though of last night's dreaming; yet these same men lived a quarter of a century under a city and a state government dominated by the Political Bureau of the Southern Pacific company and scarcely a murmur of disapproval escaped them. They were used to that. It was the normal form of government to which they had become accustomed and under the protection, or exploitation, of which they had been brought up. They had come to look upon a policy of political pocket-picking as the natural order, and to see the government transferred to the dominance of gentlemen disposed to arrest the pickpockets, and turn them upside down that their unholy accretions might be shaken out of their garments, looked like usurpation, subjugation, anarchy, tyranny and the whole category of ills to which social order may be subjected. What hasheesh is this that our more prosperous citizens have eaten that they have lost the power of distinguishing good from evil as soon as their kind of people are involved?

ADVANCE BACKWARD.

Legislation regarding the criminal law has, for many years, been in the interests of the criminal. Under pretense of being fearful that some innocent person might suffer a penalty due only to the guilty, our laws and procedures have been so designed and cast as to make it practically impossible adequately to punish any criminal who has the means for putting up a fight against the cause of justice.

With relation to the fear of punishing the innocent William Howard Taft had this to say to the students of Yale: "The emotional and untrue doctrine that it is better that ninety-nine guilty men should escape than that one innocent man should be punished has done much to make our criminal trials a farce. This has come about through popular demand without a full understanding on the part of the legislatures and the people as to its logical effect."

We think that President Taft would have come nearer the truth and he said: "This has come about through legislators who earn a good part of their livings by making shift to keep out of prison persons, able to pay the price, who ought to be in prison, without a full understanding on the part of the people as to what was going on." Another writer has declared that an innocent person now stands ten times less risk of being punished for a crime he did not commit than he does of getting run down and killed by an automobile. Yet if ninety-nine guilty persons were to escape punishment for each innocent person punished society would soon be reduced to chaos and lynch-law would be the law of the land, and the greater part of the lynching that has been done was done because the law's delays and uncertainties outraged the public sense of justice.

The most important issue before the legislature of California at its recent session was such a revision of criminal procedures as would facilitate the administration of justice, yet not one measure important to that end passed the legislature and was signed by the governor. On the contrary, a number of measures were passed by the legislature, and at least two of them signed by the governor, designed to make the administration of justice more difficult and the result more uncertain.

It is due to Governor Gillett to say that he refused to commit suicide for the accommodation of his political masters. He refused to make his name absolutely infamous and his posterity attainted by signing the Johnson "every-criminal-select-his-own-judge" bill and the Wheelan bill giving the court the right to quash the indictment without trial if, in his opinion, the evidence given before the grand jury did not sustain the charge. The enactment of those two measures by the legislature condemns that legislature without benefit of clergy. Not all the perfumes of Araby can make its record smell sweet.

But if Governor Gillett did not commit suicide to oblige his political masters he did so far accommodate them as to commit assault and battery upon his own reputation by "mauling, pounding and otherwise maltreating and abusing" the same. He signed assembly bills 221 and 222. These measures provide for the presence in the grand jury room of a stenographer, the taking down of all the testimony offered and furnishing the indicted with a full transcript of that testimony at the time of his arraignment.

A grand jury is an inquisitorial body, not a trial court. While the law declares that only legal evidence shall be admitted, and that hearsay evidence be discarded, nevertheless the jury is made up of citizens unskilled in the niceties of the laws of evidence and often utilizes hearsay evidence as a clue to lead to

THE STAFF

A. J. PILLSBURY.....Editor and Manager
CHESTER H. ROWELL.....Associate
A. J. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
O. BLACK.....Business Manager

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evidence more substantial. The jury is not even required to hear any evidence at all on behalf of the accused, though it may do so. It is required to find a true bill if the evidence, untried and uncontradicted, would warrant a trial jury in finding a verdict of guilty.

Now the reduction of the writ of that is said and done at an informal proceeding, and the placing of this in detail in the hands of the accused, gives him opportunity to fortify himself against the prosecution no matter how guilty he may be. It will be easy, under the rigors of cross-examination, to show discrepancies between the testimony of a browbeaten witness in a trial court and the informal talk had with fellow citizens in a grand jury room. The effect of it will be to revolutionize the proceedings of grand juries. It will hamper them. It will make the witnesses timid and chary and so restrict the performance of an inquisitorial service as to make it of little value in detecting crime and punishing the guilty. It was designed to that end.

In the fact that the welfare of the accused is in the hands of nineteen of his fellow citizens and that at least twelve of them must unite in finding a true bill against him, the accused is sufficiently safeguarded as to his reputation. As to his liberty a trial court and jury, and two appellate courts, as well as the clemency of the state executive, stand between him and the loss of that. To state the issue squarely, instead of making progress in facilitating the establishment of justice in California, the enactment and approval of these two measures mark a distinct retrograde movement. In refusing to accept any of the Commonwealth Club bills, the Denman bill to make the nomination of judicial candidates non-partisan, the legislature refused to go forward. The need is that the paramount importance of a reform of criminal procedures shall be forced upon public attention that the next legislature will make a better reputation than the last one and that California may have a better governor to approve the right and veto the wrong.

A NOTE OF CHEER.

Out on the firing line facing graft, greed, successful rascality, the bearing-down pressure of the upper financial stratum. It sometimes looks to the soldier of civic righteousness as it looked to the union soldiers during the battles of the Wilderness, as though he were up against an impossible proposition and was throwing life away to no purpose. At such a moment the soldier of civic righteousness needs to be taken up where he can see out, that he may know how far he has come and so take renewed courage to "fight it out on that line if it takes all summer."

Such a service is being splendidly performed by William Allen White in the American Magazine. In his series of articles under the

title of "The Old Order Changeth," he is showing us how far we have come, not only since our forefathers toiled but within the memories of men still in the heyday of usefulness. He shows how the "Interstate Commerce Convention," with a paltry war fund of \$22,855 to be used against the united railroads of the country, with a campaign fund of \$2,000,000, paid lobbyists and a subsidized press, forced the adoption of the Hepburn rate law and practically broke up discrimination in rates; how the Pure Food Association, without funds, and going up against a combination of poisoners who had millions to distribute annually to the newspapers, nevertheless put the pure food and drug acts upon the statute books of the nation and of most of the states; how much the Civil Service League has accomplished, and how the American Federation of Labor, the National Civic Federation, the Child Labor Committee, the Consumers' League and many other agencies working, unselfishly and self-denyingly, for the public good, have crowded back the cohorts of greed and a crass materialism at every point and are still steadily gaining ground against them.

The extent to which organization for the common good has gone in this country has been little realized. As Mr. White wittily puts it: "Given an idea in common to three Americans, and the best known becomes president, the most effective secretary and the richest of the three treasurer," and there is a new association ready to work and make sacrifice for the common good. Taken through the towns and cities of America there will probably average one society of some kind working for the "Somehow Good" for each hundred of population. There are more such organizations than there are saloons, even in California, several times over.

It looks dark for the prosecution in San Francisco now. It looks as though successful rascality might go unwhipped of justice, save as the infamy of those whose guilt is palpable will attain them and their children after them, but, as Mr. Heney declared at the banquet to John Graham Brooks (one of the nation's staunchest and most efficient soldiers of civic righteousness), the great struggle to enforce the law will at least show us where the trouble is with the administration of justice. When that is clearly seen the remedy will be applied. That is to be the paramount concern henceforth.

There is a dynamic power in a moral concept that not even the gates of hades can prevail against. It is the only thing that can beat the bomb.

HE WAS A RAKE BUT—

Alexander Hamilton was licentious. It is of no use to deny it. He did not. It is not incumbent upon any of his admirers to excuse it for there was no excuse for it. Immorality is a sin against society and with that sin Alexander Hamilton tarnished one of the most illustrious reputations of an illustrious generation. Let the tarnish stay. Dead a century, it still sticks. So be it. What a man says that must he reap. It is a law of God, of nature and of men, and there is no escape from it. But shall this fault blind us to the splendid virtues of that magnificent man? When a scheming husband and wife had plotted to entangle and ruin Hamilton, and he had been taken in flagrante delicto, did he pay them the money they coveted and go about whining that he had been "held up"? Not so. When the threatened exposure came he confessed his fault to the American people, faced the consequences like the true hero that he was, but he would have sacrificed his life before he would have yielded one penny of blackmail. There was manhood for you, not

such sniveling hypocrisy as we have witnessed here in San Francisco where bribery that yielded millions in recompense for high crimes and misdemeanors has been sought to be excused on the hypothesis that the guilty had only submitted to blackmail. The American people can forgive anything rather than a sniveling hypocrisy. This was shown when the "Maria" story was brought out with which to defeat Grover Cleveland. His instructions to "tell the truth," squared that. Manhood challenges admiration wherever it is manifest and no man of his time possessed more of it than Alexander Hamilton. The effort to prevent the erection of his statue in Capital Park at Washington is beneath contempt.

The People's Lobby.

Attention is called to our special article on the work of the People's Lobby maintained at Sacramento during the last session of the legislature. It would seem that when the people have elected 120 legislators to look after their interests such interests should be looked after without the participation of other persons or associations, but experience has proven such a presumption violent. Many legislators contrive to have themselves elected that they may represent special, and misrepresent the public interest. The best remedy yet found for this evil is publicity. The press does much to afford that publicity, but it is not always above accepting retainers from selfish interests. No honest legislator can be hurt by having publicity given to his legislative acts, and every legislator who is not honest needs to be hurt. This is the function of the People's Lobby. To help honest legislators and hurt dishonest.

The Star Set Right.

The San Francisco Star, always a luminary of no mean magnitude, devotes half a page to The California Weekly, desiring to know many whys and wherefores, among others, why Judge Lawlor and Chief Justice Beatty are accepted as holding their judicial positions by imperative mandate, and why we think that the lamented Biggy was murdered.

When Judge Lawlor came up for re-election the last time all the powers of political and civic unrighteousness in San Francisco arrayed themselves against him, but the citizenry marshalled themselves for him because they believed in him, as they did for Judge Dunne at the last election, and made his election sure. Therein lay his tenure of office by right of imperative popular mandate.

When certain untoward political interests rallied behind former Justice Garroute with the view of nominating and electing him Chief Justice, in 1902, public sentiment made itself so manifest that the scheme fell through and that same sentiment gave William Henry Beatty nearly 60,000 majority over his opponent at the polls that year.

This is not saying that Justice Beatty did not decide wrong in the Schmitz case, for he did, awfully wrong. His integrity is unquestioned and unquestionable, but his type of mind is not above criticism. In common with his judicial brethren of his time he has come to value orderly processes above the establishment of justice, the letter above the spirit, being in accord with precedent above being right, and justice will suffer at his hands so long as he sits on the bench. This is said without diminution of esteem for his integrity, his sincerity, his ability, his gracious personality, or his knowledge of the law. It is his type of mind that is at fault and that type is the prevailing type, as evidenced by a decision of the Supreme Court of the United States, handed down this present week, which declares that, while a railroad may not own coal mines and transport their product to

market, it may own corporations that do own coal mines and transport their products to market unhindered.

The whole judicial system of America has got to be revolutionized by exalting humanity above property, the spirit above the letter, right above precedent, the substance above the form. Our courts are giving us worlds of law, but mighty little justice in crucial cases, and that long delayed. The revolution against that tendency may as well begin now as at any time, here as anywhere. Procedures are to the law what ceremonials are to religion—easily mistaken for the immortal soul of The Thing itself.

This paper did not intimate that former Chief Biggy was murdered. It does not believe that he was. What it tried to say was that there is no more evidence to justify the theory of suicide than to justify the theory of accident. In fact we have reason to believe that there was very much less reason to accept the suicide theory than the theory of accident. The point we wished to make, and thought we did make, was that, whatever the cause, suicide or accident, the fact that Rudolph Spreckels went to Chief Biggy and confronted him with accusations was not the provoking cause. The effort, emanating from certain quarters, to raise that presumption was cruel, unjustified and ulterior in its motive.

Redemption of the College Man.

The sorry picture of Abe Ruef, the unanny spectacle cut by one or two legislative alumni, have spurred graduates of the University of California, living at Berkeley, to redeem from reproach the college man in politics. The redemption of Berkeley from machine domination is to be accounted for more on this ground than any other. The college graduates got busy. This is not saying that if either of the other candidates for mayor had triumphed over Mr. Hodghead a reign of graft would have ensued. The issue was not between the common people and the higher-ups. It was an issue between so-called "practical" political methods and high-class citizenship. Mr. Spear, for instance, is capable and distinctly not a disreputable politician, but his theory of government is this: "If my friends give me an office I am going to put into office under me those of my friends who did the most for me, and the city will have to pay the freight; but they shan't steal, and the government I will give the people shan't be any worse than governments that have gone before." That is the political machine view of municipal government. Set over against this was the stand taken by the "tennis machine," as the practical politicians dubbed the college-bred leaders, that, "government is for the common good, and there is no other good except the common good. We know no favorites. The best man for the place is the man we are after, no matter where we find him; a full dollar's worth of service for every dollar of taxation with no soft-job rake-offs for any man's partisans."

Twice Wanted, Doubly Blessed.

Rumor has it that President Taft has practically tendered Governor Charles E. Hughes of New York, a position on the supreme bench of the United States, a position he would admirably fill. In fact he would seem to be the man to take Chief Justice Fuller's place when that jurist feels disposed to step down; but the consensus of decent sentiment throughout the Empire State is that Charles E. Hughes is the best man of all others to succeed Chauncey Depew as United States Senator and so become a collaborator with Elihu Root. It seems to be a misfortune that Governor Hughes isn't twins.

The Deeper Significance : : : : of Living : : : :

A prominent scientist, one whose painstaking integrity gives him a right to the term, "scientist," recently said, in the hearing of the writer, practically this: "I do not feel that I need any religion and I think that scientific men whom I know generally feel the same way. We accept death as a fact in nature and submit to it, not with fear and trepidation, but as part of a universal plan."

Death is a fact in nature. It is part of a universal plan. It should be accepted without fear and trembling, but also buoyed by a boundless hope for something better beyond the grave. Without a religion of some sort, conscious or unconscious, that hope can not enter the heart to sustain it. A dead cat in the air barrel is as much a fact in nature as a dead man borne to the grave by white-gloved gentlemen and wept over by sorrowing women. That fact in nature is a dead fact. It inspires no heart with love, no spirit with hope. It emits no ray of light into the soul and raises no presumption that there is a soul. Dead man or dead cat is all there is to the man who has nothing but science to lean upon.

And what a fact in nature is this thing we call death! All life terminates in death and the most abundant thing in the world is life. The whole earth teems with it. When nature sets out to accomplish a result she does not care how many deaths it costs and, seemingly, neither does history. The very soil upon which we subsist owes its life to death and the one word, "liberty," has, literally enough, cost rivers of human blood and the earth drank it in and made a fertilizer. The atrocities which have lately taken place in Turkey and Armenia are only skirmishes on the frontier betwixt the great armies of progression and retrogression that are ever at war with each other. How can any human being endure the monstrousness of the thing we call death and a dead cat are one? One can not. One would go mad as he saw those he loves drop under the dull thud on the coffin lid unless his soul, unconsciously to him, perhaps, reached out beyond the fact in nature and took hold, upon the "substance of things hoped for, the evidence of things unseen."

Many men, when they speak of having no need for religion, use the thought, "theology" and mistake it for religion. There are theologies and theologies—hundreds of them, some beautiful, some horrible, some simple and some complex. We do not, any of us, know about them except that we do know that they are not religion. Religion is the relation of the human soul to the soul of the universe. Theology is the relation of the minds of men to things that the mind does not know much about. The one has to do with the soul, the other with the mind. They are not the same.

For there must be a soul to the universe, a power somewhere greater than ourselves, an intelligence that is superhuman many millions of times over. The little that we know about human intelligence can know about that superhuman intelligence is so small, so infinitesimally inadequate, as to be almost a negligible quantity. It is as the quantity of air contained in a popgun is to the entire volume of atmosphere that surrounds the earth, as the drop of water to the ocean, as the life of a gnat to the total volume of life that fills the world.

And between the human soul and the Soul of the Universe some relation must subsist. There can be no getting away from that. Whether the scientist detects it or not, it is there, there all the time. Men have sought to express their sense of this relationship the best they could, and one result of this attempt to express has been the writing of theologies. A more important way of expressing it is to lift the eyes toward the zenith and say, "Our Father," and when the soul has called up into the blue for a Father it has seldom called in vain. Into that soul there has come a buoyant hope which "sees a star and hears the rustle of a wing," a consolation that no "fact in nature" can ever afford.

LOCAL OPTION A SOLUTION

By D. M. GANDIER.

This is a subject concerning which there is much confusion of thought. Some people think it is inconsistent to favor local option in license states and oppose it elsewhere. Others think that because the liquor traffic is inherently bad it is a compromise to favor a law which allows some communities to cast the traffic out but does not compel all to do so. Both of these mistakes arise from a failure to grasp the principles underlying local option, and to see its limitations. A man may believe in the right of localities to decide some things for themselves without admitting their right to decide everything.

Two principles have forced themselves to the front in the progress of civilization. One is the necessity of allowing every individual fullest freedom for the development of his own personality. The best results in manhood cannot be attained by trying to run all men into one mould. Each must be permitted to work out his own destiny in his own way. On the other hand, man is a social being. He cannot come to his best in solitary loneliness. The presence and fellowship and co-operation of his fellows is essential to his full development. Society and personality are correlative terms. Apart from society, personality is impossible, and yet society without persons is unthinkable. Destroy the personality of individuals and there would be nothing left but an assembly of automatic machines. This would not be society.

Here, then, are two well established principles: Men must develop together, and in so far as possible each must be allowed to develop in his own way. But if men are to dwell together, if they are to be born and grow up in society, it is evident there can be no such thing as complete personal liberty. Let any one person do as he wishes and the rest of the community could do as they wish unless what they wish pleases this one. Let each try to do as he pleases and the result is anarchy. Personal liberty must, therefore, be subordinate to social liberty. The right of men to dwell together under such conditions that each can get the most help from all is the supreme right of the universe. This means that the mere whims, the likes and dislikes, of the individual must yield to the welfare of the community. So far as possible he will be allowed to develop his manhood in his own way, but whenever his actions affect his fellows he must be controlled in the interest of his own and their welfare. These are now accepted principles in the civilized world. The individual is to have the fullest possible liberty in everything which does not seriously affect his fellows, but in things which do affect them his wishes must yield to the higher right of the community's welfare.

The same principles apply to communities in their relation to one another and to the wider community of county, state and nation. Local option is to the small community what personal liberty is to the individual. If any man wishes to abstain from selling intoxicating liquors, no civilized country will force him to sell them. He has a right not to do so. It is not essential to the welfare of the community that he should sell liquor and therefore he does not have to do it. Everyone will admit that he has the right not to sell. Will everyone admit that he has a right to sell? Not for one moment. Not selling hurts no one, but to sell liquor may very seriously hurt his fellows.

In *Crowley vs. Christensen* (137 U. S. 85) the Supreme Court of the United States says: "The statistics of every state show a greater amount of crime and misery attributable to the use of ardent spirits obtained at these retail liquor saloons than to any other source."

There is no inherent right in a citizen to sell intoxicating liquors by retail. It is not the privilege of a citizen of the state or of a citizen of the United States. As it is a business attended with danger to the com-

munity it may be entirely prohibited."

Not to sell liquor hurts no one. Therefore, it is the inherent right of everyone not to sell if he so elects. But selling liquor may hurt others. Therefore, no one has any inherent right to sell and society may prohibit him from so doing.

It is exactly the same with any community. That community is simply a larger person. If it recognizes the saloon as a nuisance, and desires to cast it out, it has a right to do so. Personal liberty gives it this right because the casting out of that saloon does not hurt surrounding communities. The county or state has no more right to force a saloon upon that community than it has to force an individual to sell liquor. It is the right of any community, however small, to cast out the saloon if it wishes to do so. Local option is the recognition of this right. Under a local option law, the sovereign power of the state says to each locality, "We are not going to force the liquor traffic upon you. If you consider it a nuisance and wish to cast it out, you are free to do so."

It does not necessarily follow that every community has a right to keep the liquor traffic because a majority there vote in favor of it. Keeping saloons may hurt the larger community, and therefore that larger community may prohibit them altogether. The larger community has no right to force saloons into a district where they are not wanted, just as society has no right to force any individual to sell liquor, but the larger community has a right to prevent any precinct, city or county from selling liquor just as society may prohibit any person from selling it. If a saloon here is running up a bill which that community over there must help pay, then that community has a right to prohibit the harboring of the saloon here. If a saloon in this precinct is debauching manhood, defiling womanhood, corrupting citizenship and sending out a miasma which threatens the moral health of a vast multitude beyond the precinct line, then the people of that larger territory have a right to step in and change conditions here.

Thinking people are now pretty well agreed that the saloon is such a nuisance, and therefore no small community has a right to retain it against the wishes of the larger community. One precinct may give a majority for saloons, and yet the county as a whole give a majority against saloons. In that case, the majority in the county have rights which take precedence over the wishes of the precinct, and the saloon should be cast out of the whole county. The county has this right because the presence of saloons injuriously affects the whole county. The opposite of this is true. No one can say that the suppression of the liquor traffic in one precinct would hurt others. Therefore, if any community wishes to cast the traffic out it has a right to do so.

This distinction between the right to cast saloons out and the right to keep them is of great importance. It explains and justifies the action of many states which, like Oregon, have adopted laws which permit a majority in any precinct to make that precinct dry even if the county as a whole votes in favor of license, while in the same time any one vote against license that whole county will be dry, even if some precincts have given a majority the other way.

Recognizing this distinction we may consistently demand local option in every state where the sovereign power of the state has the right to prohibit the traffic altogether, and yet refuse to concede the right of local self-government on this question where the sovereign state has prohibited the traffic. It is just as consistent to do this as to hold that every individual has a right not to sell liquor while no individual has a right to sell it, and the community grants him such right. To force saloons upon an unwilling community is bar-

barous tyranny; to insist on the right of a locality to keep saloons when the majority in the state at large are opposed to them is anarchy; to claim the right of self-protection for every community and yet not of the welfare of state and nation above the wishes of any community is intelligent patriotism.

This latter is what the anti-saloon people are doing when they insist upon local option in license states and work for prohibition everywhere.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

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WITH BOOKS AND WRITERS

THE LITERARY SPIRIT OF THE DAY AS REFLECTED IN CURRENT PUBLICATIONS.

"THE PLANTER."

By Charles J. Woodbury.

It is a compliment to California, and more locally to Oakland, that the "best-seller" of April is Herman Whitaker's "Planter." The first large edition was exhausted in ten days. I do not know of any book during the season that has gained for itself so large a number of readers in so short a time. Edwin Markham, the poet, and now syndicate critic, in an appreciative letter to the author prophesies a sale of 100,000.

Mr. Whitaker, besides three volumes of short stories, has now given us two musical novels—"The Settler" and "The Planter." Whether of thought or act, one can only tell what he has experienced. Into "The Settler" Mr. Whitaker condensed the bitter lessons learned in his early manhood among the prairies and forests of the farther Canadas. And it is eloquent of wrestle with the primitive, even aboriginal life in that northland frontier. In "The Planter," not less effectively, he portrays what he witnessed and endured in the humid heats and unspeakable conditions of the Mexican interior zone. Like the Athenian woman, he has experienced the power of either Diana.

In writing, the fact is half the battle—to have that to tell which is worth the telling. The other half is—how to tell it. The first law of the novel is that it must be interesting. And in these days it is necessary to be interesting at the start. This Mr. Whitaker achieves in "The Planter." No one who reads the first chapter but will feel that he must go on. The style is straightforward, simple, plain. As one reads he cannot but see how generous, nay, what a spendthrift Mr. Whitaker is of his hard-earned wealth. A dozen novelettes are squandered in a panorama of incidents. And the knowledge of his life is displayed by the author is not less remarkable. For the amount and quality of information in the book are extraordinary and timely. Considered solely as a statement of existing conditions in the rubber-belt, the force and value of the work can hardly be estimated from the tidings published a week ago by the Associated Press that the author's life will be forfeited if he ventures there again. It is such disclosures as these that have made him a marked man.

"The oldest and biggest of the plantations on the Amarrilla has sunk half a million gold in it already, and will go on sinking as long as the faith of the installment stockholder hangs out. The capitalization of the Rubero plantation was \$2,000,000 gold. In reciprocity it went for \$70,000,000 Mexican currency, and their stockholders were mostly women, small storekeepers and country school-ma'ns."

This agio of loss is made formidable by the pathetic exposure of peon and Indian slavery: "The spinning wheels of the automobiles carrying luxurious women on errands of pleasure, the rain-coats and rubbers that protect the shapely shoulders, dainty feet, from the wet, each and all of a thousand articles, down to the nipple in the mouth of an innocent babe, the waterbag in the hands of the merciful nurse, are splashed with the blood of the Yagui. To gratify but one of our lusts, that for gold, we would extirpate a race."

Not without effect have been such statements as these presented in scientific form, though in a novel. Already a new regime is under way, abolishing the old system and in a measure making up their arrears to the enganchadores.

But the high point of the author's art is exhibited in that while his book carries this artillery it is not weighted by it. As a story, the narrative is of absorbing interest, so well told and sustained that the lover of romance is made quite oblivious of the grave facts which address the more thoughtful.

An unusual and elevated light on the "sex problem" also distinguishes the book. What Emerson contrasted in his poems as the celestial and the demonic love, wedding of the

soul and animal mating, this is illustrated in the story in a way that cannot but be deeply instructive.

Then another of the attractions the author possesses is his sympathetic portrayal of character. He recognizes the good and evil, the strength and weakness in every individual he presents, so that even the most superficial reader feels the sense of justice done to all; and this with a fine delicacy. Related to this excellence is that of identity of the character with the words put in his mouth so that the reader knows who is speaking without name. The single exception to this is Carruthers' account of his expedition with Boulton for Patricia. It is the language of the author, not of Carruthers.

It should be added that earnest, even severe as the book is, it is never for a moment dull. Humor, and good humor, abound in tropical luxuriance. There are chapters that float in it. But the present conditions of labor and life under the vivid Cancer are the main message. And when that outrage, peon slavery, which has grown so monstrous under the otherwise clement rule of Diaz, is at last slain, not the least among the weapons that reached its heart will be found this keen lance.

THE OCEAN FOGS.

By Evelyn Day.

(For The California Weekly.)

O silent fogs!

Cold sea-born specters of the moonclad night,
How you enfold in mystery the hills,
Familiar shapes to our day-blinded eyes.
Twice-wondered at and terrible you are
Dark-hanging on the shoulders of the world,
White-shining 'neath the light of heaven's moon.

The stars are caught within your moving robes
And drink cool draughts as they slip, one by one.

Behind the hills, or, to that mystic place,
Where day dissolves them, and engulfs their light.

Then silent sleep, with its most subtle hands
Touches our eyelids, and we lose the world;
But feel your silver coolness in our dreams,
And know you resting on the sleeping hills—

Till hark! the larks are calling in their flight,
And mists, and dewy vapors of the dawn
Make known to us the coming of the day—
And sunlight breaks the spell of charmed night.

HOW HUBBARD TOOK IT.

Readers of The California Weekly will not have forgotten the rare roast that was administered to the "Arch Roycroft" in these columns a few weeks since. Some of Mr. Hubbard's enthusiastic admirers were highly incensed, but it will be seen from the following that, so far as Mr. Hubbard himself is concerned, the wound was not as deep as a well not as wide as a barn door:

East America, Lee County, New York.

April 25, 1909.

Dear Friend:

I must thank you for the very excellent article of the Roycrofts in a late issue of The California Weekly. It is good stuff, but I have been wondering whether a man could make money who was really as anxious about it as you think I am. I wonder if there is not something that works against the fellow who goes on and on after the dollar. It seems to me that that is so.

When you are along this way some fine day I hope you will come and make us a visit.
With all kindest wishes ever, I am,
Yours sincerely,

ELBERT HUBBARD
Mr. Elmer Ellsworth Carey,
San Francisco, California.

To this Mr. Carey adds in a letter to The California Weekly: "And then, as if he had not heaped enough coals of fire on my sinful head, he takes one of his dainty books, inscribes my name on the fly-leaf, 'With all kind wishes,' adds his characteristic signature and, in due time, the postman handed me the book. The next time I have occasion to administer inky chastisement to the Chief Roy-

croft I shall say: Elbert, I hate to do this; it hurts me more than it does you, but it is for your own good that I do it."

"If I thought," continues Mr. Carey, "that I had imputed to Mr. Hubbard wrong motives, I should be truly sorry, for we have few original thinkers and they should not be made into targets for abuse. In treating the incident as he has, Elbert Hubbard has demonstrated that he is far above the ordinary. Few of us like the lash of criticism, especially when it reaches a sore spot, and fewer still will thank the critic for it as Mr. Hubbard has done."

THE ROYAL MUMMY TO BOHEMIA.

By Charles Warren Stoddard.

Wherefore these reels that my dull eyes greet?

These dancers, dancing at my fleshless feet:
The harpers, harping vainly at my ears
Dead to the world, lo, thrice a thousand years!

Time was when even I was blithe: I knew
The murmur of the flowing wave, where grew
The lean, lithe rushes; I have heard the moan
Of Nifus in prophetic undertone.

My sire was monarch of a mighty race:
Daughter of Pharaoh, I before my face
Myriads of groveling creatures crawled, to
thrust
Their fearful foreheads in the desert dust.

Above me gleamed and glowed my palace walls:
There gleamed my bowers; and there my
waterfalls
Lulled me in languors; slaves with feather
tails
Fretted the tranquil air to gentle gales.

O, my proud palms! my royal palms that stood
In stately groups, a queenly sisterhood!
And O, my sphinxes, gazing eye in eye,
Down the dim vistas of eternity!

Where be ye now? And where am I at last?
With gay Bohemia is my portion cast:
Born of the oldest East, I seek my rest
In the fair city of the youngest West.

Farewell, O Egypt! Naught can thee avail:
What tarries now to tell thy sorry tale?
A sunken temple that the sands have hid!
The tapering shadow of a pyramid!

And now, my children, harbor me not ill:
I was a princess, am a woman still.
Gibe me no gibes, but greet me at your best,
As I was wont to greet the stranger guest.

Feast well, drink well, make merry while ye may,
For 'en the best of you must pass my way.
The elder as the youngest, fair to see,
Must gird his marble loins and follow me.

Bohemian Club, San Francisco.

The late Marion Crawford was a nephew of Julia Ward Howe, the author of "The Battle Hymn of the Republic."

Miss Lucy Sprague, who was for a number of years dean of the women's department of the University of California, is being mentioned as possible dean of Radcliffe College to succeed Miss Agnes Irwin, whose resignation takes effect on September 1st.

Major William H. Lambert of Philadelphia is the possessor of the Thackeray letters that relate to the platonic love for the beautiful Mrs. Brookfield, including the letter Thackeray wrote to her husband disclosing his love for the other's wife and his entreaty to be allowed to continue to see her. These letters have never been published.

WHAT THE WORLD IS DOING

Earth's Unexplored Places.

Somewhere in the back and hidden part of his brain man is likely to carry a vague impression that in order to find the entirely unexplored places of earth he must press in the direction of one or other of the poles. As a matter of fact nothing could be much farther from the truth. There are vast tracts of land on this globe which, for all practical purposes, are as little known as is the country lying contiguous to either the north or south pole. Such a tract is found in central southern Arabia, where absolutely nothing is known of more than 400,000 square miles of land—not even whether it is anywhere watered by a river, although it is supposed not to be. Into this unknown waste an Englishman named Bury is preparing to penetrate this year, and, if he succeeds in doing so, he doubtless will be the first civilized man who has looked upon that domain. Yet another totally unexplored tract may be found in Tibet. Known by name through all times, there still are many thousands of square miles which no eye of civilized man has looked upon. Again, a large part of the interior of South America has never been explored. This list might be continued to considerable length, but already it will be evident that man need not go to the poles to find unknown regions.

Fourth Centennial of a School.

During the present month the four-hundredth anniversary of the founding of the oldest school in London, and one of the oldest in the modern world, will be celebrated. This school is St. Paul's, which was founded in 1509 by Jean Colet, a dean of St. Paul's cathedral, under the name of Jesus school, the name soon being changed to that it now bears. The original building was burned down in the great conflagration of 1666, and the present building then was constructed on the site where the former had stood. Colet's intention was to limit the number of boys in the school to 153, but this number has been increased until now there are 590. Among the notable alumni of St. Paul's have been John Milton, the great Duke of Marlborough, John Leland, the astronomer Halley, the "bloody Judge" Jeffreys, and Dr. Jowett of Balliol.

Platinum Famine Threatened.

It is announced that the world is threatened with a platinum famine, and although such a condition would not much affect industries in general, it would be of serious importance to workers in the domain of science. To understand the situation it must be borne in mind that nearly the entire supply of platinum is mined in the Ural mountains in Russia, 95 per cent. of the total of production coming from there. Since 1901 the production has been falling off steadily, having been reduced from 12,500 pounds in that year to 9,600 pounds in 1908. The cause of the decrease, however, is artificial rather than natural. There has been no diminution of the supply, but one of those combines which are a feature of modern commercial life has secured control of the supply and deliberately limited the output. Science may suffer, but it is its own exchequer which the combine is taking into consideration. So it will be a famine to order, and not the first one of the kind that mankind has known.

Another Connection of West and East.

Every railway which connects the Pacific with the Atlantic, no matter where it runs, is of consequence to both the West and the East, and it is of interest to know that the Grand Trunk Pacific railroad, to run through Canada, soon will be completed. General Manager Edison J. Chamberlain says that a contract for the construction of the 260 miles yet unfinished between the present terminus of the line and the Pacific soon will be placed, and that the railroad will be in condition to

handle the west-Canadian crops of 1909. Active work also is in progress on the branch line from Melville to the international boundary line. Fully \$10,000,000 will be spent in actual construction work by the company this year, and it is apparent that another transcontinental line soon will be in active operation, far to our north, to be sure, but adding to the coast's competitive facilities not the less.

The Smallest Tree.

How tall must a tree be in order to be a tree? Must it be five feet? Three feet? One foot? However the reader may answer these questions, he will be surprised to learn that a tree only an inch and a half tall, yet perfect in every detail, has been found. The tree is a poplar willow, and the island of Spitzbergen is its habitat. There it was discovered, last year, by George E. Nitzsche, of the University of Pennsylvania. The tree was fully grown, and was merely another demonstration of the recognized fact that extreme cold and abundant life do not go well together. In brief, though perfect in form and a complete tree in every detail, it was stunted, an illustration of what life must become under the untoward conditions that surrounded it.

An Odd Fad in London.

A London correspondent of the Manchester (England) Guardian tells of the latest fad of the queer people who do queer things in the world's greatest metropolis. The fad has manifested itself among those persons who are up to the ragged edge of society, neither quite in nor quite out, and would like to be peacefully reposing on the soft nap of it. They cannot quite afford to own an automobile, nor can they often afford to hire one, and they realize that it is "the thing" to do so. So it is up to them, or they think it is, to make strenuous pretense that they are blithesome automobilists. They do so by calling Art to their aid, and "making up" as persons who have come from an automobile ride and have had no time to clean up as yet. It is easily done—a touch of black oil on the nose or forehead, a little dirt on the cheek, a mussed collar and tie, and a movement of the legs as if they still were cramped, and they are in condition to deceive the public they suppose to be admiring them. The Guardian correspondent says that a great deal of that sort of thing is done in London now, and, this being the case, we reasonably may expect our Willie-boys soon to take notice and act accordingly.

Commercial Supremacy in the Far East.

What nation eventually will hold the commercial supremacy in the far East? For a long time this question has been agitating Great Britain, but her claim now is being contested by Germany, and there are those who contend that Britain's position in the race now on is the losing one. Recently Denmark sent a commissioner to study the commercial condition in the Orient. He had been there eight years earlier, and so was prepared to take a comparative view of the situation. He reports that in Singapore particularly German merchants have gained greatly on their English competitors. In fact, he broadly asserts that they have won the race, attributing the fact to the better business methods of the Germans. His opinion is combatted by some Englishmen who are acquainted with the situation, but some even of these admit that there is much truth in his contention. Oriental newspapers assert that the Danish commissioner's report is accurately applicable to all far Eastern ports. On the whole, the majority opinion appears to be that, however much or little Great Britain may have lost in this field, her hold on her business opportunities is loosening and, to keep her own, she must become more active in her commercial methods.

Keep Looking Up.

When the heart is rather weary,
And the day is somewhat blue;
When your eyes incline to teary,
And a shadow hides the view;
When you dread your task, or fear it,
And with melancholy sup,
Then's the time to urge the spirit:
"Keep a-lookin', looking up."

When your feet are worn with travel,
And your clothing's old and frayed;
When you cannot well unravel
Binding knots that Fortune made;
When misfortune seems to haunt you,
And you're drinking from her cup,
Let not care or trouble daunt you,
Just keep looking, looking up.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

"Mothers' Day."

Governor Gillett could not officially proclaim May 9th as Mothers' Day, but his suggestion that it be universally recognized should be heeded, for there is none to whom humanity more fittingly may pay tribute than to the "mothers of men." The day is to be observed in many states, but in none more beautifully, I think, than in Texas, where all men are to wear a white rose, or than it would be here if Governor Gillett's suggestion that men wear a white carnation were adopted.

A little white blossom, all pure and sweet.

The symbol of what we know

Is purer and sweeter than all things else

That here in God's garden grows;

A little white blossom, this tale to tell:

"I love the mother who loved me well."

A little white blossom, more humbly fair

Than all save the mother here

Which whispers us still to the narrow stair

That leads to the heights above;

And so this blossom is on our breast,

Token of all that in life is best.

* * *

"Realize" Yourself All Right.

Dr. Julia Seton Sears, of New York, is the latest bearer of glad tidings of great joy to distressed humanity. Her gladsome message relates to "realizing" whatever one may desire. For instance, do you weigh 250 or 93 pounds, and would prefer to weigh 150, all you need do is to "realize" the 150 pounds, and there you are—soon you step on the scales, and are delighted to note that you weigh the coveted 150, neither more nor less.

The "realizing" process is so simple that it is a wonder nobody had thought of it in advance of the gifted Dr. Sears. It consists of forming a mental concept of yourself at the desired weight and then clinging to the concept real hard until it is "realized." I do not know what would happen if your concept should be too curved or too indented for the desired weight, but I suppose that Dr. Sears and Nature would attend to that.

The learned doctor does not say that if you are six feet four or four feet six inches in height you can "realize" yourself to five feet four inches, but of course you can. All you would need to do would be to form the appropriate concept and cling to it, and the wonderful natural law which the doctor has discovered would do the rest.

It is said that adherents by hundreds of thousands are flocking to Dr. Sears' standard and enthusiastically hailing her as the inspired prophetess of a new cult. Verily, the world hath a million fads, and those relating to the body are 999,987 of them. Verily, too, as some sage has remarked, not all fads yet are dead.

Appendicitis.

(Written in the hope that Longfellow will not find it out.)

The shades of night had almost closed,
When pangs rent William as he dozed.
Three doctors came and diagnosed
Appendicitis.

"Oh, don't say that!" a maiden cried;
"Won't ginger tea help his inside?"
But straight the doctors wise replied:
"Appendicitis."

They brought sharp knives, as armed for war,
And cutely carved poor Willie's tor—
So bad, for that's the treatment for
Appendicitis.

"Successful operation quite,"
The doctors said, with wierd delight,
And William died that very night—
Appendicitis.

His tombstone chants this tale of woe:
"Though carved with skill, he had to go.
"Too much 'success' laid William low—
Appendicitis!"

The Opinions of Rufus.

Speaking of the graft prosecutions. "It's an ill bird that fouls its own nest," said the sympathizer with the Higher-up bribers. Speaking of the graft prosecutions. "You're right," says I, "but never till you fellows began to chirp. I heard that it's equally ill to take a shovel, a pick an' a disinfectant an' try to clean the nest out."

I don't b'lieve the prayer that won't go es deep es the pocketbook 'll go es high es heaven, but, then, I may be mistaken, fer I'm no expert.

One side of every case in court is wrong, and a lawyer's a man who's hired to prove it's right, the size of his pay dependin' on how hard he kin prove it.

I've heered ministers say they'd had a call from the Lord when seemed fer me, after listin' to them, that they must in some way hev got connected with the wrong number.

'Bout this time o' year apples are like some fokes' relegion—too withered to be either nourishin' or valuable.

When I meet some people I can't help feelin' that I'd rather have less sanctity than to hev the kind of 'em.

If most of us men was es decent es our sisters I calc'late we'd be 'tween three an' four thousand years nigher to the millenium 'than we are.

I don't know es it's very strange there's lots of wicked people in this world when we keep such places es the Barbary Coast fer the speshul purpose of lettin' them enjoy themselves.

It's true that a rollin' stone gathers no moss, but I've never been able to see that that was much of a drawback to a stone.

Where Heaven Is Found.

I once was taught that heaven's gate was straight and narrow, so

There were but few who found it, while the

crowds went on below.

And I was taught though tortured souls the

cooling water craved,

I still might smile, and smile again, to think

that I was saved;

The home celestial of the ones who petty Self

And sing, "Thank God I'm not as he," through

acorns evermore.

'Twas thus I thought until one day a kindly

deed I did,

Unshaped by Self, unwarped by Greed her

sorry brood amid;

Then straight I knew, while all the world

seemed peace and joy ashine,

The heav'n for which in vain I'd sought right

here and now was mine,

And since that day I'er have held, and still

I hold it true,

That heav'n is found, and only found, where

deeds of love we do.

A Drama of Sisterly Amity.

It was when the Forum Club, which wears skirts, was electing one of its officials that a drama of sisterly amity was beautifully presented. Mrs. Gaston and Mrs. Alphonse—let us call them that—were the rival but not opposing candidates.

"You take the office," said Mrs. Gaston. "No, you take it," Mrs. Alphonse responded.

"You take it."

"I urge that you take it."

"I insist that you take it."

"I trust that everybody will vote for my capable friend," said Mrs. Alphonse, turning to the other members present.

"I urge everybody to vote for my accomplished friend," Mrs. Gaston remarked to the same audience. Finally one protested more than the other, and so the other one was elected.

All of which reminds of two women who eagerly wish to pay each other's fare on the street car.

"I'll pay it," says one.

"Oh, no, I'll pay it."

"Do let me pay it!"

"I should really prefer to pay it, dear."

"But I have the change right here."

"So have I."

Finally the one who really has ten cents pays both fares.

When the men heard of that Forum Club election they smiled that dashed superior smile of which brute man is capable. But why? Are man's proceedings, when there is an election in the Nint', for instance, an improvement on the methods of the women? The boss and his herded human cattle; the securing of votes by threats, cajolery, deceit and even by bribery—are these things more admirable than a courtesy which, even if somewhat strained, recognizes the amenities and deencies of life? And of such things men's elections too frequently and too largely are composed.

Answer the foregoing questions as you please, but, for my part, I hold the women's way superior, and so this may be considered a tribute to it, a tribute which should not be considered wholly lost even if somebody did imagine she saw a smile on my countenance as I wrote.

Her Sweet Blush.

"Did you ever know a girl who had a more pink-and-white complexion than she?"

"I don't know that I did, but her brother claims it is objectionable in one respect."

"What is that?"

"Why, he says it requires an alcohol bath to get entirely rid of it."

* * *

The Pygmy Men of Selshtown.

The pygmy men of Selshtown,

Whose king is Sordid Greed,

Whose battleries is, "Starve and die,

If I on fatness feed";

Their cunning mines are laid full deep

'Neath ways by brothers trod,

And rare success their souls would reap—

If but there were no God.

The pygmy men of Selshtown,

Their luring traps they lay

"This sudden strife is all of life,"

They cry, then go their way;

And deep they dig, and dark they dig,

Their days a gilded blur,

And theirs would be a triumph big—

If ne'er a God there were.

The pygmy men of Selshtown

Their brothers' blood condemn,

And bitter tears of sin-cursed years

Are on their garments' hems;

They dig to chorus of man's woe,

A chorus sad and deep,

And wondrous trophies they might show—

If God for aye would sleep.

The pygmy men of Selshtown,

How much they miss, how much!

The peace of life that calms its strife,

Dear Nature's soothing touch;

But still they go their crafty way,

Unheeding him who weeps,

Clutch tinsel baubles to their clay—

And God the record keeps.

Serio-Humorous.

"Will Terne is rankly sacerdotal. He contends that the marriage ceremony is extremely humorous."

"What makes him do such a thing?"

"Why, it appears that his wife promised to love, honor and obey him."

* * *

Another Point of View.

"You know it is written that the poor we have always with us."

"Yes, drat it all, that is the trouble."

"What do you mean by that?"

"Why, if they were only transiently with us we might do something about it."

LITTLE TALKS WITH OUR READERS

Sacramento, Cal., May 1, 1909.
Editors of The California Weekly.
Dear Sirs: I have just finished reading the last copy of your paper. For some weeks I have thought to give you my mind in reference to its worth. For me, the "Hearst" principle of "Living" is the most important part. Do not leave it out. The people you reach need just such material. New in our world is a "quotation" to do a little effective preaching that the ordinary man cannot do. Success to you in your great mission.
Yours sincerely,
TODD CLARK.

If the purposes of The California Weekly were to be set forth in a sentence or two it would be, first, to emancipate California from government by a great and greedy association of corporations and restore government by the people; second, to so revise our criminal codes and courts as to make the punishment of malefactors of great wealth as speedy, certain and just as in the case of the humblest citizen who has transgressed the laws; third, to inspire the readers of this paper to look up and see out beyond where the sky and the earth usually come together that their walk through life may be sustained by a power not of themselves and their pace quickened by a glorious hope. There are those who would reverse this order. That is their job, not ours.

San Francisco, Cal., May 1, 1909.
The California Weekly.
26 Montgomery Street, City.
Gentlemen: As a subscriber for your paper and as one who is interested in the struggle for universal equality before the law, I cannot help commenting on the criticism in your latest issue that the style of your publication is not sufficiently virile or bright. It is not strikingly virile or bright; it is true; but it does possess the quality of courage and reveals an honesty of purpose that cannot be questioned. It may not be as attractive as as profitable as the effervescence of Hubbard or of the fifty thousand dollar Hearst editor, but I believe it will prove more effective. It is not anything if not appropriate. I hope you will not change it. There is nothing which is so apt to weaken a writer's love for the truth as a constant aim at brilliancy.

My only fear for the policy of the Weekly is that it may fall in with the maudlin, sentimental tendency of the times to urge legislation which proposes to protect the "weaker brother." Let us have no legislation of any character which places a premium on weakness by protecting the weak. It is not only just that those who are strong, intellectually and morally should dominate but it is desirable. Let us bear this constantly in mind and not compromise our attitude toward privilege by advocating movements which can result only in rendering our entire position justly assailable.
Respectfully yours,
C. G. EDWARDS.

1480 California Street.

Our correspondent may rest assured that the temper, tone and timbre of The California Weekly will not be much changed until such time as the shareholders arise in wrath and change the management. The paper is what the staff can make it, and it would require another kind of a staff to make another kind of paper. As to our "weaker brother," he must take such place in the social rank as his strength will permit him to take, but he must not be made the general burden bearer because he is weaker. The Indian brave walked the trail carrying his blanket and his bow while his squaw came trudging after packing upon her bowed back all the family possessions, and for no other reason than that she was the weaker and could be made to bear the burden.

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The tendency of a taxation system based, as our national system is, almost wholly upon consumption, is to shift the burden from the strong to the less strong and from the less strong to the weak—to those least able to carry the load, and that is just as wrong as the treatment of the squaw by the buck. The California Weekly would not take from the weaker brother any load that that brother is able to carry. Therefore, it would not abolish the poll tax. Such a policy would make the weaker brother still weaker. There is no "maudlin sentiment" about this attitude. It is straight common sense. But then there are the social pariahs, the lame, the halt and the blindly incompetent! They have got to be helped from cradle to grave and that is quite burden enough without adding to it one single person able to carry his own weight. To carry anyone able to go it alone is to handicap the carrier and make him carried selfish and lazy. We stand for equality of opportunity, but we do not propose to let the Devil take the hindmost if we can keep that hindmost out of the Devil's clutches.

UP AND DOWN THE STATE

In Devil Canyon, near San Bernardino, a "wild man" has been seen several times recently, and has caused considerable consternation among picnickers in that vicinity. So far as has been learned, he is not an escape from an asylum, and no one thus far has been able to identify him.

Berkeley is to have an airship factory, and the construction of one already has begun. When it is completed an airship invented by Leonard H. Lane, of that city, will be manufactured in it. A model already has been constructed and Mr. Lane has made five successful flights in it.

Official figures show that Nevada's gold production in 1908 amounted to \$14,373,545.36. Allowing that the state has a population of 100,000—which appears to be a liberal allowance, as it actually shows an increase of about 140 per cent. since 1900—this would be an average of \$143.73 to each citizen, or \$718.65 to each family of five. Which would indicate that the Nevadans ought to be a good way from starving, even if they had no other source of wealth than the gold which is found in their ledges. It is announced that an electric line soon will be extended from Palo Alto to San Jose by way of Mayfield, Monte Vista and Cupertino. It will place Los Gatos, Congress Springs and Saratoga in close connection with San Francisco.

Scarcely had Fresno's Raisin Day been demonstrated a success before various newspapers were out with suggestions that a Prune Day should be next in order. Why not? For that matter, why not various days devoted to advertising various California fruits? Advertising a good thing cannot very well be overdone, and Californian fruits are about as good a thing as markets have to offer.

Visalia is entitled to congratulations. The J. B. Jordan ranch, consisting of 640 acres near that city, has been bought by a Los Angeles syndicate, and will be placed on the market in tracts running from twenty to eighty acres in size. These felicitations because every large ranch thus cut up means better tillage of the soil and more wealth produced from it.

Both Pomona and Bakersfield are to hold elections in the near future to decide whether or not bonds shall be issued for school purposes. The Pomona proposition calls for the issuance of \$150,000, and the Bakersfield election for \$55,000, in bonds. In each instance the bonds, if voted, will be used for both the purchase of sites and the erection of school buildings.

Chief Engineer Williams of the Western Pacific railway is given as authority for the assertion that passenger trains of that road will be running in and out of Oakland to a

(Concluded on Page 380.)



Have you heard the Victrola?

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POLITICAL TABLE TALK

By THE WATCHMAN.

The Effect of the Primary Law The most disturbing element in San Francisco politics is the new primary law. It has made doubtful more political deals than a few, and it has disconcerted the reformers who were for it quite as much as it has the practical politicians who fought it. Coalitions of factions have been the meat and drink of political manipulators in San Francisco for many elections, and at first glance it looked as if the law would put an end to coalitions because, apparently, it prohibited a candidate from receiving the endorsement of a party other than that to which he has sworn he belongs. This point was cleared up to the general satisfaction of anxious candidates and politicians by the decision of the Election Commission that the nomination paper requires the signer to state that he is a member of a particular party but it does not require him to state that the candidate he nominates belongs to any particular party. This decision permits members of any party to nominate a candidate from another party, and, of course, the members of the candidate's party can nominate him too.

Pre-Primary Conventions The course of political affairs in San Francisco demonstrates again what this paper has before called to the public's attention: that the abolition of nominating conventions does not abolish the methods of ante-convention politics. The practical politicians, now that the question of two-party endorsements has been settled, are playing their old game of give-and-take, trading an advantage here for a prospective advantage there, and making all the usual deals that hitherto have made the conventions simple meetings to ratify the actions of the bosses. The only difference is that the prestige of convention action is eliminated, and that the "freeze-out" tactics of the boss-ruled conventions can no longer be employed to keep off the ballot the name of a candidate who will not take part in the program. The new law makes for greater ease in getting a worthy man before the electors on election day. But for practical purposes it is just as necessary now as before the law was passed that that worthy candidate's strength should be developed before the people previous to election, and that the sentiment of the people who want good government should be concentrated upon one ticket. Otherwise, the reform element will simply dissipate itself by scattering its votes among a dozen candidates, while the pure vote can be relied on to vote solid for one ticket that they get the tip is the push ticket.

Practical Independents The independent Republicans have seen this fact clearly enough to organize a series of clubs and try to develop their strength and unite on one ticket. The independent Democrats (the San Francisco Democratic Club) are feeling their way toward an understanding with the independent Republicans, and the Good Government League will probably be in line with any ticket that meets the full endorsement of the reform element of both parties. This would be practical politics in a worthy use of the word, and practical common-sense besides. Some such workable understanding must be reached by the friends of good government, or the continuance of vital policies will be left to the tender mercies of Mr. Herrin political bureau. How would the people who want to see good government continued and justice established like to have Mr. Herrin dictate the course of the graft prosecution, for instance, or the letting of contracts for the rebuilding of the city hall, or the naming of the chief of police? For that as is squarely the issue in San Francisco as it is in the state; the political bureau of the Southern Pacific company is as active in San Francisco politics to-day as it was in state

politics in the last legislature; and friends of good government need to be just as suspicious of the activities of Gavin McNab and Tim Sullivan as they are of the activities of Grover L. Johnson and Walter Parker.

Labor Grievance at City Administration The talk of labor men invoking the recall against Mayor Taylor and the Board of Supervisors has subsided, but it is interesting to know just what labor's grievances were that aroused the talk. These grievances were embodied in the report of a committee appointed by the San Francisco Labor Council to investigate charges made by one Daniel O'Connell that the city administration was extravagant and hostile to labor. Briefly, the report sustains most of the charges, in particular that the Board of Supervisors had so stinted appropriations to the Board of Works as to necessitate the removal of janitors and the reduction of pay of others, while the salary of the city engineer was increased \$2,000 and that of the city architect \$1,000; that the bills for automobile hire for city officials indicated extravagance; that the supervisors were paying exorbitant rents for lots for temporary offices and buildings while not utilizing vacant lots owned by the city; and that the administration was hostile to labor in that it had failed to heed the requests of labor representatives that fire boxes be made in the fully equipped municipal factory by local mechanics instead of being purchased from outside firms, and that it had refused either to reinstate janitors or to order that hostlers in the fire department stables be paid the rate specified in the city charter.

Did He Walk Out Or Was He Pushed? State Architect George C. Sellon lately retired from the happy family of State Engineer Nathaniel Ellory and the public is not quite sure whether he was forced out of office or if he merely walked out because he wanted to go. Perhaps he is not certain himself. Anyway he is out. There has been enough friction between Sellon and his chief during the last two years to light matches, and Ellory pursued the course of a measure requiring the state architect to give all his time to the state, which Mr. Sellon felt he could not afford to do at \$4,000 a year, so he went. Nevertheless, that is a good provision to have in the law. It would be better if, as in the case of the State Board of Equalization, for instance, that provision were enforced, which it is not. Instead of not allowing private to interfere with public business these officials seldom allow public business to interfere seriously with private business, the law to the contrary notwithstanding. However, the general impression is that the state has had the services of a bright young architect for a couple of years even if advertising "Sellon & Heming, State Architects" did lead to a dissolution of the connection between architects and state.

Forewarned Registrars Zemansky, of San Francisco sees, in the new direct primary law, the supremacy of "organization" methods made more easy than ever in that the law will put a premium upon candidacies, upon bringing out tickets supporting every kind of new-fangled fad that human ingenuity can conceive. To meet the opposition will only be necessary for the organization boss to concentrate his strength with which to confront a divided opposition. This may be true but it is not new. Every intelligent friend of the direct primary has foreseen it. The remedy is to concentrate the opposition to the organization and plump that vote, too. It can be done. It must be done even if a second election has to be held, as in Berkeley, when the two highest in the first election take a full

out of each other in the second and so settle it. This is what Senator LaFollette wants in Wisconsin and, if that be necessary in order to secure majority rule, why we shall have that, too, here in California, cost what it may.

What Berkeley Has Taught Us San Francisco is much obliged to Berkeley for the instructive lesson of Saturday last. Berkeley has, in past years, been ruled by one or the other of two houses, the house of Spear or the house of Schmidt. If these two shrewd politicians could have hung together they might not have hung separately, as they have done on wiggly limbs blown by every breeze that passes. But bye and bye the Berkeley people awoke from their slumbers saying: "A plague on both your houses," waded in to do both of them up and they have done them. They got together for the first time as a Lincoln-Roosevelt Republican League, their enthusiasm carrying them so far that they held the Berkeley vote in the palms of their hands and the whole Herrin organization could not prevail against it. Thus encouraged they got behind the new charter and secured the adoption of that. Then they took hold of putting in office a staff of officials that can be counted on to make a success, and not a holy spectacle, of the new charter. They picked out for mayor Beverly J. Hodghead, clean and competent, and got behind him so effectively that he was given a clear majority at the first election. No "organization" seeking to divide the better element can stand against that kind of work. San Francisco can accomplish a similar result in a similar way, but by no other. The lesson of Berkeley should be taken to the inner consciousness of San Francisco.

The Gaity of the Campaign As long as Mr. Is Positively Assured Frank J. Sullivan remains in the political eye the mayoralty campaign in San Francisco cannot be dull or devoid of humor. He is as good as a cage full of monkeys. He tells his troubles, family and all, not to the policeman but to the whole public. He opens his heart as a catfish opens its mouth so that the workings of his immortal soul are distinctly visible. Those workings are very human but not very much to the credit of the dignity of Mr. Frank J. Sullivan. They do not denote a strong character. They suggest melancholia. The Union Labor party people will do unwisely if they take up with any more lily-handed sons of toil to represent them in public office and they will do especially unwisely if they take up Mr. Frank J. Sullivan, which they won't. He is a joke.

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SELF GOVERNMENT AT LOS ANGELES

By E. A. DICKSON.

Los Angeles citizens have learned the value of organization. For years they fought organized vice as individuals and failed. Then they fought organized vice with organized citizenship—and won.

Recently they learned another lesson. They found that whenever a new crisis had to be confronted (the recall of Mayor Harper, for instance) they had to organize all over again. This was hard work—and costly. To conduct the campaign to oust Harper from office required the expenditure of about \$10,000, to say nothing about the time and energy sacrificed by the leading citizens in managing the bitterly contested battle of ballots.

The forces that were opposed to good government, on the other hand, had their soldiers all ready for action. They were organized. They began fighting while the citizens were trying to get their scattered army together.

The fight was an uneven one, so far as numbers were concerned; a struggle between a vice squad and a reform army. But the vice squad almost won because it was organized and well drilled.

The citizens learned that occasional organization isn't enough. Not only must there be organization to fight organization but it must be an all-the-year-round organization. Sporadic organization will not avail.

In a very able address before the City Club soon after the recall election, Meyer Lissner, one of Los Angeles' splendid citizen-soldiers, made a convincing appeal for permanent organization of the good government forces. Two weeks later the citizens, acting upon his suggestion, launched what is known as the Good Government Organization. In his address, Mr. Lissner said:

"If you want to have permanent good government in Los Angeles or anywhere else, for that matter, you have got to have permanent organization of good government forces. They say 'Eternal vigilance is the price of liberty,' and I say 'Permanent organization is the only safeguard for good government.' While I do not believe in what has been called 'the organization, I do believe in organization itself. It should not be necessary every time a good government campaign is undertaken in Los Angeles to have to begin anew, or to request men who have been active in precinct work to act as precinct committeemen. There should be permanent good government organizations in every precinct in the city, ready, like minutemen, to respond almost automatically to the need of the hour."

The Good Government Organization is intended to be a federation of all other civic bodies which are working for the upbuilding of Los Angeles. It will be permanent; that is, it will maintain headquarters and a paid secretary all the year round. Clubs are to be formed in every precinct of the city.

The purposes of the organization are told in its brief constitution, thus:

"To unite and organize the various forces of good government in Los Angeles. To organize in each precinct a good government club, which shall be represented in the councils of the organization by one of its members or officers. To endorse and support worthy candidates for election to office. To oppose the nomination and election of unfit men to office. Generally to maintain an active organization for the purpose of promoting and advancing all movements for the advantage and welfare of Los Angeles."

That the organization may be thoroughly representative of the citizenship that stands for good government and the general upbuilding of the city, the following civic bodies are declared eligible to membership:

City Club, Chamber of Commerce, Municipal League, Central Labor Council, Merchants' Association, Voters' League, Federation of Improvement Clubs.

It is provided, however, that not more than ten members shall be accepted from the governing body of any one organization.

In addition to these, the membership will include one representative from each precinct good government club and fifty members-at-large, to be named by the president with the approval of the executive committee.

This organization, then, will be a league of all the other civic bodies. The three hundred (or thereabouts) citizens who compose its membership and represent the various civic and commercial organizations will be the city's political watchdogs. Their function will be to suggest good men for public office and to support those men when nominated. That is their positive duty. Their negative duty is to oppose the nomination and election of unfit men.

Los Angeles, therefore, is provided with a pretty substantial organization of her citizens for active political service; and, what is more to the point, it is permanent in character.

But a second problem confronted the citizens when they first began talking about a permanent organization of the good government forces. "Where was the money to come from? Echo answered "Where?"

Here again Meyer Lissner suggested the solution. He said:

"The most serious matter in connection with reform movements and movements for good government is the financing of them. There are many good citizens, men of ability, who are willing to devote a good deal of their valuable time to this work and to contribute liberally to campaign funds besides, but they balk when it comes to going, hat in hand, literally begging for funds which are doled out, grudgingly in many cases, by men who do practically none of the work and, by reason of their large interests in the community, are the principal beneficiaries of it.

"It so happens that citizens who are able to and do give generously to the financing of movements of this kind, while quite limited in number, are called upon on every occasion. It is not only bothersome for them, but also for the solicitors, to have to take up such a matter every time the necessity arises.

"It would be more businesslike and a great relief for all concerned if each one of these generous givers would agree to pay such an amount as he would expend annually into a fund, to the trustees of which all applications of the kind mentioned could be referred, and who could either assist or turn down a proposition, as their judgment would dictate.

The citizens saw the merit of Mr. Lissner's suggestion and at once organized what is known as the Good Government Fund. The fund at the present time has about thirty-four annual subscribers, who agree to pay their annual subscriptions in equal quarterly installments, until further notice, and has a guaranteed annual subscription to date of \$22,000.

Such a fund will be able to furnish all moneys needed for good government purposes, and it is the intention of the good government fund trustees to finance every worthy enterprise for good government in the city and county. The trustees of this fund are:

S. C. Graham, C. J. Kubach, Stoddard Jess, P. M. Johnson, William Lacy, J. O. Koepfl, Gilbert S. Wright, John R. Haynes and M. Lissner.

The announcement that the citizens have both a permanent organization and a permanent

(Concluded on Page 383.)



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WHAT OUR PEOPLE'S LOBBY DID

By GEORGE BAKER ANDERSON.

Four years ago, during a session of the Congress, there appeared at a committee hearing on a bill vitally affecting the plain people, who usually have to content themselves with playing a thinking part in the political drama staged on the banks of the Potomac every two years, a man unknown to any of the Representatives in Congress composing the committee. The stranger, a quiet little man, stood unobtrusively in one corner of the room while half a dozen silk-hatted, frock-coated, patent-leathered, smug-countenanced gentlemen, locking arms with or otherwise affectionately hobnobbing with the committeemen, made themselves very much at home.

The chairman of the committee took his seat at the head of the long table in the center of the room, shot impressive glances from beneath and beyond shaggy, statesmanlike eyebrows, at the gathering, and gave his gavel a graceful whirl. Before he let his emblem of fleeting authority fall he condescended to permit the body of the timid stranger to come within the radius of his vision. The personification of austerity was on tap. It was an impressive, a dramatic moment. The gavel still gently twirled, when—

"May I ask, sir, whom you represent?"

The query was directed toward the shrinking figure standing in the corner.

"The people," was the startling reply.

A roar of laughter, in which the chairman and all the members of the committee joined, reverberated through the room. Yes—but was it not a great joke?

The gavel fell—very light as its fall upon the block. The joke appeared to be helpless.

"I am very sorry, sir," began the chairman, as the half dozen silk-hatted, frock-coated, patent-leathered, smug-countenanced gentlemen who made lobbying their business gazed at one another and winked, "but our time is going to be very limited. We have a number of gentlemen here representing large interests, and they must be heard. I do not see how we can very well give you any time."

The presumptuous, bumptious little man in the corner left the mellifluous accompaniment of rippling titters and soft-pedal heehaws—perhaps a thin veneer for the something beside exhilaration which some of those present felt at that moment. You have heard a hysterical woman laugh when somebody told her all her household treasures had just been fed to the hungry demon fire? The other laughter belonged to the same family.

How preposterous, indeed! The people! What right has any man, just a common citizen, to appear before any august body of lawmakers and declare himself a representative of the people?

The experience of this professed representative of the people at the national capital four years ago had a parallel, with a great projection thereupon at Sacramento last winter. "The people!" sneered Speaker Philip A. Stanton, and Assemblymen Grove L. Johnson and Robert L. Beardslee, when they found that a mere man had dared to presume to enter the sacred precincts of a legislative hall and ask certain lawmakers why they were absent during roll call on an important measure.

"The People's Lobby! What right has this fellow to call himself a representative of the people?" roared the machine politicians, slapping their glib, glibulous chests.

"Such creatures as these," oracularly declared Johnson of Sacramento, "are not fit to breathe the same air we do."

And time proved that from this judgment there was no appeal. For, at the instigation of Stanton and Johnson, bosses of the machine element in the assembly, though knife-to-bone enemies, the Senate on Rules and the great Committee on Judiciary succeeded by the adoption of tactics which no future committee of a California Legislature will dare

to pursue (even if inclined to do so, which is doubtful), in keeping the representative of the People's Lobby off the floor of the Assembly.

Off the floor, did I say. Not only off the floor but, by order of Speaker Stanton, delivered in person by the agitated sergeant-at-arms (who didn't appear to relish his job), even out of the galleries, day and night, Sundays and holidays, whether the assembly was in session or not. Not even was this miserable creature, this wretched felon, this hideous spy upon the actions of the elected "real representatives" of the people, permitted to set a foot or poke a nose or thrust a glance into the Assembly gallery during the Lincoln memorial exercises, though Jere Burke and John C. Lynch and Walter Parker and Frank Daroux, of poolroom notoriety, might have occupied posts of honor on that occasion, for the asking.

The People's Lobby was the fruit of the ideas advanced by a number of public-spirited citizens of California who had reached the conclusion that the time had arrived when the majority of the voters of the State wanted to know more about the doings of their lawmakers than the correspondent of any one newspaper might be able to tell them. It was believed that not only would a daily or semi-weekly narrative, free from tincture of partisanship, be welcomed by thousands of interested citizens, but that a permanent record of the attitude of members on all important issues (not only their votes, but their work in committee, their attitude in debate, their opposition to lobbyists, their support or opposition for use in campaigns in which members will seek re-election. And in both respects the anticipations of the founders of the People's Lobby fell very far short of the actual demand. For so widespread has been the request for the full records of various speakers, both good and bad, independent and servile, courageous and cowardly—that there is little room for doubt that many of these senators and assemblymen whose records (when completely exposed by the People's Lobby, as they will be) to the proper members of such exposure shall have arrived) prove their total unfitness for public office will be denied renomination at the hands of an outraged constituency.

Contrary to the popular belief, the People's Lobby was not a one-man institution. Realizing that much of its work, to be effective, must be done secretly, it established one man, the writer of this brief article, as its executive head at Sacramento. But the real work, much of it, was done by men employed about the capital in various ways. Some of these men were those who were clerks of committees; some were engaged in confidential capacities as attaches of one house or the other. All were faithful to the trust reposed in them. So far as can be learned, not one "leaked" some of the attachments of the People's Lobby (all but three of whom served the cause without hope of pecuniary reward) knew nobody connected with the novel institution excepting its recognized head and the office employees. The organization was far from perfect. Its committee equipment contained no faulty material. The structure held firm to the last.

One of the first immediate results of the activities of the lobby was the adoption, by both houses, of drastic anti-lobbying rules. That this movement was inaugurated for the direct purpose of keeping the one known member of the People's Lobby's head off the floors (provided, in the case of the senate in particular, he were detected in the act of violating the rule) was obvious.

Strangely enough, the People's Lobby was not caught lobbying—as the term is defined in the California Election Code, Burke, Lynch, Parker, Daroux, and others who were known to be the genteel art a profession, continued to perform their labors, but not, as during former

sessions, in the legislative chambers. Two years before some of them invaded the floor of either house during roll-calls and actually directed their hired men how to vote after the roll-call had begun! Last winter they gave their orders in the seclusion of their headquarters at the Capital Hotel—sometimes over a game of pinocle. These rooms were, for a time, the mecca for the time-servers in the legislature, including most of the members from Los Angeles and the majority from San Francisco.

Toward the close of the session the railroad lobbyists grew bolder and Burke, in particular, frequented the corridors near the entrance to the chambers, calling members out as the occasion demanded; but open lobbying on the floor was at an end, so far as the boss of the Southern Pacific crew was concerned.

Not so, however, in the case of all of the gentlemen of persuasive eloquence who had enlisted under one banner or another. The Royal Arch lobbyists, the racetrack lobbyists, the dental lobbyists, the medical lobbyists and representatives of other special interests forgot the rule as the session ripened, and so, apparently, did Lieutenant-Governor Porter and Speaker Stanton; for on many an occasion were some of the most notorious lobbyists in the State seen almost touching elbows with these two presiding officers, on the floor of either house, during sessions! And it was not an uncommon sight to see Lieutenant-Governor Porter and Jere Burke in intimate conversation in the senate corridor, or some secluded spot!

To set me narrate, in one paragraph, a bit of hitherto unwritten history, to illustrate how closely in touch with events the People's Lobby found itself early in the session:

While the fight over the anti-racetrack gambling bill was at its height, but before the fate of the measure was sealed, one of the members of the senate was approached by a man professing to be, and generally believed to be, an agent of one of the two big racetracks in California, and told in plain terms that his vote against the measure would be worth \$25,000 to the racetrack people. Of course the offer was spurned. That the People's Lobby learned of this effort at bribery within a few hours after it had been made indicates how close a watch was kept upon the forces of corruption at work at Sacramento.

The People's Lobby prepared and secured the introduction of several reform measures, and three important resolutions, two of which agitated the machine to its foundation. One of these resolutions was adopted, after a bitter fight, with some amendments. None of the bills became law, all sharing the common fate of nine out of ten reform measures before the late legislature. It examined and prepared, or had prepared by competent authorities, digests of nearly two hundred bills, furnishing copies of these digests to various members of both houses, as the necessities appeared to demand. It found "bugs" in a considerable number of bills, and in every instance secured, or helped to secure, the defeat of the measures thus reported upon, or secured amendments killing the "bugs."

A score of cases might be cited, but two will suffice for a brief review:

Assemblyman Perrine of San Francisco introduced a bill providing for the reorganization of the National Guard of the State. In its original form one paragraph of the bill provided for life tenure for certain officers. The offensive clause was discovered by the People's Lobby, which at once gave publicity to the "bug" through various avenues, and it was stricken from the bill.

Assemblyman Leeds of Los Angeles fathered many vicious measures. One of his bills, harmless enough on its face, at first reading, amended the law governing the appointment of courts. The People's Lobby discovered the "bug," which took from the district attorney

the power to try "blind pig" cases in towns other than those in which the offenses had been committed. Through the immediate and earnest co-operation of one or two moral organizations and the activity of certain members of the assembly, the bill was killed, in spite of the most desperate efforts of Loebl. From a great mass of data in its possession, covering not only the session of 1909 but also preceding sessions, the People's Lobby now has in course of preparation two sets of documents

ments whose value to friends of good government in California can hardly be estimated. One of these will contain a detailed history of every important measure before the Legislature of 1909, including those which failed of passage. The other—and this, in my humble opinion, will provide campaign material of incalculable value—will be a detailed record of the work of every member of the Legislature. Where members of the present body have served in previous sessions, much of their earlier record will be preserved in this manner.

It is proposed to print 300,000 or more of these records in time to put them in the hands of all voters before the next State election, but those required in municipal elections occurring in the meantime will be available. Whether all will be printed in one volume, or each member's record will appear in a separate pamphlet, has not been determined, but the latter method probably will be adopted.

There will be many surprises, many regrets and a torrent of explanations and attempted explanations when these records are handed out for the inspection of the voters, but their publication in this form seems to be the only way to drive the machine tool out of the business of legislating for whom? The people?

The lawmaker for the corrupt machine bosses needs something more than a slap on the wrist.

(Up and Down the State—Concluded.)

point 231 miles east before June is past, and also that the entire system between Oakland and Salt Lake City will be ready for active operations by about October 1st.

"To be or not to be" sewerage was the question on which the electors of Tulare recently voted, and they decided not to be by just four votes. The total number of votes cast was 352, and of these 231 favored bonds for sewers, but as a two-thirds vote was required, there was a small lack. There is talk of petitioning for another vote at an early date.

An interesting experiment in the line of making dredger-worked land useful is being made by A. C. Strick of Mariposa, Yuba county. He is planting a thousand young eucalypts on such land, and if they do well it is understood that large dredger tracts will be set out to them.

Off Hatteras.

On our honeymoon, my darling.

In the wild Atlantic blow,
When the footsteeps of the steward—
Softly come and softly go;
When the passengers are groaning
With a deep and sincere woe,
Will you think of me and love me
When I'm in my berth below?

In the dining hall, my darling,
Think not bitterly of me,
Tho' I rushed away and left you
In the middle of our tea.

I was seized with sudden longing,
'Twas the call of Mother Sea;
It was best to leave you then, dear,
Best for you and best for me.

—Sam S. Stinson, N. Y. Times

"Say, p'n, what's a sheath skirt?" "That's the kind that has to be put on with a shoe horn."—Lippincott's Magazine.

"Waiter, has this steak been cooked?" "Yes, sir; by electricity." "Well, take it back and give it another shock."—Judge.

Mrs. Cannibal: "You haven't a single redeeming trait." Cannibal: "Oh, there's some good in me. I have just eaten a missionary."—New York Press.

"Did your uncle remember you in his will?" "Yes, he directed his executors to collect all the loans he had made me."—Boston Transcript.

"These lenses are getting fierce," declared the first cave-dweller. "That's right," chimed in the second cave-dweller. "Our landlord won't let us keep ichthyosauri, dodos, sabre-toothed tigers or pterodactyls."—Puck.

The Oakland Bank of Savings

Established 1867

CAPITAL AND SURPLUS, \$1,500,000.00

Transacts a General Banking Business, Sells Drafts and Issues Letters of Credit and pays Interest on Savings Accounts.

Has exceptional facilities for handling the accounts of Banks, Corporations, Firms and Individuals.

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The First National Bank OF OAKLAND, CAL.

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FIRST MORTGAGES

On desirable, improved, inside business and residence property in Oakland pay

6 to 8 Per Cent Net

according to amount, small loans of \$500 to \$1,000 bearing the highest rates, and those of, say, \$15,000 and upwards, bearing the lowest of six per cent.

I have some mortgages on hand now for sale on that basis, besides several applications for new loans on the same terms.

Did you ever stop to consider the advantages offered by a loan like this where you are sole master of the situation so far as this one investment is concerned, and for a lot of other reasons I can name? This is the safest class of investment known to day.

The security is almost invariably double the amount of the loan and sometimes a good deal more.

Mortgage, note, fire insurance policy and certificate of title go with each loan.

To complete a loan you can either come to my office yourself, ask through your bank or send the money to me, as you choose.

I personally inspect the security for every loan, examine all the papers in the transaction, select reliable fire insurance and title companies and collect and remit the interest to you every month or every quarter, as you like, without charge to you.

The borrower pays all expenses. I have placed millions of dollars on these loans without a loss, for foreclose.

I turn down lots of applications for loans because I can't personally satisfy with every detail. Those that I select show almost a guarantee are all right in every way.

I have clear investigation of my loans, my methods and myself.

The population of Oakland is 240,000 and growing fast; there is much activity in building and other lines; development here, plenty of opening for capital, and, consequently, unlimited opportunity for the use of money.

Send for list of loans now on hand, and to facilitate matters please state in what amounts you want them. I'd like to write to you.

GEORGE W. AUSTIN

Real Estate, Loans and Rent Collections.

1018 Broadway, Oakland, Cal. Dept. I.

References: Any commercial agency anywhere, any bank in Oakland and the Oakland Chamber of Commerce and Institute of selected clients, among whom are, very likely, some you know.

First National Bank

OF SAN FRANCISCO

Post and Montgomery Streets

The enlarged facilities and improved equipment of The First National Bank offer every convenience and accommodation to customers.

The Capital of \$3,000,000, the Surplus of \$1,500,000 and an additional \$3,000,000—for which the stockholders are personally liable—stand between the depositors and any possible loss.

TOTAL RESOURCES, \$18,329,094.94

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Capital \$1,500,000

Deposits of \$1.00 and upward received, on which interest is paid at the rate of 3½ per cent. per annum.

This Company is associated with the First National Bank, and has its banking rooms adjacent to the bank. It is owned by the shareholders of The First National Bank, and is governed by the same board of directors.

It pays interest on deposits and is prepared to execute all kinds of trusts, taking entire charge of property, real and personal.

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706 MARKET STREET, opposite THIRD

The Cross Roads of the City

Capital Guaranteed \$1,000,000.00
Paid-up Capital 300,000.00
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Pays interest on all deposits and does a savings business exclusively.

DIRECTORS: James D. Phelan, President; John A. Hooper, Vice-President; J. K. Moffitt, Vice-President; Charles Holbrook, Ralph Spreckels, J. C. McKinstry, Rolla V. Watt, R. D. Melroy, H. O. Beatty.
Attorneys—J. C. McKinstry and D. C. Murphy.

The German Savings and Loan Society

526 CALIFORNIA ST.

(Member of the Associated Savings Banks of San Francisco.)

Guaranteed Capital \$1,200,000.00
Capital actually paid up in cash 1,000,000.00
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Deposits Dec. 31, 1908 35,079,498.53
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I THINK, Mr. Editor," demanded the Professor when the cards lay in little played-out "hands" on the table, and it wasn't anybody's shuffle for that evening, "that it is your turn to relate your romance. You have been keen enough in your interest in the others."

"My romance!" exclaimed the newspaper man. "My romance! Lord, man, I married a school teacher, not a stenographer."

"The point seems to be well taken," observed the Judge.

"The Court will kindly note an exception," continued the Professor, "but if we are not to hear from the Editor we certainly should from the Postmaster. It will be remembered that on the occasion of our first matrimonial conference he admitted having gone nearly insane over the sister of the wife of his friend who was talking of coming to California to live. I have treasured that remark in my memory."

"Well, so far as that statement is concerned," said the Postmaster, "I was entirely within the fact when I declared that I nearly went insane over that experience and I cannot think of it to this day without trepidation."

You see, it was this way: I fell in love with the wife of another man. Now don't be alarmed. There were neither coffins nor pistols. She was not a young thing married to an old leper, she wasn't an heiress to speak of and he was not a rich old miser. All the parties concerned, myself excepted, were of the salt of the earth and I don't think I behaved so badly myself, but I'll leave that to you after I have told you the story.

Alice and I had been childhood schoolmates. Although I was three years older than she we were in the same classes most of the time for the reason that I was out of school and at work, except during the winter term, during which I barely caught up with the others, when I had to be out again, for I was on my own resources after I was fourteen. She was not at any time my particular favorite nor I hers, although friendly enough.

We lived in a small town. Her father kept a store. My father was dead, my mother poor, and I worked for my father's store and clerk at school. The bookkeeper and head clerk was John Henderson, a dozen years older than I. John was silent, diligent and kind, the mainstay of the store, for the "old man" trusted too liberally and was not very prosperous.

First it was Alice's mother who died, after which John's widowed mother came and kept house for John, the "old man" and his two daughters. Then it was the "old man" who got the pneumonia and followed his wife, but when he knew what he had he fixed things so that John would keep business going and take care of the girls until they could shift for themselves, settle the estate and "do what was right" betwixt him and them. So read the will, to which were attached no bonds. The "old man" had taken John in as he had taken me, though a dozen years older, and placed implicit confidence in him, so he went to his rest as easy in mind as he must have been in spirit, fearing nothing.

John sent Alice's sister, of whom he was very fond, to the normal, then out teaching, and would have sent her on her own, but she took a different direction and she married early and settled down in an adjacent town and has lived prosperously, but not very happily, ever since. She was five or six years older than Alice.

After Alice finished the common schools John wanted her to go to the normal, too, but she had no taste for teaching, but wanted to learn bookkeeping, stenography and all that, to which women were not as much addicted then as now, so that she could help John in the store.

Meantime my mother had died and I had sold our little effects, taken the money and gone to college. When I came back John and Alice had been married two years and she had their first baby at the breast. The business had been growing some, but John had not had a day's vacation since the "red man" died, and was a bit run down. Could I come in and help him for a year? I could live with the family and, although the salary would not be large, my board would cost me nothing and I could save something if I cared to.

A NON-SCANDALOUS AFFINITY

By TOBIAS BLACK

(Being the Fourth Calcut Club Romance.)

AS I SAY, I was just out of college and was uncertain whether to practice law, medicine, merchandising or politics, never could make up my mind and as I never did conclude what I wanted to be I haven't been anything to speak of any time since. I think Alice had something to do with that, too. But this I know: I was out of money, and this chance to take hold where I had left off four years before came right to hand.

John had to rough it awhile, by the doctor's command, and so left it to Alice and me to run the store, mainly, while he rented a farm and ran it that season just to get back his health, which he did.

Of evenings Alice and I used to sing some together. She had a piano and I a violin and we practiced duets, too. I was quite musical in those days, had a good baritone voice. I haven't sung a note or drawn a bow across strings from that day to this. Haven't had the heart to. John came home at night tired with farm work and went off early to bed saying that our music did not disturb him any, rather thought it helped him to doze off to sleep when otherwise he might be too tired, our voices sort of blended together so well.

Well, it went on this way for three-quarters of a year, when, one noon time when I was alone in the store and there weren't any customers, John's good old mother came into the office, rested her elbows on the desk where I was doing some figuring, her wrinkled old face resting in the palms of her hands, and looked at me, not saying a word. "What is it, mother?" I asked, seeing that there was something on her mind, for I called her mother as well as the rest did.

"Son," she said, "be careful, be awfully careful."

"Careful about what, mother?" I asked in unfeigned surprise.

"Can it be that you don't know?" she demanded in her soft voice, and then, looking me straight in the eye, she went on, "I believe you don't. Yes, I am sure you don't, but you must be very careful about Alice."

"Careful about Alice?" I exclaimed. "Have I been careless about her? I don't understand what you mean."

"I see that you don't," she said, "and I am glad that you haven't known, but whether you know it or not you are both skating on very thin ice, and I think that she is as unconscious of it as you are. Things can't always go on that way. They have gone too far already. I am a woman and I know. You are the stronger of the two and the future must depend on you. Until your year ends be careful, then go away. If anything bad should happen, if anything should come between him and Alice it would kill John. He is all wrapped up in her and the baby."

With that she went out and Alice came in to let me go to dinner. As she came bursting into the office with her rustle of skirts and breezy breath like new mown hay I caught in her eyes for the first time a look that I had not seen there before. Of that dinner I ate little.

Thereafter I had more exacting duties in the store of evenings and less time for music and reading. John noticed the difference and upbraided me for making a drudge of myself, but the old mother pressed my hand between hers and whispered under her breath, "God

bless my true-hearted boy!" Perhaps she meant me and perhaps she meant John.

We were standing on the porch in front of the store near closing up time watching for John to come up the road from the farm. Alice with baby in her arms, as she nearly always did when the weather was fine. As he rounded the corner into the main road, "There comes dear old John," she cried. "He has been like a father to me and I have loved him—like a father," saying the last three words half under her breath and ever so slowly, but her eyes were more expressive than her words. He was fifteen years her senior by the calendar and twice that by every other indication of comparative age.

Again as the buds of spring were swelling and my year of service had nearly ended she asked me to come into the parlor and sing an old song once more, and I went. We were alone but for the baby creeping about on the carpet. As she tumbled around for the music she said, in an undertone, "You have decided to go far to the west, have you?"

"As far as my money will carry me," I returned.

"It is best that you should," was the reply. "You will not come back this way again, not ever?" she asked.

"No, I can't not," I replied. "I don't well see how I can."

"I suppose that also will be best," was her answer.

By this time she had found the music and, opening it, ran her fingers over the piano keys, but when she tried to sing her voice trembled and she tossed the music aside. "I can't sing to-day, Fred," she said, and I saw that her eyes were filled with tears.

The day of going came. John was to drive me to the depot. I bade mother good by at the door and ran into the parlor to say good bye to Alice while John waited in the buggy outside.

I found her pacing the room in evident distress. "Good-bye, Alice," I said, as I held both hands out toward her, "we have had good times together." Then, almost screaming, she called aloud, "Fred! Fred! My brother! My brother! How can I ever bear not to see your dear face again!" Then, throwing all reserve aside she threw herself in my arms and weeping on my shoulder. I stroked her hair and, for the first and only time in my life, save in the kissing games of childhood, kissed her. Her husband sat in the buggy outside oblivious of it all and, so far as I know, he remains oblivious of it to this day, for he is an old man now and Alice is aging, as I am. I have written to him sometimes, but never to her. I never could trust myself to do that.

Well, I came west, hustled hard at this and that trying to get out of my mind and heart that last two minutes with Alice, but it was no use. It is at this moment as though it were an hour ago. I married because it was the duty of a citizen, married my boarding-house keeper with a nest of children to bring up and helped to bring them up. I have not been unhappy, because I would not be, but my life has been empty of something that only Alice could have put into it. If I have not permitted it to be wholly barren of results it was more good fortune than good purpose, for I have not been able to settle down to fit myself for any special calling in life. Versatility has saved me from failure and "doing politics" has kept me from becoming bitter.

So you see, gentlemen, I have had my affinity without a scandal, my romance without a tragedy, and it is to me that two of the long lives of renunciation ought to be a full equivalent for the penalty of having been square.

"There you go again!" ejaculated the newspaper man. "If you fellows had married school ma'ams, the sensible men of the world not have carried such aching voids around with you until the end of your days. By the time a woman has taught school a certain number of years, and sees processions of other folk's children ahead of her stretching on to the crack of doom, matrimony would look good to her and she would be a little less hypercritical about the quality of masculinity she yokes up with nor

(Concluded on next page, second column.)

THE GRAFT CASES.

The trial of Patrick Calhoun is progressing as rapidly as might have been expected, but it goes slowly, and there is little of the spectacular about it, the evidence thus far being largely such as has heretofore been given in the trial of other cases. One after another twelve of the former supervisors—Coleman, Kelly, Gallagher, Nicholas, Davis, Phillips, McGushin, Harrigan, Boston, Furey, Mamlock, and Wilson—have gone on the stand and told the oft-repeated story of how they sold their votes for the coin of the United Railroads, which had been offered them. Gallagher acted as intermediary and paymaster in most instances, although former Supervisor Andrew M. Wilson swore to a conversation with Abe Ruef in which the latter promised that the bribe money would be distributed equally to all the former supervisors.

Throughout the cross-examination of all these witnesses the main object of the defense naturally has been to discredit them, and to this end it has attempted to show that their testimony varies from that given before the grand jury, but the attempt has not been notably successful.

Having shown that money was offered and paid the former supervisors to vote for the United Railroads' overhead trolley franchise, the prosecution is now engaged in attempting to prove that the money thus paid for the United Railroads was paid by the order of Patrick Calhoun. To this end, Frank A. Leach, formerly superintendent of the San Francisco branch of the United States mint, has testified that he paid \$200,000, in accordance with the order of Mr. Calhoun, to Tiley L. Ford, an official of the United Railroads, about the time of the bribery operations, and his testimony has been corroborated by that of William K. Cole, former cashier of the local branch mint, and Eugene Hawkins, its chief clerk. William M. Abbott, one of Calhoun's attorneys, has testified that he went with Ford to secure the money from the mint.

An incident which for a time threatened to have a serious bearing upon the trial was the throwing of Mrs. Otto H. Mackroth from a United Railroads car by its conductor. In the resulting fall Mrs. Mackroth was severely injured and her husband, under escort, was permitted to visit her at a hospital. It was feared that this might effect the disqualification of juror Mackroth on the ground of possible prejudice, but both the prosecution and the defense waived action in the matter, and the threatened delay due to the securing of another juror was avoided.

An attempt is being made to stop the pay of Detective William J. Burns and his assistants as employees of the District Attorney's office, and this looks back to the recovery of the prosecution's papers from the keeping of William M. Abbott, chief counsel for the United Railroads. If Burns is a public official there is a fairly clear case of the bribery of such an official against Mr. Abbott; if not, his path will be made smoother.

While not directly one of the graft cases, the trial of Luther G. Brown, head detective for the Calhoun defense, is so closely connected with them as to warrant considering it in that connection. Brown is under indictment for kidnapping Fremont Older, editor of the San Francisco Bulletin. By his consistent opposition to the grafters Mr. Older had made himself odious to them, and so the most daring arrangements were made to get him out of the way. Having, in Los Angeles, secured a warrant for Older's arrest on a charge of criminal libel, Brown, accompanied by Porter Ashe and others, on the night of September 27, 1907, inveigled him to a place on Van Ness avenue, where they arrested him and forced him into an automobile. Thence, while he demanded that he be taken before a judge in order to give bail, they hurried him in the automobile to Redwood City, where he was forced upon a train to Los Angeles. Here he was held until his predicament was ascertained, when steps were taken resulting in his release on bail at Santa Barbara.

This is the proceeding for which Brown now is to be tried. A full jury has been secured, and the taking of evidence now is under way.

Automobile Notes.

Although much of the leading makes of tires give splendid service it is true that additional satisfaction would follow if every owner would insist that certain common practices be avoided. For instance a car is often allowed to stand in water or on a damp garage floor, which is very bad for the tire. Under the constant influence of dampness the exterior rubber covering of the tire is bound to separate from the fabric sooner or later. The tire is then condemned and the maker is blamed for the result of the owner's ignorance or carelessness.

That an automobile properly built will not only give better service than a horse but will give efficient service for a longer time is what Dr. George E. Senkler of St. Paul, Minn., has set out to demonstrate, and he is within a year of scoring his point. He has been using a motor car in his professional work, and says:

"Among the physicians here the average useful life of a horse I have found to be between six and seven years. I am convincing many that the car can be made to equal this, but it will take another year to prove it."

Dr. Senkler proposes to see how much longer than seven years the car will serve him effectually in his work.

Dashing across long stretches of country of fine sand and sycamush, country which is absolutely devoid of anything that may be classed as roads, climbing hills of grades ranging from 3 to 33 per cent, at a pace averaging twenty miles per hour are almost daily occurrences in Santa Barbara county, when F. E. Bedichek is at the wheel of his Studebaker "thirty" roadster, with which he has run up more than 15,000 miles since last June.

The roadster is used by Bedichek in making his rounds of the oil fields in which the company by which he is employed as division superintendent operates. The engine of the machine is geared two and one-half to one and there are no roads, grades or passes in the Santa Ynez or Santa Barbara mountains that have not been mastered by Bedichek's Studebaker.

("Affinity"—Concluded.)

overly exacting after she is in harness. To my notion what this world needs is less of romance and more of good, hard common sense in things matrimonial."

"To my mind what the world most needs," observed the Professor as he reached for his hat, "is the perfecting of my matrimonial philosophy which, thanks to you gentlemen, is progressing apace. Mr. District Attorney, it will be your turn next."



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A GLIMPSE OF THE YOSEMITE.

By T. A. Rickard.

(For The California Weekly.)

That man is the best cosmopolitan who first learns to know his own country; next he should see the best of other men's countries. On the eve of departing from California, I obtained a glimpse of the Yosemite, deeming it a pity to leave without a personal realization of a scenic beauty so famous. The journey was easily made, and my memory is now enriched with impressions that will last for life. The Yosemite is indeed superb: a *cul de sac* in the Sierra Nevada, a Happy Valley in Elysium, an amphitheatre of the gods, a place where all the extravagant and impossible landscapes of the scene painter of a theatre are made magnificently and exquisitely real.

Geologically, the Yosemite is not as abnormal as it appears; it is an inland ford cut in the granite mountains by the powerful agency of erosion, in the form of water and ice. When the mountains underwent uplift the slope westward was so increased as greatly to augment the power of the river to wear down the rocks. This natural sculpturing was assisted later by the grinding of moving ice until a deep hollow had been formed. Two peculiar features of the Yosemite are the cliffs, is traceable to the jointing of the granite, whereby it is cleft along perpendicular planes. Those who see the high bastions of rock and the astounding walls inclosing the valley, which is only one mile in average width by eight miles long, assume some cataclysm or geologic catastrophe as the cause of its formation; but scientific observation indicates that the result must be imputed to the patient forces of river and glacier, aided by the searching hand of frost, the contraction and expansion of water in cracks formed in a much sheared granite. As a lovely woman is to the anatomist only the counterpart of her less attractive sisters, so the valley of the Yosemite is like other valleys, save for the gift of a beauty that defies analysis and smoother comparison.

Owing to the earliness of the season not many of the trails were open, but it must be remarked that a "trail" in the Yosemite is no ill defined track, but a garden path of decided elaboration, suggesting motor-cycling rather than mountaineering. Among the recognized excursions is the walk to the Vernal Falls and from them to the foot of the higher cataract, called Nevada Falls. This affords many bits of characteristic scenery. One of the most beautiful is obtained from the bridge that crosses the torrent of the Merced and gives a view of the Vernal Falls framed between the lofty pines; in the foreground is the rush of foaming water, driven to fury by the opposition of huge boulders of granite; in the background is a stupendous cataract, falling sheer from a wall of rock that crosses from pine-clad slopes to the canyon; looking up to the waterfall, it seems as if it came from the sky, as impossible as the scenery of a dream, as exquisite as the setting of a poem.

The most wonderful thing in the National Park is the descent of the Yosemite. This waterfall is near the center of the valley and within view of the hotel, so that a short stroll brings the traveler to a foreground befitting the splendid scene. The water descends in two leaps and a scurry; the first drop is 1,600 feet, and the lowest 400 feet with a chute of 600 feet between so that the total height is 2,600 feet. The Victoria Falls of the Zambesi are 347 feet, or more than twice the height of Niagara. One does not, however, measure natural beauty by feet or even by hundreds of feet, nor by the height of water, otherwise I might emphasize the power represented by the descent of the big volume of liquid. In spring the rivers rejoice in new strength and call lustily to one another as they race to the sea; in autumn their strength is abated, they are thin and feeble, and their song is a gentle monotone. In April all the waterfalls of the

Yosemite are vociferous; and the astonishing thing is that they leap from high cliffs instead of running down the dark ravines; in white robes of spray they throw themselves headlong over sunlit cliffs, while their shadows play like smoke on the mountain walls. The leap of the Yosemite can be seen as a picture inclosed within a frame of verdure, the tall trees affording a feeble measure of the aerio height down which the river tumbles in excess of joyous life.

In the mountain meadows, 3,000 feet above the main valley, the river runs quietly and peacefully, reflecting the blue of the day and the crimson of evening; but as it approaches the valley the current is quickened with life, and changes its gentle flow into a rapid rush over the worn pavement of granite; the stream is hastening to meet its fate and trembles in fear anticipation of the sea. Speeding forward the waters reach the brink of the cliffs; arching at the leap like a hound in leash, the river hurls itself into the void and thunders down the abyss. The height is so great that the different gusts of water descend in projectile form, to be riven into spray before the bottom is reached. The river is shattered to a white powder of mist, which is blown westward in a perpetual rain. In the turmoil at the base of the first leap, the current is lost to view, but a little lower it re-forms and makes a superb cascade, at the foot of which the waters are divided into four or five streams, which unite in the meadows and join the Merced river. But the eye returns to the waterfall. The white scarf of beauty is thrown athwart the mountain walls; the substance of it being transitory but the form constant. In stainless daylight the falling cloud of water is silvered by the sun and throws a translucent shadow on the face of the cliff. The deep diapason of the cataract silences all other sounds, and even at night, at a distance, one hears the hurrying of the waterfall, as of birds in flight.

To get a closer view and a larger outlook I climbed to the top of the upper falls. It is only a good walk, not mountaineering; for the trails around the valley, though they may be out of repair, are so plain that even the foolish should not err therein. The exhilaration of getting there was worth the exertion, and the exertion itself was worth while. On the top the snow lay thickly, but a crust made walking easy. Standing above the crest of the waterfall, the view was superb. Such moments are the peaks of life. The valley lay at my feet in peaceful serenity, the dwellings of man appearing so insignificant as not to detract from the beauty of the picture or to interfere with the grandeur of "mountains pillaring a perfect sky." Alone on the height, enraptured by the vision of a world so beautiful, I found myself quoting:

For what high end is all this daily boon,

Unseen of man, in sightless silence spent?

Doth lavish Nature vainly importune

The unconscious witness of the firmament?

Or, is it that the influent God, whose breath
Informs with glory sea, and shore, and hill,
His infinite lone rejoicing nourishes
Upon the bounteous outcome of His will?

("Los Angeles"—Concluded.)

ent good government fund has had a wonderfully encouraging and stimulating effect upon the public generally. And it has had a corresponding repressing effect upon the push politicians and the Southern Pacific hirelings.

It is no exaggeration to say that the citizens of Los Angeles have solved the problem of good government. By agitation and insistent demand they have armed themselves with a city charter that assures them of honest government provided they have honest officials. And now they have laid the foundation necessary to assure the election of men who are honest.

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Bails, Fines, Punishments.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

So reads the eighth amendment to the Constitution of the United States. The makers of the constitution saw no need for incorporating such a provision into the organic law. They regarded the Common Law, of which we spoke last week, as sufficiently safeguarding these Rights of Men, but the people were suspicious of power and timid for themselves and their posterity and insisted upon the incorporation of these sixteen words. They have done no harm and have exercised a restraining influence upon authority.

For it has taken the world long to learn (the lesson is not more than half learned yet) that it is not the severity of punishment that deters crime so much as the certainty of it. Hatred of the other fellow's sin has inspired the desire to mutilate that other fellow's body to the end that he may have a realizing sense of the sinfulness of his conduct. Therefore the history of man's inhumanity to man, in the name of justice, makes quite the darkest pages in human history.

Perhaps there are some who do not know just what "bail" is or how it came into use. In the olden time every community was held responsible, as a community, for its own citizens. If an injury was traced to such a community, and the community itself could not fix the responsibility upon the guilty individual, the brunt had to be borne by the community at large. But if a member of that community were charged with the offense then the community itself had to see to it that he was presented for trial or suffer the consequences. This gave rise to giving hostages. If for any reason the person charged with offense could not be spared pending the trial some other person took his place in jail, relying upon the backing of his community, and a sense of honor on the part of the accused, to present himself when wanted. Gradually money or property came to be used instead of human pledges and, finally, obligations to pay instead of money payment. Tyrannous power could easily make the bail bond so high that no individual could secure the requisite pledge. That would be excessive. Any sum greater than necessary to secure the attendance of the accused would be excessive and a hardship upon the accused. Therefore such excessive bail is prohibited by the national constitution and by the constitutions of most of the states.

There are, however, crimes of such extreme gravity, such as murder or treason, that they are generally held not bailable at all. Persons accused of crimes of this character, where the presumption of guilt seems to be strong, will be trusted to prison bars rather than to any substitute. Bail is only allowed prior to conviction, between arrest and preliminary examination or between preliminary examination and trial. A court may, after conviction, and while a case goes to a higher court on appeal, allow bail but conditions must be unusual to warrant it.

A fine is a bad sort of punishment at best, and has little justification from whatever point viewed. It bears unequally. To the very rich a fine means little more than tossing a small coin to a beggar, but to one not rich it may inflict great hardship. Many a family has suffered because the father had to pay a fine for drunkenness or for some other offense against social well-being, whereas a rich father could pay the penalty with a light laugh and think as little of the ignominy of it. Days in prison at hard labor count equally as punishment upon rich or poor and are preferable from whatever point viewed.

Still, fines have a certain justification in that they tend to reimburse society for the cash outlay incurred in enforcing laws. The officer who arrests, the judge who tries, the jury before whom tried—all these must be paid for their services. If a fine can be applied that will repay this cost, if nothing more, the guilty person, and not the social whole, should be

made to bear the expense of his wrong doing. Sometimes laws provide for both fine and imprisonment, for reimbursing society for what the criminal act has cost and for imprisonment as punishment for the act itself. This is a better form of punishment than either fine without imprisonment or imprisonment without fine. All that the constitution insists upon is that such fines must be reasonable and what is reasonable is determined by what reasonable men believe to be reasonable. No hard and fast rules can be laid down, although legislatures often do lay them down harder and faster than they ought.

Cruel and unusual punishments are forbidden because ours is intended to be pre-eminently a humane government and because wreaking vengeance does not prevent the commission of crime. On the contrary, it inspires in the mind of the victim a thirst for vengeance in return and, likewise, in the minds of all his friends and sympathizers. Not only is this so, but cruel punishments, by a psychological law only partially understood, suggest to other minds the commission of the same crime for which punishment has been so severely meted out; but if the person punished knows in his heart that he is rightly punished and punished reasonably, and his friends are of the same opinion, the enforcement of law has a salutary effect upon them and deters crime. This seventh amendment was wisely made a part of the Constitution of the United States. It is sound in theory and wholesome in practice.

Bill Number Three.

A business house is enclosing the following "pome" with its bills:

The first is Bill T.
The second, Bill B.
The third is the Bill
You're owing to me.

The first was elected
The second, rejected.
The third is now waiting to be collected

So kindly help hasten prosperity.
Promised to us by big Bill T.
By mailing at once your BANK BILL to me.
And thus liquidate Bill number three.

You need not feel sorry for poor Billy B.
He'll be running again in four years, you will see.

So please only worry about Bill number three.
Then join in the chorus, "Three cheers for
Bill T."—Berkshire Eagle.

"I am looking for a fashionable overcoat."
"All right, sir, will you have it too short or too long?"—Flegende Blaetter.

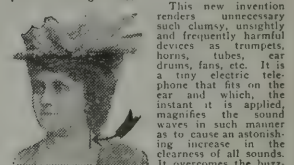
"You are concealing something from me!" hissed the villain. "Certainly I am," replied the leading lady, "I ain't no Salome."—Houston Post.

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Possible But Improbable.

It is possible that the People's Water Company, supplying the east bay cities, and the Spring Valley Water company, supplying San Francisco, may unite into a metropolitan water corporation. If so the union will have the double purpose of defeating any effort on the part of the several cities to associate themselves in a water district for bringing in a municipal supply from the Sierras and for competing with the associated cities if a municipal supply be brought in; but it is not inherently probable that such union will be formed. The source of most of the news running to that effect is questionable. It bears taint of being boughten, also of having an ulterior motive in view. The People's Water company has a reputation to lose, the Spring Valley one to gain. Matrimony under such conditions is always fraught with danger to the better half. The temper of the public is disposed to be fair with both corporations. It is not disposed to submit to extortion from either. No private enterprise will bring water from the Sierras and, without water from the Sierras, the bay cities can never feel secure from a water famine or be sure of getting water of first-class potability. A combination for extortion will produce a combination for resistance and, however long it may take, or however much it may cost, the associated cities will eventually win the fight against extortion. Therefore discretion should be the better part of valor in the cases of both corporations.

Herrin Not the Premier.

There has been some newspaper discussion as to who is really Harriman's right-hand man, but the Wall Street Journal declares that R. S. Lovett is the one great figure who has come forth to the highest rank under the Harriman regime. It adds that Judge Lovett is not only the most conspicuous success in the Harriman lines, but he is moreover one of the most conspicuous successes that has appeared in New York in the last ten years. Judge Lovett possesses the additional advantage of having done nothing to discredit himself with the public. An asset of cordial public antipathy is not one to be coveted by as far-seeing a dictator as Mr. Harriman who, while he has not scrupled to wear the reputations of others to a frazzle, has lately lost no opportunity to court the public favor for himself and his enterprises.

Forcing the Issue.

It should not be necessary for San Francisco to municipalize, reconstruct, own and operate the Geary street railroad. It should not be necessary for the city to take over, construct or own and operate a municipal water system, but the public service corporations will not rest content until they force the municipalization of practically all natural monopolies. Municipal ownership per se is not desirable. It places a burden upon government that it should not have to bear, but it can bear it and it will bear it rather than submit to rapacity, corruption, indifference and neglect. If public service corporations would serve the public, and rest content with that, municipal owner-

THIS NUMBER CONTAINS

The Eucalypts in California

(Second Article)

BY

George W. Peavy

ship would never command a hearing beyond a small group of negligible theorists, but they must needs play a financial shell game with public investors and make a poor and inadequate service a means for practicing extortion upon their patrons. Municipal ownership follows as a result of municipal rebellion against corporate tyranny, corruption and greed. The past has given no hostage for better things in the future. The only course left is to push municipalization forward wherever, as in the Geary street enterprise, a good opportunity is offered. It will not be an easy burden to carry, but it will be far easier than submission to a corporation that has debauched every public agency it has come in contact with, including bench, bar, press, and the public mind, not excluding the pulpit. San Francisco has more than once manifested its reserve power of undaunted manhood. The Geary street enterprise calls for another such manifestation. Speak to the people and they will go forward.

Working the Fannies.

In Los Angeles a group of women, who combine soft heartedness with softness of head, have done so much to help undeserving criminals that they have become known all over the United States to professionals of this class. A yeggman arrested in a boxcar in that city was found to have in his possession a list of directions how to proceed to secure the help of these women if he should find himself involved in difficulties with the police. In the language of the crooks this is "working the Fannies for light travel." Of course the women who become so much interested in detected malefactors are good women, but they indulge their sympathies to such neglect of their judgment that they oftentimes do more harm than good. The class is not peculiar to Los Angeles. Its representatives are everywhere, but they may be more in evidence in that city than in most places. One of the benefits of regularly organized charity work is that it puts into the background this type of woman philanthropist and brings to the front women of more business-like mind and training.

A Notable Document.

At the Commonwealth Club, Wednesday evening, at the St. Francis Hotel, an exhaustive address was read by Mr. Geo. W. Dickie upon the subject of Ship-Subsidy. It were well to print a million copies of the address and distribute them to the million most thoughtful and patriotic Americans, not that the conclusions reached by Mr. Dickie should be accepted as irrefragable, but that basic information might be in hand upon which to formulate a rational national policy in relation to the American marine. That policy is now as unintelligent as it is inadequate. Our condition cannot grow much worse without obliterating the American flag from the seas of the world lying out of sight of the American shore. As much as 92½ per cent. of our foreign commerce is now carried in foreign ships for which service American commerce pays to foreign ship owners \$250,000,000 a year. The American navy can scarcely venture out of sight of American shores without employing foreign ships to carry its coal and other supplies. Nor would free ships supply the deficiency. If ships were built and donated by the American government to American owners to be sailed under American registry and with American crews at American scales of wages and costs of supplies the recipients of the gifts would be bankrupted without the further aid of a subsidy. It looks as though our entirely artificial American standard of living and of wages, of prices and profits, had made an American merchant marine impossible under conditions other than those by which the American navy is being constructed and maintained and, if so, the query arises as to whether the government itself might not as well undertake the job directly as indirectly through subsidized corporations.

Keep an Eye on France.

The status of the civil service employee of government has not yet been thoroughly determined, either in this government or any other. It must sometime be determined and upon a basis of equity and certainty. It is impossible that governmental business shall be tied up by strikes as private and corporate business is often tied up. Even a public as long suffering and patient as the American will not long tolerate that. The postal employees of France are raising the issue and the French government will settle it. That settlement will establish a precedent that other nations will be inclined to follow. Our guess is that whoever enters the civil service will enter it upon practically the same footing that one enters army or navy, under a contract of enlistment the breaking of which will constitute mutiny with adequate punishments therefor. We are not venturing this prophecy because we advocate that policy, but because it appears to be inevitable, and its inevitability should have an important influence upon the tendency to increase the activities of government in ownership and operation of public utilities.

LOCAL AND OTHER OPTION.

Last week we found space in our columns for a very close-knit, well-reasoned article in favor of local option with reference to the liquor traffic, but not for a comment upon it. This week we find space for an article that looks at the subject of liquor control from a different point of view. Both views are deserving of consideration.

The aim of the local optionist is plain, unequivocal, certain. He wants prohibition. If he cannot get it nationally, at one swoop, he will take it by state, if not by state, then by county, if not by county then by precinct, but however he goes at it his object is the prohibition of the manufacture and sale of all alcoholic beverages.

Over against these good people, nearly all of whom either care nothing for alcoholics in any form, or dare not trust themselves to so much as smell the odor of a wine cask or beer barrel, lest their inveterate enemy lay them by the heels, stand some millions of persons, like the author of the letter found in another column, who regard the moderate use of liquors as no more questionable than the moderate use of tea, coffee or buttermilk, and the immoderate use as differing not a whit in principle from the excessive use of buttermilk, coffee or tea. Their motto is: use without abuse. If they do not always order their steps by that motto neither do others in eating or drinking, work or play.

Both are right and both are wrong. God knows if between such extremes of view any golden mean of policy for the public to pursue can ever be found. That is what The California Weekly is looking for.

This paper favors local option in every farming, or city residential, precinct. It believes in driving the liquor traffic into the business centers of incorporated cities and towns; but until ninety out of the hundred of men are willing voluntarily to forego and give up, for the common good, the alcohol in their beverages, it believes it better that what liquors are sold shall be sold under the surveillance and protection of the law than through outlawry. Just how this is to be done it cannot say. Perhaps Fresno, by confining the sales to bona fide restaurants and family liquor stores (to be not consumed on the premises of the latter) may prove the better way. It is worth trying.

Our correspondent's view of the status of temperance fifty years ago is unduly roscate. His one strong point is that whiskeys were purer then than now, but there was not then less drunkenness in proportion to population, or in proportion to drinkers than now, whereas now practically half the population are teetotalers and, by being such, lose little and gain much. His reference to Noah was unfortunate. The old man's jubilation upon reaching terra firma has been a humiliation to the race. Our correspondent's "properly conducted" saloon would be worth going across the continent to see. The best one that ever was was too dirty and foul-mouthed a place for gentility to be caught in. His query as to what the prohibitionist has to offer instead is not germane to the issue. The prohibitionist offers prohibition. It is up to those who do not believe in prohibition to offer instead of the saloon and prohibition something better than either. What shall it be?

UNDUE PROCESS OF THE LAW.

Every person who has been a member of a deliberative body knows what a hindrance to the transaction of business a stickler for parliamentary rules may become, yet it is indispensable to have rules governing the deliberations of congresses and conventions. But when the purpose of a deliberative body is sacrificed to the exactions of the rules mischief results and the rules need to be suspended.

THE STAFF

A. J. PILLSBURY.....Editor and Manager
CHESTER H. ROWELL.....Associate
J. I. WATERHOUSE.....Assistant
E. F. STROTH.....Assistant
O. BLACK.....Business Manager

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It is so with regard to the processes of the law. They were made to facilitate, not to impede justice. At least that is the theory that justifies their making. No sane person would wish to have all legal proceedings informal and summary. That would be chaotic. Even lynch-law recognizes something akin to an orderly procedure. Order is said to be heaven's first law, and courts cannot and must not dispense with it, but there is a thing as subordinating justice to procedure, the purpose to the form, the ideal to the ceremonial. That is dangerous. It is worse than dangerous. It is destructive.

Legal procedure has come into being in two different ways: By rules which courts have made for the conduct of their own business. By rules which legislatures have made for the conduct of the business of the courts. The first source of procedure is generally the better. The second comes from the bar, or from such members of the bar as have, from time to time, been elected to the legislature. Such changes as these men have caused to be made in rules prescribed by the courts have generally been made to fit special cases that had arisen in their practice and had given them trouble. They were not made with a broad view of the needs of justice, but to help some attorney to win cases, and to get the hands of some court that had stood between some attorney and the winning of his case.

Finally, there is that in ceremonial which is natural to the mind, especially to the narrow mind, the mind that cannot reach a hill-top view and must be content to run in ruts. This is the bane at once of judicial and legislative life. These are they who "lade men with burdens grievous to be borne." They have done it in all ages of human history and they are doing it now. And in all ages there comes a time when this burden becomes so heavy as to crush whatever is under it. We have reached such a time in our criminal jurisprudence. Under the weight of an artificial ceremonial, so intricate that no man, no matter how learned in the law or the machinery of the law, can pretend to master the maze of it, justice is ensnared and overthrown by anyone having the means to expend in hiring expert legal vaqueros for the performance of the service.

And when his honor of the woodcock, peering over his spectacles, sees justice wallowing in the dust tied foot and hand ready to receive the hot brand of defeat, he delivers himself thus: "These rules are prescribed for the protection of society itself." "They are for the benefit of every man who comes before the court—the guilty and the innocent alike; for it is only by their impartial application that the question of guilt or innocence may be safely reached in any case, and the defendant justly said to have had a fair trial." "The wisdom of ages has demonstrated the necessity of sur-

rounding the administration of justice with certain fixed rules and limitations to avoid the personal equation of the mere will or desire of the individual—which always tends to wrong and oppression." Usually somewhere in the sage declaration this sentence is also found: "The function of the court is to apply the law, not to make it." This is an ancient and hoary legal fiction which no judge ever employs in the presence of another judge without winking the other eye.

So far from being "justified by the wisdom of the ages," our California code of criminal procedure, as interpreted by courts mediocre in ability and technical beyond endurance, stands condemned in that whoever is able may have immunity from punishment, no matter what crime he may commit, if he will pay the price charged by a band of legal vaqueros who stand ready to let themselves to whoever will avail himself of their expert services. If we would have law and not anarchy in this state, justice and not injustice, if we would not have, "Law that grinds the poor while rich men rule the law," there must be such a revision and simplification of those "fixed rules and limitations," as will uphold justice and not overthrow, buck and gag it whenever it undertakes to deal with a rich freebooter. When- ever justice is sacrificed to a rule violence is done to the commonwealth and a crime is committed against social order, no matter whether it be court or legislature that inflicts the sacrifice.

NOT SO EASY AS HE THINKS.

The baccalaureate sermon delivered to the graduating class of the University of California in the Greek Theater last Sunday afternoon was a notable event. It was delivered by Rev. Charles Reynolds Brown of the First Congregational Church, Oakland, who took for his text: "He shall be called the Prince of Peace and shall reign for ever and ever." It was a masterly presentation of the most cogent arguments for international disarmament (beyond the needs of an international police) the settlement of international controversies by arbitration, or a court of nations, in which the United States is to take the lead and set an example by building no more battle-ships and reducing its present navy to the status of a police patrol.

It all appeared to be very easy to Dr. Brown and, judging from the applause, to seven-eighths of his seven or eight thousand hearers. Germany could not wish to go to war with us because the United States is one of her best customers for things "made in Germany," Great Britain because our source of supply of food stuffs and raw materials is the main dependence of our cousins across the Atlantic, France because of a sympathetic interest in our institutions, and Russia because of traditional friendship, other nations because they would have nothing to gain from a war with the United States.

Heaven knows what a burden militarism has been to the world, and how there ought to be enough of reason and judgment, national and international, to establish courts of arbitration or judicature for lifting this terrible burden off the shoulders of industry and commerce. It is right that the world should be made to see these truths as clearly as language can set them forth, and it is especially important that those who go out into society, after being trained by the state for social efficiency, should have them impressed upon their minds; but *pari passu* with this fitting for citizenship at the University of California there has rightly gone forward four years of drill in the science, arts and duties of a soldier and, rightly, too, in Dr. Brown's own church a cadet corps is being drilled in the use of arms. The world has not yet advanced so far as to

make it safe for any people to forget how to fight.

The rivalries of peoples, the competitions of nations, the conventional proprieties and dignities insisted upon in international society—all these things are to be taken into account. If one would know the penalty of national helplessness let him ask of China, India, of the Armenian populace to-day. The cupidities of commerce are swept away like cobwebs in the face of an outraged national pride. Unfortunately, too, for this safeguard, it is so ignoble as to command the derision rather than the sanction of patriotism. It was the merchants of the North who desired to "let the wayward sisters go," and suffer the Union to be dismembered rather than sustain a loss of trade.

Does not the reader agree with us in believing that a safer and a safer view of our national policy toward war was that set forth by Theodore Roosevelt in the New York Out-look of May 8th, as follows:

The professional peace advocate who wishes us to stop building up our navy is, in reality, seeking to put us in a position where we would be at the mercy of the other nation that happened to disagree with our desires to disregard the immigration that comes to our shores, to protect our own interests in the Panama Canal, to protect our own citizens abroad, or to take any stand whatever either for our own international honor or in the interest of international righteousness. Moreover, those well-meaning but fatuous advocates of peace who would try to prevent the up-building of our navy utterly misread the temper of their countrymen. We Americans are ourselves both proud and high-spirited, and we are not always by any means far-sighted. If our honor or our interest were menaced by a foreign power, this nation would fight, wholly without regard to whether or not its navy was efficient. In the event of a crisis arising, the peace advocates who object to our building up the navy would be powerless to prevent this country going to war. All they could do would be to prevent its being successful in the war. A strong navy is the surest guaranty of peace that America can have, and the cheapest insurance against war that Uncle Sam can possibly pay.

Doing Pretty Well, Thank You.

Although E. H. Harriman and E. P. Ripley continue as twin Cassandras, to go up and down the land bemoaning the hard conditions confronting railroads, because of the effects of the Roosevelt policies, the railroads of which they are the heads are doing pretty well, thank you, and the condition of railroads in general is not so bad as it has been painted. As given out in Wall street, the net earnings of the Southern Pacific for the first eight months of the present fiscal year were 17 per cent. better than last year, while the Union Pacific's net earnings are 22.6 per cent. better. There is a prospect that the Union Pacific will earn more than 20 per cent. on its common stock for the year, while the corresponding figures for the Santa Fe are 12 per cent. It cannot be said that corporations doing as well as these figures indicate are victims of political prejudice or the short-sightedness of the public. As for the railroads of the country taken as a whole, their gross earnings for the second week in April were 10 per cent. larger than in the same week in 1908, showing that the railroad business is on the up grade.

Use and Abuse of Applause.

Editor of The California Weekly:

A few weeks ago Bach's beautiful Mass in G minor was sung in the University of the University of California in a genuinely reverent manner by a well trained choir. But the beauty and the deeper meaning of the music were marred by the applause with which the Mass was interpreted. I am not a Roman Catholic, but the Mass is a form of Christian worship hallowed by centuries of use and expressive of the deepest religious emotions, and to applaud it seemed not only an exhibition of bad taste but of downright irreverence as well.

Last Sunday the Baccalaureate Sermon was preached

at the Greek Theater by the Reverend Charles R. Brown and was interrupted over and over again by applause. If we are going to applaud in a religious service, why not applaud the prayer? And surely Theodore Wiedersheim's fine reading of the Scripture selection deserved applause as well.

Seriously, ought not something to be done through the columns of The California Weekly, and through other agencies, to educate public opinion on the subject of the use and abuse of applause? There is a time to meet and a time to dance. There is a time to applaud and a time to be silent. There is also a time to applaud with reverent silence in the heart.

Sincerely yours,

Oakland, May 10, 1909. ALBERT W. PALMER

Convention has ordained that a sermon shall not be applauded and that applause is out of place in a house dedicated to worship, but there have been times when Dr. Brown's own congregation has found it necessary to thrust its hands into its pockets to keep them from involuntarily applauding a sentiment expressed during a sermon, and the evening that Francis J. Heney addressed the Men's League on the graft situation good Deacon Williams, who has served the Lord for nearly ninety years, asked that three cheers be given to Spreckels and Heney and 2,500 men gave them with such a will as made the rafters of the church creek under the strain of sound. If ever a joyful noise was made unto the Lord it was then. Nevertheless our correspondent's point is mainly well taken.

The Explanation Easy.

The Springfield, Mass., Republican rather wonders that the argument put forward by Southern California state divisionists, that division would increase the powers of the Pacific Coast in the councils of the nation, by adding two more United States Senators, does not challenge more attention from those living north of Telachapi mountain. The explanation is easy. The representation of California in the United States Senate has not usually been of such quality as to stimulate a universal desire to have it multiplied by two. When the political emancipation of this commonwealth from corporate control shall have been decisively achieved the multiplication of senators from California may call for more enthusiasm. As for the Political Bureau of the Southern Pacific company, it is sufficiently represented at Washington already.

Eucalyptus Planting.

Attention is called to a special article elsewhere in this issue on Eucalyptus Planting in California. California expects great things from tree cultivation, and especially from this particular form of it, but great results can only come of well planned enterprises. The series of eucalyptus articles appearing in this paper will constitute a handbook on the subject, so reliable as to warrant their being accepted in the fullest confidence, and so comprehensive as virtually to answer any question which an intending planter may wish to ask.

Papers with which The California Weekly exchanges are not only permitted but requested to make the largest possible use of this series of articles to the end that they may perform the greatest possible service to the state.

Not Kidnaping.

The intelligent jury that acquitted Luthur Brown of the charge of kidnaping Fremont Older probably reached the conclusion that the crime was not completely committed inasmuch as "Older" is not "Younger," and was therefore no "kid," but merely caught "napping." Also the process adopted in spiriting Older away has been hundreds of times successfully imitated by justices and constables in recovering Chinese slave girls and returning them to their masters when they were seeking to escape from hard bondage. The use of our laws, courts and civil officers for the infliction of wrong is no novelty.

The Deeper Significance : : : : of Living : : : :

There runs a delicious old story about two young lovers who found themselves living together in a garden, where there were rather more live things than would seem to be real good for the garden but, none the less a delightful place in which to live until sin came crawling in on its belly to make trouble, for sin crawls sinuously and seldom dares to stand and face uprightness frankly and with an unabashed countenance. It is related of these two young lovers that they were beguiled into eating of the tree of knowledge betwixt good and evil, whereupon they knew evil from good and rather inclined to prefer the evil in most instances. That is one theory of our becoming able to know right from wrong with power to choose betwixt them.

Then there runs a theory that there is within each of us a "still small voice," which, if we listen very sharply at every parting of the ways, will tell us which road is the right one and which the wrong to take. Some say that this voice is capable of cultivation (education) and may be taught to tell us wrong as certainly as to tell us right. Others say, not so, it will tell you right every time if you will but listen, for that voice is the soft whisper of an angelic presence sent on the wings of thought from the Most High.

We are also told of a wonderful book that has been handed down through the ages in which are recorded the highest thoughts of which the human mind is capable, thoughts inspired by the Ruler of the Universe and sent us for our guidance that we may walk uprightly and safely through all allurements.

Diligent men who study the mysteries of being, through being the testimonies of the rocks, the winds of men in the laws of mind and of human society, tell us that our moral laws are the results of human experience; that we have tried so many wrong ways of doing things, and have suffered so excruciatingly for having taken the wrong, that we have, through tribulation and suffering sorrow, learned the right way to live and to act, and that this knowledge has come to be the heritage of the race.

An up-to-date cult has discovered that we are, every one of us, twins, of the Siamese variety; that through our beings run one conscious and our subconscious selves, that the conscious self is worn on the outside and shows the result of rough usage, in that it does not always prefer right things, whereas our subconscious selves are pure and undefiled and all we need, in order to live and do right, is to hypnotize our conscious selves into subordination to our subconscious selves. If we cannot do this ourselves, we are to go to a psychotherapeutic physician (in clericals) and either hire, if we are able, or "bum," if we are not, that hypnotic service that will give the unconscious subconscious our own supremacy over the bedraggled conscious.

The purpose of this is not to tell the reader which of these methods of knowing right from wrong, good from evil, is to be preferred. The suggestion in mind is that with so many possible moral guides accessible to us we should, any of us, be fairly able to distinguish that which is right from that which we merely want to do, or from that which is commonly done in our set. It would seem that there should be little room for confusion of ideas, even relating to such common, every-day things as graft in public affairs, submitting tamely to extortion and blackmail, because more profitable than resistance, as holding the rich and well-dressed lightly responsible for moral delinquencies while visiting unstinted condemnation upon the human beast of burden through whose beclouded understanding float obscure glimpses of good and evil. There is no moral justification for mistaking inclination for "inner light," or the practices of our set for our measure of conduct. Any one of the hypotheses of moral enlightenment suggested in the foregoing should lead to better results

GREAT MOVEMENTS AT LOS ANGELES

PROJECTS THAT MAKE FOR A VAST CITY GROWTH.

A survey of Los Angeles after three years' absence discloses amazing changes in its physical appearance. Skyscrapers of the most modern steel and concrete fire-proof construction fill compact city blocks where before were only residences or gaping vacant lots. New streets are lighted with graceful electric lighters. Old streets of business blocks have been extended in their use. Broadway has increased in importance. Much that is new and strange calls to the eye for notice and admiration. Only the old throng is familiar, with its joyous bustle, and care-free energy, and tang of eastern metropolism, for Los Angeles is to some extent still a suburb of New York and Boston.

But beneath the surface current of impression one finds new depths of moving tides that are to make Los Angeles much more than it has been. A growth in population at the average rate of 20,000 every year must be explained upon some economic ground. The old idea that Los Angeles is a resort, pure and simple, where half the people live upon a visiting half, must be revised. Three hundred thousand population needs other explanation. Somewhere such a great body of people must find root in the soil or in productive industry. This is the revelation that one notes upon investigation, that Los Angeles is a considerable manufacturing center, a great jobbing center, and that the larger economic movements under way are laying the foundations for a population soon destined to pass the half-million mark.

Bulk of Manufactures.

The manufactures are the first surprise. More than 12,000 people are employed in factories in Los Angeles. One usually thinks Los Angeles has no factories, but here are some of them: steel rolling mills, flour mills, foundries, brass works, paper-box factories, tiling factories, manufactories of mining machinery, pumps, glass, cement, implements, the list could be extended to fatiguing length.

Another way to estimate the importance of her manufactures is to note that in Los Angeles are 430 miles of spur track railroad, from which 100,000 cars of freight move annually into commerce on main lines. And these besides the usual tram tracks for general public use.

Trading Center of Southwest

Los Angeles holds another secret, its enormous wealth. The mining and agricultural lands of Utah and Nevada, of Arizona and New Mexico, and Mexico itself, all pay tribute to Southern California. She is their trading post. They buy of her machinery, clothes, food stuffs—all the necessities of living; and of this trade are born the great wholesale houses and their attendant train of employees. In turn, the products of these markets come here for transshipment, for manufacture, or for sale.

And these tributary places hold vast reserves of wealth that lie waiting improved facilities of manufacture and transportation to be developed. Vast beds of coal and iron sleep in the hills of Utah and Nevada, waiting for the opening of the Panama Canal, for the completion of the harbor at San Pedro, for the extension of the Oriental trade.

A Coming Port.

"The opening of San Pedro." Already there is here a port. But as it is not yet done, the engineering task is easy: so much mud to be dredged, so many wharves to be built. The human problem is being solved. The inertia of the blind resistance made for years by the Southern Pacific railroad against San Pedro in favor of Santa Monica is yielding to the public pressure. San Pedro will be consolidated with Los Angeles within the year. Sooner or later—probably soon—the great resources of water frontage will be developed in the inner harbor, and commerce will flow

through Los Angeles along the natural grade to the city-owned wharves and docks of Wilmington, and a new era of progress in the south will be opened.

For instance, this, with fuel oil, with an Oriental market, with Texas cotton reached by easy grade along the Southern Pacific, with freight rates reduced by water competition of the Canal, why, say the long-visioned men of Los Angeles, shall not a great textile industry grow here, to supply China and India and Japan their cheapest fabrics? Or, with a process of steel-making with oil as a fuel—a process whose imminent success seems probable—shall not the iron beds of Utah yield their riches and come here for fabrication into structural steel and machinery?

Good Roads, for Freight.

These are anticipations of conservative men whose wealth has been made here. In another direction, they look to a system of good roads now in process of construction, as a means of salvation from discriminatory railroad rates. With easy grades, broad-tired auto trains can haul the citrus crop to the wharves, twenty or thirty miles away, where it can load on ships which, because of their bulk, can be more economically refrigerated, and, because of their cheap rates, will vastly reduce the cost of getting the crop to eastern markets.

All these things mean growth in trade, growth in manufactures, growth in cultivated area, growth in population. Because of these, and partly to assist them, the people of Los Angeles are building for the future a magnificent water system. The bald figures are amazing. Two hundred and twenty-five miles of aqueduct, to bring water from Owens Lake. Tunnels—twenty-nine miles of them; cost \$24,000,000; 280,000 gallons of water per day; 60,000 electrical horsepower. All this the city's purchase, construction, property, the heritage of future generations. Water for a city of four millions, electric power rivaling all the present development of all the electrical systems in Southern California. Irrigation for thousands of now barren acres in the San Fernando valley.

These things indicate a vision of future possibilities, a constructive imagination, a spirit of daring and hope and energy that is of a piece with the rejuvenation of San Francisco and the traditions of the Argonauts. Los Angeles has been called "The City of Perpetual Boost." It may be that; but over against the boast of promotion in justice let us set the bonds that her citizens have pledged for Owens water, the bonds they have pledged for better roads, the work they are doing to upbuild the material prosperity of their land. And with these evidences of material growth, let us record their growth in civic conscience that has led the best of her citizens to cleanse her politics and league to keep them clean.

GOVERNOR FOLK COMING.

Governor Joseph W. Folk, of Missouri, will be in San Francisco next Tuesday, May 18th. At noon of that day he will be tendered a public reception by the Government League in the Music Room of the St. Francis Hotel. Following the reception, an informal luncheon, costing \$2.00 a plate will be given. The public is invited to attend both reception and luncheon. Mayor Taylor is expected to preside, and Francis J. Heney will make a short speech, but the principal address will be by Governor Folk on "Good Government."

Sardou's Prediction.

Sardou once said to a companion: "It seems as if they could not disgrace our Paris too much. Could anything be uglier than that statue in a morning coat? To think that in order to place that hideous monument there they removed a charming little fountain like

the one still at the other corner. You may be sure that the fountain that is left will be destroyed some day and some abominable effigy of a contemporary celebrity will take its place. Poor Paris!"

The day has come. The Municipal Council has recently decided to erect a statue to the memory of the author of "Madame Sans-Gene" and the place chosen is the pretty little fountain which Victorien Sardou so much admired.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Perry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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WITH BOOKS AND WRITERS

THE LITERARY SPIRIT OF THE DAY AS REFLECTED IN CURRENT PUBLICATIONS.

KIPLING'S LATEST FANCY.

Mr. Kipling's latest book is "With the Night Mail," which came out two or three years ago as a magazine story. It is a tale of aerial navigation in 2025, marked by wonderful imagination and coloring.

Years ago there was a story of Mr. Kipling's discontent when his American publisher forwarded him a batch of magazines on request, but to decrease the bulk had the advertising pages stripped off. Mr. Kipling declared that the advertisements were the most interesting part. Carrying out this idea, Kipling claimed his new book, as a magazine story of the year 2025, should have the atmosphere of that period. So as a kind of appendix to the story he has written the Notes, Letters to the Editor, Answers to Correspondents, and Advertising Pages such as he believes will be found at the end of the magazines of that day.

In the Answers to Correspondents, one who signs "Paterfamilias" is informed by the editor that a certain offender "is liable for direct damage both to your chimneys and any collateral damage caused by fall of bricks into garden, etc., etc. Bodily inconvenience and mental anguish may be included, but the average jury are not, as a rule, men of sentiment. If you can prove that his grapple removed any portion of your roof, you had better rest your case on decoverture of domicile (V. Parkins vs. Duboulay). We entirely sympathize with your position, but the night of the 14th was stormy and confused, and—you may have to anchor on a stranger's chimney yourself some night. Verbum sap."

Among the "ads," we find:
Man Wanted—Dig driver for Southern Alps with Saharan summer trips; high levels, high speed, high wages.

Family dirigible; a competent, steady man wanted for slow speed, low level Tangeye dirigible; no night work; no sea trips; must be able to make himself useful in the garden.

Powell's Wind Hovers for planes lying-to in heavy weather, save the motor and strain on the forebody.

Books advertised are:

Hawkin's Fog and How to Avoid It. Van Zuylen's Secondary Effects of Thunder-Storms; An Illuminated Star Map, with clock-work attachment, giving apparent motion of the heavens, and Belt's Way Books, "giving town lights for all towns over 4,000 population."

WHAT CAINE THINKS OF US.

Hall Caine writes in the current "Appletons" the following appreciation of us:

"I love America and the Americans. I love America because it is big, and because its bigness is constantly impressing the imagination and stimulating the heart. I love its people because they are the most industrious, earnest, active, and ingenious people on the earth; because they are the most moral, religious, and above all, the most sober people in the world; because, in spite of all shallow judgments of superficial observers, they are the most childlike in their national character, the easiest to move, the laughter, the readiest to be touched to tears, the most absolutely true in their impulses, and the most generous in their applause. I love the men of America because their bearing toward the women is the finest chivalry I have ever seen anywhere, and I love the women because they can preserve an unquestioned purity with a frank and natural manner, and a fine independence of sex. I love the constitution of America because its freedom is the freest I know of.

"And if these are qualities which have their defects, I go to the length of loving some of the failings of American life and character as well. I love the brusqueness of speech and the freedom of manners which imply that Jack is as good as his master and sometimes a good deal better."

"THE GLORY AND THE DREAM."

(For The California Weekly.)

The morning calls to the noonday,
Noon to the setting sun,
The dawning night mourns for the light
Of the day that is not begun.

The lover dreams of his passion
Fed by the maiden's kiss,
The bride of a night weeps a lost delight,
Each for a vanished bliss.

The ocean mirrors the sky's hue,
Stars, of the glowing sun,
The murmuring sea croons the litaney
Winds have sung as they run.

The music that thrills our heart's blood
Sighs of a lost desire,
The flaming eyes of a wild surmise
Kindle the warrior's fire.

The dullard lolls to his senses;
Poet of the world's things,
Of bygone might, of coming right—
Aloof in his bower sings.

The morning calls to the noonday,
Noon to the setting sun,
The blind to-morrow sees yesterday's sorrow,
Future, past, prevent, is one.

A JOURNAL FOR SNOBS.

A friend of the California Weekly brought to this office a copy of "The Gentleman's Journal," edited, its editors would have us know, from Fifth avenue, New York city, as "a journal for men—written by gentlemen and for gentlemen."

The ideal sounds reasonable, but the performance indicates a sinister and un-American conception of ideas of "snob" and "gentleman." How does this editorial ecstasy appeal to the American of everyday ancestry: "In our social essays we shall deal with the man at leisure and at his ease: breakfasting in his rooms, chatting at a house party, lolling aboard a boat, supping at a cafe, perhaps, or riding to hounds of a gray, gusty morning. We shall describe the appointments necessary or convenient for his comfort and dignity (sic), either as guest or host, and the duties he should expect from his servant, etc."

How these dime-novel phases of the elegant rich flow from the facile pen! We breakfast in our "rooms," forsooth; "chat"—not talk, horrors! no—at a "house-party"; "loll" and "sup" and "ride to hounds." In the language of an inelegant and utterly impossible person, of course, "Slush, isn't the ocean dusty!"

Listen and hear who our instructor is in "the practice of those politenesses which mark a finished gentleman in the social emergencies that confront every man daily." The Observer specifies: "I have been met with in Fifth avenue, in Pall Mall, in the Bois, on the Grand Canal. You may have brushed shoulders with me as we drank leman squash in the safe at Monte Carlo; we have touched elbows, perhaps, watching Abdul Hamid grouch gorgeously to his prayers in Constantinople. We may have smoked in the billiard-room of a Scotch shooting lodge; you may have read of me as at one time attache to the Austrian court. My name has long been on the Visitor's Book at Windsor; and I had the honor to watch 'North-East' land the last Grande Prix, from the box of a very exalted personage indeed."

Now, isn't it kind of him to feel that "it would be of great use to my younger and less experienced fellow countrymen if I gave them the benefit of my knowledge in those matters of social value which every man of the world recognizes as so essential to being a gentleman?" "Are we vulgarizing the British aristocracy?" he asks in the headline of a two-page article. Echo answers. Echo asks on the editorial page that every "gentleman"

shall be informed as to "Crisp Cynicism" by Elinor Glyn, authors of the unspeakable "Three Weeks," as of course, cynicism is a sure mark of "the man of the world." The Observer makes one grave oversight, however. We have searched his book, and we cannot find the word "hauteur." Does not The Observer know that "hauteur" is an indispensable attribute of every "gentleman"? We are disappointed in him. Still, perhaps, we can forgive him; he does use "raison d'être" and "messieurs" and "mon dieu!" "my dear fellow," "waistcoat," and "neckerchief," and speaks so nonchalantly of "Sherry's" and "Delmonico's."

We commend "The Gentleman's Journal" to our growing class of snobs, but to the rest of us it suggests a thing unclean, a desire for disinfectants and a bath, and a re-reading of Kipling's "Barrack-Room Ballads" to get back a wholesome sense of connection with reality and fellowship in the world of men.

THE FIGHTING FAILURE.

He has come the way of the fighting men and fought by the rules of the Game,
And out of Life he has gathered—what? A living—and little fame.
Ever and ever the Goal loms near—seeming each time worth while,
But ever it proves a mirage fair—ever the grim gods smile.
And so, with lips hard set and white, he buries the hope that is gone—
His fight is lost—and he knows it is lost—and yet he is fighting on.

Out of the smoke of the battle-line, watching men win their way,
And cheering with those who cheer success, he enters again the fray,
Licking the blood and dust from his lips, wiping the sweat from his eyes,
He does the work he is set to do, and—"there—in honor lies."
Brave they were, those men he cheered, theirs is the winners' thrill;
His fight is lost—and he knows it is lost—and yet he is fighting still.

And those who have won, have rest and peace; and those who have died, have more;
But, weary and spent, he cannot stop, seeking the ultimate score.
Courage was theirs for a little time—but what of the man who sees
That loss he must, yet will not beg for mercy, upon his knees?
Side by side with grim gray Death, he struggles at dusk or dawn;
His fight is lost—and he knows it is lost—and yet he is fighting on.

Praise for the warriors who succeed, and tears for the vanquished dead,
The World will hold them close to her heart, something each honored head;
But there in the ranks, soul-sick, time-tried, he battles against the odds,
Sans hope, but true to his colors torn, the plaything of the gods!
Uncover when he goes by at last! Held to his task by will,
The fight is lost—and he knows it is lost—and yet he is fighting still!
—Cincinnati Times-Star.

GEORGE MEREDITH AN AMERICAN FIND.

An Australian university professor has sent to a Melbourne newspaper an account of his interview at Box Hill with George Meredith. Asked whether he had ever thought of visiting Australia the novelist said that when he was young enough to travel he could not afford it. Nobody, he added, would read his books at that time, and he doubted whether his "dear countrymen" would ever have been persuaded to look at them if the Americans had not led the way.

WHAT THE WORLD IS DOING

Modern Cave-Dwellers.

Not all cave dwellers passed from earth in the passing of those barbarous ancient peoples whose homes in the rocks men now investigate with much interest. On the contrary, there still is a large number of troglodytes dwelling on (or in) the surface of the earth. A recent traveler in France estimates their number in that country alone at no less than 2,000,000. For seventy miles along the valley of the Loire, from Bois to Saumur, the great majority of the rural inhabitants dwell in caves which they, themselves, have fashioned. They do this of choice—the most of them being at least comfortably well off—experience having taught them that the caves are warm in winter, cool in summer, and as they view the matter, well adapted to their use. But perhaps the most remarkable feature of such underground life is a veritable village which is found in the salt mines near Cracow in Austrian Poland. This village, situated far below the surface of the ground, has been in existence since the first half of the fourteenth century. In it nearly a score of generations have been born, lived their burrowing lives and passed away. The village has its railroads, connecting the various parts of the mine, its streets, its church, stores, public hall, residences and most of what is found in villages that know the sun. It has its births, deaths, and that "marrying and giving in marriage" which is man's midway post between the two. So it will be seen that we need not hunt an antediluvian world to find cave-dwellers.

Open-Air Public Schools.

It is not in the least strange that the idea of conducting open-air public schools is meeting with favor, for the arguments in its favor are so evident and so substantial that the only wonder is that the idea had not long ago been suggested and carried into effect. But, while this favorable consideration might have been expected, it certainly does seem curious that the first section of our country to carry the idea into practical execution should be New England, with its long and cold winters; yet this is what has come to pass. Providence, R. I., established such a school last year, and Boston now has one and a commission of its school department recommends the establishment of a number in the interest of the better health of children. This back where the Pilgrim Fathers landed and escaped freezing to death by a narrow majority! Out here in California, where Nature issues a perpetual invitation to all humankind to be out in the open, we are considering the idea—at least, some people hope we are.

Great Britain's "Spoliation Budget."

London correspondents are referring to the proposed new British tax law as the "spoliation budget," and while there probably would be complaint over any increase of taxes, a cursory examination of the proposed law indicates that the correspondents' name for it may not be misapplied. The rich man in particular appears to be "up against it," and, while he is best able to endure it, his lot will be trying, at least. He must pay an 8 per cent. income tax, \$200 a year for every automobile he owns, an increased tax on his land, and 20 per cent. of all increase in land values. In addition to this, when he dies his estate must pay a death duty of 15 per cent., 10 per cent. on all bequests to near relatives, and a tax of 2 per cent. on all estates passing to probate. It would require just about four deaths to obliterate an estate. There are other features which are not much better, but these are sufficient to indicate that hard times are ahead for the rich. But wealthy if this law should go into effect. It is not at all probable that it will. It is attempted to be justified only on the ground that immense sums of money must be raised, principally for the

increase of the navy, and much as Britain thinks of her navy, she is not likely to be willing to place all her wealth in it. It is expected that the issue will go to the people for popular decision, and there is thought to be little doubt that they will decide against it. While we have been considering how to make wealth pay its proportionate share of taxes, and deprecating little about it, our English cousins appear to have become vigorously active in the matter—somewhat too vigorously, it would seem.

Weight of the Human Brain.

Professor F. W. Mott, an English scientist who has been conducting experiments relating to the weight of the human brain, announced his conclusions in a lecture recently given in the Royal Institution in London. According to his observations, the average brain of a female child at birth weighs 361 grams, while that of a male child weighs but 321 grams. This handicap of 11 or 12 per cent. might seem most discouraging to the boy, but he goes nobly to work and more than overcomes it, so that by the time he is an adult his brain, supposing it is of average size, weighs 1,350 to 1,380 grams, while that of his sister or his wife weighs but 1,213 to 1,220 grams. The percentage is reversed, but the professor does not apologize for the implied reflection on womankind. However, neither need man be ashamed of the bad start he makes nor woman of the equally bad end at which she arrives, for it is entirely possible that another deliver in brains would arrive at statistical conclusions largely at variance with those of Professor Mott, it being a certainty that a limited number of brains selected by chance would vary considerably from an equal number of other brains selected in the same way.

International Fishery Agreement.

President David Starr Jordan of Stanford University, representing the United States, and Professor E. E. Prince, representing the Canadian government, have carefully considered the question of fishing in the boundary waters between the United States and Canada which so long has seemed a possible cause of trouble between the two governments, and have arrived at an agreement which is satisfactory. Under its terms the United States government will appoint a federal protection staff which will co-operate with the Canadian fisheries protection service, the two governments thus acting jointly for the enforcement of mutual regulations. It is hoped and believed that this will terminate the possibility of trouble growing out of the old and complicated fishery question.

Cocoonat Pearls.

Nature, the mighty chemist, turns out some marvelous things in her gigantic laboratory, and not the least curious of these is what is known as the cocoonat pearl. A specimen is exhibited in the museum at Kew, England. It is nearly a half inch in diameter, pure white in color and of excellent polish. That it was developed in a cocoonat there is no room to doubt, and although specimens of its kind are rare, they are far from being unknown. Some of them have been analysed by chemists, and no difference between them and the pearls of ocean can be detected, nor is their microscopic structure at all different. In each case the chemical constituents of the pearl are the same, viz.: carbonate of lime, organic matter and water, but—and here is the curious feature of the case—there is no carbonate of lime in the milk of a cocoonat, by which the pearl apparently must be deposited. It is related that native East Indians not only have known of these cocoonat pearls for a long time but look upon them almost with reverence, attributing all manner of virtues to them, while the rajahs have paid a large price for them, to be used as charms.

A Unique Industry.

During the month of March there is an immense demand for sprigs of shamrock to be worn on St. Patrick's day, and this demand comes not only from Ireland, but from England, her colonies, the United States and, indeed, wherever an Irish foot is set. So great and so constantly increasing is this demand that it has given birth to a queer industry in Ireland, an industry which has not its kind elsewhere on earth. This consists of the establishment of "shamrock farms" on which nothing but this dainty little Hibernian clover is grown. Already there are several of these farms, and their number is said to be increasing with each year that passes. The time may come when more tame than wild shamrock will be grown in Ireland, but it has not yet arrived.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Heart of Mine.

Tired, and worn, and weary?
I know, oh, heart of mine.
The old, dim eyes are teary.
That once were hope-ashine,
Dead hope, no more creating
Youth's visions, half divine;
And you are only waiting
What cometh, heart of mine.

Yet, heart of mine, faint never,
How'er the spirit fares;
Beyond our sore endeavor
Is One who heals and cures.

Oh, heart of mine, I know it;
Your dream doth shattered lie,
And tares of doubt o'ergrow it,
And scorpions pass it by;
And, oh, the burden laden,
I bear it here with you,
But serving now to don'ton
The hope that once we knew.

Yet, heart of mine, look higher,
How'er the battle fares.
O'er pain and doubt and tire
Is One who knows and cures.

"The Most Beautiful Girl."

She who has been declared to be "the most beautiful girl in California" has been officially discovered, and her beauty now is being passed out to residents of the state in newspapers of the state, the quantity and quality of that beauty varying with the newspaper in which one chances to see it represented; but this, alas! is one of the penalties of trying to precipitate beauty in printers' ink on paper of varying inferiority.

I am not acquainted with the winner of this beauty contest, and I do her and the judges the justice to presume that she is a very "queen rose in the rosebud garden of girls," "divinely tall and most divinely fair," and anything else the poets may have said on this most alluring subject; and yet, gladly conceding this, I venture to suggest, not a doubt, but a wonder, whether she really is "the most beautiful girl in California." Suppose it should chance that the most beautiful girl would refuse to be a contestant in a beauty race; suppose she should decline to send her photograph to any committee on the ground that she did not wish to express the opinion that she considered herself the champion beauty; suppose she should prefer not to be the object of the wig-wag of a million tongues—supposing all these things, and probably they are not un-supposable, how can we be certain that the "most beautiful girl in the state" is the most beautiful girl in the state? This is what puzzles me.

The beauty of the winner in this contest is conceded, but how are we to be assured, before we weave our crown of roses, that there is not somewhere a modest little woman—and perhaps several of them—who is as sweet and beautiful as she is modest, to whom Mother Nature herself has awarded this crown, although she, herself, would be last to suspect it? In brief, must one indorse the official decision, or may he respectfully differ from it?

The Distinction.

If I want a thing, and make it my own,
Though it's neither a gift, a sale or a loan,
Why, that, as the world has a long time known,
Is stealing.

If I want a thing, and I bribe a man
To steal it for me from the public pan,
Though I own it seems a rascally plan,
It's high finance.

The difference may seem to you and me
As twinedee-dum to twinedee-dee,
But wait till the higher court strikes the key—
Then you'll notice something.

The Opinions of Rufus.

If you git to sorter swellin' up with conceit
sometimes, 'Zedek, kinke 'd stuck up what you
know in a pile by the side o' what you don't
know, an' I reckon you'll unswell more or
less.

Judgin' by what I know of human nacher,
I reckon each ant on his heap figgers he's a
middin' important spake in creation's wheel.
Zeb Potter, who is given up fer a bacher,
says they's no labor so arjus es gittin' a husband
or wife, 'less 'tis gittin' rid o' 'em.

When you tell me why the man that "can
drink it or let it alone" allers concludes to
drink it, I'll be ready to ask you to pint out
a case of some feller 'at ruined himself by lettin'
it alone.

The scientific fellers may be right in sayin'
man's ancestor was an ape, but, lookin' round
you, don't it seem more likely 'twus a jelly
fish?

Es I understand it, higher courts are mercifully
pervided to give a show to them that's
otherwise guilty.

Nacher give you brains, or she didn't; she
made you handsome, or she didn't; but she left
it to you to make yourself good or bad, and
the job you've done in that line is all you can
claim to be reely responsible fer.

Some of us that are too honest fer frenzied
feenance would try to control our reluctance
at acceptin' some of its results if they should
come to us by inheritance, fer instance.

Es I understand it, a charity hall is a party
that's got up fer the benefit of them that can't
see their way clear to bein' charitable in any
other way.

Our Way, and His.

He walked among the vile. His wayworn

Knew slobber paths by Shame and Error
trod;

Decrying sin, he held that it were meet
To lead the tattered sinner up to God.

Ah, who would choose, where pleasures rare
abound,

And soft-eyed Peace doth beckon us the
while,

To dream with her through days with rapture
crowned,

To walk among the vile?
The snuffing hypocrite who thanks his God
That he is not as brothers by his side,
The canting pharisee with power shod,
These were the ones this vagrant wight de-
cried.

Why, who would dare to hold man's trophies
less.

Than what the cackling multitude maintain?
And who so foolish as of choice would press
The awful path of pain?

Our lives speak our contempt for such as he;
Our prisons loom for such as bedless roam;
A wiser way is known to you and me.

Whose charity begins—and ends—at home.
Do brothers perish? Shrug, and say, "Ah,
well!"

But ne'er for him such scanty heed sufficed,
For he—oh wonder of the tale I tell!—
He was the loving Christ.

Universities and Dan Cupid.

But are we not a little hard on our students
in the universities? Are we not about equally
disposed to find fault with them if they do
and if they wonder of the tale I tell—
How rapidly as we fancy they should me wait
a while, and then we get out our statistical ta-
bles and demonstrate, to our own satisfaction,
that higher education is leading to race sui-
cide, devoting pages in magazines and news-
papers to this meritorious enterprise. If, on
the contrary, they show signs of maturing, we
immediately publish tabulated lists of engage-
ments, and sternly paint the immoral moral
that higher co-education unduly hastens mar-
riage and is a very bad thing on that account.

The student seems to be "up against it." If
he marries, we grumble; if he doesn't, we
growl.

Apparently it does not occur to a large
number of our publications that human and
sex nature are about the same, whether they
be educated or uneducated. A boy or girl
does not need much education to find an at-
traction in one of the opposite sex, and you
are not likely to educate them so thoroughly
that this attraction will be lessened. Dame
Nature has a way of attending to these little
matters herself, and that philosopher and
clown alike own her sway let the history of
mankind proclaim.

Probably it would be just as well to drop
both the statistics and their morals. Proving
both sides of the question, they demonstrate
too much to be highly useful. And in the
meantime we safely can leave it to the boys
and girls to do as nature dictates—which is
precisely what we and our ancestors, educated
or uneducated, through all generations, have
done.

How Death Now Rides.

Death rides no more on his white, white
steed—

But wherefore the fact reveal,
When a fool might know, as the wise must
heed,

That he rides in an automobile.

Advice by an Expert.

"Young man," said old Allplunx to his con-
fidential employee, "if you wish to be really
successful in life, be a judicious and liberal
briber."

"But they indicted you for it, didn't they?"
the young man remarked.

"Oh, yes, of course, but that is a mere in-
cident of the business."

"Shouldn't think it could have been pleas-
ant."

"Oh, I don't know. It gave all other judi-
cious and liberal bribers, their friends and my
newspaper, an opportunity to assert that I
was a noble and public-spirited citizen who
was being abused and maligned, and a large
part of the public believed it. But that isn't
the real point."

"What is it, then?"

"Why, the account stands this way: To
sum expended in judicious bribes, \$200,000; to
employing lawyers to prove that I am noble,
public-spirited and abused, \$200,000; to buying
papers, incidentals, etc., \$300,000; total, \$700,-
000."

"It seems to come high. That's a big sum."

"Certainly, but look at the profit. Our ex-
perts calculate we will make at least \$1,500,000
on the franchise we bought, or over 170 per
cent on our investment. I tell you, son, if you
wish to make a glittering success of life it is
absolutely necessary for you to be a judicious
and liberal briber."

"I see," said the young man.

Come On, Maud.

Come into the garden, it was a sweet unrest:
Love dreamt last night of violets, and now they're on
his breast.

Alants Constitution
Aye, come into the garden—while Spring's got on her
rig:

Indulge not in poetic gush, but get a spade and dig.
—Scranton Tribune.

Aye, come into the garden and dream and dig, that's
right;
Then get a bacon rind and rub your redbug bites to-
night.
—Houston Post.

Sure, come into the garden; come with a hoe
and seed,
And toil, and bend, and break your back,
your neighbors' hens to feed.

Judging by Precedents.

"She married a title."
"Well, I declare! What next?"
"Oh, probably a divorce."

LITTLE TALKS WITH OUR READERS

The California Weekly.
Woodland, Cal., May 5, 1909.
Dear Sir:—I have tried to get people acquainted with your paper, and hope I have induced some to subscribe.

At honest and a decent newspaper is the noblest work of man.

Long may you live and prosper. Yours,
G. P. HURST.

There are five principal reasons why newspapers get the reputation of being dishonest. One is that their editors are tempted to follow their judgments rather than their consciences and, having as little judgment as conscience, they get off wrong.

A second reason is that they tell things for the purpose of procuring a given effect upon the public mind, desirable or undesirable as the case may be, and hold that the end justifies the means even at the cost of ever after blushing in the presence of truth.

A third is that they are not so sincere in striving to ascertain the truth as they are in striving to tell what, upon insufficient investigation, seems to them to be true. This fault catches the best of us sometimes.

A fourth is that they deliberately prostitute themselves for money, let themselves to hire, champion that which is paid for and fight that which they are paid to fight. The English language is so terribly rich in epithets applicable to such journals, but the use of all of them leaves the user with a sense of inadequacy of expression bordering on helplessness.

A fifth is that they tell as true what we don't believe to be true.

There are others.

Dear Mr. Pillsbury: The School for Citizenship is in my opinion a valuable part of the California Weekly. It seems to me that we cannot be too often reminded that our government is not a thing apart but that, in the last analysis, the people constitute the government. Your articles about the rights acquired by the people in the struggles of long ago have been preserved to them, are especially valuable in reminding that "it is not so long to what rights from a king and to what them down in a book." I hope these articles will continue. Yours very truly,
O. K. CUSHING.

So far as the editor of The California Weekly knows this paper is the only one printed that systematically undertakes to tell its young readers (and we are glad to know that some of the adults enjoy the department) what every citizen needs to know in order to become a citizen of the United States in the full sense of the term. Being out of the ordinary the department has not attracted particular attention that the Staff knows of, though there have been some encouraging responses to it. The ordinary text book on government gives the skeleton without the meat, the body of government advances to a consideration of our state government, and the more usual functions of near-by citizenship, it will be the purpose to bring it just as near to the living, breathing thing we call government as possible. It will deal with the practice of government as well as with the theory. In a nutshell the expectation is that, sooner or later as the series progresses, every question that an

intelligent youth can ask about government will be answered. With this in view we commend the paper to the favorable consideration of every father who has a son old enough to take an interest in public affairs.

Temperance vs. Prohibition.

Editor The California Weekly:

Dear Sir:—Dr. Alison says fifty years ago physicians were generally disposed to speak kindly of the alcoholic beverage. He is right; the reason why is, fifty years ago good, pure whisky sold for twenty-five cents per gallon, and as a rule was drunk by most all classes of people, ministers included. I can say there was less drunkenness then than now, and over indulgence did not result in stomach derangement or headache. It contained no deleterious ingredients as it does today.

To class alcohol with mineral poison such as strychnine, arsenic and opium is rank nonsense. Anything used to excess which tends to destroy your health is a poison to your system. From observation I can say that there are as many or more people today dying by drinking good whisky to excess. Most all very old people are either smokers or moderate drinkers. They enjoy their stimulants which are a comfort and a food to them. An old lady neighbor of mine, eighty-four years of age, always smoked a corncob pipe, and she used to tell me as long as her pipe tasted good she was all right.

Our All Wise Creator created all things for our use and not for abuse. Every nationality has its stimulants, and if my neighbor seeks to deprive me of anything he does not want himself it is selfish tyranny. Noah raised grapes, made wine and enjoyed drinking it. Christ helped out a merry wedding party when they ran short of the good wine that makes the heart glad by turning water into wine. St. Paul recommended wine to his disciple, Timothy. Wine, beer or stimulants in some form have been and will be made and drank as long as the world stands.

Prohibition does not, never did or never can stop it. One may as well try to dam up the Mississippi river. The only sane way to modify the drink evil is Mr. Gustave Fabst says: Abolish the dives; granting licenses only to those that can be relied upon to conduct saloons properly. Sane regulating under laws approved by the people will be productive of good results. A good plan would be to gather and publish results of prohibition laws where they have proved failures as in the state of Iowa and elsewhere. Iowa had a twenty-five years sad experience. There was as much and more drank as before and it impoverished the state as the money for liquor all went to other states which had sane laws. One instance, the town of Mt. Pleasant, Iowa, 6,000 population before prohibition law passed had two drug stores. After it passed, and drug stores had permits to sell liquor for medicinal use, four more drug stores started up although people were as healthy as before, except the increase in the number of drunkards who were sick men for some days after a booze as drug whisky was not like whisky fifty years ago.

Of thirty-nine patent medicines now sold, all contain alcohol from 13 to 47 per cent, which is stronger than good, pure whisky, leaving sherry, port, claret or champagne far behind. Good beer contains from 2 to 5 per cent alcohol. The sensational methods which the prohibition party uses to further its cause are decidedly questionable. They try to do away in a few weeks with customs that have existed centuries.

What have they to offer instead?

Very truly yours,

J. H. GOETSCHKE.

May 11, 1909.

The first cup of coffee was drank in Europe at Venice in the year 1591, when a Venetian doctor introduced the berries from Egypt and taught his countrymen how to crush them and brew the beverage. The use of coffee soon became general, so much so in fact that Venice was full of coffee houses where the people killed away their days drinking the aromatic beverage.



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POLITICAL TABLE TALK

By THE WATCHMAN.

"Straw Men" Candidates

The mayoralty campaign in San Francisco is still in the side show stage of progress, with would-be bosses standing up straw men for the public to look at and watching what the people think of them. William Crocker, the lumberman, was among the first of the straw men put up for inspection, but he made the mistake of having two rival showmen stand sponsor for his appearance, without telling either that the other was "on the door." The result is that McCarthy, who wanted to handle his campaign, and thought he was doing it, found out that Tim Sullivan was really taking the tickets, and he has developed a corresponding lassitude of interest in Crocker. This coolness has lately been followed by McCarthy passing the word to a few of his trusted barkers that McCarthy himself is the star attraction, and is making his political moves on the basis of leading organized labor another time to the polls.

McCarthy and Casey Getting Together

Incidentally, McCarthy seems to have out-generaled his rival labor leader, Michael Casey, of the Board of Works—or, more properly, to have taken him in, in all senses of the term. Casey and McCarthy had an all-afternoon session together on April 29th, and what seems to have happened is that Casey left with the privilege of playing politics for McCarthy's good for a return not very obvious to the average mind. Casey has allied himself in the Board of Works with Thos. A. Day, the board's president, who, with former commissioner Egan, used to oust Casey's friends every chance they got. Apparently McCarthy and Tom Finn, the president of the County Committee of the Labor Party, have been using Casey to get McCarthy men into office. For example, George Keeley has been replaced as Superintendent of Streets, by E. I. Nolan, one of McCarthy's political lieutenants and a gentleman whose lighter line of relations are devoted to promoting sport by managing Johnny Murphy's career as a lightweight pugilist. For another example, Boiler Inspector Andy Porter—who supported the good government ticket at the last election—has been succeeded by Ed. McDonald, another McCarthyite from the Thirty-second District, who changed his registration last year in order to go to the Democratic State Convention at Stockton to represent the McNab interests by supporting Harry Flannery's man, George A. Tracy, for Congress. Tracy, beaten, and by the way, is having the fight of his life to retain leadership in his own union, the typographical

Casey Letting Just what Casey gets out of the Camel In this happy arrangement does not clearly appear, but politically weatherwise folks say he principally gets left, as he is undermining his own personal following while McCarthy gets the plums. Casey's candidates for mayor are plural, but unfortunately so far have not proved lucky choice. Andy Gallagher, of the San Francisco Labor Council, has had sweet nothings piped in his ear by Casey, but Casey is not believed to mean anything serious by it. Frank J. Sullivan leaped to sudden notoriety under Casey's tutelage, but unfortunate confidence to the duty press in which he abused James D. Phelan, his brother-in-law, seem to have put him into unfortunate relations with the conservative element among the unionists.

Tom Finn and "Floater" Haggerty

Tom Finn, the other benevolent assimilation of Casey, was police commissioner under Schmitz, went to the legislature in 1906 as a Democrat, went to legislature in 1907 as a Republican, and is now, in 1909, chairman of the County Committee of the Labor Party and is said to be toying with the nomination for mayor himself on the labor ticket, though McCarthy will probably

"flatten" that ambition. Finn's saloon on East street is, however, the political pothouse where quereyry's boom for mayor foamed and staled, and still is a center of much political activity. His chief lieutenant is "Floater" Haggerty, another Schmitz police commissioner.

McNab's Lonely Looking Part

The McNabocrats are having a rough road, too. Ever since McNab knifed the four people's choice candidates for judgeship at the last election, he has had no hope of connecting with any of the good government elements in any party, and he has reluctantly concluded that his pet candidate, Coroner Leland, has no show. Larry Walsh's candidacy—he was president of the Board of Education under Schmitz—is now credited to McNab. Larry Dolan, the present sheriff, is being exhibited by Fire Commissioner McCarthy, but he is tolerably certain to be fought by the labor people, as the fire commission has gotten itself continually into the bad graces of the unionists over the letting of contracts for fire boxes go outside the city. Dolan is also weak in the Mission, where the big vote is polled, largely because of the incompetence of his appointees.

League Clubs and The Independent Republicans

The independent Republicans enlisted under the Municipal League of Good Government clubs have perfected organization in five districts and expect to have clubs soon in all districts. They hope to make these clubs as strong as the parent club in the Thirty-ninth. The independent Republican who is most frequently mentioned as candidate for mayor is James Rolph, Jr., president of the Mission Improvement Association, president of two banks, and a life-long and very popular resident of the Mission district. His election is conceded if he will accept the nomination, which he has so far declined to do. He is a friend of the graft prosecution, and a man who so far has resisted the pressure of his friends who make the class appeal that Calhoun is "our kind of people."

Democratic Endorsements

The independent Democrats who, as the San Francisco Democratic Club, are organized to fight McNab, are to hold a conference a week from next Wednesday to unite on a ticket. The district club in the Thirty-third District recently endorsed David I. Mahoney, former police commissioner, for mayor, and Louis Ferrari for district attorney.

Permanent Reform Body in Los Angeles

The newly organized Good Government Organization in Los Angeles evidently means business. Coinciding with the arrival of Walter Parker in Los Angeles the other day, the executive committee of the organization met in Marshall Stimson's office and arranged to form a good government club in every voting precinct and to invite the following political and social organizations to ally themselves with the movement: The City Club, Voters' League, College Men's Association, Municipal League, Democratic League, Central Labor Council, Merchants' and Manufacturers' Association, the Chamber of Commerce and various improvement associations throughout the city. "The plan of the movement," says Secretary Clarke, "is to array our forces and begin immediate work for the December battle. We want to secure a perfect organization in every precinct in the city, to be able to put the issue squarely before the public and to get our vote out on election day." The following men constitute the present executive board: S. C. Graham, Marshall Stimson, Dr. Sherwin Gibbons, Dr. John R. Haynes, Dr. Thomas J. Nelson, Dr. S. H. Tolhurst, Richmond Plant, James A. Anderson, Cyrus McNutt,

Sidney A. Butler, Harry R. Callender, Charles A. Elder, A. P. Chapin and Meyer Lissner.

Sacramento and the Saloon Issue

Sacramento is a brewery town. It believes in beer and in having beer so convenient to the consumer that the shortest distance between two points shall be a straight line leading from the home to a beer saloon. Some years ago the Tuesday Club, a strong organization of determined Sacramento womanhood, secured the establishment of ordinance restricting the establishment of further saloons within a prescribed district, known generally as the business part of town, the hope being that the saloons in the residence districts would gradually disappear as their owners died off or moved away. They have neither died off nor moved away and the residential district saloon is still an offense to the growing sense of decency of the Capital City. Two years ago an effort was made to vote the saloon out of the residential districts, but the men folks, despite the pleadings of the women folk, snowed the proposition under. However, Sacramento is not content to rest steeped in sin and beer and it has constituted a committee of public-spirited men, neither prohibitionists nor saloon sympathizers, to take up the issue and formulate some workable plan to make saloon conditions brtter. The issue as formulated will be fought out in the forthcoming city election. It will be watched with great interest all over the state! The breweries of Sacramento have undertaken to govern Sacramento, by and with the advice and consent of the Political Bureau of the Southern Pacific company and its political consort, the Sacramento red light district, including Chinatown and its king, Trustee Rider. The political significance of this movement is scarcely less important than the moral issues involved.

Some Very Big Politics

The state of feeling between the people of Great Britain and those of Germany is one of profound concern to the world. It is unhealthy. On the part of the British it is almost hysterical. The Germans are more self-contained and, let us hope, prudent. Both countries want to know where, in the event of war breaking out between them, the sympathies of the United States will be. It is safe to say that they will not be with the aggressor. War between these two nations would be a world calamity unless, indeed, it should prove so disastrous to both antagonists as to bring about international disarmament. That might be worth the price, awful as it must prove. But to all inquiries President Taft will present a phymicly immobile of countenance that will baffle even an adept at draw poker.

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PHYSICAL REGENERATION

By ELMER ELLSWORTH CAREY.

I suppose it is possible for any one who has reached the age of forty or fifty years to regain in a great measure the health and vitality enjoyed ten, fifteen or twenty years previously. Few, however, care to undertake the task by correct methods, as it means the renunciation of many pet dietetic sins, and the formation of new habits on a correct basis. Many would rather die than give up certain indulgences of the table. Yet no truth is better established than that disease in general has its foundation in wrong living, especially in wrong eating, which usually means in plain English, "eating too much." Thousands of invalids seek noted springs and spas, hoping to find health in some particular climate or locality; but health is not a matter of climate or mineral waters; it is simply a matter of proper care of the body, according to well-established hygienic principles. A sick person is one who has violated some law of health; often the infirmities of old age are the results of a lifetime of wrong living. The body is loaded with poisons and impurities, mainly earthy and calcareous salts, which have caused the tissue cells to ossify; a better term is "petrify." An old person, stiff, lame and decrepit, is simply a petrified person. The cells of the body should be composed mainly of non-mineral, jelly like substances; instead, we find in the aged a surplus of lime and other inorganic substances which sadly interfere with the functions of the body. In the course of a lifetime, the average person accumulates a large quantity of mineral waste and refuse in the muscles, arteries, veins and in the various tissues of the heart, liver, kidneys, brain, etc. When the deposition of mineral waste and garbage has reached a certain point death follows from petrification of the tissues.

To bring about physical regeneration, the first requisite is the prevention of the entrance into the body of an excess of minerals and the stoppage of the manufacture of poisons and toxic elements within the system. The next point is the removal from the tissues of the accumulated waste and mineral deposits; in other words, the garbage which has collected through improper dietary habits should be removed.

Cereals contain comparatively a large percentage of mineral elements; so those who seek to regain the suppleness of other days should eat sparingly or not at all of cereals. Meats contain uric acid, and other poisons and waste products of metabolism that exist in muscular tissues; all these assist in filling the human system with deleterious material; avoid meats if you would stay the hand of Father Time. In general, any food taken in excess of the amount needed to preserve the natural weight of the body is a clog and a detriment, producing poisonous elements, exhausting the vital forces, and inviting disease by weakening the resistant powers of the body.

Hard water and mineral waters contain inorganic substances in solution which are of no use in the human economy; use soft water or distilled water, and use it plentifully, two or three quarts daily; if juicy fruits are used

freely, not so much water is needed. An excess of starchy foods is injurious.

After having cut off the supply of unnecessary minerals and reduced the food supply to proper proportions, there are several methods of eliminating the stored-up waste in the body. In passing it may be remarked that the necessary amount of minerals for the body can best be supplied by the use of green vegetables, nuts and fruits, which should be eaten raw or steamed. The following are some of the systems used to eliminate disease-producing refuse from the body: dry diet cure, fasting, milk cure, fresh fruit treatment, water drinking, raisin cure, internal baths, vapor baths, electric light baths, etc. California olive oil, unfermented grape juice, orange and lemon juice are also used with marked benefit. The quickest way to eliminate refuse and poisonous substances lodged in the tissues is to abstain from all food for a season, drinking water or fruit juices freely as one may be inclined. In fact many, many bodily ills will disappear under this very simple and inexpensive treatment.

The "fruit fast" is recommended by Dr. Kellogg of Battle Creek, Michigan; he recommends the exclusive use of fresh fruits for a time. Copious water drinking is often used as a means of cleansing the system, as the large amount of water (which should be soft or distilled water) dissolves and carries out of the body the accumulations of uric acid, lime and other waste products. When this plan is used but little food should be eaten, or none at all. One of the most pleasant means of assisting the eliminating process is to commence operations in watermelon season and live exclusively on melons. The juice of the melons contains special health giving qualities and ingredients which assist in dissolving the garbage deposited in the byways of the body. In Europe a similar form of treatment is known as the "grape cure," in which the patient is fed exclusively on grapes.

In this state the "grape cure" can be used to advantage in the fall; but the "raisin cure" or "raisin treatment" can be tried at any time. To try this method of bodily recuperation, eat raisins exclusively for one or two weeks, masticating thoroughly; the benefits are more pronounced if unfermented grape juice is also used freely. And by the way, California grape juice is one of the most delicious as well as healthful beverages, and its universal use would go far towards preserving the national health. Unfermented grape juice brings a much higher price than wine, and there is a world-wide market for it. Where one person uses wine, a hundred persons would relish the natural juice. Here is a hint for our grape growers who are confronted with the serious problem of finding a market for their vineyard products. Let them manufacture unfermented grape juice and advertise it as the product of the modern fountain of youth. Grape juice is a fine remedy for rheumatism and blood diseases. The continued use of grape juice will cure more diseases than the combined use of the pharmacopoeia. Its health and vigor giving qualities make it an excellent substitute for the mythical Elixir of Life, the dream of the alchemist. If the life-giving, health-giving and beauty-giving qualities of our California grape juice were known, our vineyardists could not make it fast enough. Advertise it—simply tell the truth about it—and it will sell by the train-load at \$1.00 per gallon. There are many brands of eastern grape juice on the market, but they are not to be mentioned in the same breath with California Zinfandel or Muscatel. Here is a latent industry, capable of being expanded into mammoth proportions, of which our vineyardists seem to-day ignorant.

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THE EUCALYPTS IN CALIFORNIA

II. WHERE TO PLANT

Written for THE CALIFORNIA WEEKLY by GEORGE W. PEAVY, United States Forest Service.

The principal agencies employed by nature to limit the extension of plant growth are temperature, moisture and soil. Elevation plays an important part, but only to that degree in which it produces changes in temperature. Considering temperature alone, the range of any species of plant life could be made to appear as broad bands circling the globe parallel to the equator. If it is a matter of elevation the zones of plant life may be regarded as great belts running parallel to the sea level and changing in character until the line of perpetual snow is reached. As one goes northward the tropical trees give way to the broad leaf deciduous trees and they in turn to the pines and firs. Ascending the Sierras one passes through the successive belts of oak, digger pine, yellow and sugar pine, and finally through the alpine conifers to a treeless region. Then, again, when the temperature and soil are constant factors, the character of the flora of any given region is modified by the quantity of moisture different sections receive and its distribution throughout the year. A striking manifestation of the variations caused by differences in the amount of annual rainfall appears in this state in the gradations from the sparse and practically valueless growth of the Mojave country to the dense forests of the coast redwood belt.

Temperature Requirements.

The home of the eucalypt is in Australia and Tasmania, tropical and semi-tropical regions. Taking the eucalyptus family as a whole, the best and most rapid growth is made in those regions in which the soil is rich, moisture plentiful and frost unknown. Here some species attain dimensions second only to the giant redwoods of California. Going from this ideal situation the growth rate diminishes and species change, until at the limits of the range of the genus, stunted, chaparral-like species alone survive. Considering the requirements of the rapid growing timber eucalypts, then, it is to be expected that they will demand similar conditions in order to make like growth when transplanted to other situations. That the trees do make these demands of new sites is amply proved by the experience of the past forty-five years in this state. To the best of our present knowledge, not one of the important timber species is making satisfactory growth where the temperature falls below twenty degrees Fahrenheit for any considerable period. This at once limits the eucalyptus areas in the state to the Sacramento valley south of Red Bluff, the San Joaquin, the San Gabriel and Colorado river and parts of the region on the ocean side of the Coast Range running in a thin belt to the northern limits of the state.

The Demands for Moisture.

The area thus outlined, however, is not all suited to the growing of eucalyptus timber. On the contrary, in a large part of it the supply of moisture is inadequate for satisfactory results and in still other parts the soil is not fitted to tree growth. Many of the eucalypts can live from year to year on a small amount of moisture. For rapid development, however, in common with all quick growing plants, they need a large amount of water supplied throughout the year. In a fairly retentive soil if the temperature is right, they will do well with a precipitation of twenty-five inches distributed over the rainy season. In the region of ocean fogs a large amount of water is supplied by condensation of this form of moisture on the leaves of the trees. During a heavy fog it is a common thing to see the soil underneath the trees as wet as though a heavy rain had fallen. The amount of water precipitated in this way very materially influences the rate of tree growth and renders situations undesirable because of lack of soil moisture, suitable for the production of valuable timber. The influence of fog is most marked about San Francisco bay and the territory fronting the ocean as far south as Los Angeles.

Still another source of moisture is that beneath the surface, the source upon which non-irrigated trees chiefly rely. The quantity of subsoil moisture varies greatly with the rainfall, the nature of the underlying rock and the opportunities for surface and subsoil drainage. The general level of the subsoil moisture is commonly called the water table. It fluctuates from year to year, depending on the amount of annual rainfall and in certain regions, upon the rate at which mountain streams supply water to the valleys. For example, in situations like the Tulare lake region the water originating in rains and in the mountain streams occasionally raises the lake level to such a degree that thousands of acres are submerged. When the lake subsides to its former level the water table sinks with it, but in the soil it remains slightly above the lake level, the depth to which it falls depending on the nature of the soil and the surface elevation. The position of the water table at any time can be ascertained by making borings or sinking a well. In this way the fluctuations in the level of the water table can be seen. The changing depth of water from season to season and during any given season.

Especially favorable conditions for tree growth may be said to exist when the water table lies five to eight feet from the surface. A water level too close to the surface is almost as grave an obstacle to rapid tree growth as one too low, for it compels the development of a surface root system, thus rendering the trees liable to being overturned by the wind. When the soil and the temperature factors are correct, ideal growing conditions can be produced by irrigation, for by this means the proper amount of water can be supplied at the time it is most needed. Irrigated land in California, however, is very valuable property, especially if it is in the hands of a farmer who can produce a crop. The owner or prospective purchaser of such land should consider well the initial cost and the possible returns before arranging to tie up his investment for fifteen to thirty years.

The Ideal Soils. Hard Pan.

The ideal soil for the eucalypt and in fact for nearly every growing crop, is a rich, deep, sandy loam. With the proper amount of water and the correct degree of temperature a greater volume of wood can be produced than under any other conditions. If this ideal is deviated from, the rate of production will diminish. It goes without saying that land with such soil in this state is a very valuable asset. Whether any considerable amount of it can properly be devoted to the growth of eucalyptus timber is very problematical.

Soils which are apparently well adapted to growing the eucalypts sometimes conceal a serious obstacle to tree growth in the form of hard pan. This usually consists of a more or less continuous layer composed of rock or formed by soil cements, lying at varying distances from the surface. Where the hard pan does not permit of circulation of water, which is usually the case, the water from rainfall is held above it, often rendering the soil too wet to work during the rainy season and preventing the rising of subsoil moisture during the dry season. Where irrigation is possible, hard pan lying from two to three feet from the surface is not a serious obstacle to the production of the common surface crops. Without irrigation such soils are valuable only for forestry purposes. For satisfactory tree growth the hard pan should lie at least six feet below the surface and commercial planting should not be attempted under such situations unless irrigation can be practiced.

Eucalyptus plantations should not be put out on shallow hard pan soil, even if irrigation is possible. Since the total amount of soil available is that lying above the hard pan, the trees will not be supplied with the proper amounts of the soil elements needed for their

best development. As a result, the trees will be slow in growth and inferior in form and height. Besides they have been forced to develop a shallow root system on account of which they are likely to be thrown by the wind.

Hard pan occurs in the San Joaquin valley above Tracy and on the eastern side of the San Joaquin river and Tulare lake. It is also found in certain sections of Sacramento valley and in a lesser degree in some of the coast valleys.

Strong alkalis are especially harmful to tender plant growth. Certain plants will endure a quantity that would be fatal to others. The eucalypts, as a rule, are fairly resistant. Since, however, alkali is injurious, it appears to be the part of wisdom to avoid all soils which contain it in harmful quantities. The Tulare lake region in the upper San Joaquin valley is decidedly alkaline in certain sections. So also are the Salinas valley and isolated sections of the Sacramento valley.

Important Considerations.

The prospective planter, then, in selecting a situation for his eucalyptus forest, should secure definite answers to the following questions:

1. Is the temperature within the proper range for the species it is proposed to plant?
2. Can water in sufficient quantities for satisfactory tree growth be obtained throughout the year?
3. Is the area of the proposed plantation underlain with rock or hardpan?
4. Does the soil contain alkali in sufficient quantities to prove injurious to tree growth?

If satisfactory answers cannot be had to these questions, expert advice should be obtained.

Less Favorable Situations.

The general purpose of this discussion has been to indicate the conditions under which the eucalypts will make the greatest volume growth. The reader has been left to infer that the rate of growth would be less in proportion to the deviation from the ideal situation. It must not be understood that planting is not advised on the poorer grades of land. It may be possible that a greater return in relation to the investment can be had from planting on some of the poorer grades of soil. As is very evident, the whole matter of the profitability of the investment goes back to the proportion between the cost of the business and the return from it. Without question there are thousands of acres of land in the state at present largely non-productive which could be profitably devoted to the growing of eucalyptus timber. The returns by comparison with the better sites would be small, and the period when the material would be marketable would be long deferred, matters, however, of little moment if the land is thus put to its highest use.

The rancher who wishes material for home use or who has a tract of land otherwise useless, which can be put to the growing of eucalypts, is little concerned about the ideal planting site. He will plant anyway. With him it is a matter of the choice of species and the location of the plantation. Here again observation discloses the fact that the small, in the aggregate, a large area of land in the possession of small ranchers which should, for its best use, be devoted to growing eucalypts.

The planting of eucalypts for shelter belts has been the most characteristic use of the tree. The general appearance of whole sections has been changed by employing it for this purpose. The benefits of the eucalyptus windbreaks in the citrus belt, in the lima bean section and in regions of shifting sands are thoroughly appreciated. For this purpose alone, a large number of trees are put out every year and through the agency of the shelter belts thousands of cords of wood are contributed annually to the wealth of the state.

("Physical Regeneration"—Concluded.)

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THE GRAFT CASES.

Prior to the last issue of The California Weekly the prosecution had proved by testimony which there will be no effort to controvert that the members of the former blooding board of supervisors were paid from \$4,000 to \$10,000 each (the former sum in most instances) to vote for a trolley franchise for the United Railroads; that this money was paid to the former supervisors by former Supervisor James L. Gallagher; that Gallagher received it from Abe Ruef, the one-time political boss and self-acknowledged recipient of bribes. It further had been proved by officials of the San Francisco branch of the United States mint that, just before the time when these bribe-moneys were paid in behalf of the United Railroads, the sum of \$200,000 was paid, on Patrick Calhoun's order, to Tiry L. Ford. So stood the evidence one week ago. In brief, bribe-money had been paid in behalf of the United Railroads, and at an almost identical time the president of the United Railroads company had secured a large sum of money which had been passed on to one of his lieutenants.

This money might have been secured for legitimate purposes—and, if it were, the defense, of course, could readily demonstrate the fact—and it has been the effort of the prosecution during the past week to show that it was not. To this end it has been shown by the testimony of Charles Hagerty, Abe Ruef's former office boy, that Tiry L. Ford, to whom the \$200,000 was paid, by the branch mint on Calhoun's order, visited Ruef at about the time he received the money, and that thereupon Ruef rented three safe-deposit boxes of the Western National Bank, the latter fact being demonstrated by the testimony of officials of that bank.

Still it might be that the money was used legitimately, that Ford only made a social call on Ruef, and that Ruef rented three safe-deposit boxes merely because he liked the looks of them, and to disabuse the jury's mind of any such impression, if the members had formed it, the prosecution introduced other evidence. First in importance, probably, was the testimony of Adam M. Dahler, formerly cashier and now acting treasurer of the United Railroads company, whose evidence made it clear that the \$200,000 transaction was not recorded in the ordinary way on the books of the company and that the money was not used in the course of regular business. George Wilcutt identified a letter from Patrick Calhoun dated in September, 1906, four months after the purchase of the former supervisors, in which Calhoun directed him to credit the United Railroads Investment company with \$200,000, which instructions were obeyed by him, but he knew nothing of the use to which the money was put. Ivor Jones and Bernard F. Nelson, clerks in the treasurer's department of the United Railroads, testified that no large sum of money was handled in the course of regular business in the course of 1906, and directed by Calhoun and Kaitera, the latter roads swore that no large amount of money was handled in the regular course of the company's business during 1906.

If no other public good were accomplished by the trial of Patrick Calhoun, it is much to have had made clear the attitude of James D. Phelan, Rudolph Spreckels and men of that type in reference to the matter. Through all the organs of the defense it has been iterated and reiterated that these men interested themselves in the matter solely in hope of personal gain or in gratification of private malice. Mr. Phelan, having been placed on the stand, swore to negotiations with Calhoun for a conduit system which were terminated by Calhoun, whereupon a company was formed with the intention of bidding for a franchise and securing a conduit system. He was subjected to a rigorous cross examination by the defense, and to not one exploiting question, thus asked did the prosecution object, but when, on direct examination, the prosecution attempted to make still clearer the attitude of these citizens the defense met it with objection after objection. Whatever there may have been to

(Concluded on page 400.)

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IF WE could only print the stories that we know," sighed the city editor, as he leaned back in his chair and looked at his watch at 4 a. m. in a cheap restaurant under Brooklyn Bridge. The reporters nodded sagely, and assented, "If we only could." The editorial rooms in Park Row were deserted. The morning editions had gone to press, and the reporters had adjourned to the nearby "night owls" for supper or breakfast—one could call it either—and a chat before going home to bed with the dawn. Outside they could hear the trucks rattling away to the ferries and the Grand Central station, laden with damp papers that displayed an especially black head line announcing the death of Bruhn, the great detective, at a remote sanatorium upstate, a victim of overwork. Within they sat and drank by the dingy light of "Mike's" bar. One of the reporters queried the city editor:

"By the way, Ainsworth, don't you know some things about Bruhn that didn't get into the paper this morning?"

"The city editor's replaced his watch. Well, yes, I suppose I do. I have a good deal about him that didn't go into the paper. Good story, too."

He looked about the room. There were no strangers present. Mike was asleep on a stool behind the bar. "And as you boys know better than to let it leak, I don't mind telling it. I was in part of it myself, but I know more than Bruhn ever thought I did. I'll tell it the way I found out the most of it which will make two stories in one. It was one summer night about ten years ago."

"Hot? Lord, but it was hot! I was city editor of the Herald then, and I had a man on the Long Island assignment that was soldiering on me bad. He'd let himself get scooped twice, so I took a night off, partly to get cool and partly to trail him, and left my assistant on the desk and took one of those iron steamboats from Twenty-third Street down to Coney. I made for the hurricane deck where it's dark and the coolest, and got a camp stool in the shadow of the pilot house. The weather was blessed relief, by the time we hit the Narrows I wouldn't have minded an overcoat except that I was on the lee side. It was pretty fine and restful and I leaned back and enjoyed myself, with nothing and nobody to bother me. Even the orchestra below deck was far enough off to sound sweet and make the place romantic and sentimental."

Next thing I heard, though, was a couple walking towards me along the deck. They passed within three feet of me, without seeing me, and the man set down a couple of camp chairs and they settled themselves and began to talk. I'm a reporter and I didn't interrupt what I heard, naturally, especially as I recognized Bruhn's voice. Evidently he and the girl had been close on to quarreling and they had left the crowd to talk it out. He was dearest in earnest, talking love with all his soul and answering her objections to his suit with the nearest approach to eloquence I'd ever heard. I could tell that she wanted to hear him, wanted to believe what he said, wanted him to convince her that her doubts were unjustified. But she was putting up every possible objection she could conceive of to stave him off and try him out. At last she said:

"I'd almost be afraid to marry you after what a girl I know said about you once."

"What was it?" he asked, all eagerness. "She said that you had the cruelest mouth she ever saw," the girl replied, "and that she saw you one night look as if you could hate harder than you could love."

There was a long silence before Bruhn answered her. I could hear his breath drawn in sharply and then slowly exhaled, and his chair creak as if he were binding his muscles down to stay in it. When he did speak, his words came like cracking whips, though he did not raise his voice.

"Maybe there's something in that," he said. "I've said, 'I don't want a mirror to see if I look like a callow boy. I've had work to do; I've had my way to make in the world. Began it young. Ten years old. My father failed; but he failed like a man. Gave his note for what he owed, with fair interest, and started back at the bottom to pay out. We all had to

ON THE BOAT TO CONEY

By E. FRENCH STROTHER

help. My mother made dresses for rich women to dance in. Worked her eyes out, worked her heart out, killed herself at it, and left us to go ahead. I went to work in a factory, worked from six to six with an hour at noon for three dollars a week. It helped. I didn't eat lunch in that hour a day—I took it from one to two and went to school, five hours a week. Saturdays I took it to go to the bank, with the pittance my father had scraped together to apply on the note. The cashier used to abuse me; called my father a thief and a sneak; cursed me because I hadn't more money to pay; called in his father, who was president of the bank, to help humiliate me. They took it out on me, ten years old. You know how it hurt—a child. By the time I was fifteen we had paid out, but it had made my father a wreck, a broken-spirited wreck. He didn't live long after. He died in the city hospital, with the pride of an honest man in his eyes, but with the sorrow of a haunted man there, too.

"I kept at work and I went up, but I worked for more than just success. At night when I went to bed I could see the faces of those two bankers, taunting me, and I could feel again my spirit writhing as it had done when I was a kid and they had tortured me. I said to myself, there's no good in men who would use a child like that; such men have robbed widows and broken honest men, and I swore, as there was a Just God in heaven, I would break them. I made my way through school; I learned the streets as a boy who works alone learns them; I saw the hardest side of a hard world."

"One day I found a chance to put my knowledge to use. A big robbery was pulled off in the jewelry district in Maiden Lane, and the detectives that are supposed to keep every crook, day or night, out of the streets below the dead line, were fooled and raging. I saw some things in the Bowery a week later that reminded me that I hadn't seen Happy Jack the Dugo Kid for ten days. They used to loaf around the Atlantic Gardens a good deal, and I knew what they were without having to be told. I did a little trailing on my own account, and I checked up their movements every minute of those ten days, except three hours. At the end of the night the robbery was pulled off, I tipped the Pinkertons, and they took Happy and the Kid off a Jersey ferry the next night with half the goods on them."

"Then the Pinkertons took me up and I made good. I stayed with them until I saw more money outside and I started my own agency with a bunch of the big ones in the Street for my clients."

"All this time I had kept my eye on those bankers. When I got the money, I paid some of their clerks to keep me posted on how the bank stood. Any one of a dozen times I could have showed them up as robbers, but I was playing a bigger game. I kept quiet and waited. They were high flyers, and a high-flyer always takes one too many chances some time. They did. They got in on a corner in wheat in the Chicago pit and tried to swing it through brokers there. They had a good thing, too. They would have made it go, but they didn't figure on me. If they had they wouldn't have figured that I knew they were using the bank's funds away beyond anything they had the collateral to protect."

When they had their pool about ready to

cash in I sent for Ainsworth, city editor of the World he was then. I showed him what I had and told him what I knew. The World is always eager for that sort of stuff. Ainsworth ate it alive. The next morning the whole front page of the World was full of it—"Speculators in Control of Bank Cornering Wheat with Bank's Funds," and all that sort of stuff. I told Ainsworth if those fellows wanted to know where he got it, send them to me. They came, don't you doubt it. Hell broke loose in Chicago and New York that day. The wheat corner went to smash in an hour. The bank closed its doors after a day's run, and the examiner and the depositors were after those fellows hot-foot. They went to Ainsworth and he sent them to me. They begged me, for God's sake, to let up on them, to name my price, to save them from ruin. I laughed in their faces. They went down on their knees and begged, the crawling vampires. I said to them:

"You fellows don't know me. I haven't got a price. I've followed you for years and I've got you where I want you and I'll break you to the last cent you own and disgrace you to boot. You don't remember old man Bruhn, do you, that you sent to the grave over a note for ten thousand; you don't remember the kid old man Bruhn used to send with the interest every week; you don't remember how you cursed him and tormented him and reviled his father to his face. Well, I'm that kid, and I've come into my own and I'll see you damned before I let up on you."

"And I did it, too. I broke them, disgraced them and their name forever. The old man committed suicide and the young fellow went to Sing Sing. And I've never had a regret. I can hate. Now you know how much. But love is hate turned around. Can't you see that?"

Ainsworth stopped. The reporters leaned forward in the smoky light. "Well! Well! What happened?"

"I've often wondered," he replied. "The boat had docked by that time, and the pilot disturbed the boat-ster. I tried to snub as quietly as I could, and I didn't get a chance to see her face. I think they stayed aboard and went back on the return trip. But Bruhn was a married man, wasn't he?"

MOTHERHOOD.

By Agnes Lee.

Mother of Christ long slain, forth glided she,
Following the children joyously astride
Under the cedrus and the olive tree.

Pausing to let their laughter float to her,
Each voice an echo of a voice more dear,
She saw a little Christ in every face,
When, lo! another woman, pressing near,
Yearned o'er the tender life that filled the place.

And Mary sought the woman's hand, and said:
"I know thee not, yet know thee memory-tossed"

And what hath led thee here, as I am led—
These bring to thee a child beloved and lost,
"How radiant was my little one!"

And He was fair,
Yea, fairer than the fairest sun,
And like its rays through amber spun
His sunbeams bright
Still I can see it shine and shine!"
"Even so," the woman said, "was mine."

"His ways were ever darling ways"—
And Mary smiled—
"So soft, so clinging! Glad rays
Of love were all His precious days."

My little child
Was like an inmate light that gleamed.
"Even so was mine," the woman dreamed.

Then whispered Mary: "Tell me, thou,
When wilt thou come, and And she:
"Oh, mine was rosy as a bough
Blossoming with roses, sent, somehow,
To bloom for me!
His balmy fingers left a thrill
Within my breast that warms me still."

Then gazed she down some wilder, darker
hour,
And said, when Mary questioned, knowing
not:

"Who art thou, mother of so sweet a flower?"
"I am the mother of Iscariot."

UP AND DOWN THE STATE

Under a barn on the farm of W. D. Gillham near Knightsen, Contra Costa county, a litter of kittens and another of polkittens recently were born. Under these circumstances the mother cat wisely concluded to move out with her family, but, in so doing, she took not only her own family but also two of the baby stragglers, transporting both her own and the adopted to a place near the house. There the mixed family is being happily reared, but it still is considered a fairly safe bet that either a part of it will disappear or Mr. Gillham will move out.

According to a report filed by the census marshal there now are in the city of Marysville 883 children of school age. Of this number, 802 are of Caucasian, fifty-five of Mongolian, and twenty-six of Ethiopian parentage, or about 91 per cent, white, 6 per cent yellow and 3 per cent black.

Easterners will please make a note that on May 1st—pay particular attention to the date—an immature stalk of barley grown on the ranch of F. M. Hungerford, near Auburn, California, had attained a height of sixty-seven inches, while its head was four inches long. Given time to develop, it is believed that the young tree would attain considerable size, even for California.

Speaking of the conservation of natural resources and the necessity of growing timber as rapidly as possible, a straw in the current of argument against the matter may be found in the fact that the Diamond Match company, at its Sterling City mills, expects this year to cut 50,000,000 feet of lumber, the largest cut in its history.

John Blacklick, a miner employed in the Oat Hill mine, in Napa county, was burned to death in his cabin last Friday. It is reported, but with how much truth is not known, that Blacklick had been drinking heavily.

One after another the large tracts of land in this state are being cut up and disposed of in smaller holdings. A sale looking in this direction is that of the Tequesquite ranch of 10,000 acres, situated between Gilroy and Hollister, by the Spreckels company to Los Angeles and Hollister parties. It is expected that the land will be irrigated and then sold in small lots.

The second Esquimaux born in the United States made his appearance last week in a tent show in Santa Rosa. He was honored by being given the name of the beautiful little city in which he was born. Whether Santa Rosa also was honored, of course, remains to be seen.

Up to a recent date Riverside had shipped 2,902 carloads of oranges and 234 carloads of lemons this season, while Redlands had shipped 3,071 carloads of oranges and twenty-two of lemons. This left Redlands ahead by 169 carloads of oranges, while Riverside was 212 carloads ahead on lemons and forty-three ahead on the total output of citrus fruits. A pretty race, with a showing that should be satisfactory on either side.

Charles M. Shortridge has retired from the management of the San Jose Times, and has been succeeded by Clifford J. Owen, an experienced newspaper man. Hereafter Shortridge will devote himself and his talents to the practice of the law.

An experiment in securing good roads which will interest all communities in the vicinity of oil wells, is being tried in Tulare county. There, instead of buying oil with which to dress roads, the supervisors are securing oil-saturated sand taken from oil wells. It is claimed it will serve the same purpose, and its only cost at present, is that of loading and transportation.

Automobile Notes.

The automobile road over the Cuesta grade of Santa Barbara county is now completed and ready for use by autoists, according to H. A. Schoenfeld of Los Angeles, who toured up to this city from his home in Los Angeles a few days ago in his Studebaker "30" touring car. Schoenfeld says the Cuesta grade will be used in the future exclusively by autoists and that all vehicles of every other description will take the lower road. This innovation will eliminate the great amount of danger which has always featured this grade as the Cuesta grade is a series of sharp turns.

An expert automobilist declares that over heating is the chief cause of pre-ignition. When it occurs, if a test shows the radiator to be cold and the water jackets to be hot the water is not circulating properly owing to pump stoppage.

From San Francisco to Portland, Me., and then back to the Pacific is an automobile trip to be made this summer by Mr. and Mrs. C. A. Littlefield of Oakland, Cal. Mr. Littlefield has given time and money to preparations, both as regards his car and routes and roads. Marsh quick acting rims with Diamond 36x5 tires all around will be used and the trip East, which will be made by way of Los Angeles, New Orleans and Washington, includes a visit to the Diamond rubber factories in Akron, Ohio. The return will be by way of Buffalo and Chicago, and thence for the most part along the route of the New York to Seattle endurance contest.

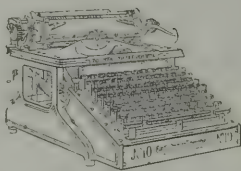
With the advent of the new Turkish ruler the motor bus made its appearance on the streets of Constantinople. On the day the Constitutional troops entered the city several motor buses owned by an English concern and driven by English chauffeurs began service on the streets of the Turkish capital. Curiosity has caused the vehicles to be generously patronized.

Fireproof Clothes for Everybody.

Says the Yonkers Statesman: "To protect children from fire, add one ounce of alum to the last water used to rinse children's dresses, and they will be rendered unflammable, or so slightly combustible that they would ignite very slowly, if at all, and would not flame."

"This is a simple precaution, which may be adopted in families of children. Bed curtains, and linen in general, it is said, should also be treated in the same way."

"This nickel ain't no good." "Well, neither is this car line."—Cornell Widow.



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PERSONALIA

Andrew Carnegie's present trip to Europe is his ninety-sixth ocean voyage.

James F. Hyde, recently elected city treasurer of Lincoln, Ill., is ninety-five years old—probably the oldest officeholder in the country.

The large cameo ring worn by Dustin Farnum in "Cameo Kirby" first belonged to General Braddock, of French and Indian fame, who gave it to Farnum's grandfather.

The principal dissipation of James A. Patten, who cornered the wheat market, is chewing gum. He has always refrained from wearing dress suits and plug hats.

Guy du Maurier, the author of the play "An Englishman's Home," that frightened all Britain, is a major in the British army and a companion of the distinguished service order.

President Taft has not abandoned horseback riding. His three favorite mounts are "Tate," "Sterrett," and "Green Brier," from the stock farm of Tate Sterrett, near Hot Springs, Va.

Miss Billie Burke will make one of the longest theatrical "jumps" on record when she closes an engagement in London to come direct, with her company, to play "Love Watches" in San Francisco next August.

The humor of having De Wolf Hopper deliver the Marc Antony oration at the "Lamb's" gambols in New York, May 29th, does not seem to have been duly appreciated by the programme makers of that occasion.

David Belasco and Harrison Grey Fiske, for years the leading theatrical managers outside the "trust," have come to an agreement with Klaw & Erlanger by which their attractions will be booked at syndicate theaters.

Every one of the first-honor graduates of West Point of the last 45 years is still living; a large majority of them are still in the engineering corps; and of these nearly every one is rated among the most eminent in the engineering profession.

The first portrait of Mr. Taft as president will be painted by Joaquin Sorolla, whose wonderful paintings of sunlight are the artistic sensation of the hour in New York and Boston. Sorolla is declared to be Spain's greatest painter since Velasquez.

Charles Klein, author of "The Music Master," learned the principles of dramatic construction as a reader of plays in Charles Frohman's office. Channing Pollock, James Forbes, Kellett Chambers, and Thomas Mallard are all ex-journalists.

It is said that when David Belasco was stage manager of the old Baldwin Theater in San Francisco, he permitted the caddy to go up on the first performance of a new play until his mother was in her seat, even if the audience had to wait a while.

He: These glasses give me a very intellectual appearance, don't you think? She: Yes. Aren't they powerful!—Boston Transcript.

He hemmed and hawed because she knitted her brows when she darned his hose, and then he upbraided her. This ruffled her temper so that she ripped out more than the stitches she had put in his socks. It is needless to complain this sad story, as it is not pleasant to follow the thread of their discourse, which wound up with her throwing a spool at him, which put a crocheted under his eye.—Life.

One cold morning little Elsie was being bathed by her mother at her home in Park avenue, and usually her bath was a great delight to her. But this morning her mother talked incessantly while she worked, crying out a course of conduct for the day—and she had heard it over and over again! Finally she said sweetly, but wearily: "Please, mamma, don't talk any more. You make such a draught!"—Yonkers Statesman.

SHEAR WIT

The Manager: "I'll have to cut your salary." The Danseuse: "There'll be no kick coming."—Puck.

"Can I offer you a little friendly advice?" "If you'll take a little in return." Here negotiations ceased.—Louisville Courier-Journal.

"Is your husband all that you called him when you were courting?" "No, but he's all I call him now, and then some."—Houston Post.

After Their Quarrel—Mabel: "Of course you speak to Lena when you pass her?" Helen: "Indeed, I do not. Why, I don't even notice what she has on!"—Puck.

Teacher: "Name one striking characteristic of Richard the Third. Well, Isidore?" Isidore Klawlanger, whose father is a theater manager: "It's a box-office loser!"—Puck.

"Do you ever abuse that mule of yours?" asked the kind-hearted woman. "Lan sakes, miss," answered Mr. Erastus Pinkey, "I should say not. Dat mule has had me on de defensive foh de las' six years."—Washington Star.

Lady (to new milkman): Now, Mr. Jones, I hope I can rely on the purity of your milk. I had to give up Mr. Smith because his milk became two-thirds water. Mr. Jones: You can rely on this, mum. It's bin paralyzed by the public anarchist.

"Don't ever come at the horses from behind without speakin' to them!" exclaimed the sergeant. "They'll be kicking that thick head of yours! Then the first thing you know there'll be a lot o' lame horses in the squadron."—Illustrated Bits.

Dorothy, aged five, after watching her mother making a pencil sketch at their home in Warburton avenue, said: "Mamma, I much what drawing is." "Well, what is it, dear?" "It's just thinking, and then making a mark around the think."—Yonkers Statesman.

Little Mary hated to say "vinegar" because she had been laughed at so often for her queer pronunciation of the word. So when her mother sent her to the store to buy some, she presented the jug to the clerk and said: "Smell of that and give me a quart."—Bohemian.

The Kentucky colonel snorted, made two or three false starts, and finally dictated: "Sir—My stenographer, being a lady, cannot transcribe what I think of you. I, being a gentleman, cannot think it. But you, being neither, will readily understand what I mean."—The Circle.

"Where are you driving the pigs to?" asked an inquiring farmer of a Tennessee mountaineer. "Out to pasture 'em a bit." "What for?" "To fatten 'em." "Isn't it pretty slow work to fatten 'em on grass?" "Up with me I come from we pen them up and fatten them on corn. It saves a lot of time." "Ya-as, I s'pose so," drawled the mountaineer, "but, bless your heart, what's time to a hawg?"

"You know," said Mrs. Subbuss, "that Mrs. Newcome moved in across the way last Monday, so I called to-day." "Well, well!" remarked her husband; "how like poker this 'social game' is." "How do you mean?" "Why, in poker you also call when you want to see what the other person's got."—Catholic Standard and Times.

General Miles tells a story of a corporal in the old Indian fighting days who was much chaffed by his comrades for his oft-repeated expression of belief in "fatality" and "destiny." One day the corporal, preparing to take a little horseback exercise, attached a brace of pistols to his saddle. "Hello!" shouted a private to the corporal. "What are you taking the guns for? They won't help you if your time has come." "True for you," grimly responded the corporal; "but I may happen to meet an Apache whose last day has come."—Chicago Inter-Ocean.

Barry Sullivan, acting Richard III, was declaiming: "A horse! A horse! My kingdom for a horse!" when a wag in the pit called out: "And wouldn't a jackass do as well for you?" "Sure," retorted Sullivan, like a flash. "Come right around to the stage door."—Rochester Herald.

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Rights Not Disparaged.

The enumeration in the constitution of certain rights shall not be construed to deny or disparage others retained by the people.

So reads the ninth amendment to the Constitution of the United States, added by popular demand as a condition subsequent to the adoption of the constitution. The framers of the document had not deemed it necessary.

The demand for this amendment arose out of a rule of law which holds that where an attempt to enumerate is made, either in a contract, in a bill of sale or a declaration of human rights, whatever is not mentioned in the enumeration is excluded from it and has no part in it. It was through fear of what the application of this rule of law might result in, with reference to rights not otherwise guaranteed by the constitution, that this ninth amendment was insisted on and adopted. It was a proper safeguard and wisely made a part of the organic law. Our courts, by their adherence to logic and to inflexible rules, might otherwise have "whereas" the American people out of half their blood-bought rights and privileges.

Under the British constitution the situation is different. It is not a written constitution. No human being ever saw a copy of it. It enumerates no rights and therefore excludes none. The rights of Englishmen are those that are recognized by Englishmen as rights, rights that they fought for in the first instance and are ready to fight for again if need be. There is no specific list of them, but they exist in the minds and hearts of Englishmen and are safer there than though engraved on tables of stone, tablets of brass or written on parchments, because more flexible, because they can grow as these rights expand with the growth of liberty and the wider participation of the commonality in a government that had been founded upon privilege and was originally restricted to the few.

The reduction of human rights to specific statement in the American constitution has been a hindrance rather than a help, a cause of narrowing rather than of broadening those rights. This has proven equally true with the powers of government. It has given rise to a school of narrow minded legalists who have held to the letter of the law rather than to the spirit of it, to the meanings of words rather than to the needs of an ever growing and expanding national life. Like so many Shylocks they are ever looking to see if it be "so nominated in the bond." If there they want the pound of flesh it seems to allow. If not there they will acknowledge no obligation that an enlarging life would impose.

This bent of mind early gave rise to two schools of constitutional interpretation, the liberal and the strict, the broad and the narrow, and there has been a tug-of-war betwixt them ever since the constitution was adopted. The end of it is not in sight. Meantime, the nation has grown from three millions of people to eighty-five millions or more, from a few colonies along the eastern coast to cover half a continent, from little better than a dependency to a world power of the first rank, and it must go on growing until it becomes an ocean-bound republic.

It is small wonder if this tight-fitting garment sometimes pinched under the arms and needed to have tucks let down to prevent ripping or tearing of very texture itself. That it has not suffered this harm comes of the fact that the spirit of liberal interpretation has prevailed, even to the extent of writing into the document, by way of interpretation, of many truths that were never consciously put there by those who made it. It was assumed that they were there because they had to be there.

This brings us to a repetition of a statement heretofore made in these lessons: That our nation is a living, breathing thing. The constitution of the United States is not. That is a document. It hath neither ears, nor taste, smell nor sight, but the nation has, and these together with understanding, conscience,

will, an instinct to grow, a courage to dare. The constitution is no more to the nation than a skeleton of a man is to a man. In no true sense can it be said that the constitution of the nation limits the powers of the nation. Those powers depend upon the virility of the people which make up the nation, their habits of mind, their customs, aspirations, hopes. The constitution merely directs how those powers shall be exercised, through what machinery they shall put forth their strength. The constitution is very valuable for that purpose but very hurtful as an enumeration of powers to the exclusion of powers not enumerated.

By getting the spirit of this lesson thoroughly into the mind the reader will be better prepared to take up the consideration of the tenth amendment, the battleground of the nation.

("The Graft Cases"—Concluded.)

hide, it was not the prosecution that desired to hide it.

After being out nineteen hours the jury in the case of Luther A. Brown, charged with kidnaping Fremont Older, returned a verdict of not guilty. It is understood that the jury first stood five for conviction and five for acquittal, two not voting, the final verdict being explained on the ground that Older did not sufficiently resist his captors.

A Revolutionary Marine Compass.

The German Admiralty, it is announced, has decided to abolish all magnetic compasses on board German warships and replace them with the gyroscope compass, an invention of Dr. Anschütz-Kampfe of Kiel.

The gyroscope compass is based upon the familiar principle that a rapidly rotating body tends to keep in the same plane, a principle which is already applied in the automatic steering apparatus of torpedoes. The compass consists of a wheel weighing about nine pounds, mounted with the usual compass card and working, in order to diminish friction, in a holder of quicksilver. A current of 150 watts from an electrometer is sufficient to give this wheel or top 21,000 turns a minute.

Two hours after being started the instrument is set in the direction of the mathematical meridian instead of toward the magnetic pole, and it keeps its position unchanged. It is not deflected as is the ordinary compass by neighboring iron and steel. It is unsusceptible to vibration and rolling and under all possible conditions of weather keeps obstinately true to the poles. The slight deviations resulting in different latitudes are all exactly calculable and therefore cause no trouble.

The new compass was tested during a nine months cruise of the warship Deutschland in different parts of the world. On one occasion the apparatus was left alone, unattended and unchecked for a month, but it kept the true direction. It is expected to be particularly useful in submarines, where the magnetic compass is untrustworthy.—New York Sun.

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A Deserved Tribute.

In an after dinner address, at which Joseph W. Folk was the guest of honor, Mr. James D. Phelan paid a deserved tribute to Fremont Older as having been an unselfish and persistent inspiration in the prosecution of graft in this city. He has thrown himself into the conflict with entire self-abandon and with results tremendously important to the upholding of the right and condemnation of the wrong. Unhappily the imbecility of a jury prevented the punishment of a despicable offense committed against him personally, committed under the protection of legal processes that have many times been employed to inflict injustice upon the helpless. Mr. Older will be remembered when his enemies have been sunken in the depths of a merciful forgetfulness. The powers of graft can neither prevail against a worthy reputation nor rehabilitate a reputation prostituted to its service.

Henry H. Rogers.

Henry H. Rogers has gone where he will be judged with righteous judgment. Our human judgments must fall short of a true and proper estimation of his life. Nevertheless the memory of no man who has done the things that he has done has a right to escape such judgments as our understandings enable us to give. As the builder of the railroad from the bituminous coal fields of West Virginia to tidewater he was a benefactor. As a manipulator of the stock markets he was a robber, just as much a robber as the veriest highwayman that ever plied his trade. He was not a mere speculator, a big gambler taking his chances with the rest. He was a confidence operator, a financial thimble-rigger and as such deserved and received the detestation of honorable men. It is not in the public interest that these blundy bald, bad facts be forgotten at the grave and only the good remembered. His bad acts may be forgiven but there is no law, moral or divine, that requires that they be forgotten. He had great powers of mind and will and there was great obligation resting upon him that he use those powers for the uplifting, not the exploiting, of his kind. When public opinion steadfastly judges the robber to be a robber, living or dead, great or small, there will be fewer ambitious to become robbers. As to what made such men the ruthless ravagers they were, and the extenuating circumstances leading thereto, that may safely be left to the God who made them in the firm belief that justice will precede mercy and contrition forgiveness. So far as the public knows not one pang of remorse has ever harassed the soul of a Standard Oil exploiter of men. They are a filthy combination.

The College Debt.

The burden of President Wheeler's address on commencement day was the debt which the graduating class owe to the state, in the shape of loyal services, for the advantages enjoyed. It is encouraging to note that one of the principal addresses delivered at Stanford University breathed the same spirit for, in its last

THIS NUMBER CONTAINS

Economic Value of Improved Waterways

BY

John A. Fox

analysis, the millions that were devoted to the founding of Stanford University were as certainly raised by taxation as the millions that go into the construction and support of the State University. The method of levying and collecting the tax was different but the result was the same. The people paid the bills and a debt payable in service is as certainly due the public.

The Lawyer.

At a time when the legal profession is, by the reprehensible conduct of some of its members, held under scrutiny with more than usual severity it may be profitable to give that profession a few moments of rational consideration. If the writer of this were commissioned to select the ten men in all California whose services to the state have proven most valuable, who stand for the highest ideals in government and public duty, he would anticipate that at least six, and perhaps seven, of the ten would be lawyers. Per contra, if he were commissioned to select the ten men in the state whose influence in public affairs, whose efficiency in rascality, has proven most injurious, he should anticipate that nine out of the ten, if not the whole ten, would be lawyers. The preparation and practice of the law raises human efficiency in public affairs to the highest degree. When a good man enters the legal profession the public is immensely the gainer. When a scoundrel enters it the public is immensely the loser. Unfortunately a debased standard of professional ethics has made the profession attractive to many scoundrels that they may practice criminality with a minimum of risk and a maximum of profit, and this has largely come to pass through the legal requirements of "malefactors of great wealth."

The Type of Mind Issue.

The San Francisco Star makes the point that, in view of the fact that Chief Justice Beatty was elected to his present exalted position by a majority of nearly 60,000 votes, the people of California approve his type of judicial mind. The point is not well taken. Justice Beatty was thus elected in part be-

cause the people believed in his integrity, but mainly because they believed that unwholesome influences had conspired to prevent his renomination. His type of mind was not then in issue. He had not then written the Schmitz-Ruef decision of unfortunate memory to set that type before the public in bold relief. Were he to come up for re-election this fall it would be different. The public understanding now sees many things to which it was then blind.

What of the Other Fellows?

Mr. F. H. McCarthy conceives himself to have been criminally libeled by the San Francisco Call inasmuch as the Call alleged that he, McCarthy, had been holding converse with certain of the political hired men of Mr. W. F. Herrin, head of the Political Bureau of the Southern Pacific Company, which bureau arrogates to itself the authority to govern California. Mr. McCarthy denies the charge of having conferred with Herrin's hired men. It is understood that the Call will strive to purge itself of the charge of libel by proving the fact of the conference. It appears to be tacitly admitted on both sides that the fact of conference is inherently scandalous if not obscene. All right for McCarthy. All right for the Call. Let them join the issue as they may, but what sort of compliment is all this to-do for Mr. Herrin and his hired men? Are they living as men forbid? Are they held in such public estimation as to make holding conferences with them a scandal and a shame? Is the fact of conference, once established, of such nature as to justify in the public mind all manner of evil presumption as to the intent and purpose of such conference? If so, then, verily, the compensation these men receive for their unwholesome services should far exceed that of Iscariot of old.

A Revival of Sectionalism.

In the discussion of the new tariff a tendency is manifest to revive an out of date sectionalism, to unite the West and South against the East with New England as the especial object of enmity. This would be as unfortunate as unjustified. New England newspapers are as staunchly for a tariff revision downward as those of any other portion of the country. The issue is not between sections of the United States, but between predatory interests, greedy for extortion, and the purchasing public clamorous for a lowering of the cost of living. The New York Sun, the recognized organ of predatory capital, disclaims any promise, purpose or intent to lower the tariff with a view to lowering the cost of living. On the contrary, the purpose is to increase the facility with which the strong arm of the law may be thrown around the neck of the consumer and his pockets rifled in the interests of a restored prosperity. That view will not be accepted by the American people. Never before were so many Republican papers in opposition to any tariff. If the Aldrich tariff is enacted it will be overthrown, not by Democrats, but by Republicans bent on redeeming their party from the brigands who now have it in custody.

THE RAKE-OFF.

A San Francisco business man was lately heard to lament the extent to which grafting, in the form of demanding a rake-off on the flimsiest pretenses, was being practiced in business circles. It was complained that whoever aided in securing a contract, either public or private, even if it were no more than introducing a friend to his own tailor to be measured for a suit of clothes, felt warranted in dropping in upon the vendor at some convenient moment to demand a percentage on the sale, a gratuity of some sort, for the service rendered.

This business man was right in calling this practice grafting, and unless business men desire to be hounded by men with itching palms from dawn until darkness throughout their business careers they must set their faces against graft wherever it sticks up its ugly head. Such a practice easily becomes the fixed custom of a country. In Japan everybody gets a percentage of what is paid to the person in the next stratum below, with the result that poverty crushes the weak as perhaps nowhere else. In government the system is worked out to the minutest detail in China, where the millions are mulcted in taxes and yet the government is left without adequate revenue—the greatest part is swallowed up somewhere between the tax farmer and the imperial treasury.

Nor can grafting be countenanced among gentlemen and discountenanced among those who serve. If protected anywhere it will reach everywhere and will tarnish whatever it touches. Destroy it in high places and it can be stamped out in low. Not otherwise.

Mr. Harriman has told what great things he could do for the patrons of his roads if he could keep his trainmen from stealing, but the "looting of the Alton" bars his way. So long as the bribing of the supervisors of San Francisco remains fresh in the mind Mr. Calhoun will be powerless to prevent "knocking-down" on the part of conductors on the United Railroads, no matter how many spotters he may employ. Under the Schmitz-Ruef regime scoundrelism ramified the entire city government almost to the last petrolman. The malefactors of great wealth laid the foundation for the bankruptcy of their heirs through the tutored rascality of those upon whom they must depend for protection. It was not the valor of the Japanese so much as the grafting of the Russians that defeated Russia and turned back for half a century, if not forever, the tide of Russian progress. The higher-ups in San Francisco, and their associates and apologists, are but trying to imitate the feat of Samson who tore out the props from under the temple and involved all in a common ruin. In warring against graft the forces of moral good health are fighting a worse malady than plague, being disseminated by worse vermin than rats.

THE CALL OF THE LAW.

On another page in this paper will be found, under the above heading, a brief address delivered at the commencement exercises of the University of California by Mr. John Henry Riordan, a graduate of Hastings Law College of the University. The spirit breathed by this brief oration is full of hope for a better administration of the law in this commonwealth. If our law colleges are turning out graduates sympathetic with the spirit of this address it cannot be that the living always will be misgoverned by the dead, that our temples of justice will be ruled from chamber houses. No more hopeful note has been struck in recent months than that sounded by this young man in his commencement oration.

For it must be that if our bar is to be re-

THE STAFF

A. J. PILLSBURY, Editor and Manager
CHESTER H. ROWELL, Associate
A. J. WATERHOUSE, Assistant
E. FRENCH STROTHER, Assistant
O. BLACK, Business Manager

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cruited from colleges of law permeated by the atmosphere which this address exhales that bar will emancipate itself from the bonds of tradition which now hold it to the wisdom of other ages, a wisdom which served its purpose in other lands under other conditions and which as absurdly belongs to the past as do the theologies of Calvin and Luther, Cotton Mather and Jonathan Edwards.

And it must follow that if our bar is to be recruited from colleges which breathe a living and progressive atmosphere the bench cannot forever remain locked in the embraces of arms so long dead that there clings to them no shreds of the ceremonies with which the lawgivers of another age were enshrouded. Then shall we have judges sitting in an atmosphere as conducive to sanity of mind as open-air living is conducive to longevity of the body.

Always provided that the bench be not filled, as it heretofore in great measure has been, by a corporate manipulation at once reactionary in purpose and malevolent in spirit. From a bench so constituted nothing is to be hoped. It will continue to sit, as it now sits, in an atmosphere foul with sinister germs and the personnel of that bench will be selected, as it has largely been selected, with the view of the largest practicable susceptibility to inoculation from those germs.

Neither the law colleges, the bar nor the bench can be emancipated from the hand of death, and nourished into life, until the men of California emancipate themselves from a domination that is as sinister in purpose as greed can make it. We cannot have a free bar or a free bench, however well our law schools may strive to that end, except they be demanded by a free people, and the men of California have not been free and self-governed for more than a quarter of a century. So heedless of their blood-bought liberties have they been that they did not miss them when they lost them.

The first step toward emancipation is to know the truth, and the truth is that California has not in any adequate sense been a self-governing commonwealth, and the People have not in any adequate sense selected their appellate judges. Their judges, selected for them, have been of a type of mind that either bound them to a dead past and a dead formalism, or to the interests of those puissant political powers that made them judges. The result has been that justice has failed whenever it sought to deal with anyone under the protection of our modern feudal barons.

If the California Weekly dwells upon this theme of the establishment of justice with a tiresome iteration it is because it believes that there is no other issue before the public comparable with it, no other need so vital, no other danger so little realized, no other harm so threatening. The supreme thirst of Man, the animal, is for power over other men. The supreme yearning of Man, the spiritual being,

has been for justice, even handed, without respect to position or personality, speedy, certain, commensurate with the offense. The struggle between that thirst and that yearning has constituted the history of the human race. It is upon us here in California, here in San Francisco, upon us now, as it was upon that Palestine of nineteen centuries ago when, as now, the traditions of men were substituted for the justice of God and the ceremonial of a letter-bound priest had for the substantial vindication of sound law. In the reformation of legal procedures and the rectification of the appellate benches lies the hope of American institutions, and whatever points in that direction, as does the commencement address of young John Henry Riordan, is to be received with acclaim.

THE MEN OF THE HOUR.

The paid apologists for the San Francisco grafters have insisted, in season and out, that the prosecutions were instituted and pressed either from motives of pure malice or with a deep design to so discredit and destroy the value of the United Railroads as to enable the conspirators to purchase the plant at their own price and rehabilitate it to their own profit. These were grave accusations.

Well, the attorneys for the defense have been turned loose upon Mr. Rudolph Spreckels and Mr. James D. Phelan, alleged to have been the leading conspirators, with full liberty to draw out from them the deep damnation of their own iniquity. And what has been the result? The exculpation of these men, beyond the aroma of taint, and the placing of them before the public as pre-eminent the Men of the Hour, the men to whose selfishness and civic patriotism San Francisco owes most! They come off not only unblemished but triumphant. The trumped up sophistries of paid graft apologists were blown to smithereens the moment they were aired.

Hypocrisy has been said to be the homage which vice pays to virtue and, ament the graft cases, attempts have been made to pay this homage by insisting that the writers were just as anxious to have the guilty punished as the most zealous graft fighter can be, only it must be done by the unaided efforts of elected officers and not by special attorneys and detectives employed through the aid of men of means who love their city and state and stand ready to sacrifice time and money, even life if need be, to protect its life and its fame.

Out upon such charlatanism! These same apologists supported the candidacies for office of men publicly known to be under the domination of the grafting fraternity. Their purpose was to permit the grafters to select the judge before whom they were to be tried, and they got a bill through the legislature to that effect, then to have them tried by prosecutors of their own selection before a jury summoned by their own minions. The purpose was too palpable. It was to prevent their being tried at all or, if tried, to have the trial result in nothing more important than a formal, judicial vindication of high-class scoundrelism.

But for the heroic, self-sacrificing and well-directed efforts of Mr. Spreckels, Mr. Phelan, and their associates, that conspiracy of white-washery would have been consummated. That graft has been "dragged into the light and held triumphant," as Joseph W. Folk affirms it should be, is due to these Men of the Hour, men of capacity, men of means, in short to these MEN who dare to be MEN when manhood comes high. Valiant and resourceful as he is, Mr. Francis J. Heney would hardly have been able to turn a wheel without the backing of these men and it behooves those who value patriotism, disinterestedness and courage to stand by these men whenever their motives are brought into question. Such qualities should

have a premium placed upon them, not a penalization.

For, be it remembered, the commonality never yet won a victory over a united power-holding class. In our country, at our time, the power-holding class is the millionaire class. If they stand together they cannot be overthrown no matter what they may do. It is only when that class is divided on an issue of right, an issue of moral appeal, an issue involving the rights of man and the perpetuity of freedom and justice, that the predatory interests can be overthrown. There is no other way. The history of the world marks no step in human uplift that is not characterized by such a division of the power-holding element. If the predatory millionaire is the bane of our civilization the millionaire of rectitude, courage, self-sacrifice is its emancipator, for he it is who possesses the sinews of a warfare for righteousness without which no wheel can be turned.

What of It?

Complaint is made that, by the time a new battleship is completed, advancement in the art of constructing battleships supercedes the one just completed and makes the issue of supremacy as debatable as before. Quite so, but what of it? It is equally true regarding every new machine, process, art, known to the industrial world. If, as reported, an Englishman has discovered a way for making better steel than any now made at half the present cost every furnace in the world is junk. This is the price which humanity pays for progress, without which nothing.

The Jersey Idea.

One of the quaintest manifestations of the present-day reaching out after sobriety is that of New Jersey, which has enacted a law requiring every incorporated city to appoint a board of public protectors whose duty it shall be to take a census of the drunkards in each such city and post their names in all saloons that no liquor may be sold them. Furthermore, every person who shows signs of becoming a drunkard, and so losing control over himself, is likewise to be posted, and whoever sells to one of the forbidden persons is heavily fined on a graduated scale that runs from \$50 for a first offense to confiscation for the last. It will be interesting to note, after ten years, how this law has worked if it is still working.

The Money Supply.

On the first of May the estimated volume of money of all kinds in circulation in the United States was \$3,096,663,124, the estimated population of the country was 88,687,700, and the per capita circulation \$34.92. With nearly double the circulating medium of the late '90s business is not better now than it was then. It requires something more than a dollar to make another dollar. Opportunity counts for as much as the cash capital.

Too Poor to Fight.

A north German merchant, writing of the talked-of war between Great Britain and Germany, explains that Germany is too poor to fight, that the growth of German cities within the last generation has made necessary such enormous expenditures in municipal improvement that, together with the cost of army and navy, he is now taxed 35 per cent of his annual earnings. Such taxation is confiscatory and, if that be the measure of taxation in the Fatherland in time of peace, it is easy to imagine what it might easily become in time of war. While Great Britain has a larger invested capital in foreign countries than Germany, from which to draw profits, the burden of taxation does not rest lightly there either and the citizens of both countries would do

well to sit thoughtfully over their mugs of beer and pipes of peace before indulging in more war talk. It was war talk, and not a substantial grievance on either side, that precipitated the Franco-Prussian war in the early '70s.

The Tariff Tendency.

Putting that and that together the tendency of tariff legislation seems to be to get out the worst measure that will possibly receive the approval of the President and then go to the country and ask that the tariff be let alone, no matter how bad it may be, in order that the business interests of the country may get busy going through the pockets of consumers and so restore prosperity. Aldrich and Hale are sly old dogs and know, from long experience, about how far they can encroach upon American good nature and a general desire to get to making money. Their unknown quantity, and our own, is the President. He is naturally indolent, but we miss our guess if he be found an easy proposition by the interests. He will yet come to be known by them as The Unbudgeable Bill.

The Poor Man's Club.

Elsewhere in this issue will be found an explanation of the methods and purposes of the Model License League. The most significant fact gained from this interview with the accredited representative of that league is that the wholesale and manufacturing liquor interest itself recognizes that the present status of the saloon business in this country is intolerable and cannot be endured with anything approaching national self-respect.

The strongest argument made for the saloon as an institution is the one made by Captain Smith, that it is the poor man's club and the only club he has. That there is here a real, a fundamental, need no observant person will deny. But neither will any observant person deny that the typical saloon is about the worst form of club that human ingenuity ever devised. It is a club based upon the depravities of human nature. It brings men together upon the basis of the worst impulses that are common to them all. It is the home of the dirty story, the ribald talk, the hoarse, brutish laughter, the fun that debases.

Nevertheless, any system of moral reformation of the liquor business that does not take into account the need for "The Poor Man's Club," and somehow supply that need, will fail. The need is there and is imperative. If the saloon does not supply it some other form of doggerly will. Repression will not solve the problem. What shall the substitute be? That is the question of questions. Until this need is otherwise supplied the saloon will stay.

National Wealth in Water.

Pursuant to the steadfast purpose of The California Weekly to present to its readers at least one strong article each week, dealing with some subject of public importance and written by some person whose special knowledge of that subject gives him a right to be heard, attention is called to an article elsewhere dealing with Water As a National Asset. The writer of this article has an intimate knowledge of his subject and those who give attention to what he says will be persuaded that, next to the conservation of the productivity of the soil of the country, there is no other material concern that transcends in importance the development of our national waterways and the storage, either in the soil, in forest or grass coverings or in reservoirs, of the waters which fall upon America's broad acres. The subject demands earnest consideration and this article will furnish a basis for making consideration intelligent as well as earnest.

The Deeper Significance ::: of Living :::

It is not imperative that we continually judge one another. The habit of so doing is a bad one to form, but it is important that we judge righteously when we do judge. There is no more lamentable blunder than to judge a human kind than an incapacity rightly to gauge moral values.

There are moral idiots in the world who are not lacking in other capacities. Some of them have been men of genius, others of talent, others of merely normal ability, but whether possessing genius, talent or only mediocre parts, they all stood helpless before truth. Than these there are no more miserable beings under the sun or more pestiferous to human society.

Some of this moral idiocy appears to be congenital, yet the science of heredity can not account for it, nor bring-up, or lack of it, associations, habits or environment. To the query, How came they so? there is no answer save that it is so. In other instances the morphine habit or opium smoking, the craving for drink, unbridled license, one or more of them, have been suggested as adequate cause.

There are moral insanities as well as idiocies. The two are not the same. As there are persons who are perfectly sane until one particular topic is suggested to their minds, when their reasons go all to pieces, so there are others whose moral perceptions are as clear as sunlight until they are confronted by their one over-mastering, unerring delinquency. Then, presto! they become as immoral as so many Hottentots.

But there are causes of moral color blindness other than those above suggested, causes which afflict those neither morally idiotic, morally insane, nor morally impotent. One of these is an over-emphasized desire to be rich. This leads the victim of that desire to say of himself, in effect: "I don't like to do such things as I have to, but they are necessary if I am to become rich, and I must become rich." That process of reasoning has made a scoundrel out of many a good man, a grafter out of many a man who was made in the image of his Maker with a mind as clear as crystal until clouded by this over-mastering desire.

Personal ambition to shine financially, politically or socially is another prolific cause of moral disaster. Speaking of a well-known public man lately, one who knows him well said of him: "He is all right in every department of life except the political, but he will do anything that any man wants him to do if that man can make him governor of this state. Before that consuming ambition his moral standards will trail in any dust, be hedged through any mire." That is a hard thing to say of a man otherwise big enough to be made governor of California, yet we have seen it exemplified more than once in the history of this state, in fact, more times than we have seen to the contrary.

Many cities of the world are waging crusades against belching chimneys because they needlessly cloud the atmosphere and, in some cities, at least, the crusade is resulting in a clearing of the physical atmosphere. The California Weekly is waging, if not a crusade, then a warfare, against such a clouding of the moral atmosphere as shall prevent the general public from being able to distinguish between that which is civically good and civically evil, between financiers and scheming confidence operators, between grafters and honorable gentlemen.

The task is not easy. The moral atmosphere is muggy. The public perception is much dimmed; but whomever else we may deceive let us not deceive ourselves. Let men stand for the wrong if they feel that they must, but let them be brave enough to acknowledge to themselves that they know what they are doing and are neither morally idiotic, insane, nor impotent.

WHAT THE WORLD IS DOING

The World's Largest Volcano.

Among other notable things which presumably will be seen by Mr. Roosevelt in the course of his African wandering is the largest volcano in the world. This is Mt. Elgon, the crater of which is about 14,200 feet above sea level. If all of rocky Switzerland, including valleys and summits, were combined in one gigantic mountain, it would just about equal Elgon in size. The crater, that mighty cauldron in which Nature, the chemist of chemists, once boiled her lava, is about thirty miles in diameter. In the mountain-side, at a height of about 8,000 feet, caves abound, many of them being found beneath the numerous waterfalls which lace the sides of the great mountain with their silver. These caves are inhabited as they have been since a time that is lost in prehistoric blackness—a time not far past in this part of Africa. There is abundant evidence, too, that they once were used as places of barter, and blue beads of ancient Egyptian origin still are dug up there. Mr. Roosevelt will see many strange and wonderful things in his African outing, and not the least notable of these will be found on and about this gigantic volcano.

The Sleeping Sickness.

Writing of Theodore Roosevelt's expedition, it is of interest to note that he has been invited to visit the segregation hospitals, in charge of Sir David and Lady Bruce, in which the so-called "sleeping sickness" is treated, the governments of Great Britain, Germany, France and Belgium having united in an as yet unsuccessful endeavor to find a preventive cure for the disease. The name itself is a misnomer, the peculiar lethargy which afflicts the victims at a certain stage of the disease not being sleep, and being but one of numerous features of the illness. Already seven European doctors have lost their lives in the attempt to cope with the disease, and still no method of preventing its ravages has been discovered. The symptoms are known, the sickness beginning with a swelling of the glands at the base of the neck, and it also is known that the disease is due to the bite of the tsetse fly, which abounds about some of the African lakes and rivers, but both of these facts were known before science endeavored to throw its light upon the mysterious and always fatal illness from which the men of no race are immune. There is great pain and long-continued suffering, with death as the inevitable end. From which it may be gathered that something beside enjoyment may be a feature of traveling in Africa.

Tempest in a Principality Teapot.

Trouble impends in Monaco, and uneasy lies the crowned head of Albert I of that sovereign principality. Monaco consists of about eight square miles of soil and rock, principally the latter. It has a total population very little in excess of that of Santa Rosa, in this state, 800 male residents who are recognized as citizens, an army of 75 men, a police force of 50 men, a ruler who lives elsewhere half of the time, and—let this, its chief claim to notoriety, never be forgotten—an immense gambling casino. It is because of this gambling casino that the present trouble impends. Seven hundred and twenty-five of the 800 male citizens have signed a petition asking—what, do you fancy?—that the casino be abolished as injurious and iniquitous? Well, hardly! The petitioners respectfully represent that they are not permitted to gamble, with the rest of the world, on their monarch's tables, and they demand the privilege of doing so. This is the head and front of the offending of Albert I. He denudes anybody else of cash at his resort, but he refuses to rob his own people, and so they are on the verge of rebellion for the high privilege of being robbed. Was ever more preposterous cause of threatened revolution seriously discussed in more pre-

posterous state? Verily the proverbial tempest in a teapot is no less than a tornado when compared with this latest sample of European popular discontent.

The Aerial Torpedo Next.

Not content with man's present means of killing other men, Messrs. Krupp, the wealthy German manufacturers of battleships and implements of war, are furnishing the money for a series of experiments now being made by Professor Weichert of the meteorological institute of Göttingen. The object of these experiments is to devise an aerial torpedo which can be steered from the ground by means of electricity. The tremendous effectiveness of such a machine in war will be readily realized, and it is said that Professor Weichert is far on his way toward success in inventing it. He has made an electric aerial torpedo which flies, and he is now attempting to adapt to it the system of steering used in connection with submarine torpedoes. It is probable that this terrible implement of destruction eventually will be "on the market"—unless it is out of date before it arrives, which is possible if there is truth in the report that an American boy has discovered a method of firing explosives—in an arsenal or a battleship, for instance—at a distance of several miles, by means of electricity. Apparently the time approaches when man must cease warring in very fear of universal death.

Women Voters in New Zealand.

The often-voiced argument that most women do not wish to vote and women not vote if opportunity were given them receives scant encouragement in the statistics of New Zealand, the land of experiments. In that country there were five general elections between 1893 and 1905, inclusive, and at these elections 75.8 per cent of registered men voted, while 77.4 per cent of registered women voted. Not only did the women not refuse to go to the polls, but they beat the men in doing so. At the time they were enfranchised it was thought the women soon would put an end to the existence of saloons. They have not done so, although it generally is admitted that the trend is in that direction, and more so than it would have been without the feminine vote. The prevailing opinion of their enfranchisement may perhaps best be summed up in the words of William Hall Jones, high commissioner of New Zealand, who says: "I am satisfied that it has been beneficial to the political life of the country. The women take a keen interest in all matters affecting the welfare of the dominion."

A Tunnel of Disaster.

The excavators of the Lotschberg tunnel, in Switzerland, have been pursued by disaster as has not heretofore been known in the excavation of any tunnel, and only indomitable purpose still holds them to their enterprise. The length of the tunnel does not account for this condition, for, although it is seven miles long, several of the Swiss tunnels are longer, the Simplon being twelve and one-half miles long, the St. Gotthard nine and three-quarters, and the Mount Denis seven and one-half miles. The first work on the Lotschberg tunnel began on October 15, 1906, and for more than a year and a half, or until the latter part of May, 1908, not a thing occurred to prevent continuous work. Then the trouble began, and there has been not much of anything save trouble since that time. The first disaster came in the form of an avalanche which killed thirty workmen. Only two months later there was an explosion in the tunnel which tore a great hole through the roof at precisely the point through which a river poured its waters, and sixty workmen were drowned. The damage wrought was so immense that it necessitated the stoppage of all operations at this place, and at least a

year's work was entirely lost. Moreover, frequent encounters with hot springs, sometimes of great volume, compel the workmen to labor in constant fear of their lives. If it were not for the vast sum of money already invested it is not impossible that the enterprise would be abandoned. As it is, it probably will be continued, but under such difficult and harassing circumstances as never before confronted the promoters of such an enterprise.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "leak" by paying the physician a percentage of your prescription?

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WITH BOOKS AND WRITERS

GOSSIP OF CURRENT LITERATURE AND REPRINTS OF OLD FAVORITES.

GEORGE MEREDITH.

The death of George Meredith last Tuesday morning, at the age of 81, removes from the world of English letters the man whom many high critics rank as the greatest of all English novelists, placing him above Thackeray, George Eliot, and Thomas Hardy. Slow to achieve any fame, Americans may pride themselves that his genius was first recognized in this country, and that England followed years later the surely broadening and deepening appreciation of his powers.

Meredith's claim to greatness is based, primarily, upon his intellectual force. He is above all a philosopher, and his novels are his profound philosophy of human life translated into human terms—his characters working out that philosophy in terms of human experience. In this power of expressing intellectual ideals in artistic form his critics rank him but little below Shakespeare, both in the profundity of his philosophy and in the consummate skill of his art.

Meredith is the high priest of the intellect. His favorite theme is the predominance of the intellect over the emotions. A whole cycle of his novels was written to prove that he who trusts his heart to direct his affairs—even his marriage—will suffer the tragic consequence of misplaced trust; that the intellect, the reason, is the one true guide in all human relations. Judged by his philosophy, every intuition is a mirage, every hope is a will-o-the-wisp, every emotion is a pitfall digged by the unwary that he himself shall fall therein, every prejudice, intuitive liking or dislike, romantic love, all are evil. Friendship, hatred, must be reasoned out. Love must be a conviction of compatibility, not an amorous emotion. Marriage must be a "marriage of like minds," not a union based on sentiment.

This hatred of emotion, this deification of intellect, made the path of George Meredith as a novelist a thorny one. Nearly all literature hangs on the love of a man for a woman, and all the models of modern fiction have this relationship upon the idea of romantic love that grew up in Europe during the feudal ages and the crusades. Meredith, in pursuing his philosophy, set himself squarely at odds with this tradition, a tradition that the public had grown to hold as indispensable, and his lack of popularity is largely due to just this fact. Fortunately for himself, he did not greatly care for popularity, and he had within himself resources of consolation for its absence. He preferred to follow the path he had set for himself, and continued to write novels, absorbing, powerful, wonderful pictures of life as he saw it, life a comedy in the sense Balzac used the term in the "Comédie Humaine," a tragedy in the ordinary sense, and tragedy because of the folly of men in running after their emotions instead of ordering their lives by reason.

By necessity, his novels seem cold and harsh to average readers. The writer of these lines confesses to an attempt to read "Diana of the Crossways," an attempt abandoned in bitter anger as he hurled the book at an unoffending wall and damned the writer as a man who lacked breadth enough to see the lights as well as the shadows of existence. A more merciless dissection of life he never read. But no one with even dawning intellectual powers can read George Meredith and fail to recognize his strength. His style is involved, but, slowly read, is as stimulating to the imagination as salt spray to the skin, opening vistas of ideas and emotions at every turning phrase. Another trait redeems it: an abandonment to the sense of beauty, a Greek worship of the splendid world and the sonorous phrase, an effort to picture to the graceful, to the sensuous image. Wherever he escapes the intricacies of ideas, Meredith's prose blossoms into wondrous passages of beauty that are hardly rivalled in our tongue.

For this love of beauty and this art to represent it in his prose, Meredith will first be

loved. More slowly his audience will appreciate the power he has to delineate human character, to visualize human beings and to make them live and walk and speak vividly before the quickened eye. More slowly still his readers will appreciate the stirring quality of his difficult style. And last of all the public will accept the philosophy of life he sought to teach—if, indeed, the public ever does accept it. However that may be, a very great writer has closed his last book, and a very brave spirit, that fought in silence against long odds and through bitter deprivations, has gone to his final rest.

INDIRECTION.

By Richard Realf.

Fair are the flowers and the children, but their subtle suggestion is fairer;
Rare is the rosebush at dawn, but the secret that clasps it is rarer;
Sweet the exultance of song, but the strain that precedes it is sweeter;
And no rose, no poem, yet writ, but the meaning outmastered the meter.

Never a daisy that grows, but a mystery guideth the growing;
Never a river that flows, but a majesty scepters the flowing;
Never a Shakespeare that soared, but a stronger than he did enfold him;
Nor never a prophet foretells, but a mightier seer hath foretold him.

Back of the canvas that throbs, the painter is hinted and hidden;
Into the statue that breathes, the soul of the sculptor is hidden;
Under the joy that is felt lie the infinite issues of feeling;
Crowning the joy revealed is the glory that crowns the revealing.

Great are the symbols of being, but that which is symbolized is greater;
Vast the create and beheld, but vaster the inward creator;
Back of the sound broods the silence, back of the gift stands the giving;
Back of the hand that receives thrill the sensitive nerves of receiving.

Space is as nothing to spirit, the deed is out done by the doing;
The heart of the wooer is warm, but warmer the heart of the wooing;
And up from the pits where these shiver, and up from the heights where those shine,
Twin voices and shadows swim starward and the essence of life is divine.

MAETERLINCK'S FAIRY PLAY.

From a recent copy of the Outlook we clip the following notice of "The Blue Bird," by Maurice Maeterlinck, the Belgian dramatist, which has been translated by Alexander Teixeira de Mattos and published by Dodd, Mead & Co., of New York.

"Most of Maeterlinck's plays have been laid in the country of the imagination. In his latest play, 'The Blue Bird,' he boldly takes his readers into fairyland, and with commendable and charming audacity creates an imaginary world which, in a way, suggests Mr. Barrie's world, and yet is as different from it as Maeterlinck is different from Barrie. Two children in a peasant's cottage are awakened at night by an old fairy who gives to the boy a green hat with a diamond ornament; wherever the diamond is turned the soul of things is visible. This is the initial step towards fairyland. All the inanimate things as well as the animals become articulate. The dog, faithful, humorous, and intimate; the cat, malicious, satirical, and traitorous; water, a weeping young girl; fire, springing from the hearth in red and yellow tights; milk, characteristically timid; sugar, a little too sweet; and light, an exquisite image. They all set out together

to cage the blue bird the possession of which is to bring perfect happiness. In the pursuit of the bird they visit the Palace of Night, where they see the ghosts, and meet the sicknesses, among which the meanest is Cold-in-the-head, described with graphic felicity. The Shades, Terrors, and Mysteries are also in their view. Then they go to the Kingdom of the Future, where are the children who are waiting to be born; a chapter, it may be suspected, like the rest of the book, full of symbolism, and obviously beautiful. They also visit the Country of the Dead, very pathetically and tenderly described; and eventually they find the Blue Bird and take it home. But no sooner have they housed it than it flies away. Unimaginative and literal-minded people are warned off these premises; they will find nothing but nonsense here; but those who like 'The Little White Bird' and 'Peter Pan' will delight in the poetic beauty and freshness of feeling of this modern fairy play."

ARTISTS' FEAR OF AGE.

What subtle relationship does young bear to art, that so many authors, artists, musicians and actors fears to seem old? Some years ago the writer interviewed the brother of Macdonald, the sculptor, who noted as the most striking characteristic of the man, his hatred of the thought of being mature, even of admitting his fortieth year. To this day the photographs of E. H. Sothern show the smooth face of a youthful man, no doubt out of respect for Sothern's wishes, yet the writer's one view of him off stage a good ten years ago was of a man whose face was deeply lined and whose hair was streaked heavily with gray. The same old photograph of James G. Huneker, critic of drama and music, and author of "Egoists, a Book of Supermen," still shows the face one imagines to be typical of the college athlete, whereas the man himself looks every day of his nearly 60 years.

Richard Harding Davis still appears in print as the Gibsonsque man-type; he first appeared, how many years ago? One wonders if, at forty-five—Heavens! Davis forty-five!—the author of "Van Bibber" looks as the typical Van Bibber looks at forty-five, a trifle fat, a little puffy 'neath the eyes, a little doubled at the chin. What have become of the portraits of Gibson, himself, now that he has returned to illustration in America?

IF I SHOULD DIE TONIGHT.

By Ben King.

If I should die tonight
And you should come to my cold corpse and
say,
Weeping and heartick o'er my lifeless clay—
If I should die tonight
And you should come in deepest grief and woe
And say, "Here's that ten dollars that I owe"—
I might arise in my large white cravat
And say, "What's that?"

If I should die tonight
And you should come to my cold corpse and
kneel,
Clasping my bier to show the grief you feel—
I say if I should die tonight
And you should come to me, and there and
then
Just even hint 'bout paying me that ten,
I might arise the while;
But I'd drop dead again.

The Survey.

Persons who wish to keep in touch with organized human society and its problems, who seek basic information regarding intelligent and organized charity, should make themselves acquainted with The Survey, formerly Charities and Commons, 105 East 22nd street, New York. Its subscription price is only \$2 per year. Those interested in Constructive Philanthropy—and who should not be?—will find this the best available source of accurate information.

JOSEPH W. FOLK

ADDRESS OF THE PIONEER PROSECUTOR OF GRAFT.

Thanks to the vigilance of the Good Government League, the machinations of the powers of evil in San Francisco were not wholly able to keep former Governor Joseph W. Folk out of San Francisco, though there are reasons to believe that they tried to. On Tuesday he was listened to with great interest at the St. Francis Hotel by several hundred persons, all of whom went away with a renewed enthusiasm for upholding the good work of the graft prosecution.

The general tenor of his discourse may be gathered from the following rather free paraphrasings of some of his sententious declarations:

"Reforms die, but revolutions never go backward, and the moral wave that has swept the nation within the last seven or eight years has been a revolution."

"A few years ago a few of us witnessed the dawning of a new day. Now it is daybreak everywhere."

"There are many men who have words of patriotism ever on their lips, but who cherish in their hearts treason against the moral well-being of their country."

"Do not fear to fight, lest you lose. Moral cowardice is more contemptible than physical."

"Before all the people a moral issue is inevitable."

"Ninety-nine men out of the hundred are honest—until tempted away from integrity by some selfish interest, but even then a majority of them are honest."

"When patriotism is as aggressive as rottenness it can always defeat it."

"A dozen righteous men working together can bring a reform anywhere if as aggressive as the other fellows."

"Graft must be fought as the farmer fights weeds, incessantly, lest they grow again if opportunity be given to start."

"Success in prosecuting graft is not to be measured by the number of rich men sent to state prison, but by the extent of the impetus given to the public conscience that it may go marching on."

"No one questions the sincerity of the soldier on the battlefield. His sincerity is proven by the fact that he is there. So is it with the sincerity of the prosecutor of graft in high places. The fact that he is doing it is proof enough of his sincerity."

"The apologists for the grafters will say of the prosecutor, 'He is no lawyer,' but if he were not a lawyer the grafters and their sympathizers would be the last to complain."

"The only remedy for graft is to drag it into the light and hit it hard."

"No grafter worth a million has ever been confined within prison walls and it is not likely that, with appellate courts constituted as they are, we shall ever see one of them so confined. A staff of cunning attorneys can always find flaws enough in any proceeding to afford a sympathetic appellate court some ground for nullifying a verdict."

"Under our present system of jurisprudence, and the constitution of our courts, the richest and the worst rascals are pretty certain to get away."

"When the bribed are prosecuted the apologists for graft demand to know why this poor man, tempted by the glitter of gold, is haled before the bar of justice to be punished and not the far more guilty tempter? When the briber is brought before the bar these same apologists ask why it is that the prosecution seeks to punish the man who was held up like the victim of a highwayman on the road and compelled to hand over?"

"What we need in our business, public life, and our administration of justice, is more of the golden rule and less of the rule of gold."

"Our main dependence can never be in prison walls, but in an aroused and active public conscience."

"Public life is but a reflection of private life."

"It is not enough to make the people free. We must then fight on to keep them free."

"The forces of graft never sleep."

"No government can be better than the people make it or worse than they allow it to become."

There are texts enough in the foregoing incomplete review of Governor Folk's telling address to rout, foot and horse, all the paid apologists for the San Francisco grafters that have ever done service for their Satanic Majesties. The predatory millionaire brigands have done a thousand times more to wreck the fortunes and the fame of California than all the prosecutors of graft this country has produced.

At the conclusion of the address of Governor Folk Mr. Francis J. Heney made a short and telling talk in his usual strain, which was received with cheers, during which he paid a deserved compliment to Mr. W. J. Langdon, who had made a reputation for civic decency, in fighting the gambling dens, long before the graft prosecutions were instituted.

After this meeting adjourned a luncheon was served to a portion of the audience in honor of the guest, with Mr. Isidore Jacobs as toastmaster. A number of telling speeches were made here by Mr. Langdon, Mr. Phelan, Bishop Hughes and Mr. Hornick of the Call.

It was announced by the chairman that arrangements would probably be made whereby Governor Folk could be brought to San Francisco next October to speak to the citizens of San Francisco at many points convenient for them to hear him. The Good Government League will take the matter up with the forces of good government in Los Angeles with this object in view. It will have telling effect if it can be done.

"MODEL LICENSE" SALOONS.

Mr. D. M. Smith, general counsel for the National Model License League, is in San Francisco, offering the solution of the saloon question that has been prepared by his principals, who are the leading men in the distilling, brewing, and beer stove business in the United States. These men have a novel plan to save the saloon business by removing its objectionable features, and in order to add their point of view to the discussion opened some time ago in these columns, the California Weekly obtained an interview with Mr. Smith, the substance of which appears below. In fairness to Mr. Smith we will say that he answered all questions before asking the stand toward prohibition taken by the publication in which the answers were to appear.

Mr. Smith's argument for the saloon as an institution is that it is the "poor man's club," the one place where man can find fellowship with man in warm, well-lighted quarters, with an atmosphere of sociability and masculine freedom; where he can discuss subjects of distinctly masculine interest with other men—sport, business conditions, and the like. No place selling anything other than alcoholic drinks has ever provided a substitute place to supply the general and natural want. Alcohol is a chemical element of all organic matter; its use has been sanctioned by immemorial custom and the Christian religion; and it will be drunk by men to all time, no matter what restrictive laws are passed. The best thing to do, then, is to provide for its being drunk under legal restrictions.

The League proposes to abolish the evils of the saloon by legislation that will make it profitable to be decent and ruinous to be indecent. The dive-keeper, says Mr. Smith, is the product of the corrupt politician and the corrupt politician's greatest weapon against the saloonkeeper is the threat to withdraw his license when it comes up for renewal. The remedy, therefore, is to limit the number of licenses to a certain pro rata of the population (he considers the ideal, as one saloon to every 750 population, but would not object to

one to only every 2,000), and then make these licenses perpetual except for suspension for thirty days upon first conviction by a jury of a saloonkeeper for disobeying regulations, and forfeiture of license upon second conviction. Regulate the saloons any way you please, and enforce the regulations equitably against all, but remove the politician's power to threaten loss of license. This will encourage good men to invest in the business, because the property rights of a license will make it a stable business, and because the divekeepers will be driven out by the restrictive legislation and the absence of political pull.

The ideal saloon, according to Mr. Smith, is the German beer garden, and he believes that it will develop in this country under the laws he proposes. It will be decent, out of politics, out of shady relations with the half

(Concluded on Page 410.)

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Justice Can Never Die.

Lost in the bog of statutes, or choked by precedents' dust;
Bound by the chains of "the letter" and stained by their blood-red rust;
Dwarfed from the royal stature that once was her queenly right,
With eyes for the day's own glory blinking in law-made night,
It is, oh, for the Goddess Justice, least of the clan divine,
Pricked by the barbs of "practice," sullen and cowed, supine;
Snubbed by the courtly judges, jeered by the legal crowd,
What is there left for Justice saving a bier and shroud?

Ay, but this Goddess Justice,
Though she be bound, and lie
Meshed in the web of "practice,"
Never and ne'er can die.

Soldiers who name her leader, worshipers at her shrine;
Ye who have seen her flouted with. "This is the statute's line;"
Ye who have seen Wealth buying its freedom from broken law,
While Poverty found a prison or haply a crust to gnaw;
Ye who have seen the briber loosed with the rest of us,
For judges had read the law, and had said,
"The letter, it readeth thus,"
What will ye do with Justice, thus torn from her birthright high?
Will ye cry with those who are e'er her foes,
"Better to let her die?"

Ay, but her state is godly,
Ichor her veins supply;
Letter and form may bind her,
But Justice can never die.

Battler for Right and Justice, struggler for Duty's sake,
Oh, but my heart would utter a message to reach your soul.
What though it seem disaster weareth your host away?
Right is the right, and the God of might heedeth the bitter fray.
What though the judges ever the technical web secure?
Justice is only sleeping; her waking is no less sure.
What though their gold have power to purchase the briber's ease?
The God of an equal justice is also the God of these.

Then be of good cheer, my brother,
Your banner be lifted high,
To Justice a friend till the unseen end,
For, lo, she will never die!

* * *

Truth in Couplets.

"A good deal of truth can be expressed in two lines," said the poet-philosopher. "Notice these, for instance:
"If you wish your soul unto heaven to pack,
You must use your own, not another man's" back.
"That's one that I worked out, and here's another:
"The man who fooled his dear wife, it is said,
Into thinking him perfect, was shrewd—but he'd."

"How could a truth be more concisely, yet accurately and delicately, stated? Then, again, what do you think of this:
"You may break, you may shatter the vase that you fill—
If you call it a vase I hope that you will."

"Of course, that's a truth."
But I told him he could have the ten cents he had requested, if only he would go, and he took it and departed to a place with a large gilt sign just around the corner.

The Opinions of Rufus.

Nothin' pleases lots o' people so much es doin' right—ef it don't cost too much.

I reely try to love my neighbor es myself, but I can't help nothin' 'tun a leaze again, satisfied when he has the roomatics than I am when I have 'em myself.

Names change, but customs don't. A place where a guilty man could escape punishment would be to be called a city of refuge; it's called appellate court now.

The anxious citizens that object to proddin' iniquity on the ground that it interferes with business ain't without a precedent: Satan's been doin' the same thing fer a long time.

A woman can git into a tube dress, but I can't help feelin' grateful that the Almighty evidently made other arrangements for her.

Lookin' 'round me at some folks I see, I can't help feelin' that race-suicide wouldn't have been such a bad thing es some authorities has painted it.

The fact that Justice is blindfolded, an' conscientiously can't see, is the only excuse that can be made fer some of her conduct.

I reckon it's a good thing that the people who presented Salome to the public haven't happened to think of Eve.

The bravest man has an almost hopeless struggle 'fore him in tryin' to be es brave es the women think he is.

* * *

The Truthful Mr. Mullally.

"I deprecate," said the thoughtful man, "the attempts of certain malicious papers and people to make it appear that my esteemed friend, Mr. Thornwell Mullally, was too—let us say coy—in dealing with the truth in swearing to his conviction that the United Railroads paid no money for the overhead trolley franchise. Mr. Mullally is an honest man, having ceased to practice law some years ago."

"To be sure, bribe-money was paid for the franchise, but, knowing that Mr. Mullally cannot have told a—I shudder to use the word, in so pure a connection, but knowing that he cannot have told it, whatever it was, I call attention to three theories, any one of them tenable, which would account for the peculiar circumstances surrounding the case.

"First, Sammamblists do queer things, and it is at least possible that the prominent and beneficent Mr. Patrick Calhoun gave the order for the payment of the bribe money while he was asleep. This would account for the fact that neither he nor Mr. Mullally know anything about the transaction in their waking hours.

"Second, That pre-eminent patriot, Mr. Abraham Ruef, may have paid the money out of his own pocket as an evidence of that kindly feeling in which he abounds. The fact that he has since paid out more than the \$200,000 involved in the case in a generous effort to spare the state the expense of boarding him, lends color to this theory.

"Third, The money may have paid itself. I am aware, sir, that this theory may at first thought seem unreasonable, but when you reflect that we either must believe something of the sort or believe that Mr. Mullally—you know the word which I refuse to speak in such a connection—when you reflect, I say, that we either must believe in some such theory or believe that Mr. Mullally did it, I am sure it will seem less unreasonable.

"I wish," said the thoughtful man, after some moments of reflection, "that, in justice to my friend, Mr. Mullally, you would publish these explanations of his testimony."

"I will," I said.

"That's right," the thoughtful man concluded, "for, being the only explanations that are available, it is but right that the public should have the benefit of them, thus preserving a name sacred in sacredness only to that of Mr. Calhoun—for why need we mention Mr. Ruef?—from slander, vilification and gross innuendo."

"A Little Child Shall Lead Them."

"A little child shall lead them." Oh, worn and weary men,
Turn back unto the dawn of life and breathe its peace again;
In every happy childish face that, smiling, turns to you
Read once again the lesson of the glory that you knew
Ere you joined right hands with worry and were bondsman to its care
Lest your sun should lose its splendor and should nevermore be fair;
Hear the baby laughter cheering souls by storm and tempest tossed,
And a little child shall lead you to the glory you have lost.

"A little child shall lead them." Lo, we falter on our way;
We are tossed by angry billows and are drenched by flying spray,
But somewhere there is a haven, and we know it as we roam,
Where the children run to greet us from the Shelterland of Home,
And the little baby fingers are as petals soft and white,
And the little baby kisses set the brood of care to flight,
And we know, the while we hold them close and closer to the breast,
That a little child has led us to our country of the blest.

"A little child shall lead them." He is nearer to the star
By Jacob seen, the ladder bright of angels white and fair.
So late, so late the rosebud feet have trod that shining hill,
The unguessed by older ones the babe remembers still,
And, looking in his dewy eyes, the blinded soul recalls.
As in a dream, the glory of the Father's starly halls;
And then, the world forgotten, with all its doubt and woe,
A little child has led us to the peace that we shall know.

* * *

A Pertinent—or Possibly Impertinent—Fable.

A traveler in an Arabian desert came upon a lovely and unprotected female who was weeping bitterly.

"Wherefore weepest thou, fair maid?" the traveler interrogated her, at the same time vainly endeavoring to chuck her under the chin by way of comforting her.

"I—I guess you would weep if you were in my shoes," the maiden brokenly responded, trying the effect of a languishing glance on him.

"Too tight?" the traveler sympathetically inquired.

"N-no. Alas, I am an exile!"

"Who fired you?"

"The fi-fi-financial potentates."

"What made them send you here?"

"Because they—they couldn't send me off the earth. Once I was respected, but now—boohoo!—since I married Mr. Law I—I—"

"Was you maiden name Niobe?" the traveler inquired.

"No, it was—was—Justice. They exiled me for interfering with business."

The traveler offered to let her weep on his shoulder, but she said that if Law and the financial potentates ever should find out about it, they would see that she was hanged; so, as he could do nothing further, the traveler departed, and if Justice is not still in the Arabian desert there are times when it seems impossible to guess where she may be.

Moral: If some of them had their way the dear old girl would be in a place compared with which the Arabian desert would seem cool.



John W. Metcalf.

A CALIFORNIA COMPOSER.

Probably very few Californians know that one of the most popular American composers has lived in this state—mostly in Oakland—for the last nineteen years, known personally only to the musical colonies in the cities around San Francisco bay while his songs have brought him fame all over the world. Gadske, Bispham, Ricardo Martin, and many other famous singers use his music in their concerts and add their praise to his reputation. He is John W. Metcalf, a brother of Victor H. Metcalf's law partner in Oakland. Perhaps his most famous song is "Absent," which Madame Gadske sang on this coast during her concert tour last January.

But he is, besides, the author of more than forty other songs, all popular both in Europe and America; as well as of piano, violin and organ music. His compositions are all published by Arthur P. Schmidt, in Boston, Leipzig, and New York, and, by arrangement, by London publishers as well.

Mr. Metcalf's musical experience has been of wide range. Born at Waverly, Illinois, and educated at Knox College and the University of Illinois, his musical education was mainly acquired abroad, at the Leipzig Conservatory. Here he studied pianoforte with Carl Reinecke, Louis Maas, Wenzel, Jadassohn, and Zwintscher; composition with Reinecke, Jadassohn and Rust; harmony with the Richters, father and son; voice with Klesse, and musical history and esthetics with Dr. Oscar Paul.

While a student at Leipzig, Mr. Metcalf appeared twice as piano soloist with the famous Gewandhaus Orchestra; and composed several piano pieces, a mixed chorus written in commemoration of the king of Saxony's birthday, and a sonata for the pianoforte. The success of his efforts is indicated by the award to him, upon graduation, of the famous Helbig prize for composition and pianoforte, as well as by an honorary diploma.

Since his graduation Mr. Metcalf has al-

ways lived in America, dividing his time between teaching and composition. He taught in the Boston Conservatory, and later in Stanford University. He came to California in 1890 for his health, and has for many years conducted successful classes in pianoforte in Oakland.

In 1897 his attention was attracted to the composition of music for songs, and he found in this field a wide and immediate popularity. His music is notable for its melodic beauty and variety of style, and especially for its "singing" quality that makes it peculiarly desirable in concert. This last quality also makes it most valuable for teachers of voice culture, with whom his compositions are especially popular because they are adapted to so many kinds of voices.

Although his songs have been chiefly instrumental in giving his work a world-wide audience, Mr. Metcalf has not confined himself entirely to song writing. The list of his published compositions also includes a Legende, Impromptu and Mazurka for violin and piano; a Pastorale for pipe organ; composition for pianoforte; choruses for men's voices, women's voices and mixed voices; an anthem for bass solo, quartette and mixed chorus, with organ; and five sacred responses. All of these works have been performed successfully.

PERSONALIA

Queen Helene of Italy has as her hobby the binding of books, at which trade she is adept.

Ambassador Kogoro Takahira, of Japan lately received the degree of doctor of laws from Amherst College.

Chicago has an official city forester, Jacob H. Prost, who has set himself the task of planting 1,000,000 trees in the next five years.

Ambassador James Bryce has a sister-in-law, Miss Margaret Ashton, who was recently elected a town councillor in her native town in England.

Louis Calvert, of London, has been chosen stage manager of the New Theater, in New York, to produce Shakespearean and other classical plays.

Miss Henrietta Crosman announces that she is in the market for a play on woman's suffrage. She promises to give the right play a magnificent production.

Louis Wain, president of the National Cat Club of London, is in America painting cats. His cartoons of cats have amused the English public for many years.

According to "Savoyard," Nelson W. Aldrich has made every tariff bill since 1883: "perfected" the McKinley tariff, wrote the metal and cotton schedules of the Wilson tariff, and made the Dingley bill.

The official press agent of the state of Michigan is Miss Nellie Revell, of Chicago, who has been chosen by the governor to write up the state and county fairs as a means of advertising the resources of Michigan.

"Smiling Joe" is cured. He is the seven-year-old boy whose photograph, showing him strapped to a wooden frame as treatment for spinal tuberculosis, was advertised to the country's ends in an appeal for funds to aid the Sea Breeze Hospital.

Lord Rothschild's mansion in Piccadilly has an unfinished cornice. The reason is that Lord Rothschild is an orthodox Jew, by whom the tradition is preserved that every pious man's house must have some part unfinished to bear witness that its owner is, like Abraham, only a pilgrim and stranger upon earth.

President Hadley of Yale is never without a ready and witty remark. When visiting preachers occasionally ask President Hadley how long they shall speak he invariably replies, "There is no limit, sir, upon the time you may preach; but there is a Yale tradition that no souls are saved after the first twenty minutes."

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POLITICAL TABLE TALK

By THE WATCHMAN.

McCarthy vs. P. H. McCarthy's campaign The Call

For the Union Labor nomination for Mayor, is the most spectacular part of the San Francisco political circus now performing in the half dozen rings in the commercial capital of the state. The Call's exposure of the alleged conference of Labor leaders with representatives of Mr. Herrin's political bureau in the Southern Pacific's offices has stirred up a lot of the performers. McCarthy, having forced Mike Casey's hand and proved it to be a bluff, has undoubtedly the strategic call on the Union Labor nomination. But he is a long way from the unanimous approval of laboring men, and he is trying desperately to patch up a record discredited by defeat and tainted at least by the shadow of suspicion of corruption affiliations implied in the Call's charges.

The Hot End Of the Poker McCarthy has made, however, a tactical blunder in his reply to the Call. He has sued its editor for criminal libel, which puts the burden of proof upon himself to show that consorting with officials of the Southern Pacific is an act the publication of which is a libel upon his character. If he had sued in the civil courts for damages the burden of proof would have been on the Call, but McCarthy, in his haste, has laid hold of the hot end of the poker, and the public sentiment is that he will burn his fingers rather than break heads. It looks to the casual eye, too, as if the forcing of his own nomination upon his brother labor leaders had been done with such lack of diplomacy as to leave some of them in a state of mind where they have felt inclined to "leak" information to unfriendly papers.

Alliances However that may be, the Mc-Of McCarthy's campaign is in full swing, and the McCarthy lieutenants are out actively trying to make political alliances to back it up. Jerome Bassett is figuring on delivering such vote in the tenderloin as he controls to McCarthy's candidacy. Apparently, too, McCarthy is trying to make an alliance with Gavin McNab. The idea appears to be this: Harry Flannery, who runs the Ricker saloon, is an intimate acquaintance, if not friend, of McCarthy. McCarthy lunches almost daily at Flannery's place. Flannery is a near-boss of the Democracy, and has been trying for a long time to get McNab to recognize him as a leader in the party. McNab, however, regards Flannery's pretensions as a joke, especially since James D. Phelan beat Flannery to a standstill last fall in the selection of Democratic presidential elector. McCarthy persists, though, in hoping that Flannery can make an arrangement with McNab to support his mayoralty hopes. So far, McNab has not been encouraging; in fact, he has been careful not to discredit himself at all in this campaign, as he has had enough disappointments to make him very discreet about any entangling alliances.

The Joke of the Campaign The grand joke of the McCarthy campaign is, however, the attempt to revivify the dead anti-Japanese warcry. O. A. Tveit-moe, McCarthy's lieutenant, raised the cry recently by denouncing Mayor Taylor for presiding at the dinner in honor of the admiral of the Japanese fleet in San Francisco harbor. An hour later McCarthy was eating a luncheon in Flannery's saloon, prepared by Flannery's three Jap boys. The Jap agitation will not figure heavily in the campaign.

Sullivan to Run Anyway McCarthy's strength will not lie with the union working men. Except as an odd jobs carpenter in hotels in San Francisco, union men have not discovered any trace of McCarthy as a union carpenter here. Politics—union and

municipal—have been his long suit, and his municipal experiences have been unfortunate for labor. Labor men know this, and he will probably draw what support he gets from the places he drew it before, from the tenderloin and the odds and ends political rag tags. He will have the further thorn in his side in the independent candidacy of Frank J. Sullivan, whose acquaintance in McCarthy's nomination was one of the things Casey could not deliver.

Poor Casey's Poor Casey! He has played the Losing Game game this year with blundering uncertainty. He has had a new candidate every other day: Casey himself, "Floater" Haggerty, John L. Nolan, Andy Gallagher, Frank Sullivan, Pat Broderick (former superintendent of schools) and now McCarthy. When the Call's story was discussed at a labor meeting, Casey said, "Me character is at stake. Me life is an open book, and I defy investigation." "Yes," some one replied, "an open book, all blank pages." Political wiseacres predict Casey's return to the pilot house of a teaming truck next fall.

Probabilities in City Politics Two probabilities appear on the books in San Francisco. One is that Supervisor Loring P. Rixford will resign to become city architect to succeed the late Newton J. Tharp. The other is that John Grief, former county clerk of San Francisco, will run strong for the Republican nomination for sheriff.

Berkeley's Second Election Tomorrow A peculiar situation has arisen in Berkeley where the new charter provides that a candidate for office who receives a majority vote at the primary is thereby elected, and that a second election must be held to decide between candidates, no one of whom received a majority at the primary. Beverly Hodghead was recently elected mayor at the primary election by the good government forces in a three-cornered fight. But no one of the twenty-nine candidates for the four places on the council got a majority, so a second election tomorrow is necessary to decide amongst them. The eight receiving the highest vote at the primary have their names on the ticket. The three highest are backed by the Good Government Club, which elected Hodghead. They are: W. F. McClure, present city engineer, from North Berkeley; Christian Hoff, for twelve years a trustee, from West Berkeley, and E. B. Norton, a banker of South Berkeley. The fourth man, R. A. Berry, of East Berkeley, was not backed by the club because he could not decide between him and his former opponent, C. A. Black, but since Berry has won out over Black he has received the endorsement of the Club, to which he has always been acceptable. The peculiarity of the situation is the apathy of the voters regarding this second election, an apathy as dangerous to good government as the enthusiasm displayed at the first election was hopeful of good government. However, the chances of the Good Government Club's nominees seem good.

Party Expense Public Charge A Colorado has enacted a law providing for paying out of the public treasury the cost of necessary campaign expenses of political parties. The text of the law is not at hand, so how the problem has been worked out The Watchman does not know, but that Colorado has the right idea there can be no question. It is impossible that political parties shall not be beholden to powerful corporations as long as they are dependent upon such corporations for the sines of political warfare, but, once make the necessary charges of this form of public education an item of public expense, and a way is opened for poor men to enter

public life upon their merits rather than as the subsidized retainers of our modern feudal lords. This is the next reform coming. If Colorado has led the way intelligently much will be forgiven that commonwealth for its having worshipped the golden calf with more abnegation than was creditable to its manhood.

The Virtues Of Roosevelt A number of eastern newspapers, notable among them the Springfield Republican, that had relatively little to say in his favor to the volume of criticism bestowed while he was president, are now admitting that, after all, Theodore Roosevelt wasn't so bad. At least he tried to do right. If his methods were objectionable his purpose was not. With some reservations for the preservation of impartiality of statement we may look for a steady augmentation of praise for the purposes of the gentleman now gunning in Africa—while he is gunning in Africa. Were he to resume gunning on his return it might be different.

A Democratic Paper Wanted A little group of forlorn hoppers are combing the state in search of capital for the establishment in San Francisco of a Democratic Daily. Who will edit the paper when it is established? Who could do it and keep the paper Democratic when the wisest man in the world does not know what it is to be Democratic? Blind and unreasoning opposition to whatever the Republicans propose will hardly suffice for an editorial policy and any steering committee would so fall to fighting within its own personnel over what is Democratic that a second issue of the paper would never emerge from the press. The need is for papers that will tell the truth. The party organ without a monkey attachment is coming to be about as useless as a hand organ similarly bereft.

The Voice of The President There is a yearning manifest to hear the voice of the President in relation to tariff revision. The silence of our broad-beamed executive is not so ominous as it is disappointing. The American people have little doubt as to what he will say when he does speak, but they have not been used to being held in suspense. With Theodore Roosevelt in the chair that piece of furniture would long since have been heard from and the answering echo would have reverberated. However, let the people possess their souls with patience. When the President is heard from we shall all know where he "sot" all the time.

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THE CALL OF THE LAW

By JOHN H. RIORDAN.

Our present system of jurisprudence, springing originally from the tribal regulations of different peoples, hampered in some degree by remnants of ancient customs and feudal notions, complicated by hasty or ill-advised legislation, does not adequately meet the present requisites for the administration of justice. Modern industrial conditions and social combinations have introduced unprecedented problems; nevertheless the eyes of many of the judges are turned backward through a course of four hundred years or more to the days of Littleton and Coke. We are still invoking the interpretations of a long past yesterday. There is too much of government by the dead! Mr. Bonaparte, ex-Attorney-General, in a recent speech at Pittsburg, pointed out the need of purging the law of "various obsolete and obstructive rules of procedure or proof, which, in practice, serve only to provide loopholes of escape for conscious and often brazen guilt."

Procedure is regarded too much as of the substance. Rules of evidence, instead of facilitating the discovery of the truth, are often permitted to hinder and impede. Criminals are convicted and months and years pass away, while lawyers and courts wrangle, ere the gates of the penitentiary finally close upon the condemned.

"The result of our lax administration of the criminal laws," declared President Taft in an address delivered some time ago to the students of Yale, "is that since 1885 there have been 131,951 murders and homicides and 2,286 executions. In 1885 the number of murders was 1,808, and in 1904 it had increased to 8,482."

But if the law itself is deficient, much more so is the modern lawyer. The ideals of his youth have been largely submerged by the commercialism of the day. He has lost much of the devotion to justice that formerly characterized the profession. There has been a noticeable decline in dignity and honor. The profession seems to be sinking into a trade. In the industrial conflict the practitioner forgets that while the tactics of the battle may vary, the principles of honesty never change. His success is gauged, not by the intensity with

which he seeks after justice, but solely by the number of cases he wins, no matter how. This lowering of ethical standards must be stayed or the law will become an abomination—justice a mockery! It is for the college-bred lawyer to bear the brunt of the battle for better things.

If our jurisprudence needs readjustment and the natural guardian of the law makes no endeavor to uplift it, what is the result? Fear spreads among the weak that the law is no protection against the aggressions of the powerful. The lowly are tempted to revert to the arbitrament of the firebrand, the rock or the bullet rather than to the established courts of justice. An undercurrent of distrust is engendered, where universal confidence and peacefulness should abide.

This condition of affairs confronts us all, lawyer and layman alike. But to him who has been nurtured in its science and genius, who he has brought face to face with its spirit and purpose, by the systematized investigation provided in his university, the law itself appeals.

Heretofore it has cried to its thousands of followers and that cry has for the most part been ignored. Now it calls to the new generation of its devotees, strong in their college ideals and noble ambitions—a call that must be answered. It calls for intelligent, conservative legislation embodying progressive ideas; it calls for the destruction of much that is merely traditional and superannuated; it calls for vigorous application of all salutary existing enactments. It calls for a simplification of procedure so that the enforcement of rights and the redress of wrongs will be speedier, surer, more effective. It calls upon us to elevate the standards of the bar so that the lawyers may become votaries of justice, and to insist upon laws so that the law may become synonymous with justice.

And to him who is about to launch upon the profession of the law, it calls for stern heroism that he may not, in tempestuous hours, turn back from his course.

From all sections of the nation; from these Pacific shores, from our native state, from our mother university, resounds this call, the call of the Law, and it shall be answered.

("Model License Saloons"—Concluded.)

world, and its proprietor will not sell liquor to minors nor intoxicated persons. Furthermore, he believes that it will satisfy the people who now vote for prohibition. He declares that the general public does not want prohibition, but votes prohibition rather than tolerate the evils of the worse class of saloons. By enforcing his proposed laws, the genuine prohibitionist will be robbed of his greatest asset, "the horrible example," and the public demand for temperance will be satisfied.

Also, he believes, the increased stability of the business will bring about a sense of class honor among the saloonkeepers that will cleanse the business of crooked men, as the bar associations eject shysters without waiting for the public to do it, and the medical societies brand quacks without waiting for legal processes to do it.

His objections to prohibition are two: one, it doesn't prohibit; and, two, it would be of no great service if it did. He cited the case of Turkey, the one country which, because of its religion, has not had a drink in 1,300 years. "One would think," he said, "to hear a prohibitionist speech, that Turkey should, therefore, be a heaven upon earth. Its men should be the most intelligent and industrious in the world; it should be the home of liberty; women should be idolized; education should be universal; prosperity should be at high stage. Look at Turkey for the answer. The very name of its people in popular language the world over epitomizes the answer—"the unspeakable Turk."

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ECONOMIC VALUE OF IMPROVED WATERWAYS

By JOHN A. FOX

[This article is a copy of the address delivered before the California Counties Committee meeting at Del Monte, May 19, by Mr. John A. Fox, of Washington, D. C. Mr. Fox is a special director of the National Rivers and Harbors Congress. The meeting at Del Monte was attended by representatives of practically every county chamber of commerce and of most of the leading commercial organizations of California. The general subject of discussion was "Conservation in California."]

The complete development and utilization of our inland waterways for navigation and the speedy and efficient improvement of our sea coast harbors are perhaps the most important of all matters that present themselves to-day for consideration at the hands of the American people. Before an assemblage of this character, therefore, where conservation is the theme, it is perhaps very proper that some thought be given to this subject, especially to that phase of the subject which pertains to the improvement of inland waterways.

Waste of Water an Economic Loss.

The conservation of our water is without doubt the most imperative duty that confronts us for in the present condition of waste, or non-utilization of natural resources, the waste of water is much more far reaching than the waste of any other natural gift. Each inch of rainfall wasted means so many millions of dollars lost in agricultural wealth; the flow of every cubic foot of water to the sea unused means the loss of millions of dollars worth of heat, of light, of mechanical force, the unused channel of every mile of water course means an extravagance that in the aggregate costs the people of this nation many millions of dollars each year. In permitting our water to go to waste, therefore, we are losing the primal source of nearly our entire wealth.

By concerted effort as a people, as a nation, we may cause great arid and unproductive areas to yield agricultural products; we may tame the rivers and rapid flowing streams through our workshops and haul our trains, and at the same time produce a great network of intercommunicating water routes upon which our products may be most economically transported.

Transportation Possibilities of Waterways.

It is with the transportation feature that I will deal particularly on this occasion, because that is the mission of the National River and Harbor Congress. There are at present some 45,000 miles of inland waterways traversing the United States upon which commerce could be carried to-day at a great saving to the people if adequate improvements were made upon them, such as have been made upon the waterways of other countries. These embrace the possible navigable rivers of the Pacific Coast, the 16,000 miles in the valley of the Mississippi, and about 17,000 miles of rivers from 100 to 300 miles in length penetrating the Atlantic and Gulf Coasts. They are to-day of little or no service in transporting our freights because of the unstable and unreliable depths of the water to be found in them, and, owing to conditions resulting from internal development and the advance of civilization, they are perhaps of less use to-day in transporting freights than they were in their natural state some fifty or one hundred years ago. Prior to the settling of the plains, the clearing of the forests and the draining of the pools, silt and loosened earth that now fills the natural river beds was held by native turf; forests that no longer stand held back and retained the waters, and vast areas now provided with modern drainage no longer feed out the even flow for a period of twelve months, but disgorge in great floods for two or three months and leave the channel dry or too shallow for navigation during the remainder of the year. All of this can and should be rectified by the national government, so that this vast natural system of water courses could again be utilized.

We are neglecting this important duty every

day, and the condition of these rivers is becoming worse and worse, although many believe that the rivers and harbors of the nation have received ample funds of the hands of Congress. When you pause to consider that we are devoting only about \$22,000,000 each year to the most important character of national development, while we spend \$140,000,000 every year on pensions, and \$110,000,000 every year on a navy, and \$82,000,000 every year on an army, you, too, will conclude that this phase of our development is neglected.

Immense Savings in Freight Charges.

Consider, moreover, what a magnificent investment this nation could make by improving these rivers for navigation. It would require an outlay of about \$500,000,000 during the next ten years to construct the needed improvements on this vast system embracing the San Joaquin and the Sacramento, the Snake and the Columbia; the Missouri, the Ohio and the Mississippi; the Red and the Arkansas; the Intercoastal Canal and the Atlantic Deepwater Way, and all of the other important rivers reaching nearly all parts of the country. Once improved, these waterways would become capable of navigation and a vast tonnage that must now move by rail at a cost of \$7.59 per ton per 1,000 miles, which was the average rate by rail last year, could be carried at a rate of \$2.00 per ton per 1,000 miles, which was the highest rate on inland waterways. Now, the amount of freight carried by the railway systems last year was 236,038,000,000 tons carried one mile, so that if the waterways had been improved and had been able to carry but one-tenth of this bulk at a saving of \$2.00 per ton per 1,000 miles it would have amounted to over \$118,000,000, or more than 25 per cent. on the entire cost. As water rates determine the rail rates, however, it would have even been more than this, and if the regulating influence that is now felt by the roads that compete with water traffic on the Great Lakes, the Ohio or the Mississippi river, can be taken as a basis, the reduction would have been \$1.00 per 1,000 miles on all of the remaining freight that was carried by rail or practically \$200,000,000. It would appear then that \$318,000,000 saved annually to the American people by the investment of \$500,000,000 would be a very good investment. There is no doubt but what such a saving would follow these improvements for it has been demonstrated wherever we have made thorough and complete improvements to benefit navigation, for example on the Great Lakes; on the Monongahela river and along the Atlantic Coast. Moreover we have the example of the waterways of Germany, France, Belgium and the other European countries to give us some idea of what could be saved by encouraging transportation by water.

Then, too, deepening our harbors has paid for the investment many times over, and that is a work which must be extended until all of our seaports are capable of harboring vessels of a uniform draft of at least thirty feet.

Economy of Deepened Harbors.

It is estimated that all together we have as a nation expended but little over \$587,000,000 in river and harbor improvements. On twelve important harbors on the Gulf and Atlantic Coast we have expended but about \$53,000,000, and yet the saving every year on freights that come in and go out of these harbors because of the present greater depth exceeds that entire amount many times over. In New York harbor alone there is an annual saving of nearly \$82,000,000 because a thirty-five-foot channel exists instead of the former twenty-three-foot channel. The reduced price on the export of cotton and grain alone on account of deeper water in the southern harbors nets the American people over \$18,000,000 annually, because a 15,000-ton vessel can now replace the old 3,000-ton vessel, and charges twenty-

seven cents per 100 pounds less on cotton and five cents per 100 pounds less on grain than was the case before improvements were made.

The Impetus to Commerce.

Moreover, it is at least interesting to note the enormous impetus given to our commerce by these improvements, as is exemplified by a few of the eastern and gulf harbors. Boston harbor, deepened from eighteen feet to thirty feet at a cost of \$7,273,000 has increased her commerce from \$66,600,000 in 1870, to \$209,700,000 in 1907; New York harbor with improvements that cost only \$2,146,000 has increased her commerce from \$840,276,000 in 1886 to \$1,163,110,000 in 1907; Norfolk's commerce has been increased by the improvement of Hampton Roads at a cost of \$1,665,000 from \$21,349,000 in 1890 to \$597,950,000 in 1907; Mobile, with \$4,949,000 spent upon her harbor deepening it from thirteen feet to twenty-three feet has seen her commerce grow from \$3,479,000 in 1880 to \$28,419,000 in 1907, and Galveston harbor improved at a cost of \$7,591,000 has shown an increase from \$24,862,000 in 1890 to \$24,337,000 in 1907. Nor have harbor improvements been less remunerative here on your Pacific Coast, for although in all of the harbor improvements made out here from San Diego, improvements to Bellingham on the north, only about \$20,000,000 have been expended, yet so great has been the impetus given to commerce that it has been increased in the aggregate from 4,662,000 tons in 1885 to 15,654,000 tons in 1907. At Oakland, California, and Portland, Oregon, the results have been most remarkable. At an expense to the national government of a little over \$2,878,000, Oakland harbor entrance has been increased from five feet in 1874 to twenty-five feet in 1907, and as a result her commerce has expanded from 156,300 tons to 4,210,125 tons annually. In improving the entrance to the Columbia river and perfecting a channel to Portland, Oregon, about \$7,286,000 has been spent, and the commerce has expanded with a growth of 4,351,000 tons in 1907 as compared with 1,637,000 tons in 1898. It has been the best investment of any \$20,000,000 ever made by this nation, and more investments of this character must be made in the future if we as a nation are to reap the benefits to be derived from the digging of the Panama Canal.

The time has come when these river and harbor improvements must be carried on in a more extensive and comprehensive manner. There must be more businesslike methods pursued, larger sums appropriated and more work must be done in a more continuous and less wasteful manner. Under the present system we undertake to build a breakwater estimated to cost \$3,000,000, and \$1,000,000 is appropriated to start the work. Half of this is used in getting ready the false work and may be the most expensive part of the bill to pass Congress and by the time another bill can be passed carrying some more of the needed \$3,000,000, the false work has been destroyed by tories and must be built over again. We undertake to improve one of our rivers and contract for certain locks and dams and a large amount of money is appropriated to begin the work. Congress fails to provide for this undertaking when the next river and harbor bill is framed, and hundreds of thousands of dollars are lost in the ravages of flood and time. This must cease, and a continuous river and harbor policy must take its place, with money provided every year just as is provided for the army, the navy, or the judiciary. We can only bring about such a change when the entire American people shall have been informed and made to express their views regarding such matters. You here in California can help bring about such a change as well as the people in Illinois, or New York, or Louisiana, and with your great interest in con-

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Transacts a General Banking Business, Sells Drafts and Issues Letters of Credit and pays Interest on Savings Accounts.

Has exceptional facilities for handling the accounts of Banks, Corporations, Firms and Individuals.

RESOURCES, \$18,000,000.00

Broadway and Twelfth St., Oakland.

The First National Bank OF OAKLAND, CAL.

Established 1875

CAPITAL AND SURPLUS, \$650,000.00

Solicits Accounts of Individuals Firms and Corporations

Its affairs are managed by a Board of Directors of the best standing; Conducts a high-class, conservative banking business.

FIRST MORTGAGES

On desirable, improved, inside business and residence property in Oakland pay

6 to 8 Per Cent Net

according to amount; small loans of \$500 to \$1,000 bearing the highest rates, and those of, say, \$15,000 and upwards, bearing the lowest of six per cent.

I have some mortgages on hand now for sale on that basis, besides several applications for new loans on the same terms.

Did you ever stop to consider the advantages offered by a loan like this where you are sole master of the situation so that this use investment is concerned, and for a lot of other reasons I can name?

This is the safest class of investment known to-day.

The security is almost invariably double the amount of the loan and sometimes a good deal more. Mortgage, note, life insurance policy and certificate of title go with each loan.

To complete a loan you can either come to my office personally, act through your broker or send the money to me as you choose.

I personally inspect the security for every loan, examine all the papers in the transaction, select reliable fire insurance and title companies and collect and remit the interest to you every month or every quarter, as you like, without charge to you.

The borrower pays all expenses. I have placed millions of dollars on these loans without a single loss or foreclosure.

I turn down lots of applications for loans because I am not personally satisfied with every detail. Those that I offer to my clients I guarantee are all right in every way.

I invite closest investigation of my loans, my methods and myself.

The population of Oakland is 240,000 and growing fast; there is much of activity in building and other lines of development here, plenty of opening for capital, and, consequently, unlimited opportunity for the use of money.

Send for list of loans now on hand, and to facilitate matters, please state in what amounts you want them. I'd like to write to you.

GEORGE W. AUSTIN

Real Estate, Loans and Rent Collections.

1018 Broadway, Oakland, Cal. Dept. 1.

Reference: I have been a mortgage anywhere, any bank in Oakland and the Oakland Chamber of Commerce and hundreds of satisfied clients, among whom are, very likely, some you know.

trolling the San Joaquin and Sacramento rivers, and in having better provision made for deep water in your harbors, you should do all in your power to help agitate the question and promote such a change of policy as will insure the expenditure of not less than \$50,000,000 each year by Congress until these worthy rivers are controlled and made useful for navigation and our splendid harbors are uniformly deepened for the traffic of the world.

UP AND DOWN THE STATE

On his place at Indiana Ranch, near Marysville, W. J. Labadie recently picked up a nugget of almost solid gold which weighed 36 ounces and contained a little more than \$700 worth of the yellow metal. It was but one of several nuggets of considerable size which have been found on the Labadie place, and on this account the Marysville Appeal reports that the finding of the big nugget "did not cause any particular excitement."

Speaking of gold finds, Ole Johnson, of Mountain House, in Sierra County, recently took \$800 in the metal from a pocket unearthing on his land. In this case, too, there does not appear to have been "any particular excitement."

From a clay deposit just above bedrock in a mine at Oro Fino, a week or two ago, miners dug out a number of bones of immense size, presumably those of a mastodon. Here, too, such bones have been found in the same vicinity.

The line which the Southern Pacific is building along the Los Angeles aqueduct from Mojave to the Owens river valley is completed to a point 95 miles north of Mojave. Surveyors are endeavoring to locate a place for a tunnel through the White mountains, whence the line will be extended to the Southern Pacific's Goldfield branch.

Secretary Crane of the Sacramento Chamber of Commerce has devised a decidedly unique plan for attracting tourists to the Capital City. If it is carried into effect, a piece of land near Folsom, anywhere on which gold in some quantity may be found, will be purchased and visitors to Sacramento will be taken there and permitted to mine gold for themselves. In a log cabin of the style of '49 beans, cooked in coeval style, will be served by a miner of "the days of old, the days of gold," and everything possible will be done to make the visitor realize that he really is gold-mining. It is an idea worthy of Los Angeles inception, and if it does not attract visitors where orange groves would fail it surely will be because something is wrong with the method of its execution.

The Sotomeyo Scimitar, of Haldsburg, has been changed from a semi-weekly to a weekly and increased to twice its former size. And Nowlin, the editor, promises several things in the line of improvement, and his promise will be made good.

A. C. Irwin, Jr., a railroad fireman, son of Railroad Commissioner Irwin, recently, at Sacramento, met with a peculiar accident. He was at work on his engine when a traveling crane on a flat-car the engine was passing swung about just in time to strike and badly fracture his elbow. Which again illustrates the fact that it is difficult to know when and where one is safe.

Following is the number of school children in various cities and towns of California, according to reports recently given out: Los Angeles, 42,151; San Francisco, 40,746; Oakland, 15,815; Berkeley, 5,833; Sacramento, 5,098; Pasadena, 5,050; San Diego, 4,772; Fresno, 4,183; San Jose, 4,090; Alameda, 3,991; Stockton, 3,309; Pomona, 2,738; Riverside, 2,420; Eureka, 2,135; Santa Rosa, 2,062; San Bernardino, 2,062; Santa Barbara, 1,716; Vallejo, 1,330; Lodi, 832; Oroville, 775; Ventura, 760; Selma, 742; Santa Maria, 580.

First National Bank

OF SAN FRANCISCO

Post and Montgomery Streets

Capital	\$ 3,000,000.00
Surplus and Profits	1,876,614.56
Deposits	11,501,180.38

OFFICERS

RUDOLPH SPRECKELS	President
JAMES K. LYNCH	Vice-President
J. K. MOFFITT	Cashier
H. SKINNER	Assistant Cashier
C. H. MCCORMICK	Assistant Cashier

A COMPLETE BANKING SERVICE

Closely allied with The First National Bank and "under the same roof" are the First Federal Trust Company and the First National Safe Deposit Vaults. These Institutions, associated with The First National Bank, provide a Complete Banking Service.

First Federal Trust Company

Montgomery and Post Streets
Near Market Street

JOSEPH G. HOOPER, Manager

Capital \$1,500,000

Deposits of \$1.00 and upward received, on which interest is paid at the rate of 3½ per cent. per annum.

This Company is associated with the First National Bank, and has its banking rooms adjacent to the bank. It is owned by the shareholders of The First National Bank, and is governed by the same board of directors.

It pays interest on deposits and is prepared to execute all kinds of trusts, taking entire charge of property, real and personal.

Mutual Savings Bank

706 MARKET STREET, opposite THIRD

The Cross Roads of the City

Capital Guaranteed	\$1,000,000.00
Paid-up Capital	300,000.00
Surplus and Undivided Profits	435,000.00

Pays interest on all deposits and does a savings business exclusively.

DIRECTORS—James D. Thelan, President; John A. Hooper, Vice-President; J. K. Moffitt, Vice-President; Charles Holbrook, Rudolph Spreckels, J. K. McKinstry, Rolla W. Watt, R. D. McElroy, H. O. Beatty.
ATTORNEYS—J. C. McKinstry and D. C. Murphy.
Clerks—Stacy, Schell, Holbrook, Assistant Cashier; A. E. Kirtis, Assistant Cashier.

The German Savings and Loan Society

526 CALIFORNIA ST.

(Member of the Associated Savings Banks of California)

Guaranteed Capital	\$ 1,200,000.00
Capital actually paid up in cash	1,000,000.00
Reserve and Contingent Funds	1,479,043.00
Deposits Dec. 31, 1908	35,079,498.53
Total Assets	37,561,826.70

Officers—President, N. Ohlandt; First Vice-President, Daniel Meyer; Second Vice-President, Emil Rott; Cashier, A. H. R. Schmidt; Assistant Cashier, William Hermann; Secretary, George Thoma; Assistant Secretary, A. H. Muller; Goodfriend & Kelly, General Attorneys.
Board of Directors, N. Ohlandt, Daniel Meyer, Emil Rott, Ign. Steiner, W. J. W. Van Bergen, F. Tillmann, Jr., E. T. Kruse, and W. S. Goodhue.

Mission Branch, 2572 Mission Street, between 21st and 22d Streets. For receipt and payment of deposits only. C. W. HEYER, Manager.
Richmond District branch, 432 Clement Street, between Fifth and Sixth Avenues. For receipt and payment of deposits only. W. C. HEYER, Manager.

MY Aunt Susanne was an original creation," began the district attorney upon the appointed evening when he was his tale to unfold, and the charter members of the Galoot Club had settled themselves for the ordeal, "and, so far as I know, our Heavenly Father has not seen it to repeat the pattern, although it has always seemed to me that he might have done worse. By the way, accent upon the 'saune' always. Whoever failed of that and called her aunt Susan was persona non grata for many days with my aunt, a no trivial infraction."

Our branch of the family tree had about petered-out, and so had Uncle Joshua's. Woe also to anyone who "Joshed" him! On both sides of the house, all-told, there were only three nephews and four nieces who survived to adulthood. Every new birth into the two families, save these, was soon marked by another little grave stone in the hillside cemetery in the fenced-off corner of Aunt Susanne's pasture. Our family reunions were mainly held there.

More than all this the only lick of financial sense possessed by the two families was in the careful keeping of Aunt Susanne. She was the unspent partner in the financial affairs of each one of the families and even then they would scarcely have kept their noses above the poverty line but for her not infrequent aid, especially around taxpaying time and when there were doctor's bills to pay and undertaker's, too, and they usually followed each other in natural sequence. Our people were all industrious enough, if getting up before day constitutes industry, but their earning capacities were not great, and all their figures got so tangled that they never could be so unraveled as to leave anything at the end of the year. Aunt Susanne was our rock of refuge whenever in trouble, and this was why we all loved her, despite her innate antipathy to her, and despite the further fact that she could be desperately mean or stingy upon occasion, but never both at the same time.

Uncle Joshua was a sea captain. In those days American "Hearts of Oak" had not been driven wholly by money. Aunt Susanne had made a few voyages with him, but she was no Baptist and rough weather always made her sick and so, finally, she remained at home and he came and went as his business required him to do. To be busy while he was away Aunt took to raising poultry of high quality. I think Uncle brought her some particularly fine specimens from over seas and she undertook breeding new strains with enthusiasm. From poultry she passed to hogs, obtained in the same way; from hogs to sheep and finally to cattle and horses, with the final result that she had bought out three or four adjacent Massachusetts farms and converted them into a blooded stock farm that took the sweepstakes premiums at all the fairs in that part of the country. Uncle was tolerably thrifty himself, but whenever he came home from a voyage, and counted up his gains, Aunt Susanne was able to get out her bank book and show him that her balance to the good was better than his, despite so many nephews and nieces to be sent to college or to the normal.

They had had two children of their own, but one of them took confounding smallpox and died while they were in China and the other fell overboard and was drowned during a squall among the Windward islands, so that, in advancing years, they sort of took us all into the family to do as they would have done by their own children as if they had lived, which included pairing us off in matrimony according to the best available rules followed in conducting Aunt's high-class breeding farm. I use the term "best available rules" advisedly for Aunt made us to understand that if she had the world to select from with an eye to good principles of breeding she would probably have excluded the last one of us from consideration. We should have gone early to the shambles.

Aunt laid the program down to us, one at a time, in about this fashion: "Matrimony has for its object progeny. No other purpose justifies that relation. The purpose of progeny is the replenishing of the earth in obedience to Scriptural injunction, not with any-

A QUESTION OF GOOD BREEDING

(Being the Fifth Galoot Club Romance.)

By TOBIAS BLACK

thing that happens to come along in the shape of a child, but with the best product of the best mating of available specimens that thought, observation, sound judgment and experience can produce. Any short of this is an offense against God and man and to allow mere inclination, sentimentality, even infatuation, to dethrone reason, observation and sound judgment was evidence of imbecility and a tempting of the wrath of God. As for her nephews and nieces, and of her husband, she would attend to their pairing off for them with an unselfish devotion to their interests and, if they proved tractable and co-operative, their financial futures, as well as as their conjugal joys, would be well provided for otherwise the old academy where she and Uncle had received their education, and our preparatory work had been done, would get the bulk of their fortune instead of merely a Joshua and a Susanne Whipple scholarship, male and female.

We were all prone to accept this useful function for that part of my respected, but rather dreaded aunt, the more especially since my eldest sister, the only member of the family who "took after" her in the least, not only refused to abide by Aunt Susanne's choice of a husband for her, but eloped with a graceless scoundrel and went out West to live a hard life of independence and toil, unremembered in either letter or will. That lesson was not lost on any remaining member of either family. We all knew that Aunt Susanne was inexorable.

The better to discharge her sacred obligation to her Maker, to her well-loved nephews and nieces, and to a posterity whose good points she fairly longed to see, Aunt Susanne took up the study of phrenology. She felt the protuberances of every head that came into the community and as for our own, well, we had small need for the manipulations of any tonsorial artist. More than once she has mesmerized me off to dreamland while her fingers were feeling out the hills and valleys, the broad plateaus and desert wastes, that characterized my cranium. When at last she had charted us to her own satisfaction she packed us all off to O. S. Fowler, down at Boston, and had our cranial coasts recharted for purposes of comparison, verification or further exploration.

This done she began to pair us off, bump against hollow excess against hollow, until she had us dove-tailed into each other with all the nicety of workmanship of three inland oriental jewel cases among our parlor bric-a-brac. This involved one or two disparities of age and incompatibilities of desire, but we submitted with what grace we could and, as we dually scored at the matrimonial starting point, we trotted off in double harness with the blessings of the united families ringing in our ears and deluges of rice pouring off our devoted persons. I have wondered a thousand times since what we were all thinking of that we submitted so tamely, but then we had been brought up to the idea from childhood and the Whipple fortune did not seem too large when divided into more than three parts.

Well, the result wasn't real fortunate. During the ten years intervening between the first marriage and the last divorce in that family Aunt Susanne had, in those three families, more trouble and fewer satisfactory results from breeding than in her ever increasing

stock farm a thousand times over. We simply could not get on together. Being lanky and angular, with a tendency toward intellectuality, she mated me with a stupid little roly-poly who hadn't a thought once a fortnight, except for my cousin Joe, who was as good a farmer as ever brushed dew from the sod, but who farmed his father's farm just as his father had farmed it and, when our first born got old enough to develop his physical faculties, my wife's mental, even Aunt Susanne threw up her hands and confessed that, so far as we were concerned, the experiment was positively unsatisfactory. Marriage in our case was a failure and for us to have any more children would be a sin.

Meantime Uncle had died and left all to Aunt, and the decade of brooding over her distracted words and their woes had about used her up, too. Nellie always had liked my cousin Joe and Joe had liked her and I could not help seeing what cozy times they had together when I was not much in evidence. As for Milton, he liked Joe's wife first rate and found business over there as often as Joe had occasion to come over to see us. Aunt tried her best to herd them apart, but there weren't three sexes high enough in the neighborhood, but we were all God-fearing people and so had the best we could. As for Mitt's wife and myself, well, we saw the light first of any. We cared nothing for each other nor for our respective helpmates, so we could take things over in reason and without prejudice.

By and by we went to Aunt and demanded an accounting. We made it plain to her that we had not been disobedient and neither had any of the rest, but the scheme had not worked out and we could promise nothing but scandal and disaster for its further continuance. I was practicing law in Boston and getting on some, going in and out daily, but my wife, in the down-stairs bedroom, was nightly crying her eyes out for the stinks of Joe Lamprey's barnyard and milk house, while I lunked in the back bedroom at the top of the house, still in mourning. Mitt's wife had no children to keep her at home and so she went to Europe and gadded about our own country to the extent of the allowance Aunt Susanne provided her, as uneasy as the wandering Jew.

Well, it had to end sometime, naturally, and it did. Aunt fell ill, reflecting upon the little fenced-off corner in the pasture where slept Uncle Joshua, she fancied that her sleep would be troubled unless our several houses were put in order before she dozed off into eternity. So she called all her herbed-side and had it out with us then and there.

She began by upbraiding us for cherishing notions and preferences that no people in the world except our own American people allowed to have full sway in choosing life partners. She had only been trying to do what all the rest of the world did—use a little common sense in mating instead of leaving it all to emotion and inclination, albeit with a loyal regard to the welfare of posterity rather than to mere financial or social advantage, as with mankind generally. Her perverse indulgence of inclination and sentimentality we had done much to bring her experiment to naught.

But that wasn't the worst of it. We were a sorry lot to breed from anyhow unless she could have selected mates for us from outside the two families, but family pressure, and the wishes of Uncle Joshua, had limited our choices disastrously. Anyhow there was only one thing to do and that was to discontinue the experiment then and there and wash her hands of what might follow after. She abominated divorce, she declared, and believed that to put asunder what God had joined together was a sin, but where joining together had been done by herself, on her own volition, she did not entertain any scruples.

"Joe Lamprey," said she, "there are just as good dairy farms out West as you could get here. Go out where divorces can be had at the cheapest on shortest delivery, find the farm you want and send me your bill. Nell will join you as soon as she can get a divorce from Ward. Meantime she can stay with me. Milton, you stay in the kind of help I need, look out for Josephine until Joe gets his decree and then you two can get married and carry on the breeding farm after I am gone,

and I'll fix it that way in my will tomorrow. Now, Elizabeth, you haven't been at home enough to know that you've had any home and you take Ward to Southern Europe and nurse him back to health. With things going on as they have been he won't last a year and he's got to have a change of climate anyhow. You look near enough alike to be brother and sister, even if you ain't any blood relation, and you can travel as such. It's more'n likely Ward'll fetch up in California and Nell can get a divorce on the ground of desertion and failure to support. Now send the last one of you, Elizabeth, you'll find a good man somewhere after Milton has set you free and I'll do the right thing by all of you in my will."

Well, in two days Elizabeth and I were on the Atlantic making for Southern Europe, for the weather was getting raw and my cough was growing worse. She was a good sister to me and the year we spent abroad was a joy to both of us. The courts acted with expedition and within a year and a half we were all free from our matrimonial bonds and within another half year we were all paired off again, after our hearts' desires. In knocking about California Elizabeth and I came here. We both liked the place. We hadn't cared for each other any more than any two friends until that year in Europe. Nothing was said about any different state of mind until one evening we were standing on the beach at Santa Barbara watching the moon rise out of the water, as it does there sometimes, you know, for the coast line runs east and west for the better part of a hundred miles and sun and moon both can sometimes be seen rising out of the Pacific.

It looked pretty. There was a golden path about a yard wide across the water reaching from our feet straight to the moon and it looked inviting. "Elizabeth," said I, "ain't you about tired of this brother and sister business? I am."

"Well, rather," she admitted.

"Elizabeth," I went on pretty soon, "I did not love you back there when the others all got tangled up and were taking on so about their matrimonial infelicities. I didn't love anybody or anything. I was just too miserably unhappy with the whole domestic snarl and about what people were either suspecting or saying, so when my health broke down, I did not care two cents whether I lived or died. It is different now. I am myself again and I am free, as you are, and now that you ain't Milton's wife any more I am going to ask you to be mine. Will you?"

"You bet I will," she said. "I believe I have loved you ever since your sick face looked out at me from among the shawls on the steamer's deck the day after we left Boston and I'll follow that path with you to the moon or any where it leads."

We lived happily ever after. The funny part of it was that, a year later, when Aunt Susanne's will was probated, bearing the date of the day we sailed, Elizabeth's share and mine were bequeathed to us as an undivided interest. Aunt had foreseen our marriage before either of us had thought of it.

Poor old Aunt Susanne! She loved her husband and her children, her sisters and brothers, nephews and nieces. She loved her chickens, her pigs, sheep, cattle and horses and she loved her God, but best of all she loved to have her own way. I wanted to inscribe that sentiment upon her tombstone in some appropriate way, but the rest would not let me.

He Ought to Die.

"Got a new one: What is the difference between a butter-bowl and one of the new hats worn by women?"

"The hat is trimmed."

"So, it isn't that. The bowl contains butter; the hat contains something better."

The physicians at the hospital report that the patient probably will not recover.

The Kitchen Potentate Again.

"Mrs. Blinkum said that she very much disliked to get the divorce, but she positively was compelled to do so."

"How was that?"

"Why, the hired girl absolutely refused to remain in the same house with Mr. Blinkum."

Automobile Notes.

"While I expect to see a healthy and steady growth in demand for the high-priced cars, the automobile industry finds its greatest promise of permanency in the moderate priced car," says Chester N. Weaver, manager of the local branch of the Studebaker Brothers' Company of California. "For not even when optimism was an established condition before the automobile was generally accepted seriously could have dreamed four years ago that there could develop the tremendous demand that now exists for cars selling from \$1,000 to \$1,500. This demand, increasing as it has from year to year, always keeping ahead of the supply, now amounts to 50,000 cars per year—the United States will actually absorb that number of cars of the family touring and roadster types in the next six months. I base these figures upon the tremendous orders we have received for our Studebaker E-M-F "30" car. The large number of sales we have made recently of models "A" and "B" Studebaker-Garford cars is also a good indication of a growing popularity for the high-priced machines."

WE'LL BE HAPPY.

We'll be happy on the hilltop, we'll be happy on the plain.

In spite of all the weather—let it shine, or let it rain!

There'll be roses sweet a-plenty—just a drip-pin' with the dew.

An' the angels from the hilltops will just wave their hands to you!

We'll be happy in the beauty an' the blessin' of the spring.

Where all the sweetest blossoms tempt the mockin' birds to sing;

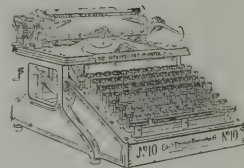
An' there'll be the best o' blossoms for each lover on the bough,

An' we've come to the conclusion we'll be happy anyhow!

—Frank L. Stanton in Atlantic Constitution.

"That Professor Blink fooled me badly." "How?" "He told me ethnology was the science of the races, and when I went to the library and asked for a book on ethnology there wasn't a word from cover to cover on how to pick winners."—Tit-Bits.

The latest thing in pajamas is the man who gets up last. Pajamas are worn mostly between 11 p. m. and 9 a. m., and the neck and ankles. The princess style of pajama, with sheath-sleeve effects, is called the night-shirt.—Williams College Purple Cow.



THE complete straight-line key-board, removable platen, perfect alignment, delicate adjustment and wonderful reliability of the

Smith Premier Typewriter

are advantages so apparent and so vital to good work that they have carried THE SMITH PREMIER into every business center throughout the world. This world-wide appreciation of THE SMITH PREMIER should at least prompt you to investigate its features before you buy. We send full information on request.

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Whether in a 24-hour race, ploughing over a muddy track in a downpour of rain, with the engine delivering its last pound of power, or whether gliding quietly along over a perfect road-way, that is the comment which you will most often hear regarding the performance of the STUDEBAKER. The uniformity of its performance under all circumstances demonstrates the great reliability of the Studebaker Car.

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SHEAR WIT

Stella: "Is she up in society?" Bella: "Yes; she used to 'do' her hair, and now she coifs it."—New York Sun.

"Like lettuce, Pat?" "No, Oi don't. An' Oi'm glad Oi don't. For if Oi liked ut, Oi'd ate ut, an' I hate the stuff."—Life.

Reporter: Where shall I put this article about electrocution? Editor: Oh, under current events.—Harvard Lampoon.

Mistress: "Bridget, it always seems to me that the crankiest mistresses get the best cooks." Cook: "Ah, go on wid yer blarney!"—Illustrated Bits.

Billy (at the museum): "What's that funny thing?" Mamma: "That's a stork." Billy: "Yes, I can see it's a stork, but what's that thing on top of it?"—Punch.

"Gayboy has given up horses and drink and all his bad habits, and has settled down in a quiet little place in the suburbs." "Where?" "The cemetery."—Illustrated Bits.

Her Husband: "It takes two to make a quarrel, so I'll shut up." His Wife: "That's just like a contemptible man! You'll sit there and think mean things."—Chicago News.

Barber: "I say, my good man, I'll give you a dollar if you'll paint that barber pole out there." Terence: "O'il do it if yez'll tell me where t' git thot sloiped paint."—Chicago News.

Mother: "And when he proposed, did you tell him to see me?" Daughter: "Yes, mamma; and he said he'd seen you several times, but he wanted to marry me just the same."—The Sphinx.

It happened one day On a street car, they say, And the man came from Mount St. Elias. He stood on his feet, Gave a lady his seat, And "she thanked him." (3-6, Ananias).—Harvard Lampoon.

Mrs. Baker: Mrs. Smith is wearing light mourning. Bobbie: What is light mourning, ma? Mrs. Baker: It's the kind that permits you to go to matinees, but not to evening performances.—Lippincott's.

Newsed (after the ceremony): Dearest, do you really think I'll prove a satisfactory mate? Mrs. Newsed: Oh, I guess you'll do as a mate, all right. Now look me over and tell me what you think of your captain.—Lippincott's.

Little George, about to be whipped, begged a minute's reprieve, and ran into the next room. His mother followed on tip-toe, and heard him, on his knees, saying very earnestly: "Now, God, if you're as good and great as they say you are, now's your chance."—New York Sun.

"I like this flat very well," she said. "I will be very glad to rent it to you," replied the landlord. "But we have two children?" "They need not interfere with you and your husband having the flat. I have a house two blocks down the street, which you can rent for the children and the nurse!"—Yonkers Statesman.

The worthy parents of a sophomore at Dartmouth College were one day disputing as to the date of their last letter to their hopeful. "Are you sure, Thomas," asked the mother, unconvinced, "that it was on the twelfth that you last wrote to Dick?" "Absolutely," was the old man's decisive response. "I looked it up in my check-book this morning."—Lippincott's.

In a certain town are two brothers who are engaged in the retail coal business. A noted evangelist visited the town, and the elder brother was converted. For weeks after his conversion he endeavored to persuade his brother to join the church. One day he said to him: "Why can't you, Richard, join the church, as I did?" "It's all right for you to be a member of the church," replied Richard, "but if I join, who's going to weigh the coal?"—Lippincott's.

THE GRAFT CASES.

It was when the prosecution of the bribing "higher-ups" first was understood to be imminent, and after it was realized that it would be proved that \$200,000 was paid to the former supervisors to secure their votes for the overhead-trolley franchise—it was just at this time, when the books of the United Railroads showing cash payments made would have been most useful to the prosecution, that George Starr, treasurer of the United Railroads, concluded to go East, and went, bearing with him the accounts of the company's receipts and disbursements.

To be sure, Mr. Starr's action may have been deeply regretted by the other officers of the United Railroads, and it is because of this possibility that certain testimony given by Thornwell Mullally, assistant to Patrick Calhoun, becomes important. Mullally swore that Starr is in New York, as he has been for two years, for the United Railroads, and that he (Mullally) had seen him in the office of Patrick Calhoun in that city. Whence it would appear that if the defense in the trial of Calhoun deprecates the departure of Starr with the accounts showing how that \$200,000 was paid, its depreciation is not of the radically active variety.

Mr. Rudolph Spreckels has been on the stand as a witness during much of the present week, and, as Assistant District Attorney Heney announced, "the bars have been let down" for the defense to show the alleged conspiracy to overthrow the United Railroads. But, although the bars have been down and the prosecution has given the defense widest latitude in cross-examination, nothing remotely resembling the alleged conspiracy has been demonstrated to have existed. What has been shown is that Mr. Spreckels has paid Mr. Heney's office expenses, amounting to \$500 or \$600 a month, and nothing more, and further, that after Mr. Calhoun had expressed his determination to have an overhead trolley, the matter of forming a rival company to secure a conduit system for the city was under discussion. The most striking feature of Mr. Spreckels' appearance on the stand was his evident desire that everything be made clear and that nothing remain hidden.

A sensation which may grow into still greater dimensions after The California Weekly goes to press was precipitated by the appearance of John Helms on the stand. Helms was chief of the United Railroads' detective bureau from May 3, 1907, till August 31, 1908, a period of nearly sixteen months. He testified that during this time he purchased documents belonging to Detective Burns of the prosecution from E. A. Platt, Burns' secretary; that these documents were purchased at the instance of William M. Abbott, attorney for the United Railroads, who furnished the money—\$200 a month—paid Platt for his services, and that while his negotiations generally were with Abbott, occasionally they were with Calhoun personally. As this writing Helms still is on the stand, and it is not improbable that further revelations will be made by him.

The injunction proceeding to prevent the payment of public money to Detective Burns and his aids was argued before Judge Sullivan this week, and it is probable that his decision will be rendered either to-day or to-morrow.

Judge Dunne announced last Saturday that as soon as his calendar would permit the trial of Theodore V. Halsey, of the Pacific States Telephone company, who is charged with bribery, would begin. It is understood that Halsey still is very ill, and whether the condition of his health will permit his trial to proceed perhaps is doubtful.

Although the case of George D. Collins is not of the graft variety, it has so long been in the public mind as a fair instance of "the law's delay" that it is of interest to note that the Supreme Court of the United States has just decided that he must serve a fourteen-year term in San Quentin under a sentence imposed in March, 1906. Although more than three years have elapsed since that date, Collins has postponed his punishment by means known to the legal fraternity, and it is not certain that he is at the end of his resources

yet, at any rate, he contends that he is not. If he is, he probably will go to prison within the next two or three months; if he is not, no man may rightly foresee when he will go.

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The Battle-Ground of the Republic.

The powers not delegated to the United States by the constitution, nor prohibited to the states, are reserved to the states, respectively, or to the people.

So reads the tenth amendment to the national constitution. Its incorporation in the document served little more than to state the substance of a never-ending national controversy. There would have been the same controversy if this amendment had been neither submitted nor adopted, but the people might not have seen quite so clearly what it was that they were fighting about.

For it was inevitable, in a government where powers were divided between nation, state and people, that there should be uncertainty and disagreement as to where the powers and duties of one of the parties ended and one or both of the others began. It has been an irrepressible conflict.

It will not be the purpose of this article to settle this conflict. If it were settled it would not stay settled twenty-four hours. Scarcely a bill can be introduced in Congress without raising the issue anew and nearly every legislative act must be scrutinized to see if it encroach upon national authority. So long as the great republic exists this will be so and when men say "states' rights is a dead issue," they may be told that that issue will be much alive when their grandchildren shall have been tucked away in their narrow cots under the daisies by their side.

It may shed some light upon the subject of the tenth amendment to note that three parties to our government are recognized, the nation, the state and the people, and the greatest of these is the people. In them rests the reservoir of all political power and neither nation nor state has any power not delegated to it by the people.

This does not say that either nation or state must patiently wait until Farmer Smith tells them to shed, that it has his permission, or that nation and states must wait until all the farmers, laborers, merchants and bankers have formally spoken. The will of the people is the voice of the effective, not the numerical, majority and more than once Mr. W. F. Herrin and his political bureau have constituted the effective majority in California, as other great political managers have in other states, as the Standard Oil company has to a great extent in affairs national. Nevertheless it is still true that the reservoir of all power does rest in the commonality of nation and state. If Mr. Herrin governs California it must be in the name of the people of California by virtue of a power usurped from them and which they may take to themselves again whenever they see fit to do so.

It will be seen from this amendment that the nation gets its certificate of power in two ways, first, by an affirmative delegation of power from the people to the nation and, second, by a prohibition of power to the states. Examples of the first are found in the provisions governing revenue taxation, army and navy, counterfeiting, patents and copyrights. Examples of the second are found in denying to states the right to make treaties with foreign countries, to coin money, or make anything but gold and silver a legal tender, which denial affirms the power of the national government to attend to these things.

Likewise the states derive their powers affirmatively and by denying to the national government the exercise of certain powers reserved by that denial to the states. Back of all these powers so delegated rests with the people the power to enlarge or take from the powers of either nation or state as they see fit, or to obliterate both national and state governments, and set up something else in their stead, if they see fit to do that.

It is unfortunate that the citizen does not feel to the full the sense of being such a reservoir of political power. If he were to have a realization of the truth it is more than likely that the body politic would be less affected by unauthorized usurpations of popular power by political bureaus and the paid ser-

vants of great corporations. Love of power is the supreme love of the human heart and the prevailing apathy of citizenship in this country, the source of nearly all our civic ills, comes from a want of realization on the part of the citizen of the power that really rests in his keeping. As the horse, if he knew his power, would permit no man to ride him, so the American citizen, if he knew his power, would permit no greedy corporation to ride him.

Without attempting to fix the bounds of either national or state rights it will be true to say that the tendency of the hundred and twenty years of government under the constitution has been to enlarge the powers of the national government if not possibly to limit the powers of the states. This has come about, not through any doctrine or dogmatic expounding of the constitution, but rather through the increase of necessity for a more centralized and puissant national authority. This growing necessity has come of a growing national spirit. We are now Americans before we are Californians, Carolinians or Ohioans, and we have been enabled to become such through the building of railroads, telegraphs and the distribution of newspapers and periodicals. The developers of transportation have been the true nation-builders. We may at once recognize and honor the obligation without blinding ourselves to the fact that this consummation was farthest from the minds of these builders. Their purpose was to make money and, that they might make it, they seldom hesitated to try to rob both nation and state. They builded better than they knew or cared. If they had not America would be a miscellany of jealous if not warring colonies to this day.

DE MASSA OB DE SHEEPFOL.

De massa ob de sheepfol',
Dat guard de sheepfol' bin,
Looks out in the gloomerin' meeders,
Whar de long night rain begin-
So he called to de hirelin' shepa'd,
"Is my sheep, is dey all come in?"

O den says de hirelin' shepa'd,
"Dey's some, dey's black and thin,
And some dey's po' ol' wedders,
But de res' dey's all brung in."

Den de massa ob de sheepfol',
Dat guard de sheepfol' bin,
Goes down in de gloomerin' meadows,
Whar de long night rain begin,
So he let down de ba's ob de sheepfol',
Callin' sof, "Come in! Come in!"

Den up 'ru' de gloomerin' meadows,
T'ro de col' night rain an' win',
An' up t'ro de gloomerin' rain-paf,
Whar de sleet fa' piercin' th' up,
De po' los' sheep ob de sheepfol',
Dey all comes gadderin' in.

—Unidentified.

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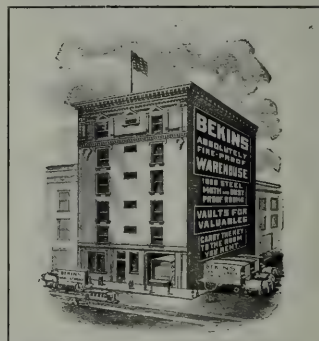
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Fighting Mad.

In offering to break the head and smash the nose of a citizen who presumes to investigate its actions the San Francisco Board of Public Works raises the injurious suspicion that its position may be more delicate than has been supposed. Injured innocence suffereth long and is kind, but a detected rascality may be relied on to display great indignation and belligerency of temper. Let it be understood once for all that there is no office, and no official, whose public acts are not legitimate objects of public scrutiny and that any citizen has a right, upon his own initiative or with the co-operation of an association of individuals, to have access to the bottom facts. When these facts are fully disclosed the public itself must sit as judge. In giving way to passion the members of the Board of Works have blundered.

The Burns Salary.

The sympathizers with the grafters are hard to please. They are indignant that any man of wealth should finance the prosecution of their kind of people, and they are outraged that the public treasury should bear any share of the burden of an effective prosecution. To their mind the proper thing would be for all existing assistants to the prosecutor to be summarily dismissed and have them replaced by professional job chasers in the employ of the paid agents of the Southern Pacific's political bureau. Nothing suits us so well as the thing we have become accustomed to through immemorial usage. Anything else seems like revolution. Judge Sturtevant's decision is to be viewed with public satisfaction.

Another Instance of "Atmosphere."

There is small reason for astonishment that Secretary Turner of the Grand Lodge N. S. G. W. should have stolen moneys intrusted to his care. In a community where very many representatives of large interests openly sympathize with grafters and look forward with hopefulness to the time when the machinery of the law will demonstrate its incapacity for dealing with successful rascality, there is certain to be much rascality not so successful. The wonder is that one caught in the act should be so timorous of consequences as Turner seems to be and that one so charged should feel any delicacy as to his social position in a city where to be under indictment for the commission of crime has been held, in certain circles, to constitute a claim upon social recognition. It is written into the constitution of man that the faults and foibles of the social elite will be imitated all the way down through society to the very dregs, and there those faults and foibles will be remodeled in mud, that all men may see the true character of the ideals they have held. There never yet was a clean reservoir that maintained a putrid source of supply.

Benjamin Ide Wheeler.

In increasing President Wheeler's salary and allowances the Board of Regents of the University of California have probably done

THIS NUMBER CONTAINS

The Eucalypts in California

(Third Article.)

BY

George W. Peavy

the thing that was needful in order to retain his services. He is worth it, just how or why no one exactly knows, but he is. He comes little into contact with students, but they all feel that "Prexie knows how to run a university." He is a sort of mysterious absence whose presence is felt rather than seen. The student body believes in him as it believes in a Providence that doeth all things well, but is seldom caught at doing any particular thing at all. He is capable of holding in his hands great power without using it, the holding being sufficient without the use. He is a diplomat and handles his board of regents with the same facility that he does the student body and without their knowing it either. He is worth the price. Keep him.

Portola.

It is all right for a city that has been striving for three and-a-half years, as few other cities have striven, to take a few days off for a good time and to invite everybody in from the country to help rejoice because that which was dead is alive again and that which was buried to a crop has been restored. The Portola incident will make as good a peg to hang the jubilee on as anything, but the important thing is the jubilation itself. It will cost much in effort and money, but it will be worth its cost if it lightens the heart's burden and demonstrates that the resurrection of San Francisco is a fact.

Better Times Coming.

If the starting up of manufactories and the restoration of wages, together with the resumption of importations from foreign countries, are to be accepted as indications of returning prosperity the "wave" ought soon to engulf us. There are few idle mills in the country that were busy two years ago and the volume of imports from over seas, cut to the merest necessities after the panic of October, 1907, is now so great as to cut our monthly balance of trade almost to a pittance. Yet a few weeks and Senator Aldrich country have opened wide the pockets of the peo-

ple to the plunderings of associated extortioners, and if that does not make us all prosperous what can? And there is no doubting the fact that any tariff will be better than uncertainty about what the tariff is to be

The Playground Movement.

All over the country the public conscience is awakening to the truth that every child has a natural right to develop its latent faculties through play. It has this right in common with every one of God's creatures above the status of the jellyfish and that it may enjoy that right playgrounds must be supplied where they do not exist. Recently sixteen Massachusetts towns of 10,000 inhabitants or over took referendum votes on whether or not they would acquire, equip and maintain public playgrounds for the children. Every one of them voted for playgrounds. Of twenty-six incorporated cities in the same state voting on the subject twenty-four voted favorably with a total vote of 135,852 for and 28,600 against. In Cambridge the favorable vote was almost twelve to one. In San Francisco June 22d is to be children's day. On that day the men of San Francisco are to determine whether or not they will invest \$160,000 in a detention home, \$1,265,000 in convenient lesser parks for big and little, but preeminently for the children, and \$500,000 for playgrounds. For no better purposes in all the world may any city use its credit. But there must be something besides grounds in which children may play. Playgrounds must be supervised in the interest of clean sport and wholesome recreation. No department of education is more important than this. May the vote be twelve to one for. No California city can safely permit a Massachusetts town to be more liberal than itself in that which has so many justifications in mind and heart as the playground idea.

The Supply of Gold.

In vain may we look for a substantial reduction in the cost of living, whatever the tariff tinkers do with the schedule of duties, so long as the world's supply of our yellow measure of values goes on increasing at such a rate. There is 75 per cent. more gold in use to-day than there was ten years ago and the world's supply has increased one-third during that time. The more of the measure there is the cheaper that measure must become and the dearer are commodities as expressed by that measure. This is beyond the power of organized society either to help or to hinder, and yet gold, unstable though it is, is the best and stables measure of value the world knows anything about. But when increase of gold supply and increase of tariffs join in boosting the cost of living there is small likelihood of its coming down.

The San Francisco Bar Association might properly consider whether or not facility in procuring false affidavits to be used in criminal proceedings should rate as a special qualification for being permitted to practice in the courts of this state.

TYRANNY ITS OWN REMEDY.

The issues raised between the transcontinental railroads and the Pacific Coast cities should be met with calmness, sound judgment and power. How much of this new rate-making is bona fide, and how much of it is a mere swinging of a club over the heads of commercial interests that had so far forgotten to be continuously cowardly as to dare to say that their souls are their own, must be left to conjecture. So far as dealers themselves are concerned they deserve little sympathy. Immemorably they have submitted to tyranny lest a worse thing come upon them and have neither dared to be free themselves nor to strive to make their cities and their state free. They have truckled.

But the welfare of the cities of the Pacific Coast is important, important to every community, industry and individual on the Pacific Coast, and if tyranny has at last undertaken to so press home its advantages as to arouse in the breasts of trucklers a determination to be free freedom will be achieved, not in one department of human affairs alone but in all departments. That is, commerce cannot be emancipated and politics be left chained to the chariots of Harriman, Hill and the Morgan interests. Men of business cannot accept a political dictatorship at the hands of Herrin in this state and in the principal cities of the state, and preserve their commercial and industrial freedom, and no man who is struggling for anything less than complete liberty and a plenary public control of public utilities is worthy of the aid of any ally. Tyranny affords its own most certain remedy and whenever the limit of endurance has been definitely passed the remedy will be applied, and not until then. The California Weekly ventures the hope that the present controversy will make the issue so clear that no being above the status of the jellyfish will be too cowardly to enlist on the side of commercial, industrial, political and judicial emancipation from the tyrannous control of a group of corporate usurpers who have aimed at nothing short of autocratic government of the people themselves and of all of their political and commercial activities.

Out of this controversy, too, there may be evolved a rational principle of rate-making. No such principle has yet been evolved. Rates have been made solely in the interests of the carrier. There is a public interest that transcends the interest of the carrier, in principle if not in practice. Somewhere betwixt the one interest and the other should be found some ground of common interest. In other words, there must be some point where Justice can plant her feet and stand unmoved by either contestant. Let us seek that vantage ground.

But let us of the Pacific Coast, in seeking to defend our rights, undertake to inflict no wrongs upon the great inter-mountain interior. Any such attempt will react upon ourselves for, in the final analysis, this issue will be decided by the nation. Don't let a narrow provincialism, a belief that we cannot thrive except as some others suffer, prompt us to undertake to fortify ourselves in an untenable position. The policy of the railroads toward the interior has been one of extortion. We cannot of right demand that such a policy be continued in order that we may enjoy a "couch" on the jolting trade. It must suffice that Pacific Coast cities be given a fair field with no favors.

THE CONSTITUTION OF THE JURY.

Of the addresses delivered at the recent meeting of the San Francisco Bar Association that of Chief Justice W. M. Beatty, on the "Constitution of the Jury," was perhaps the most significant. Inasmuch as the learned justice has not in many years been brought

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CHESTER H. ROWELL.....Associate
A. L. WATERHOUSE.....Assistant
E. J. BROWN STROTHER.....Assistant
O. BLACK.....Business Manager

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into actual contact with the empanelling of a jury he was able to approach the subject with entire impartiality and to shed upon it the effulgent rays of contemporary judicial learning.

It was characteristic of our present-day judicial atmosphere that he should advocate the obligation resting upon all citizens to do jury duty, irrespective of race, color, occupation, profession or previous condition of servitude—unless able to pay for immunity. To the man of money all duties are held to be voidable, all obligations susceptible of being compounded. If the rich man can better afford to pay fifty dollars than serve as a juror, or perjure himself on his voirdire examination, he can pass the duty along to his poorer brother who must serve days, weeks or months, as the case may be, for want of the fifty dollars with which to buy exemption. The rich man may, according to this philosophy, hire his substitute in peace or in war as, in olden time, he hired a pugilist to represent him in wager of physical battle while a learned representative of the bench held the scales of justice and determined the issue. The Honorable Justice clinched his argument with the assertion that the system he proposes "works well in Nevada." There is no place outside of Hades where exemptions and inequalities on account of financial condition work better than in Nevada.

Great abuses have been committed in summoning jurors, the more especially where political bureaus have so manipulated the selection of sheriffs and their deputies as to bring them to the aid of retainers caught in the toils. It might be better to have all jurors summoned by elisors selected by trial courts, especially after the nomination and election of trial and other judges shall have been eliminated from partisan politics, but, at the worst, this cause of the miscarriage of justice is to the main maladies as whooping cough to cancer, as ringworm to the great white plague.

Where the constitution of juries falls in the examinations of veniremen. Here the trial court has been so stripped of needful judicial authority by adverse legislation, and it works in such terror of committing error that will be held reversible by an over-learned appellate court, out of touch with conditions as they are and unconfounded by prospective jurors and the attorneys of record, that society is well-nigh hopeless of obtaining, in an important case, a jury that is either intelligent or impartial.

But we probably betray no secret when we inform the Chief Justice that, in public estimation, it is neither in the summoning of jurors nor in the process of empanelling the same that the greatest fear of a miscarriage of justice lies. Nor is it in want of accuracy and omission of our trial courts, regarding which deficiencies the Chief Justice is known to evince strong convictions. The surest de-

fense and safest refuge of a prosecuted scoundrelism is believed to be in the appellate courts of our country where profundity takes precedence over perspicacity and a slavish following of an unprofitable ceremonialism brings the spirit of the law to naught and makes of the law's administration, in crucial cases, a miserable travesty.

It is right that no citizen should be privileged to escape his turn at jury duty, but it is not right that any citizen, merely because of his financial ability, should be permitted to purchase immunity from that service. If Chief Justice Beatty doubts the correctness of our estimate of public opinion as to the real source of miscarriage of justice in celebrated cases let him obtain the services of some reliable person to go up one side of any street and down the other and propound to each passer this question: "In the event of the conviction of Patrick Calhoun by the jury before whom he is now being tried what, in your opinion, will the appellate courts do in his case?" If nine out of every ten does not reply, "Why, turn him loose, of course," or words to that effect, then we miss our guess and are not competent to testify as to the status of public sentiment.

THE BAR ASSOCIATION.

It is encouraging to know that the Bar Association of San Francisco is awakening to the gravity of conditions confronting the administration of the law in this city and state. It is gratifying to be informed that this association is proposing to invite the co-operation of similar associations throughout the state to sit with it for the consideration of such practices and procedures as the prompt and equal administration of the law require.

But it is improbable that the laws and procedures will ever be adequately reformed through the good offices of any bar association. It was never given to any specialized institution to adapt itself to progressive requirements unaided by the pressure of a dissatisfied and insistent commonality. Left to itself the ministry evolves a narrow and bigoted theology which drives men from the church and leaves preachers to pour forth their eloquence upon pansy beds of millinery. Left to themselves our pedagogues pursue a narrow scholasticism or chase rainbow fads that cause private schools, supplying real needs, to spring up and thrive in every considerable community. The press, in any land under the sun, will be only as decent as it must be in order to hold a sustaining constituency. It may well be that whatever reforms in our system of administering justice are inaugurated will have to be whipped into shape by lawyers, but what shall constitute such reforms must be determined by public opinion and that opinion must be insistent and uncompromising.

A main fault with our laws and their administration has been that lawyer-legislators have said to their associates in legislative halls, "Leave these matters to us. We know about them, you do not," whereas they have not known about them and leaving such subjects to their disposal has been fraught with disaster. Learning is well. The world would not be able to get on without it, but learning unmodified by the saving grace of common sense (developed only in the hurly-burly of every-day living) makes men as mad as March hares.

If this paper may venture to suggest the character of reforms imperatively needed in our system of administering justice they should be about as follows:

Such a reformation of the rules governing the examination of prospective jurors on their voirdire as will keep out the panel, and not exclude from it, veniremen best fitted to sit thereon.

The restoration of trial courts to the position of power and authority they enjoyed before vanquished attorneys forced the establishment of courts of appeal that they might be given a chance to win lost cases and dig deeper into the pockets of their clients.

The limitation of the power of a court of appeal to reverse a decision of a lower court to instances wherein, had a contrary ruling been made, a contrary verdict must have been rendered.

In accomplishing such reforms the good offices of the bar association of California may prove of great advantage, but it will occasion no surprise if such reforms have to be enforced in spite of, rather than with, such associations. Gentlemen of the bar are much wedded to their idols.

Finally, no possible reformations of practices and procedures will be of permanent avail until the people are able to select their judicial timber out of the whole assortment with a free choice. Until the power to select judges has been taken out of the hands of political bureaus and restored to the people we shall continue to have, what we long have had, a failure of justice whenever the offending citizen is able to bear the cost of it or one of our modern feudal lords sees fit to take him under his protection.

Right Worthy of Contempt.

One Fred Warner was once a member of the St. Louis House of Delegates. He was convicted of bribery and sentenced to two years in prison. His conviction has been set aside by the Missouri Supreme Bench of Assinuity for the reason that the indictment alleged that his offense was committed "against the dignity of state," instead of "against the dignity of the state." Our information does not go to the extent of determining whether or not the said Fred Warner is a millionaire or only under the protection of a plunderbund of millionaires who conduct a political bureau for the making of judges that remember at the crucial moment who it was that made them judges. If such a court be not right worthy of contempt, then for what manner of court may a hearty contempt be justified? The sooner the public mind is disabused of the fallacy that there is some divinity that hedges a judge about with a halo of sanctity the sooner will our courts be made worthy of confidence. Being elected judge is not like being born again. It does no work of regeneration. A political thimble-rigger before going upon the bench will be a political thimble-rigger after going upon the bench and will inevitably find enough difference between twaddled and twaddled men to serve the purpose of the judge who devoted him to the bench. These are hard things to say, but they are as true as hard, and appellate courts of the country are demonstrating that truth almost daily before the faces of all the people.

The Republican Set Right.

It is regrettable that a paper of such far-reaching influence as the Springfield (Mass.) Republican should have been betrayed into substantial error regarding the relation of Mr. Heney to the Calhoun case. Mr. Heney has not received one dollar, personally, from Mr. Rudolph Spreckels or any other source, in compensation for his three years' services in conducting the graft prosecutions, though Mr. Spreckels very generously has contributed between \$500 and \$600 per month for defraying the expenses of Mr. Heney in maintaining an office and associates and assistants therein, without whose aid he could not have conducted these prosecutions. "Big Jim" Gallagher is not dead, despite efforts made to kill him, and he did testify that Abe Ruef gave him the money which he distributed to the members of the Board of Supervisors for the

passing of the trolley franchise. The tracing of the bribe money from Ruef to the supervisors is direct and conclusive. The tracing of it from Calhoun to Ruef is indirect—positively circuitous—but it got there just the same, although the evidence that it got there is circumstantial. The refusal of witnesses to testify lest they incriminate themselves, the spiriting away of witnesses who do know the truth with the books that have the truth written in them, the refusal of the defendant to go upon the stand and clear the whole matter up, as he could do in five minutes, and would do if innocent, together with the rules of a legal game that work always in the interests of successful criminality, conspire to make Mr. Heney's task difficult, but whatever the jury may do in the premises public opinion, if correctly informed, will never entertain a doubt as to the defendant's guilt.

The British Budget.

While Emperor Aldrich is heaping the burden of maintaining the most costly government on earth upon the backs and stomachs of ultimate consumers, because they are many and unorganized and are not regarded by him and his associates as important national assets, Mr. Lloyd-George, Chancellor of the British Exchequer, is bringing forward a form of taxation that puts the burden where it of right ought to go—upon those best able to bear it. The British workman, who abstains from tobacco and liquors, will pay nothing for the support of government except on the home he owns or rents, whereas fully one-third of the burden of government will fall upon incomes, inheritances and progressively, as such incomes and inheritances grow larger. This budget goes one step farther still and takes for the public benefit one-fifth of the advance in value of unoccupied lands. In short, the rich, who wanted more Dreadnoughts, are to pay for them. We have learned many things from Mother England and, while her free trade policy fits her needs better than it would fit ours, we may study some aspects of the British method of distributing taxation with infinite advantage to our burden-bearers and a substantial gain in justice.

The Geary Street Proposition.

The discussion of the theory of municipal ownership, with reference to the proposal to vote bonds in the sum of \$1,950,000 for the municipal reconstruction and ownership of the Geary street railroad, will prove of little value either way. There are issues that have to be decided on their merits, with small reference to academic theories, and these are of them. San Francisco is in the clutches of a great, greedy, malevolent, criminally disposed street railroad combination. It has franchises with a generation to run. Any opposition corporation would be likely to fall into its grasp. The city is the only possible competitor that can be counted on to be a competitor. A competitor is needed that will set a standard of efficiency. It is the deliberate policy of the company to make excess of profits by inflicting hardship upon the public that must use its cars or go on foot. The strap-hangers furnish the profits that float the watered stocks. It is a condition and not a theory that confronts San Francisco. It owes nothing to the United Railroads. It owes everything to its own citizens. As a whip to lay over the shoulders of the United Railroads a municipalized Geary street system will be worth its cost and it may grow to be a long lash rather than a short one. It may demonstrate the ability of the city to own and operate public utilities. It may demonstrate the contrary. Either demonstration will be worth its cost. There is no good way out of the woods except to vote those bonds.

The Deeper Significance : : : : of Living : : : :

Is "Honesty the Best Policy?" Let us not sidestep the issue, but face it squarely. Let us not draw upon our imaginations for our evidence, but upon our experience.

The old maxim does not, as many suppose, come to us from holy writ, from Shakespeare, from Benjamin Franklin, but from Miguel Cervantes-Saavedra who lived and died, fought, toiled, spent years in prison, in slavery to the Moors, in office, in litigation and in poverty. He had seen life and he knew what honesty cost, how rascality prospered. He saw honesty as little practiced as anywhere on earth at a time when villainy was so universal as to be regarded as a joke, and yet he left a maxim that has seen three hundred years of service and still is as fresh as ever.

But let us not seek to "fool" the rising generation with it. If it be not true let us say so. Let us vindicate it only if we honestly may, for honesty is the best policy in teaching morality if nowhere else.

If we apply the maxim to passing bogus checks we are warranted in affirming it true. So also if we apply it to till-tapping, to "knocking down" behind the counter, in order to get money with which to play the races. It may be applied to every form of "peanut" larceny that ever was invented with absolute certainty that time will prove its truth.

But what of the honest daily paper that enters into competition with the paper that makes merchandise of its news columns, that sells its editorial opinions at so much per line? What of the honest lawyer who goes into a case against its circulator and forbes to the jury against him if he can, who will suborn perjury through some stool-pigeon intermediary and spirit honest witnesses and documents out of the jurisdiction of the court? What of the weekly paper that tells its patrons the truth about its circulation and forbears to extort patronage as the price of immunity from blackmail? What of the writer who tells the world the things that he believes it ought to know instead of pampering a depraved taste and reducing intellectual delight to mental dissipation? What of the merchant who charges only such a profit as his service to his patrons is reasonably worth and has one price for all customers, whether influential or the humblest of clod-hoppers? Is there a sane person who does not know that strict integrity, in all avenues of life, is a handicap?

What of the grand prizes in the commercial, industrial and financial world? Are the drawers of these models of probity? Have the Rockefellers, Morgans, Harrimans, Goulds, made their millions upon millions by practicing the policy of the square deal, the giving of a full square foot of measure for every foot down, for every dollar received? What of the Pattens in the wheat pit, the Lawsons on change, the Heinzes in mining deals, the Fricks and Carnegies in steel? That there are honest men who have succeeded with no fair minded person will deny, but what of those who have taken the grand financial prizes?

Why, it was the knowledge that honesty is a handicap, that greed, cunning and merciless extortion are profitable, that justice and mercy are factors in expense, that forced upon mankind the conviction that, if God be just, there must be a tutelage in order that the righteous may be compensated and that scoundrelism may receive that retribution so clearly its due. It is only when we think of the standing among reputable men which a reputable character affords, when we think that somewhere, sometime, we must stand naked, alone in a presence from whose all-seeing eye nothing can be hidden—stand where Henry H. Rogers was last week called to stand—that we know in our hearts that "Honesty is the best policy," best policy not in regard to cost, to the sacrifice it may compel, the poverty it may require us to endure. Cervantes was right, Honesty is the best policy and somewhere, sometime, not one human soul will doubt it.

WHAT THE WORLD IS DOING

How France Determines Incomes.

France is about to tax the incomes of foreign residents, and it has a method of determining the amount of those incomes which probably is more simple than accurate. It is wholly determined by the amount of rent a resident pays. This having been ascertained, it is multiplied by seven, and the product is the resident's income, in the eyes of the law, for purposes of taxation. For example, if the rent would be equal to twenty American dollars monthly, he must pay taxes on an income of \$140; \$280 on \$40 rent, \$350 on \$50, and so on. The tax is graduated, an income of \$1,000 per annum being exempt, and, after that, the tax running as follows: 1 per cent. on the second thousand dollars, 2 per cent. on the third, 3 per cent. on the fourth, 4 per cent. on the fifth, and 5 per cent. on all incomes beyond the \$5,000 mark—always estimating the income by the rent paid. This bill now has passed the Chamber of Deputies, and it is not doubted that the Senate also will pass it, although it is believed that such passage will be delayed so long that the law will not take effect until the beginning of 1911.

Nebuchadnezzar May Be Outclassed.

In these days of progress and improvement the ghost of grass-eating Nebuchadnezzar will might be made uneasy by a report which comes from Omaha, in a commonwealth of which the rattled Assyrian monarch knew not. Among the features of student life in Creighton university, in that city, is an "Alfalfa Hay Club," the members of which entitle themselves to membership by browsing on alfalfa, after it is prepared to suit their taste. The plant is prepared by converting it into a meal, the stalks first being carefully selected, then ground fine, bolted and bleached. It then is ready to be eaten, and the members of the club say that in gums, muffins and that sort of thing, it is hard to beat, either for taste or nutrition. It makes up well, too—still according to same authorities—in everyday bread, being darker than wheat but lighter than rye, and as such it has the breakfast foods distanced at the post. So it begins to appear possible that Nebuchadnezzar was not insane, but was one of those geniuses who are too far ahead of their time to be appreciated; and, according to the best account, his was the advantage in that he did not require so many preliminaries to his grass-eating operation.

Bill to Qualify Catholics.

It is not considered probable that the bill removing political disqualifications from Roman Catholics will become a law at this session of parliament, but a note of cheer is found in the fact that the present House of Commons twice has voted in favor of Mr. Redmond's bill to remove this ancient disgrace from British statutes, the bill passing on its second reading by a vote of 133 to 123. The bill provides for abolishing the disqualification which prevents Catholics from filling the offices of lord chancellor of Great Britain and lord lieutenant of Ireland and repeals the anti-Catholic portion of the oath of accession. Of course the people who would have all mankind worship the Almighty as they have outlined him have been heard from, 400,000 of them having signed a protest against removing Catholic disabilities, but the House of Commons disregarded it, and it is believed that this act of justice will be done in the not distant future.

To Aid British Laborers.

Great Britain's problem of the unemployed, who are increasing both in numbers and destitution, is receiving so much attention that the government has deemed it necessary to take action in the matter. Its scheme was outlined in the House of Commons, the other

day, by Winston Churchill. It consists of two measures: First, labor exchanges for the unemployed, and, second, state insurance against unemployment. The labor-exchange bill was introduced in the House of Commons last week. Under the terms of the bill, to be established throughout the country, each with an advisory committee representing employers and employed. It is estimated that its annual cost during the first ten years will be \$1,000,000, and \$850,000 annually thereafter. The insurance feature, to be introduced next year, provides for compulsory contributions from employers and employees and a state grant as well. Its benefits will be somewhat less than those paid by the stronger unions. The labor members of parliament generally favor the double scheme, merely criticizing some of its details.

Titles of Oriental Potentates.

What oriental potentates lack in worldwide power they perhaps make up to their own satisfaction in the rare glory of their titles. For instance, if the reader should wish to address a letter to the Sultan of Turkey the right thing to do would be to secure an extra large envelope and dash off the following: "Mohammed V. Sultan of Sultans, King of Kings, the Shadow of God Upon Earth, Bestower of Crowns Upon the Princes of the World, Emperor and Sovereign Lord of the White Sea and the Black Sea, of Rumelia and Anatolia, of Karamania, Roum, Kurdistan, Azerbidjan, Cham, Aleppo, Egypt, Mecca, Medina, Jerusalem the Holy of the countries of Arabia and the Yemen and, moreover, of an Infinity of Provinces Gloriously Acquired." Now you understand why it is considered bad form to address the sultan on a postal card. The Shah of Persia is the Shadow of God, the Footpath of Heaven, the Center of the Universe, Exalted Like the Planet Saturn, Well of Science, Sublime Sovereign Whose Standard is the Sun, and Monarch of Armies Numerous as the Stars. The King of Siam is "Brother of the Moon, Half Brother of the Sun, and Sovereign Arbitrator of the Flux and Reflux"—whatever the latter is. The striking feature of the matter is the smallness of potential size which suffices to carry a very dazzle of title.

Kaiser to Visit England.

Official announcement that Kaiser Wilhelm will visit King Edward in London this coming autumn is reported to have been issued. It is said that issues vital to Great Britain and Germany will be discussed by the two monarchs while they are together, and it is hoped that their display of social amenities will put an end to the war talk which has been so prevalent of late. At one time it was thought that Queen Wilhelmina of Holland would be a visitor in London next fall, but her trip has been given up, whether because of the appearance of an heirless to her throne or for some other reason, has not been announced.

Wooden Caterpillars as Souvenirs.

Among the remarkable souvenirs of our fleet's voyage around the world the wooden caterpillars of New Zealand are entitled to honorable mention. They are precisely what this name imports, wooden caterpillars, and they are not alive now they once were, although not so wooden at that time. The caterpillar, in its original state, feeds on a certain plant which is the habitat of a kind of fungus that feeds on the caterpillar, and so rapid is the consequent fungoid development in the caterpillar's interior department that the worm becomes but a fungus growth before it can lose its shape. The result is a wooden or fungous caterpillar which has gone out of active business at the old stand. Many of the sailors of our fleet have such souvenirs.

Gatherin' in the Sunshine.

Just a-gatherin' in the sunshine
In these smilin' days of spring,
When the robin has its babies
An' is teachin' them to sing;
When the blossoms seem like praises
That the world is hummin' o'er;
Just a-gatherin' in the sunshine—
An' I don't want nothin' more.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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MAKING FAME TO ORDER.

When a new writer swims into the ken of a modern publisher with a manuscript which the publisher deems worthy of print, one of the first people the writer meets is the publicity agent of the firm. The enterprising young man's business is to get authors' names into print, and the devious ways that he uses to do it have been the despair of many a modest writer. However, the modesty soon wears off, and the author ransacks his memory for "experiences," anecdotes, adventures, or jokes that will make good "copy" for the newspapers. These the publicity agent devours, turns them into "stories" and prints them on long sheets that go to the newspapermen all over the country to be used, without credit and without price, as newspaper fillers. Thus is the author's name made familiar and thus is the hope increased that readers may be attracted to buy his book.

Naturally, some authors make better subjects than others. Mark Twain, with his native wit, has become classic, so that his odd stories that float through the newspapers are credited to him, and the rest to Abe Lincoln. Joaquin Miller began writing before publicity agents were invented, and he successfully became his own publicity man by appearing in London drawing rooms in top boots, leather breeches and broad-brimmed sombrero.

But with authors of less native genius or distinction of personality, the publicity man has a problem that he solves for himself. He talks with his author, pumps him for quaint stories, sounds him for eccentric opinions on marriage, or love, or the theory of evolution or any other strange or unusual bent of mind. These oddities, once noted, are made into copy and duly appear in the papers, which are glad to print such material.

Some authors soon learn their cue and do strange "stunts" for the purpose of giving the publicity agent a chance. They adopt fantastic diets, live in trees, climb dangerous peaks, ride ostriches, or do other absurd or unusual things that can be written up. The latest favorite item that the publicity agent works up is the author's account of how he or she came to write this great novel, how a chance phrase in a newspaper story stuck in the mind and ripened into a plot, how the cook's peculiarities suggested the character of the heroine, and how an experience of childhood was wrought into the climax of the tale. Apparently there is no end to the public appetite for intimate details of an author's life and the workings of his mind, for the papers continue to print them by the yard, and presumably the papers print what will be read.

Some idea of the commercial value of such publicity may be gathered from the fact that Edison, the inventor, never refuses a newspaperman an interview, even if he has to do an important work to grant it. "You boys have always been good to me, and half my success has been due to the advertising you have given me, so the least I can do is to return the favor as best I can."

On a smaller scale, with authors of small ability and slight personality, the work of the man who makes fame to order has floated many a mediocre book at least past the point where it was a complete commercial failure.

THE AUTHOR OF SHAKESPEARE FOUND.

The ingenious and witty New York Sun has hoist the Baconians with their own acoustic petard. It announces the discovery of a new clew to the authorship of Shakespeare's plays, based upon the acoustic letter-counting of the 1623 dedication.

According to the Baconian theory the letters that give the clew to the authorship are not initial letters, but lie in the body of the text and are to be traced reading to the right on the first line then to the left on the second,

and so on alternately. In this way the name Francis Bacon is spelled out. The Sun traced the letters exactly as they are traced for the Bacon acoustic, the capital letters disclosing the clew to the Sun's secret of who was Bacon's collaborator. The first letter of the first line must be used but none of the other capitals that begin lines.

"This figure, that thou Here seest put,
It was IOur gentle ShakespearE cut;
Wherein the grauer had a strife
With nature, to Out-doo the life;
O, could he but haue gRavvE his wit
As well in bRasse, as he hath hit
His face, the print wOuld then surpaSse
All that was euer Vvrit in brasse,
But, sinceE he cannot, reader, Looke
Not on his picture, bUTh his booke."

THE STORY OF THE "BATTLE HYMN."

Mrs. Julia Ward Howe celebrated her nineteenth birthday yesterday at Boston. Her name has been associated with nearly every great movement for humanitarian advance of the last sixty years. She was the intimate friend of Longfellow, Emerson, Holmes, Lowell, Garrison—all the New England great men. She is today loved and honored wherever women have any freedom and wherever men have chivalry.

Her highest bid for fame, however, is the authorship of the "Battle Hymn of the Republic."

"The story of its writing, she has often recounted. With friends she had gone to see a review of Union troops near Washington. A sudden movement of the enemy stopped the review and made the return to Washington a slow and difficult one. To beguile the time songs, among them, "John Brown's Body," were sung. Some one suggested that she should write other words for the stirring tune. Early next morning as she lay in her bed lines of the poem began to shape themselves, and, fearing that she would forget them, she sprang up and wrote them in the half light. The poem, written in Willard's Hotel, was first published in the Atlantic Monthly."

Battle Hymn of the Republic.

Mine eyes have seen the glory of the coming
Of the Lord;
He is tramping out the vintage where the
grapes of wrath are stored!
He hath loosed the fateful lightning of His
terrible swift sword;
His truth is marching on.

I have seen Him in the watch-fires of a hun-
dred circling camps;
They have builded Him an altar in the even-
ing dews and damp;
I have seen His righteous sentence by the dim
and flaring lamps;
His day is marching on.

I have read a fiery gospel writ in burnished
rows of steel;
"As ye deal with my contemners, so with you
my grace shall deal;
Let the Hero, born of woman, crush the
serpent with his heel,
Since God is marching on."

He has sounded forth the trumpet that shall
never call retreat;
He is sifting out the hearts of men before His
judgment seat;
Oh, be swift, my soul, to answer Him! be
jubilate, my feet!
Our God is marching on.

In the beauty of the lilies Christ was born
across the sea,
With a glory in His bosom that transfigures
the sky,
As He died to make men holy, let us die to
make men free,
While God is marching on.

THE GYPSY TRAIL.

By Rudyard Kipling.

The White moth to the closing vine,
The bees to the open clover,
And the gypsy blood to the gypsy blood
Ever the wide world over.

Ever the wide world over, lass,
Ever the trail held true,
Over the world and under the world,
And back at the last to you.

Out of the dark of the Gorgio camp,
Out of the grime and the gray,
(Morning was at the end of the world,) Gypsy, come away!

The wild bear to the sun-dried swamp,
The red crane to her reed,
And the Romanly lass to the Romanly lad
By the tie of a roving breed.

Morning waits at the end of the world
Where winds unaltered play,
Nipping the flanks of their plunging ranks
Till the white sea horses neigh.

The pied snake to the rifted rock,
The buck to the stony plain,
And the Romanly lass to the Romanly lad
And both to the road again.

Both to the road again, again!
Out of a clean sea-track—
Follow the croak of the gypsy trail
Over the world and back!

Follow the Romanly patteran
North where the blue bergs sail,
And the bows are gray with the frozen spray
And the masts are shod with mail.

Follow the Romanly patteran
Sheer to the Austral light,
Where the besom of God is the wild west
wind,
Sweeping the sea-floors white.

Follow the Romanly patteran
West to the sinking sun,
Till the junk sails lift through the houseless
drift,
And the east and the west are one.

Follow the Romanly patteran
East where the silence broods
By a purple wave on an opal beach
In the hush of the Mahim woods.

The wild hawk to the windswept sky,
The deer to the wholesome wood,
And the heart of a man to the heart of a maid
As it was in the days of old.

The heart of a man to the heart of a maid—
Light of my tents, be fleet!
Morning waits at the end of the world,
And the world is all at our feet.

CLYDE FITCH'S METHOD.

I never expected to be a playwright, at least not until I had written a play. My ambition was to be a story writer, and for several years I wrote short stories, principally for children. But the stage seemed to offer a good field and I drifted into it.

I write fast, but I think slowly. When I get an idea that appears to have dramatic value I begin to put my story together, not in dramatic form, but in rough story form. I work out my story slowly, sometimes taking a year to get my material in shape. When I have arranged the story to suit me, I begin the writing of the play. It is not until I get down to actual work of putting the play into manuscript that I show any speed whatever. Other men think fast and write slowly—it is all a matter of mental construction.

SELF GOVERNMENT AT STOCKTON

By ONE WHO KNOWS.

In the election in the city of Stockton on May the 18th there were three tickets—Republican, Democratic and Good Government League. On December 10, 1907, the citizens had taken a straw vote on the question of closing the 102 saloons of the city on Sunday. The Council having officially pledged itself to enact the necessary ordinance majority of the people voted in favor of Sunday closing. A majority of sixty-six people did so vote and after a delay of several weeks the council finally passed the ordinance. The saloons were greatly put out and about three months after the closing law went into effect endeavored to secure another referendum election and all but succeeded. It was admitted by everyone that in the city election Sunday closing would be the issue.

The Sunday closing campaign had been managed successfully by an organization of citizens known as the Committee of Fifty. After its work was ended this committee went into a state of suspended animation, but was resurrected on the approach of the city election, and from it a larger organization was formed known as the Good Government League. This body announced as its sole endeavor in the pending city campaign the upholding and continuance of the Sunday closing law. For many months it was a matter of general knowledge that the Royal Arch had been carefully and systematically preparing for the election, and was finding out the sentiment of voters and was urging all its members and those in touch with them to register every one friendly to the saloon cause.

About a month in advance of the time for holding party conventions the Good Government League decided that its plan of action would be to get to both of the old parties to endorse Sunday closing in their platforms, and, if not both parties, then at least one, and the Good Government people would give their support to the candidates of that party. Good citizens, irrespective of party affiliations in the past, came out openly and declared their readiness to vote with that party which stood fairly and clearly for Sunday closing. In order that there might be no reasonable excuse for misunderstanding their position the Good Government forces went on record in formal resolutions declaring that their sole interest and purpose in the present campaign was to secure the continuance of Sunday closing for the ensuing two years.

At the request of the Republican leaders representatives of the Good Government League met them in conference. Two conferences were held and a third arranged for, but not a sufficient number were in attendance. Nothing came of the conferences and the Republicans were inclined to question whether the Good Government League representatives really represented anything, in other words, whether they had back of them a sufficiently strong public sentiment to entitle them to be considered as a political force. The Good Government League thereupon commenced to hold meetings, to organize and to try out the sentiment of its members. These meetings were public, reporters were present at all sessions and each individual who desired was free to express his ideas. One evening the sentiment crystallized into the adoption of the following, written off-hand by one of the members of the League:

"Declaration of Principles.

"First—The continuance and upholding of the present Sunday closing law.

"Second—The reorganization of the police department to the end that the Sunday closing law and all other laws of the city be honestly and efficiently enforced.

"Third—The same value for public expenditure that we demand in private business.

"We hereby subscribe to the foregoing, and mutually pledge ourselves to vote for no man for mayor or councilman in the coming city election in Stockton who will not publicly and openly subscribe to these principles."

The following day these pledges were circulated for signatures and by the following night over 500 voters had signed. The work of securing signatures was continued until over 1,000 men had over their signatures pledged themselves to vote for no man for mayor or councilman who would not publicly and openly declare himself in favor of Sunday closing or who would not subscribe to the principles. Now, for the first time, the running of a ticket was spoken of, provided it should become necessary by the refusal of the parties to endorse Sunday closing. But however, it was expected and hoped by the Good Government League that, with the showing of strength demonstrated by the pledges, at least one, if not both, of the old parties would declare in favor of Sunday closing. This hope was not to bear fruit. No political platform in the city of Stockton or the county of San Joaquin had ever specifically mentioned such things as the liquor question or race track gambling. This time the platforms, as subsequent events proved, were to mention Sunday closing, but not in the manner that the Good Government people desired.

All devices of duplicity and pleading were adopted by the Good Government people to get the political bosses to agree to allow an endorsement of Sunday closing to go into the platforms. Negotiations were carried on principally with the Republicans, inasmuch as that party were a handful of men who were absolutely controlled, whereas in the Democratic party it was not easy to find the center of authority.

Two weeks in advance of the Republican convention the self-constituted leaders of the party requested a further conference with the representatives of the Good Government League. At this conference was submitted a tentative plank favoring Sunday closing, "subject only to the right of a majority to decide otherwise," and the Republican organization leaders asked the Good Government people if such a plank would be satisfactory. The answer was a decided negative; it reopened the entire question; meant another straw vote; the disturbance of business conditions and the arraying again of the community into two hostile camps. The Good Government forces maintained that there should be no compromise of the question for two years, that being the length of the city administration. The Republican leaders denied that the plank meant another election. The Good Government people replied that they construed it as a tacit promise to the sponsors of another straw vote. The conference finally ended by the Good Government representatives stating that they would go back to their general body and report the plank for discussion and action. This brought matters to a head and the organization men coolly replied that it was unnecessary to refer the matter to the League, that it was going into the Republican platform, anyway. This seemed to settle it and the Good Government forces recognized that the only chance to battle for their principles at the polls lay in running a separate ticket, as there was no encouragement whatever from Democratic sources.

The Good Government League was the first to nominate, for it had to get its ticket on the ballot by petition. The old party conventions this year were set considerably later than usual—so late that there would not be sufficient time for an independent movement to wait until after the party conventions and then get its nominations filed within the prescribed thirty days of the election. The League nominated a full ticket, using as a platform its declaration of principles. Then came the Republican convention and adopted the plank drawn up two weeks prior by the organization as follows:

"We believe in the time-honored American principle that the majority shall rule. The people of Stockton having by precedent adopted the referendum to deal with the Sun-

day closing question and a majority of the voters having decided in favor of a Sunday closing ordinance, we promise the strict enforcement of that ordinance and its maintenance, subject only to the right of a majority of the voters to decide otherwise."

The night following the Democrats met in convention and they adopted as their platform:

"The present law closing the saloons of this city on Sunday has been in effect for more than one year. Its effects have been thoroughly tried and the community has now a full knowledge of and a practical experience with its operations. We believe that the question of its continuance should be settled by its resubmission to a test of public sentiment, and we therefore pledge our candidates for mayor and councilmen, if they are elected, to advocate

(Continued on Page 426.)

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

He Didn't Have Time.

He yearned to do good while he journeyed below,
But he didn't have time;
He had high aspirations to lessen life's woe,
But he didn't have time;
He meant to bring gladness to hearts in dismay,
But, alas and alas! the deuce was to pay,
He'd but twenty-four hours in the course of the day,
So he didn't have time

He knew that the halting had need of his might,
But he didn't have time;
And greatly he yearned to be lead to the right,
But he didn't have time;
He knew that life's blossoms in fellowship grew,
That actions of kindness are fragrance they strew,
But, with twenty-four hours, what's a mortal to do?
So he didn't have time.

The markets, the office, the club and the play—
Oh, he didn't have time—
Encooched on the nighttime and fracture the day,
So he didn't have time,
He longed to be warring 'gainst ill and abuse,
To join the battalions that throttle the deuce,
But, with twenty-four hours in the day, what's the use?
So he didn't have time.

There came a white angel and beckoned him out,
Though he pleaded for time,
Past misdeeds that are woven of error and doubt,
Where, perhaps, the time
To sigh for the deeds that were dreamed but undone,
The blessings ungiven, the races unrun,
For I've heard when the Land of Regret has been won
There is no clock of time.

A Bulldog, and the Rest of Us.

Last week the champion English bulldog was sold to a resident of Long Island for \$5,250. What about it? Nothing. That sum, according to census reports, is more than ten times as much as the average American laborer is paid for a year of hard work; but nothing about it. It is more than a shop girl at a salary of \$6 a week earns in sixteen years and nine months, if she does not starve to death in the meantime; but nothing about it. It would, at a wholesale rate of twenty cents, give meals to 26,250 hungry people, and I presume it is safe to say that there are more than that number of hungry people in this land of the free right now; but nothing about it. No, nothing about it, for, as you have logically remarked, my philosophic friend, a man has a right to do as he pleases with his own money. Moreover, the strain of English bulldogs should be maintained at its highest mark, and if in the meanwhile certain unfortunates starve, as they have a bad habit of doing, well, it is regrettable, of course, but, not the less, let us unite in crying, Long life to the bulldog! The necessities of life men must get along without if they must, but the frills we must have if we are to be able to guarantee the pedigree of our pups.

Gentle Woman and Her Skirt.

"There are ill-informed men," said the Thoughtful Observer, "who contend that women are man's intellectual inferior. They are off their whirl, to use the language of the lower classes and university students. As a matter of fact, woman daily performs mental feats which would leave man dazed and groping.

In saying this, the Thoughtful Observer continued, "I do not refer to her capacity for telling where and how a man has spent his

evening when she knows nothing about it, although this well might give us pause. Nor have I in mind the mental process which impels her to travel twenty miles and pay forty cents carfare in order to secure the reduction on four yards of cloth cut from one dollar to ninety-eight cents. These things are significant, but it is to her management of her skirts that I bow in awe-struck reverence.

"You are walking with one of the charming creatures, and she is looking into your eyes with that absorbed interest with which lovely woman views man if he is not married. It is this soulful interest which impels you to glitter in drooling platitudes and inane commonplaces, as is your wont, and, oh, how rapt, entranced and absorbed in your manly exposure of your mental vacuity she is! Right attentively she listens, and you are made glad and proud to realize that here, at last, is one who appreciates your full worth.

"Now you come to a crossing that has been recently sprinkled, but you are so absorbed in your own verbal drive and her admiration of it that you do not notice the fact. Neither does she; anyone must know that, for not once does she remove her absorbed gaze from your face. No, she doesn't notice the mud; but a person who is behind will observe that, without the lowering of a glance or the flutter of an eyelash, the hand on the side away from you steals around and gathers up the skirts. And all of the time you would be willing to take your oath that her mind and soul were in rapt communion with your own.

"Would a man be able to perform this double mental gymnastic feat? Not on your life! He would be compelled to stop the procession when the mud was reached and devote not less than five minutes to tucking up his skirts, if he wore them, and after that it would be a shame to walk before him, and as for looking south, nothing could look less so.

"You may claim that this does not prove woman's mental superiority, inasmuch as it is merely a matter of training, but I insist that it is nothing of the kind. You might keep a man in skirts through all of his life, and at the end of it he still would adjust them as if he were a lobster trying to denude himself of his shell. No, it is a phase of mental development which man never may hope to attain, a tribute to woman's acrobatic mental superiority; another phase of that intellectual force which enables woman to do without a pocket, when man would pine and dwindle away with less than thirteen. Come down to the corner, and we will think about it."

I said I was too busy.

The Press to Young Baron Rothschild.

"I do not speak to the press,"—Young Baron Rothschild to a reporter.

Then, sans your leave, the Press will speak to you.

Will I strive to pierce your coat of tawdry gilt.

Expose your rank pretence to public view,
And leave your self-conceit to fade and wilt.
You speak not to the press, poor, shallow snob!

True, ciphers all alone speak not, my lad,
And your one claim to count, which none would rob,

Is that, by chance, a shrewd grandsire you had.

A shrewd grandsire, which nothing proves at all.

Since fools have come of somewhat able stock.

And lines of lineage, both great and small,
A simpering simoleon may somewhere block.

And yet you speak not to the press, you say.

The reason's clear—or so it seems to me—
You fear we may know you by your brae.

We need it not while we your ears can see.

When You Praise a Good Fellow.

When you know a good fellow who goes to the front

In almost miraculous way,
Some chap with a style that is pleasant though blunt

Who wins in the heat of the fray;
When you hear the great crowd,

And its voices are blent
In a roar that is loud

And a cheer that is meant,
Then you join—do you not?—in the mighty applause,

And thus admiration express,
But, say, do you ne'er to yourself add the clause,

"He isn't so many, I guess?"

Oh, your hat, it is high in the air, with the rest,

And singing his praise is no task,
But you add—do you not?—"If that is his best,

A show is just all that I ask."

You are largely in view
While swelling his praise,

But Self adds, "You, too,
Are entitled to bays."

As credit he merits, you give it, but, oh,
Self whispers, addenda away.

Now, kindly don't ask me how 'tis that I know.

I know, but I'd sooner not say.

Not Ben King's Poem.

The usually well informed Santa Cruz News makes a curious mistake in attributing to Ben King the authorship of the beautiful poem "If I Should Die To-night," which it publishes in full, at the same time relating that he recited it at a banquet the night before his death. This sounds pretty in the telling, but what Ben King wrote was a parody on the poem—which, by the way, was published in The California Weekly last week—and, absurdly funny as that parody is, it would not add much to the grace of any deceased. The original poem is very sweet, and, if King were alive, none would be quicker than he to disclaim its authorship.

A Timely Epitaph.

(Since the recent nominee of the Independence League for the presidency has announced the demise of that alleged political party I have been waiting for someone to write its epitaph. As no one has done so, the following tear-stained effusion is respectfully submitted.)

Here lies—but 'e'en in life it did the same—
The wierd What-Is-It of the party fray,
The candle lighted at our Willie's flame—

He blew too hard, and so it passed away.

Pause, stranger, pause, and drop a scalding tear;

Pause and reflect, the while you moan and sob.

It might have lived all laws of sense to queer,
But have nursed Willie overbid his job.

Weep, stranger, weep! The one who lieth here

Lived two bright years devoid of care and doubt;

In any sense his Willie found him dear.

Now, low he lies—alas! the pae gave out.

Just Think of It!

Our Teddy's "bwanno tumbo,"

The Africans said, and laughed,

They meant he's "portly master,"

But think of the disaster,

The wreck of verbal plaster,

If they should mention Taft.

Undoubtedly Guilty.

"He was arrested for stealing."

"Suppose he is guilty?"

"No, a doubt of it. He practically admitted it to me."

"What did he say?"

"Said he didn't have a cent to pay a lawyer."

MEN WHO DO THINGS

ISIDOR JACOBS.

One of the most active men in forwarding the cause of good government and clean business is Isidor Jacobs, of San Francisco. He is a man who has had time both to make money and to engage aggressively in a score of good movements for public improvement.

Mr. Jacobs is a native of San Francisco, born August 4, 1860. In business he is the president of the California Canneries Company, of San Francisco, and of the Napa Canning Company, of Napa.

In 1894 Mr. Jacobs organized the Traffic Association of California, which resulted in breaking up the Transcontinental Association and afforded a chance to relieve San Francisco, and the state at large, from the burdensome monopoly of the Southern Pacific by giving the Santa Fe an entrance into the San Joaquin valley and into San Francisco.

In 1895 he organized the California Canned Goods Association, which sought to make a uniform standard for California canned fruits.

After the disaster of 1906, Mr. Jacobs organized the Potrero Commercial and Manufacturers' Association, which resulted in bringing about interchange switching by the railroads throughout California, saving to shippers millions of dollars a year. He was also among the first to begin the work for large bond issues for the permanent development of harbor improvements.

In 1907, recognizing the chaotic condition of affairs in San Francisco, and the necessity for uniting the decent citizens to elect good public officials, he organized the Good Government League, which succeeded that fall in electing thirty-one out of thirty-two city officials, thus advertising to the world that San Francisco proposed to vindicate her civic reputation.

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In May, 1907, Mr. Jacobs organized the Civic League to bring about industrial peace in San Francisco and the state. The city was then torn by industrial strife, and nearly 50,000 men were on strike or about to go on strike. The League brought about a combination with the best of the labor leaders, headed by Walter MacArthur, John W. Sweeney, Will J. French, Andrew Furuseth, and others, and in six weeks the joint committee succeeded in settling the strike of the Metal Trades workers, putting about 20,000 men back to work and securing for them an industrial agreement under which they are now working satisfactorily and which has secured for them a shorter day.

The joint committee also brought about a settlement of the Laundry Workers' strike on terms mutually satisfactory, thus putting several thousand operatives back to work. During all the activities of the committee Mr. Jacobs worked night and day as its secretary, in the interests of industrial peace.

The committee also attempted to settle the street-car strike, and succeeded to the extent of harmonizing all the labor leaders save one, P. H. McCarthy, whose active interference led to the disruption of the peace movement. The strike continued and the laborers lost.

Mr. Jacobs then organized the first industrial peace conference ever held on the Pacific Coast. It was largely attended, and during the four days of its session, three members of President Roosevelt's cabinet addressed it.

He was also one of the organizers of the People's Legislative Bureau, and of the People's Lobby, two organizations to whose vigilance at the last session of the legislature the people of California owe much for legislation they killed and for good measures they backed. The People's Lobby is now actively organizing all over the state, and promises to be a potent factor for good at the next session of the legislature.

In 1908, recognizing the evil results of freight rebating and the injury being done to various industries in the state by the practice, Mr. Jacobs organized the California Traffic Association, which began before the State Board of Railroad Commissioners an investigation that proved that the railroads had a general system of rebates and had no stable freight rates. This investigation did much to remedy a vicious practice of years.

In an allied movement, he has endeavored to get the United States government to establish a steamship line to Panama along the Pacific Coast, similar to that maintained by the government on the Atlantic, for the purpose of affording competition to the railroads on transcontinental freights. As a result of his efforts the Merchants Exchange has been drawn into the fight, and a bill has been prepared for introduction at the next session of Congress to bring about this legislation.

Mr. Jacobs is vice-president of the Cannery's League of California, chairman of the People's Legislative Bureau of California, a member of the board of directors of the People's Lobby, a member of the executive committee of the Good Government League of San Francisco, and chairman of that league's campaign committee for the coming campaign. He is a member of the board of councillors of the American Institute of Civics, a member of the Chamber of Commerce and of the Merchants' Association of San Francisco, and of the California Promotion Committee.

He has done good work. By his aggressiveness he has "stirred up" more issues for the public welfare than almost any other man in San Francisco. By his sagacity he has done invaluable service in directing reform movements into effective channels. The enthusiasm of his interest in public affairs, as well as his fearlessness in jeopardizing his business for the sake of standing right as he sees it, are models of good citizenship.



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POLITICAL TABLE TALK

By THE WATCHMAN.

Berkeley For a time it seemed that the forces of good government in Berkeley had exhausted themselves in their fight for mayor, happily settled at the preliminary election, and that the election of Saturday last might be lost through inertia or that dreaded apathy which paralyzes so many good efforts looking to civic righteousness. It wasn't so. The citizens of Berkeley stood steadfast and rolled up good majorities for the good government candidates. Berkeley has an opportunity to furnish an object lesson to all the other cities of the state and it will not be safe for any officeholder to allow his traces to slacken in the belief that the public will not notice it. Everybody will be looking.

Medical Inspection It is to be hoped that Of School Children Oakland will find ways and means for securing the services of an expert medical examiner for school children, with a few visiting nurses thrown in. In this beneficent service Greater New York has set an example for the nation and Los Angeles for the state. For, let it not be overlooked, efficiency is as important in public school work, if money is not to be wasted, as in any other department of public business, and there cannot be such efficiency with as many as 25 per cent. of the pupils unfitted, through adolescent growths, bad teeth, bad eyes and lack of nutrition to do good work. If every school child could be inspected, and the inspection could be made scientific and not political, no greater boon could befall the coming generation. Wherever such a service has been attempted, and has failed of making good, it has been because politics entered in to corrupt it and reduced to a farce what, otherwise, would have proven of highest value.

Would It Not Suppose that the failure of Jar Them Some? the graft prosecution to imprison, predicted by many whose wish for failure is doubtless father to the thought, were to so arouse the indignation of the Men of California as to cause them to insist upon making Francis J. Heney governor of California, as the Men of Missouri did make Joseph W. Folk governor of their state; and suppose that this same indignation were to prompt the sending up to Sacramento of a free and intelligent legislature, truly representative of an aroused California manhood, would not the double-headed event jar some of the "powers that be"? What splendid results might not follow such a revolution! How readily the criminal procedures might be remodeled! With what certainty might we not look forward to the selection and election, in future, of judges of liberal minds and unquestioned independence of corporate domination! Would that not be a shake-up worth experiencing?

A Good Thing Spain is about the last country Out of Spain to which anyone would think of looking for a long stride toward political reform, yet Spain is the one country, so far as it concerns the Watchman, who has made voting compulsory. Judges, notaries, priests, and men over seventy years old, are excused. All others qualified to vote must vote or be substantially punished, either by increasing taxes 2 per cent., decreasing an official salary 1 per cent., or, if one persists in refusal to vote at elections, he is denied the right to hold any official position of honor or emolument. Compulsory voting is as certain to come as neglect of civic duties is to continue a source of civic harm. Hurrah for Spain!

Stockton's Election The recent city election in Stockton fully explained elsewhere in this paper, is of more importance to the general public than might appear to the casual observer. It proved first that the "organization" politician is at heart a moral

and political coward and can always be defeated if forced into the open. It shows also that, despite the assurances of the Model License League advocates, the breweries and wholesale liquor interests can be counted on to fight any liquor restrictive measure wherever there is a good likelihood of defeating such a measure. Finally, it shows that party politics in municipal affairs is "how not to do it." Party responsibility in such cases spells moral irresponsibility. The victory of the Democratic organization in Stockton was well deserved. It made common cause with the Devil and all his angels for the sake of office and a wide-open Sunday, and did it openly and above board. This was in splendid contrast with the Republican organization which toyed with both devils and angels but, as it neither fished nor cut bait, was properly left sticking in the mud. However, Stockton has more than a dozen hundred of freemen ready and willing to stand up and fight and these men will yet make Stockton a free city. The issue was of much less importance than the way it was met.

Those Bad The protectionist apologists for Retailers high prices, including our own Senator Flint, have had the sagacity to charge extortion upon the retailers. There is some color for the charge. Betwixt the manufacturer and the consumer there is a thick streak of fat, but it is not all of the retailer's larding. In innumerable instances the retailer's profit is fixed for him by the manufacturer, who has not only effected a combination efficient to sustain an extortionate wholesale price, but he has carried the force of that combination to the logical conclusion and fixed also the price at which all retailers must sell or cease to handle the goods. While the consumer is treated without mercy it is mainly the combination over-lord who holds the whip with which he reaches the consumer over the shoulders of the man behind the counter.

What Did the When Emperor Aldrich de- Platform Say? clared that the Republican Party had made no promise to revise the tariff downward he was strictly within the truth. On the other hand the text of the platform distinctly connotes a tendency to revise upward for, for the first time in its history, the party of protection declared for a reasonable profit for manufacturers in addition to a compensation for differences in wages at home and abroad. It was a bad platform and by common consent was kicked out of sight as soon as possible. No candidate made a campaign for office on it. Mr. Taft did not. The people expected a revision downward, and a revision downward they will sometime have, but it was not so nominated in that bond. The most useful function of that platform was to save Emperor Aldrich's face.

George Newhall A new Republican candidate Possible Mayor for mayor is being discussed in San Francisco. This is George Newhall, the vice-president of the Chamber of Commerce. Mr. Newhall made an excellent record as police commissioner, and he is expected to be able to make a strong run if nominated. If he does run, his sponsor will be the Municipal League of Independent Republican Clubs. As this is written, considerable doubt is being expressed as to the likelihood of James Rolph, Jr., being willing to try for the position.

Good Government One of the strongest League Big Factor factors in the campaign is likely to be the Good Government League, which has 16,000 names on its rolls, and is growing daily in influence. The League is playing a waiting game, and will take no hand in the campaign until after the primaries. It will then canvass the men whom the parties have nominated and will endorse those it believes in, and, where none

that are satisfactory have been nominated, will nominate, itself, by petition. It thus promises to hold the balance of power, and is likely to be the deciding influence in the election next fall.

Heney Not a It is pretty well known that Candidate Francis J. Heney will not accept any nomination for office in San Francisco. The problem thus arises of choosing a man who will continue the graft prosecutions as they have been handled heretofore. William J. Hanley's name is still used in this connection, and has much support. A new figure in the possibilities is that of J. J. Dwyer, whom many believe to have the knowledge and the courage for the place.

League Looking And speaking of graft For Grafters prosecutions and the Good Government League it is interesting to know that the League believes grafting is being done somewhere in the municipal work, and its investigation of the Board of Works is only part of a comprehensive effort to locate it. The importance of nipping it now lies in the fact that proposed bond issues will place vast sums of money in the way of the grafters, whoever they are, and the lesson is needed now to weed them out.

McCarthy's In Labor politics the McCarthy Fiasco fiasco with the Call libel suit has stirred up confusion. McCarthy's prestige has been deeply impaired, and Sullivan is looming larger upon the horizon as a possible Labor nominee. Mulerey has become active again in his mayoralty hopes. Tom Finn, the versatile saloonman, is looking again toward the Republican ranks, but is a little discouraged by Herri's departure for Europe. Cleveland Dam has lost caste to a large degree with McCarthy, and Harry Flannery is jocosely believed to be training for legal adviser to succeed Cleveland Dam. And the members of the Building Trades Council are worried mainly to know who will have to foot the bills for McCarthy's libel suit.

Gen. "Jim" There is some talk of the Democrats running General "Jim" Smith, who is returning from the Philippines after five years' absence. There is general approval of his name on the question of character, but considerable doubt of availability of a man who has been so long out of touch with local affairs. His age is also counted against him. Most people believe that the necessity of the occasion demands a young man of aggressive qualities for the place. McNab, by the way, is clinging to Leland, in the hope that the other parties will make enough mistakes of judgment and choice to give his candidate a chance.

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APACE WITH SCIENCE

A chop prepared upon the Electric Grill is an indispensable course in the education of an epicure.

Under the management of
JAMES WOODS

("Stockton"—Continued.)

cate and vote for another special election for that purpose and to carry out the wishes of the people whichever way expressed.

So the campaign was on and it hinged entirely on resubmission. The Democrats were for resubmission, the Good Government League against and the Republicans neither for nor against—or both. An attempt had been made to reach an agreement whereby the same men should be nominated for school trustees on the three tickets, but it came to naught, as the Democratic and Republican managers were willing to agree as between themselves on nominees for the school board, but denied the right of the Good Government League to be considered.

It became obvious early in the campaign that the Republican and Democratic bosses were in harmony with each other and also the saloons in at least one particular, and that was deep hatred for and resentment toward the Good Government League. Unavoidably another issue crept into the campaign, namely, non-partisanship in city affairs and the dyed-in-the-wool party men bitterly denounced the third ticket. It was urged by the Republicans that it was an attempt to split the Republican party. The Good Government ticket was strictly non-partisan, three of the four nominees for councilmen being Democrats.

The Good Government League made an active, open fight, holding three mass meetings at Masonic hall, the largest hall in the city, packing it on each occasion. The old parties held no meetings but worked quietly. Little was heard on the streets concerning the terms Republican or Democrat. A man was either for or against the Good Government ticket.

The first discouraging factor encountered by the Good Government League was an official opinion of the district attorney and city attorney, concurred in, it was understood, by two superior judges, that a man could register at any time and on presentation of a certificate from the county clerk, was entitled to vote. Heretofore the great register had closed several days in advance of the election, pur-

suant to the state law. The district attorney and the city officials held that the charter governed in city elections and was supreme over the state law. Section 9 of the charter provides: "Only such persons residing in the city whose names appear upon the great register of San Joaquin county at the time of any municipal election, shall be entitled to vote at such election." This section the officials construed to mean: "Any qualified elector who has registered with the county clerk of San Joaquin county at any time previous to the time that he offers to vote may vote at said election. The registration for the municipal election does not close before election day, as provided for in state and county elections."

With the bars thus let down six hundred men were registered between the 23d of April, the date of the closing of the printed register by the county clerk, and May 18th, the day of the election, many voting before the ink was dry on their certificates.

Four nights in advance of the election the Royal Arch held what it openly advertised as an "independent meeting." After the lodge session proper of the Royal Arch closed, it was decided by the saloon men to endorse the full Democratic ticket and a committee was appointed to pass the word "down the line" and collect a fund for election day. The Republican managers were dismayed at this action and endeavored to have it changed, but were unsuccessful. The Royal Arch had obviously accepted the Democratic bid as going the Republicans one better. The Republicans had apparently banked on getting at least a share of saloon support, and when they saw that they were not to get this, and becoming frightened at the public showing of strength which the League was making, and desiring first and foremost to make certain the defeat of the League, there was a scramble on the part of many of the camp followers of the Republican party towards the Democratic bandwagon.

The saloon politicians were adroit campaigners. They had spread several false whispers and were in a good position to do this quietly and effectively through their 101 dispensaries. To the Catholic, they said it was an A. P. A. movement. To the men owing money, they said it meant prohibition. To the man of liberal ideas, they said it meant closing the town tight, even stopping Sunday baseball. To the non-church goer, they said it was just a lot of preachers.

Well, the day of election came and the Good Government League went to the hat against: The machines of the two old parties. Democratic and Republican fusion.

One hundred and one saloons. The tenderloin and the gamblers.

The big local brewery which employs a large force of men.

All of the restaurants (the sale of liquor on Sundays being prohibited in restaurants as well as in saloons).

The federal, state and county official brigades.

Six hundred floaters, registered by the saloons and their followers.

The public service corporations.

The control of the police and fire departments.

The big street contractors.

The grape growers.

And the Good Government League was gloriously beaten, the Democrats making a clean sweep. The average Democratic vote was 2,349; Good Government, 1,255; Republican, 959. The election does not decide the question of Sunday opening or closing. That requires another election. It simply means that the saloons be given another chance at a straw vote. What the outcome of another election on Sunday closing will be remains to be seen. The vote this time is no reliable index of what it would be on the straight issue of closing or opening, divorced from politics and the personalities of candidates.

But the election served to demonstrate some things. It shows that there are 1,255 voters in the community who are brave enough to stand out in the open, to place principle above party, to resist all pressure and influence and who stand as solid phalanx for decency and non-partisanship in municipal affairs. These

(Concluded on Page 430.)

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Oakland and Berkeley

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THE EUCALYPTS IN CALIFORNIA

III. PRODUCING AND PLANTING TREES

Written for The California Weekly by GEORGE W. PEAVY, United States Forest Service

When once the prospective eucalyptus planter has definitely selected upon a location, having determined that the temperature, moisture, and soil elements are correct for the species which he wishes to plant, the next step is to procure suitable seedling stock for planting. Considerable mystery has, for various reasons, shrouded the growing of eucalyptus plants, but it is safe to say that any person with sufficient resourcefulness to grow the ordinary tomato and cabbage plants in the garden can produce eucalyptus plants in sufficient numbers for small plantations. This does not mean, of course, that the skill of the nurseryman is to be discarded or that it may not often be expedient to go to the expert when an extra large amount of nursery stock is required for putting out large plantations.

Naturally, the little eucalypt grows under the shade of the parent tree and, as a result of forest conditions, endures considerable shade. From this fact the conclusion has been drawn that shading in some form is necessary for the eucalyptus nursery, and seedlings have usually been propagated under lath houses or shade screens of some kind. At the present time, however, some of the most progressive nurserymen in the state have abandoned the shade idea and are growing the seedlings in open beds.

The Seed.

Usually the best method of obtaining eucalyptus seed is to purchase it from some reliable dealer, for the reason that seeds of different species is very similar in appearance, and it is very important to obtain it true to name. Otherwise, after several years, the planter may find himself with an undesirable or valueless species planted out, with the consequent loss of time, money, and the use of the land covered by the plantation. Where well-known species exist, seed can be collected by cutting the seed cases from the low hanging branches of open grown trees or from young seed bearing trees. The seed cases should be placed upon canvas and exposed to the heat of the sun until they begin to discharge the seed. Then they can be placed in tight sacks and vigorously shaken. By this method a large amount of seed can be quickly and cheaply gathered.

The usual price of the common species at the dealers ranges from \$4 to \$8 per pound. One pound of fairly fertile seed should, with proper handling, produce 10,000 seedlings ready for planting in the field. Under favorable conditions, an inexperienced person can gather a pound of seed in two or three days.

The Nursery.

The eucalyptus nursery should be situated in some place where there is a good circulation of air and a good surface and subsoil drainage. The soil for the nursery beds should be composed of sand or sandy loam. A good mixture for nursery purposes is made up of three parts of brook sand and one part of rich loam. Some nurserymen still sow the seed in shallow boxes or flats, as they are called, for the purpose of checking the development of the tap root, but since the seedlings should be transplanted before they have made any considerable root development, this expedient is not necessary unless, as is sometimes done, it is proposed to weed out the surplus seedlings and leave the desired number in the flat until field planting time.

If the area which can be devoted to seed beds is comparatively great, as is usually the case when a moderate number of seedlings are to be produced, the seed should be sown thin enough to produce about 100 seedlings to the square foot, but if extensive operations are proposed and intensive nursery practice is desired, the seed may be sown thickly enough to produce from 400 to 500 seedlings per square foot. The seed should be covered with sand to a depth of one-fourth inch.

The Season for Sowing.

The common blue gum, *E. globulus*, makes a much more rapid growth from the seed than other species, consequently, the seed should be sown later than the slower growing species, taking it for granted that all species are to be planted in the field at the same time. As a general rule, in those situations which are not liable to severe frosts, planting should be done as early as possible in the fall after the first soaking rains. If it is planned then to plant early in January, the blue gum seedlings will usually make sufficient growth so they are planted early in July. Other species should be sown a month or six weeks earlier in order to insure satisfactory plant stock.

There is no advantage in attempting to plant large stock. In fact, within certain limits, a large tree is much less liable to grow than a very small one, since the larger one has a comparatively well developed root system which suffers to a greater degree in transplanting than the smaller one. The best results have been obtained from planting seedlings from five to eight inches in height.

The seeds will germinate in from four to ten days, according to temperature. During the period of germination, great care should be taken to keep the seedbed surface moist but water in excessive amounts should not be applied. A piece of loosely woven burlap laid over the surface of the seedbeds will be found to be of great assistance in maintaining proper moisture conditions during this period. It should be removed as soon as the little plants begin to break the soil surface.

Care of the Seedlings.

During the early stages of the seedling growth, the plants should be watered very carefully for the reason that they are subject to a disease called "damping off." This disease attacks the plants at the surface of the soil and the first intimation that it is present appears in the wilting and falling over of numbers of the seedlings. As soon as this condition is observed, all watering should be stopped and the surface of the seedbeds should be sprinkled with dry sand. Occasionally, during the hot dry winds, the surface soil is dried and the little plants begin to dry from drought, a condition which must not be confused with damping off.

For the purpose of checking the development of the root system and of getting the plants in suitable shape for putting out in the field, the seedlings should be transplanted to the flats when they are from one to two inches high. A convenient size for a flat is eighteen by twenty-four inches and four inches deep. Good loam soil should be used. About 150 seedlings can be transplanted to a flat of this size. Practically the same care should be taken of the seedlings while they are in the flats as was given them while they were in the seedbeds.

Field Planting. Spacing.

If the prospective eucalyptus plantation is to be placed upon tillable land, the soil should be prepared for planting with much the same care that is given to getting soil ready for any agricultural crop. Heavy adobe soils should be averted from, and a deep, loose soil is best. In nearly all cases it will be found advisable to plow the land in the spring and leave it fallow until the next planting season.

There is considerable diversity of opinion concerning the proper distance at which to place the trees in the plantation. Some insist on close spacing while others believe that the best results are obtained by planting as wide as twelve by twelve feet or even more. The width of spacing, however, is a matter which depends upon the quality of the soil, the degree of moisture, and the nature of the material which it is desired to produce. In poor soil or in dry situations, the spacing should be comparatively close in order to secure as soon as possible shade enough to protect the soil, and thus prevent rapid evaporation of the soil moisture. Where moisture can be applied by

irrigation or where cultivation is possible or desirable, a wider spacing may be employed. With most of the rapid growing species, under favorable conditions, cultivation will not be possible much after the third season unless the trees have been planted more than ten or twelve feet apart.

Those trees which tend to develop a crooked trunk should be planted close so that there will be no room for the development of lateral branches and the main stem will be forced to grow upright. This method of treatment should be employed wherever the common red gum is planted, since this tree has a very bad habit of developing a crooked or forked stem. The general tendency of the blue gum under anything like favorable conditions is to develop a straight trunk so that very close planting for the purpose of securing a straight pole is not necessary for this species.

It is commonly supposed that height growth can be stimulated by very close spacing. This idea doubtless arose from the fact that trees in close plantations have very straight trunks, are clear of lateral branches, and in appearance seem to have grown much more rapidly in height than they would have done had they been planted in the open. It will be found, however, that such eucalypts as the blue gum and the sugar gum will make practically the same height growth whether planted in windbreak form or quite alone as they will if placed in forest form. It is very certain that too close spacing will have the effect of injuring rather than stimulating height growth. In actual practice, the forester often plants trees closely for the purpose of producing a windbreak, and then stimulates diameter growth by thinning out a large part of the plantation, thus giving the individual trees more light and a greater measure of the available soil and moisture.

Owing to the very rapid growth of the trees and the production of lateral branches, it is seldom advisable to attempt to fill in fall places on a plantation for the reason that the older trees are very apt to suppress the smaller ones by shading.

Care of the Plantation. Fire.

During the first two or three years of the life of a commercial plantation, it will be found as much a matter of financial consideration to give the trees good care as it is to bestow attention upon a walnut or citrus orchard, and exactly the same reasons exist for cultivating the one as the other. Of course, if irrigation is possible to supplement cultivation for the purpose of producing proper moisture conditions, much better results can be produced.

The greatest enemy of the artificial as well as the natural forest in California is fire. Plantations of eucalypts are especially liable to the ravages of fire for the reason that the leaves and twigs are exceptionally inflammable. Since the bark of even mature trees is comparatively thin, a very moderate fire may kill them. As soon as the branches of the young trees close in, thus rendering further cultivation impossible, the plantation should be protected by an outside fire lane twenty to thirty feet wide. This lane should be cultivated frequently enough during the dry season to keep it clear of any form of inflammable material. If the plantation is a large one, it should be divided into blocks of forty acres, each separated by fire lanes at least twenty feet in width. These lanes will serve, in the later history of the plantation, as roads on which to haul the product to the mill or market. The fire devoted to the fire lanes is not a total loss, for the reason that the trees bordering it will develop a much larger diameter than those in the interior of the plantation.

The litter coming from the twigs and leaves of the trees should never be voluntarily removed by fire or otherwise. It forms a

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"GOOD NIGHT."

EIGHT o'clock, and the younger children were all in bed. Only Jamie, the second born, nine years old, was allowed to stay up a bit longer. The mother came in from the kitchen and trimmed the wick of the coal-oil lamp, which flickered and smoked and threw weird shadows across the rag-carpeted floor and up the sombre walls. The father came in from the woodshed with a basket of chips.

"Gettin' chill, mother. We'll have a bit o' fire. Jamie, run get a piece of paper for kindlin'." Not that, I'm savin' that. That's better. So!"

And the flame roared as the chimney caught the draught and sucked upward. The mother drew a chair to the table by the lamp and took up her knitting. The chair was straight and she sat very erect in it, not touching the draught tightly back. Her gray eyes looked steadily through the steel-rimmed spectacles; and the quiet mouth was set firmly. Her hands moved deftly at the needles.

The father was a huge man, ten years older, with grizzled hair and beard and black eyes that burned deep in their sockets. He pulled his heavy boots off with a jack and set them behind the stove, thrusting his feet into carpet slippers. Jamie's knees clasped the stove, around which he peered with wild eyes.

"Paw, Abner Burn's Jersey's got a calf."
"So? Bull or heifer?"
"Bull. Maw, can I go t' the Methodist picnic next Saturday? Bud Hess's maw said he could go. They're goin' to Big Lick. C'n I go?"

"Ask your father, sonny."

"I c'n go, can't I, paw?"
"I don't mind if your mother don't."

"I don't mind."

"All right, then. You may go."

"I c'n I wear my other suit, maw?"

"You'll get all soiled and it won't be fit to wear to Sunday school."

"I'll be careful. Sure I will. All the fellows 're goin' to wear their other clothes. Please!"

"All right, son."

"Please, maw."

"I'll see."

"Time you're in bed, Jimmie," put in the father. "Run now."

"Lemme get warm first, paw."

"You're warm enough. Soot!"

Jamie went over to his mother. She dropped her hands in her lap and kissed him good-night.

"G'd night, maw."

"Good night, sonny. Sleep tight."

"G'd night, paw."

"Night, son."

Jamie lingered at the door. His father looked up, the mother glanced at him with gentle reproof in her eyes.

"Good night!"

The father poured the last of the chips in the stove, opened the draught wide, and settled back in his chair. The needles clicked swiftly.

"Have you heard from the boy yet, mother?"

The needles flew swifter, but her lip quivered a moment before she replied.

"Not yet, John."

They sat so in silence for a half hour. The father rose and wound the hall clock and shot the bolt in the front door. Coming back in the room, he took from the table the family book. The mother laid her knitting and spectacles away and dropped her hands in her lap. The father opened the book, and drawing nearer the light, read a chapter from the New Testament and one of the Book of Psalms. Together they kneeled, the mother's lips moving silently while the man's strong voice was lifted up in simple eloquence of prayer to God, of thanksgiving for his mercies, of supplication for forgiveness, and of appeal that his loving kindness should follow one lost sheep they loved and bring him back to them safe and repentant. Silently they rose, the father taking the lamp in his hand and leading the way to the stairs. A familiar step creaked as each passed over it. The wooden shutters rattled as the father drew them close, and

SMALL TOWN MINIATURES

By E. FRENCH STROTHER

bars of light sifted through the darkness without. The light winked out and the bed groaned as the man's weight stretched upon it. The town was asleep. Silence rose like a mist and enveloped the house. In the hall the clock ticked.

THE LITTLE FUNERAL.

THE Stranger in Town was disconsolate. It would be well after dark before the overland would pick him up from this,

to his eyes, desolate prairie village, and speed him on to the throbbing world of cities and lights and men. And it was only one o'clock. He had eaten his dinner at the unspeakable hotel, brushing persistent flies from his food, stilling his nostrils as best he could against the more persistent odors of the kitchen, perfunctorily answering the amiable inanities of the country waitress, and fleeing at last the garbology of the ancient landlord.

As he gazed up and down the street outside, the perspective of either end was lost in the uninspired flat prairie, where, mile after mile, the Indian corn nodded fatuously in the Indian summer calm. A woman in a calico dress and blue sunbonnet crossed from the store opposite, entered her yard, and disappeared. No one else was in sight. One lazy dog drowsed at the foot of a poplar tree, stretched, yawned, snapped at a fallen leaf, and drowsed again. The Stranger in Town sighed hopelessly.

He strolled down the uncurbed street. Everything appeared deserted. Only a cobbler's shop, with door opened to the street, seemed occupied. He crossed; and accosted the cobbler, bending over a last.

"Good day," he began.

"Howdy," he replied, his mouth full of tacks.

"How's business?" inquired the Stranger in Town.

"Such as you see," without looking up.

The Stranger in Town counted five shoes half-soled, ten more to be mended.

"You seem to be busy enough." He looked outside, and added, "And the only person in town who has to work."

"Early and late. Early and late," the cobbler replied in a sing-song monotone. The Stranger in Town eyed the cobbler curiously. He noted the massive, stooped shoulders, strong arms and hands and shrivelled legs, the gray hair and the near-sighted eyes of the typical mender of shoes.

"You've a good deal of work for such a small town. There can't be five hundred people all told here, can there?"

"Don't know," said the cobbler as he drew a deft line round the shoe with his knife and cut out a new sole.

"Oh, I see, you haven't been here long."

"Fifty-one years."

"Why, you aren't much older than that."

"Born here, and I pierced the holes for the thread."

"Well, this place is about the same size as Chicago. How many has it?"

"Never there, couldn't say."

"Never there! Three miles away, and never there?"

"Said it. Said it, I said."

"May I ask whereabouts in the town you were born?"

"Next room."

"Lived in this house all your life?"

"This room."

"Cobbler, always?"

"Always," and the thread knitted swiftly from hole to hole.

The Stranger in Town sighed again. He strolled outside and looked up and down the empty street. From his new point of vantage he saw at the farther end on the right a frame church, with a square cupola surmounting it. An old man appeared round the corner, opened the church door and went in. The bell began to toll. A man in clerical black left the house next door, a black book in his hand, and entered the church. A white hearse, with white plumes, drawn by white horses, drove slowly up the street. The two men on the seat carried its burden indoors. Plow horses drew buggies to the door, stopped, and heavy, slow women in black dismounted and climbed the church steps. A puff of wind lifted the dust kicked up by the horses, swirled it across the street, and died down.

The Stranger in Town leaned his back to the cobbler's door and watched. In a half hour the doors opened. The bell began again to toll. The men in black bore their burden outside, the minister following, the women following him. The white horses moved down the street, and the buggies fell in sedately behind. At the end of the street the procession turned, leaving the prairie horizon unbroken. The bell ceased tolling, the dust settled, and the dog, who had howled all the while the bell tolled, turned idly again to sleep.

The Stranger in Town turned again to the cobbler, who had begun on another shoe. The thread flew faster than before, as the cobbler bent closer to his last.

"Such a little funeral," said the Stranger in Town.

The cobbler nodded and reached for his wax.

"A child, I judge from the white. Do you know whose it was?"

The cobbler nodded again, and cut the last stitch.

"Whose?" inquired the Stranger in Town.

The cobbler's hands rested flat on his knees as he started at the question. Naturally the head reached for another shoe and bent his head again to his last.

"Mine."

THE DETEKTIVE.

THE chase had led past the big cottonwood, over the fence, around the west pasture, and back through the home orchard to the barn. Forty acres and four boys. The game was "the Younger Brothers." Two of the boys played the desperadoes and two were the sheriff's posse. There had been a free fight earlier in the afternoon, because all of them wanted to be the desperadoes and none the sheriff. Naturally the two smallest boys were the posse, as a result, and of course the pursuit was fruitless.

They all settled, panting, behind the barn. The postmortem was held, and everybody explained his mistakes and pointed out his own winning. The diversion lagged. They had made the cats swim in the pond, had ridden the calf in the barnyard, had eaten all the green apples they could hold. What next?

"Git out Nick Carter."

Done.

The oldest boy read.

"The detective did not wait to hear any more. He thought he saw in her expression a determination to kill Jimmy anyway; he thought she was only playing with him, and he began cautiously to steal toward."

The soft velvet rug on the floor gave back no sound. There was not, is not, a creaky board in Nick Carter's house. There is not a hinge that gives forth a sound or a creak.

"He pushed open the door just enough to permit him to enter; then he—"

Swish! Ouch!

The "detective" had come. Johnny's father, with a hickory switch, stood alone by the barn, and a rapidly receding wave in the orchard grass of the east yard showed the direction of flight of the Younger brothers and the sheriff's posse.

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("Stockton"—Concluded.)

men cannot be tricked by the bosses, nor fooled by whispers and insinuations. They cannot be traded or fussed. They will not vote the Republican ticket at the primaries and ward meetings and the Democratic ticket on election day. A conclusive showing was also made of a fact which heretofore has only been alleged or suspected, namely, that a lot of men are masquerading as Republicans who help the Republican organization to control ward meetings and primaries, who go as delegates to Republican conventions and dictate its nominations and platforms and then on election day vote for only such portion of the Republican ticket as will best serve their ends. This has been done in Stockton for several years past but the proof was not clearly forthcoming until this time. Clearly and unmistakably has been revealed the subserviency of both old party machines to the liquor interests. All these facts are now of record, and it is such a record as will plague the saloon and the politicians and will render impotent in the future the old party call and the stereotyped appeal to party loyalty.

UP AND DOWN THE STATE.

Work on the cut-off which will connect the "Eliza" and "Shanghai" bends of the Feather river has been begun and will be continued until the enterprise is completed. The cut-off will have the effect of eliminating the danger from floods in its vicinity.

Grading is in progress for a line of railroad to be laid between Suisun and Cement. The road is being built to facilitate the shipment of cement to San Francisco.

The United States Forest Service is about to conduct experiments in the line of introducing eastern hardwoods into California. Among other woods which it will attempt to grow here are chestnut, hickory, and red oak, as well as basswood and yellow poplar.

The Sonoma County Independent is the name of a semi weekly morning paper which

will be published in Petaluma. It will be independent in politics, and Mrs. Anna Morrison Reed will be its editor.

The first spadeful of earth in the construction of the Sacramento-Sierra electric railway, which will connect the Capital City with Lake Tahoe, was turned last Monday at Orangevale. The company has purchased 100 acres of land at Sacramento, which will be the location of the depot, machine-shops, etc.

Ernest Gammon, a rancher near Courtland, cleared \$2,000 this year by the sale of cherries grown on two acres of land. The fruit was sold in eastern markets, and some boxes, sold in Philadelphia, brought \$48 apiece.

At Tulare city the First National Bank has let the contract for what promises to be the handsomest bank building in the San Joaquin valley. Although this town has seen some hard sledding in past years there are few in the state now more prosperous or improving more rapidly.

Mr. A. Sbarbaro suggests that, now that Risin Day has been carried to success, Wine Day be placed next on the list, and that Thanksgiving be selected as the day to be thus observed. "Let us ask every wine-consumer on that day to use a glass of American wine," says Mr. Sbarbaro, and he adds, "let us even ask those who are not wine-drinkers to drink some on that day, and provide it for their guests." The motion awaits a second.

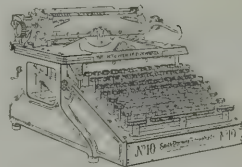
W. T. Shepard, a Stockton councilman, has been convicted of misconduct in office, the jury deliberating but ten minutes before finding its verdict. Shepard will be unseated.

From the Sixteen-to-One mine, at Allghany, in Sierra county, more than \$10,000 was taken week before last. Other mines in the vicinity are reported as developing richly, and the hills thereabout are said to be full of prospectors.

The march of progress is about to take effect in Marysville in the form of bituminizing thirteen blocks of streets in the business part of that city.

The first carload of cherries sold in New York this season was from Sacramento valley orchards and brought over \$4,000.

The official figures relating to the number of school children in the principal cities of Alameda county, as determined by the census returns of 1909, have been kindly given us by George W. Frick, superintendent of schools of that county, as follows: Oakland, 25,461; Berkeley, 6,790; Alameda, 4,829. This is a gain of 423 in Oakland, 125 in Berkeley, and 140 in Alameda, indicating that the population of each of these cities has known a perceptible, if moderate, growth during the past year.



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SOME CALIFORNIA PAINTINGS.

The last exhibition to be given in the Studio Building on Presidio avenue will close Sunday night, so that those who admire the fine work that local artists can do would do well to take advantage of the invitation to a free view of the paintings by Bruce Porter, Julie H. Heyneman, Clara Atwood, Emily Travis, Will Sparks, G. E. Piazzoni, and Xavier Martinez, and the portrait busts by Ralph Stockpole before the building is permanently closed.

Bruce Porter is represented by his mural painting to be placed in the First Unitarian church, at Franklin and Geary streets, as a memorial to the Rev. Horatio Stebbins, for many years minister to the church. The theme of the painting is a text beloved by Doctor Stebbins, "Lo, at length the true light." High on a peak ascending above other peaks, near to the clouds, three figures, heroic in size, represent the progressive perception of the truth, throughout the ages of the church—Moses, David, John the Evangelist. The two first are seated, the figure of Moses in the darkest tones, with face half averted, the figure of David in higher relief, full face, while the Evangelist stands, with uplifted face, as if advancing, in high relief in the foreground. The symbolism is admirably worked out to show the relative advance of the three toward the light. The drawing is firm and reliant. Of the color it is too soon to speak, as the finishing touches await the putting in place in the church where the lights may be judged.

Miss Heyneman has five portrait studies, a landscape, and a genre painting on exhibition. The portraits, especially the unnamed "Portrait of a Lady," "The Sailor" and "Carmen," are in bold vertical strokes reminiscent of Sargent's manner, impressionistic but full of life and character. The study of "An Old Peasant—Holland," and the portrait of "Mother and Child" are more subdued in manner and tone, as becomes their more appealing human quality. "The Dancing Class" we like less. But the landscape of "Early Evening in the Presidio" is full of the strength of repose, a real harmony of intelligent composition and poetic imagination that makes it cling in the memory.

Miss Travis's canvases are in a lighter mood and in gayer colors. "The Green Cloister" is a charming essay in bold splashes of yellow and green, full of sunlight. "The Misty Morning" and "Spring Landscape" catch the lavender tints of the haze that give the subjects their beauty. "At Vancouver" and "Winter Morning in the Northwest" are in the same mood. The surprise is enhanced, then, at noting the "Sketch at Bruges," a sombre little study in twilight tones in a very different key.

One of the very best things in the exhibition is Will Sparks' "Late Afternoon, Sonoma County," in which he has captured the difficult opaline tints of the sunset sky, and massed the dark tones of the landscape without losing the essential details. It is very quiet, very poetic, withal very sound workmanship. An appealing little canvas one would like to own. In very different mood is the painting beside it, the work of Miss Atwood, an English woman—"Billingsgate Fish Market, London," in boldly contrasted colors and intricate composition, impressionistic in the main but oddly literal at times, as in the carefully spelled-out sign in the foreground. But the life and the bustle are there, and the touch of modernity in the steel frame of the building.

The studio building is to be remodeled for some other use, and Miss Heyneman's lease will soon end. It is a pity, for some fifteen artists have found studios here in the last two years, and here have been held some of the most successful exhibitions in San Francisco, both artistically and financially successful. Miss Heyneman has let the studio to the artists who needed them most, instead of those who offered the most, and she has been justified and made happy by the financial success of her method. Her classes will be discontinued at some other address, when the building is closed, until her departure to Europe next fall. Her success should encourage someone to erect a new building where reasonable rents will permit our fine artists to continue their work under favorable conditions.

SHEAR WIT

Proud Mother: This boy do grow more like 'is father every day. Neighbor: Do 'e pore dear? And 'ave you tried everything?—London Sketch.

"Didn't you telephone us that your wife was ready to go with us when we started?" "Yes, but she's upstairs now changing her mind."—Baltimore American.

This talk-with-Mars is growing weak. It now begins to weary us; But could we with the Dogstar speak The talk would be more Sirius!—Cleveland Plain Dealer.

"I didn't see anything funny in the story that fellow just told. What made you laugh so over it?" "Do you know who he is?" "No. Who is he?" "He's the head of our firm."—London Spare Moments.

Small Girl: Why doesn't baby talk, father? Father: He can't talk yet, dear. Young babies never do. Small girl: Oh, yes, they do. Job did. Nurse read to me out of the Bible how Job cursed the day he was born!—London Tit-Bits.

"Very few of us realize the terrible things that may result from a word hastily spoken," said the benevolent woman. "Well, I realize it," answered the young man who sat by her on the train. "I'm a baseball umpire."—Washington Star.

Inquiring son: Papa, what is reason? Fond parent: Reason, my boy, is that which enables a man to determine what is right. Inquiring son: And what is instinct? Fond parent: Instinct is that which tells a woman she is right, whether she is or not.—London Spare Moments.

In a certain Sunday school a teacher told her pupils the tragic story of Samson and Delilah. Then she turned to a little boy. "What do you learn, Joe," she said, "from the Samson story?" "It don't never pay," piped Joe. "to have a woman cut a feller's hair."—Harper's Weekly.

A guest in an Ohio hotel was shot and killed. The negro porter who heard the shooting was a witness at the trial. "How many shots did you hear?" asked the lawyer. "Two shots, sah," he replied. "How far apart were they?" "Bout like six days," explained the negro, clapping his hands with an interval of about a second between them. "Where were you when the first shot was fired?" "Shinin' a gemman's shoes in de basement of de hotel." "Where were you when the second shot was fired?" "Ah was a passin' de Big Po' depot."—Record.

An American minister, writing in London, was ignorant of the rule prohibiting strangers from entering the English House of Lords: There is a rule, however, that servants of the various lords may be admitted to speak to their masters. Seeing the minister walking boldly in, the door-keeper asked: "What lord do you serve?" "What is your name?" repeated the astonished American, "the lord Jehovah?" For a moment the doorkeeper hesitated and then admitted him. Turning to an assistant standing near, he said: "He must mean one of those poor Scotch lairds."—Washington Record.

The following advertisement appears in the Owensboro Independent: "Notice—Know all men by these presents, that I, Shadrach H. Armstrong, have coal oil for sale at fifteen cents per gal. Some say it isn't good oil, but I say it is. I will also tie your broomcorn, one half for the other. I will crush every Thursday by tollgate. Turkeys picked very promptly any day of week. Horse shoeing a specialty at six bits a round. Watch and pistol repairing guaranteed. Shoes half soled while you wait. Umbrellas fixed and ax handles made for fifteen cents. Will teach southern harmony and the fiddle combined for \$3 mo. Pictures enlarged by a new process, and my hot tamale and hair oil recipe go 330 days for twenty-five cents. Haircutting only on Sat even, twenty cents per head. A good strapper

cow for sale. Also agent for the Jones Wagon Hoist. Rule Langston is my attorney and my terms is cash—first, because I know you; second, because I don't know you."

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The Eleventh Amendment.

The federal power of the United States shall not be extended to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state. Eleventh amendment to the constitution.

While this amendment was proposed as early as 1794 it was not adopted and made a part of the constitution until 1798, by which time the doctrine of state sovereignty had found many champions. It should be noted, too, that the adoption of this amendment signifies the first real change in the constitution. The ten amendments heretofore examined were additions to, not changes in, the constitution as adopted. This one marked a change of policy, at least from the wording of the constitution as it was.

If the reader will refer back to Section 2 of Article III he will find that, among the subjects which were to come within the jurisdiction of United States courts, suits "between a state and citizens of another state," are enumerated. During the campaign for adoption of the constitution Alexander Hamilton maintained that this provision carried with it the implication that the state itself must first signify its willingness to be made a party to the suit, but in 1798 the supreme court, in the case of Chisholm vs. Georgia, assumed jurisdiction without that state having given its consent and allowed the plaintiff to take default against the state. This aroused all the states to the truth that their dignity was in jeopardy and the result was the adoption of this amendment which deprives United States courts of jurisdiction in such cases. And yet the Supreme Court of the United States has held that where a state was a stockholder in a corporation it could be sued with the rest of the stockholders, but this was a five-to-four decision of the members of that court and not greatly relied on.

Sometimes states, by act of the legislature, permit suits to be brought for the adjustment of claims against such state. The constitution of California expressly authorizes the enactment of laws prescribing how such suits may be brought. However, the common practice in this state is to bring the claims to the legislature and that body approves and pays, or rejects and refuses to pay, such claims without the formality of a legal proceeding and very frequently with small regard to whether the claim be valid in law or equity or not. In fact our state supreme court has, in the profundity of its wisdom, decreed that a legislature may appropriate public money for the payment of a perfectly invalid, and even unconstitutional, claim against the state if, in so doing, it prudently refrains from telling upon what ground and for what reason the claim was ordered paid. In other words, any reason at all might prove a bad reason, while no reason at all would be held perfectly good, a shining example of the law being the perfection of human reason!

This eleventh amendment, while it has preserved the dignity of many states many times, and has prevented no end of clashing between state and nation, has had at least some melancholy and humiliating results. It has enabled a number of states to issue bonds, sell them and then refuse absolutely to redeem them. If the writer rightly recollects these were all southern states and the repudiated debts were contracted under carpetbag rule following the Civil War.

Those old enough to remember will not have forgotten that, after the close of the Civil War, many adventurous spirits from the North went South and, backed by the enfranchisement of the negroes in 1868, while many of the southern whites still lived under a deprivation of the franchise, by virtue of the fourteenth amendment, which we shall soon discuss, took practical control of the affairs of the states lately in rebellion. They began the work of rehabilitating those states, and, to that end, voted large bonded and other debts for the construction of roads, bridges, school houses and whatever else in the way

of internal improvements they could think of. The purposes were usually praiseworthy, but there was graft in every contract and a steal in every expenditure. Good things were done but at a cost that would have brought the southern states to the verge of bankruptcy if they had sought to redeem such obligations.

Unfortunately, too, for the good name of the states of our union, these repudiated bonds were soon in the hands of perfectly innocent holders for value, very many of them living in Europe. These obligations should have been paid, if not in full because of inability, then on a basis of fair compromise, and they doubtless would have been but for the adoption, nearly three score-and-ten years before, of the eleventh amendment to the constitution.

JUST SUPPOSING.

(Editorial from the Fresno Republican.)

"Just suppose—

"That California elected Heney governor, as Missouri elected Folk;

"That Mr. Herrin's handy men, or anybody's handy men, wanted a job for some one; or that there was a vacancy on the supreme bench, and that some eminently 'safe' man was recommended by highly respectable 'interests'; or that the race-track gamblers refused to obey the law, as they did in Missouri; or that a legislature was muddled whether to pass a straight primary law or a warped one, or that a prison board, or a normal school board was doing politics, or that George Hutton wanted a pardon for some scawlaw who had properly favored him; or that there was a big labor crisis on, with its attendant obligation on the governor to enforce order without interfering in the class interest of either party; or that the attorney general had a chance to intervene or stay out of a graft case; or that the tax laws, or the criminal laws needed reforming; or that the power of corrupt political bosses needed breaking and the power of the people needed restoring—

"Just suppose these things.

"Does anybody need to wonder or doubt what would happen?

"And wouldn't it be a pretty good sort of a governor to have, and a pretty good sort of a state to live in?"

Hiehorn's Story of the Legislature.

Franklin Hiehorn's Story of the Legislative Session of 1909 will be published about the first of July, and its appearance is awaited with much interest by both those who know something of what the legislature did and those who know what Mr. Hiehorn can do. Perhaps there is no other man in the state so well adapted to make a complete revelation of legislative action and the causes leading to it as he. He was in the Capital City as a correspondent of the Sacramento Bee throughout the session, knows whereof he writes, and will lay bare the records of senators and assemblymen for public approval or disapproval, with neither fear nor favor.

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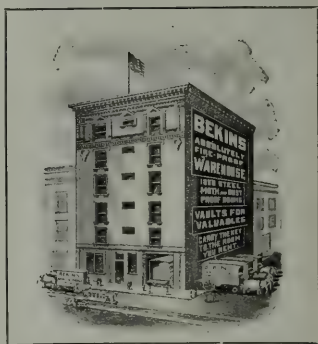
It overcomes the buzzing and roaring ear noises and, also, so constantly and electrically exercises the vital parts of the ear that, usually, the natural unaided hearing itself is gradually restored.

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GOOD FAITH-GOOD COURAGE-GOOD HUMOR

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Afraid in the Dark.

If it be true that the mill workers at McCloud have undertaken to take affairs into their own hands with force and arms Governor Gillett did right in ordering the National Guard into service. In common with the predatory millionaire the mob has heretofore felt itself above and beyond the law. It, as well as the predatory millionaire, needs to be summarily dealt with. But the public lacks information on this particular issue. The reports already published savor of panic. They sound as though the people of McCloud might be unduly afraid of the dark. A strike is war, but as there is no form of warfare that does not have its rules so must there be rules governing strikes, rules that the executive arm of government must enforce. These rules must require the preservation of order and the right of others to take the place of the strikers if disposed to do so. Such rules may work against the success of a strike. That cannot be helped. The want of such rules and their enforcement will certainly work against the common welfare, and the common welfare is paramount. The supreme need of California, in all such crises, is for a non-partisan commission to proceed at once to the place of disturbance, learn the issues in controversy and present them frankly to the public that public opinion may judge impartially between the contending factions. If we had had constructive state-manship instead of politics—for corporations only—in California such a commission would have long since been provided.

Go to the Bottom of It.

There is, as yet, no certain justification for believing that San Francisco's reconstructed public buildings have been shabbily put up, but enough has developed to warrant the fullest and freest investigation with publicity given to all the facts. The fool has said in his heart: "There will be no more earthquakes in or near San Francisco." Whoever says so is a liar as well as a fool. Earthquakes may not come again while we of this generation remain to witness their havoc, but come they will. We have this on the testimony of the rocks, and the rocks do not lie. He who does not take this likelihood into account with every building planned, every contract let, every brick laid and every blow struck is not wise. He tempts fate, is culpably careless and is aiming a blow at the San Francisco of the future. Not until the Day of Judgment exposes the naked souls of men to the withering gaze of Majesty will the baseness, the treachery, the shams of human delinquency be again laid open to the scorn of right minds as they were by the great conflagration of three years ago. That should have sufficed to put a stop to jerrybuilding in this city. If it did not the manhood of the city must put a stop to it or the direst imaginable consequences may ensue. The occasion is not one for creminations, but for investigations, careful, searching, expert. The Good Government League has put its hand to the plow. Let it not look back until the end of the furrow is reached and that which should be known is made known. Mean-

THIS NUMBER CONTAINS

San Francisco's Traction Problem

(First Article.)

BY

Wil'iam Kent

Readers of The California Weekly will, in due time, find every important public issue explained by some person whose special knowledge gives him a right to be heard.

time, await the result with a firm determination to meet the issue when it is joined.

Preparation for the Primary.

The greatest danger threatening our new direct primary law is that the general public may suffer it to execute itself. It is not an automatic mechanism. It has to be operated. A good deal of pre-primary work must be done in order that eligible candidates may be put up to be voted for. Any citizen is at liberty to take the initiative. Bad citizens will certainly do so. Good citizens should take a hand and do it in good season. When the array of candidates is presented to the voters they will make a more or less intelligent choice. Chances have to be taken on that, but unless good men put up good candidates the voters will have little choice and not all defects in the final ticket can be remedied at the November election. The politicians have seen to that by prohibiting one who has failed of being chosen at a primary being voted for at the general election. The Berkeley plan of making the primary election conclusive as to any candidate who receives a majority of all votes cast is better and is likely to become generally adopted. Meantime if somebody puts up a ticket you do not like don't kick. Get busy and put up a ticket that you do like. Perhaps others will like it, too.

It Wears a Business-like Look.

Judge Lacombe, of the United States Circuit Court in New York, seems inclined to have the books, in which were kept the records of the F. Augustus Heinze corporation, produced if, in order to get them, he has to send the whole Heinze crowd to prison to remain until the books are produced. Every court of record should possess, and exercise, a similar power or, in default of the production of the books by the party interested in preventing their production, the jury should be instructed to assume as true what the other side in the case hopes to show by the books to be true. For instance, in the case of the missing books of the United Railroads, taken to New York in order to have them beyond the jurisdiction of

the courts of San Francisco, Judge Lawlor should have the power to offer Mr. Calhoun his choice of either presenting the books in evidence or having the jury instructed to accept it as proven that the books, if presented, would show that the \$200,000 bribe money was paid as alleged. That would put an end to the custom of either burning the best evidence as to the fact or carrying it beyond the jurisdiction of the court and then turning about with thumb to nose, twirling the fingers in the face of justice.

Department of Psychology.

It is good news that a department of psychology is to be established at the State University, and especially good news, if true, that Prof. George M. Stratton is to head it. The proper study of mankind is the mind of man. It is marvelous in our eyes. It is as whimsical as woman, as vagrant as love, and yet there are things which psychologists know about the mind that the rest of us do not know and that would help us if we did. Not only should such a department be established in every university but all students of law, especially, should be required to take the course. Of logic we have had enough to lead humanity to the jumping off place, and, with philosophy, we have been able to scatter the eternal verities to the four winds of heaven. In psychology must we place some degree of trust. If it will not accomplish for us all that Hugo Muensterberg claims for it at least it may be relied on to accomplish for us all that will be claimed for it by Prof. George M. Stratton.

Trust the Man on the Ground.

A principal reason why trial courts should be rehabilitated, and appellate courts restrained, is that it is generally safer to trust the man on the ground to deal with the problems he confronts than the man who is ballooning among clouds of whereases and logical subtleties far away from the blunt facts which the trial judge is forced to confront, face to face, eye to eye. Where choice must be made it will be found the safer to trust the man on the ground, and the trial judge is the man on the ground.

Take a Hand.

Republicans of San Francisco who wish good government should bear in mind that nothing worth doing will do itself; that the forces of evil can be counted on to organize without urging, being propelled thereto by the cohesive power of anticipated spoils; that if the Municipal League of Republican Clubs is to put up a winning campaign honest Republican voters in San Francisco must do their civic duty and do it without waiting to be whipped into line. The other fellows are as busy as possible.

There is a hysterical desire in England to know what attitude the United States would take if a war were to break out between Great Britain and Germany. In that unhappy event the United States would not take any attitude it would preserve the one it has got.

THE TRACTION PROBLEM IN SAN FRANCISCO.

This paper believes in private enterprise as furnishing the safest, the surest and the most abundant source of industrial, commercial and financial activity. It believes that the function of government ought not to be burdened with the task of making a living for the collective whole, of opening ways and supplying means whereby those who must work may work and a wage fund be provided for compensating them for their labor. It believes in the policy of delegating to private corporations the performance of certain functions indispensable to the common welfare in order that government may be relieved of them, and that capital may be disposed to enter such service, it believes in treating it liberally both in interest allowed and security afforded.

But it does not believe in allowing any municipality to be exploited in the interests of organized rapacity, as it does not believe in allowing any municipality to be made the occasion for so exploiting the investing public.

There is a type of promoter akin to brigandage, and there is a type of promoter who is a robber. If the arts of the promoter require bribery, trickery, the making of false representations, rather than the employment of the sword and the firebrand, it is merely because he lives in an age of the world when the clumsy weapons of force have largely given place to the more subtle weapons of a trained cunning. The moral status has not been materially changed. The predatory promoter is still a freebooter.

Next to the procuring of an abundant supply of pure water San Francisco needs, and must have, abundant facilities for transporting its increasing population to and from their homes, wherever those homes may be, and the well-being of San Francisco requires that, so far as there may be room for them, those homes should be in the city and county of San Francisco. So long as persons doing business in San Francisco can reach their homes more easily and comfortably on the sunny slopes of Marin than in the Richmond District of San Francisco, on the hills of Berkeley and Piedmont than upon the slightly slopes beyond the Potrero, the suburbs of San Francisco will be developed at the expense of the mother city. There is no gainsaying this. The past has proven it. The present confirms it.

Transportation in San Francisco has not been conducted in the interests of San Francisco. What should have been the servant of the city has sought to be its master, its despoiler and its manipulator in the interests of fleecing confiding investors. Furnishing an adequate, cheap, safe and reliable transportation of passengers to and fro has been a mere incident to the larger purpose to exploit and pass on to other fields of predatory activity.

The situation is intolerable. The animosities, scandals, tragedies that have grown out of it have disgraced San Francisco in the eyes of the world and, what is more damning still, have corrupted the consciences of the people of San Francisco to such a degree that tens of thousands of them no longer know right from wrong, patriotism from scoundrelism, legitimate financing from financial confidence operations. San Francisco owes nothing to the existing transportation aggregation. It owes everything to its own people. Something must be done to better transportation conditions.

That the people of San Francisco may approach the issue of the rehabilitation of its transportation system with intelligent foreknowledge, Mr. William Kent, than whom there is no one better qualified to speak, has kindly consented to prepare some articles for The California Weekly. Following these the subject will be open for further discussion by those whose knowledge of the subject gives

THE STAFF

A. J. PILLSBURY, Editor and Manager
CHESTER H. ROWELL, Associate
A. J. WATERHOUSE, Assistant
E. FRENCH STROTHER, Assistant
C. BLACK, Business Manager

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them may be to heard, whatever their views may be. The California Weekly has no enemies to be punished, no vengeances to be wreaked. It has only the public welfare to be subserved and it invites discussion with that purpose, and no other.

THE REAL OBSTACLE.

The construction of a great dam at the mouth of Hetch-Hetchy, a dam transforming a natural swamp into an artificial lake, a dam that will stand as long as the encompassing mountains themselves, will be relatively easy to do. The building of 200 miles of aqueduct, up hill and down dale, and the pumping of the flood over the top of a high range of hills, will be a matter of small difficulty compared with the real obstacle in the way. The overcoming of the opposition of the nature lovers and the convincing of the American people of the justice and necessity of San Francisco's claim may not prove insurmountable. The bringing of a majority of the voting population of all the bay cities to one way of thinking, and their being joined in a co-operative effort for the common purpose of bringing a supply of snow water from the Sierra watersheds, are to be regarded as entirely feasible. The bonding of the associated cities in a sufficient sum for doing all the work of construction, and the selling of the bonds, need not occasion solicitude for the success of the stupendous enterprise. The aeration of the water and its filtration and distribution to the homes of the people, if this latter function may not properly be delegated to public service corporations, can be accomplished without question. One obstacle and one alone looms large upon the horizon and that obstacle is the law and the use which designing men may make of it to thwart, hinder and harass. The issue invites legal bushwhacking and, by taking to the brush, a few persons may thwart, hinder and harass an army. The carrying forward of such an enterprise in the face of a determined and selfish opposition, with means to hire legal mercenaries by the score, can make progress like that of an armored train seeking to penetrate an enemy's country and ditched at every turn. It will be a case of "Off again, on again, gone again, Finnegan," from the present hearing before Judge Sewell until the opposition has either been bought off or whipped out of its boots and the Sierra water is on tap at every faucet in the bay district. And yet the consummation will be worth the price. The more the law is used to thwart the popular will the more inevitably will public opinion set about so reconstructing the law, and the methods of its administration, as to make both instruments of establishing justice and not injustice, means of making the will of the people, and not the behest of predatory wealth, the law of the land. Lay on, Macduff!

WHERE THE WAYS PART.

Let us be just to Mr. Herrin's political bureau. There are forms of criminality to which the big boss and his agents are as certainly opposed as are the most exemplary sticklers for the enforcement of law and the preservation of order. Among these may be mentioned the breaking open and looting of freight cars, the holding-up of saloons, gas pipe thuggery, porch climbing, wife killing, in short, the crimes that bestiality commits indiscriminately against whoever may chance along. In the darkness of the night, it is not inconceivable that Mr. Jere Burke, Mr. John C. Lynch or even Mr. Herrin himself might be held-up, sand-bagged or have their pockets picked. Therefore these gentlemen and their associates frown upon the kind of crime that mainly fills our jails and our prisons. The judges whom they select to administer our laws will give persons convicted of crimes of this kind short shift and long terms of imprisonment. If, perchance, one of these should have money with which to prolong the contest for liberty the contest will be prolonged from court to court, from trial to retrial, until the money is exhausted, but the guilty person will reach the prison door just the same. Even jurors selected from lists furnished judges by agents of the political bureau will bring in convictions in such cases with much certainty.

But concerning crimes committed by cunning instead of brutality, crimes against the people as a whole rather than against some single individual—there it is that the ways part. We are no longer dealing with beetle-browed thugs, the dregs of hell. On the contrary society now has to deal with representatives from the executive department of Hades, well groomed, well dressed, well bred. Here there is an affinity and a fellowship that makes the whole political bureau kin. We emerge from the realm of summary proceedings to that of "due process of law." We advance from the simple to the complex, from a rude and summary justice to an intricate and elaborated injustice. Every case at bar becomes a mosaic with piece fitted to piece, and fragment to fragment, until the completed whole has the lights and shadows, the perspective and vanishing point, of a work of art. And if the issue of guilt or innocence be lost somewhere in the maze of detail the public is left to comfort itself with the reflection that at any rate it has the law left without a stitch having been dropped or a strand snapped. The public prosecutor is left in a position not unlike that of the disconsolate accoucher who, though he had lost mother and child, entertained some hopes of being able to pull the old man through.

In the coming political campaign in San Francisco the fundamental issue is as to whether or not the enforcement of retributive justice in the class of cases first above outlined is going to content the people, or if they propose to reach higher up and punish crimes of cunning as well as crimes of brutality, crimes against the whole people as well as crimes against the individual. Here is where choice must be made. If the people are to rest content with the punishment of brutality of crimes against persons and public service corporations, a government manned by Mr. Herrin's handy men will suffice almost as well as any. If the purpose is that crimes of cunning, crimes committed by well-bred and well-attired villainy, are to be punished as certainly, as speedily and as relentlessly as the other, then a municipal government manned by Mr. Herrin's handy men will be considerably less effective than no government at all, for no government that would make up itself into a government that would make up in efficiency what it lacked in power of discrimination.

Deep down at the very heart of things the issue to be fought out in the coming campaign in San Francisco is the issue above outlined. If righteousness win it here, righteousness will take the issue to the state next year and win it there. If the associated villainies win it here those villainies will be in better position to win in the state next year. The battle in San Francisco will be preliminary to the greater battle that will rage from San Francisco to the uttermost boundaries of the Commonwealth of California. It is time for good citizenship to be putting on its war paint. The other fellows always have theirs on.

The Tricolor.

International acts of appreciation and kindly courtesy count for much in promoting the fraternity of the world. It was as graceful in France to remember San Francisco in the day of its rehabilitation as it was gracious to remember it in the hour of its affliction, and all America will share with us the acknowledgment due the great European Republic in striking a gold medal in honor of the reconstruction of the city. Strong bonds of sympathy tie America to France and France to America. While we got our institutions mainly from mother England we drew our inspiration largely from French publicists and we drew also a very substantial help in an hour of grievous need. Honor to Ambassador Jusserand and honor to the great nation he represents!

A State-Wide Man Wanted.

It may be well to remind the gentlemen who are getting ready to build up booms for candidates for governor that it is important to have candidates regarding whom both ends of the state entertain the same opinion; a man who is popular in, say, the north and unpopular in the south is badly handicapped. But almost the first essential in governorship boom-making is to have a candidate whom his home people respect. It would seem that not all of the aspirants whose names have been mentioned most frequently fulfill these requirements; some are known or are favorably regarded only in one section, and some, alas and alack! are least esteemed nearest to their own homes. Under the direct primary law it will be a great waste of effort to try to build a boom around a candidate of the latter class because henceforth there is going to be a deal more of advance discussion than there was in the old days. Under the convention system a candidate for governor was first nominated and afterward discussed; now he will be discussed and then nominated, the nomination contest being the real campaign.

Wine in Europe.

The California Weekly is opposed to the American saloon. It does not believe that any good thing can come out of it for the reason that no good thing ever yet went into it to stay good. It is not unlike the hole in the ground in which the rattlesnake, the prairie dog and the owl abide. They do tolerate each other somehow but the society is not good and it is not a real good place for either the prairie dog or the owl. By allying itself with every unwholesome interest, by making itself the lurking place of every influence that makes against social order, the American saloon has forfeited its right to exist. It must give place to something better. What shall that something be? Now the issue is up and it will stay up until something better does take the place of the saloon as we know it. At this stage of the contest the need is for light rather than heat. The public mind is not yet persuaded as to what may best be done. Until it is there is small need for laying down, irrevocably, any line of battle. The prohibi-

tionist knows what he wants but his main strength comes from a forced choice between the saloon as we have it and prohibition which, at best, is only the next thing to the saloon with plenty of debatable ground as to which is the better or the worse. Professor Bioletti's letter, in another column, throws light upon an important phase of the subject. Therefore it finds a hearty welcome in these columns. Anyone else having a special knowledge of the subject giving him leave to speak, will find his contributions to any phase of the subject as welcome as possible up to the limit of available space. Keep the ball rolling.

May Success Attend It.

It has been said that expositions were on the wane, that the world had become surfeited with them and that the present century would be well on toward the first quarter before another great one would be held. However that prophecy may turn out the exposition just opened at Seattle is certain to prove worth while. It will stimulate travel within our own country and whatever stimulates travel within our country helps to bring the parts of our country closer together and to make us one people with a common understanding of common needs. Viewing an exposition is a leg-wearying task. There are many who will thank their stars that they do not have to undergo that ordeal, but all who can go to Seattle should go, if for no other reason than to promote acquaintance of one part of the nation with another. Alaska will yet loom large in the affairs of our country. We cannot know it too well or keep too closely in touch with it and, next to seeing Alaska, will be seeing this exposition. May success attend it.

Was It Legitimate?

Among the items of expense of Attorney Hartridge of the Thaw estate is one of \$40,000, distributed among some 200 persons living in the New York tenderloin, to prevent their offering testimony going to show the unfitness of Thaw to live outside an insane asylum. Thaw's mother objected to paying the bill unless itemized and Hartridge feels hurt at Mamma Thaw and the court for requiring an itemization of the petty account. But was it real legitimate to expend that money for that purpose? And will the court admit its propriety when the bill is properly itemized? There are few needs more pressing than that of making clear what a scoundrel may or may not do in defeating justice without getting disbarred for it.

The Postal Savings Banks Idea.

There are many difficulties in the way of realizing the postal savings bank idea, the chief of them being to know what the government should do with the money, but Mr. Lovell White is hardly warranted in affirming, as he is reported to have done at the Bankers' Association meeting at Del Monte, that the proponents of that measure are chiefly socialists and anarchists. Gentlemen whose lives are spent in association with dollars are likely to feel that whoever would change the established order of things must be either a socialist or an anarchist. The postal savings bank idea is good up to the point where the disposition of the deposits enters in. As yet no satisfactory solution of that problem has been brought forward. If socialist or anarchist will crack that nut they will confer a favor upon many calm and entirely rational and conservative statesmen.

While the late Henry H. Rogers left nothing of his colossal fortune to charity there is this to be said in extenuation: He took as little with him as he left to charity.

The Deeper Significance : : : : of Living : : : :

The lay of the land determines the character of a river. It cannot will what it shall be, it will be what it must. The American river tumbles from a table up on the skirts down to the level of the bay within a few hours. The Sacramento takes longer, comes slower and takes a more circuitous course, while the San Joaquin system creeps from the Tehachapi mountain to the bay, the better part of it failing to arrive at all. The first rushes like a tornado, the second winds like a serpent, the third crawls. All of them take the direction of least resistance and are creatures of circumstance.

But a voice has gone up from the American people demanding that these, and many other American rivers, be given a purpose and be forced to stick to it. It is proposed that their courses be straightened, their shallows deepened, their snags removed, their floods stored until needed, their head waters forested and grassed that the rain run-off may be held back until needed for irrigation, navigation or the prevention of disastrous floods. It will take hundreds of millions of dollars to accomplish this end, but when accomplished these same rivers will be little better than sewers, may be made to furnish electric power for heating, lighting, and energizing a continent. On their bosoms argosies may float and their surplus waters may, as results of irrigation, cause innumerable Gardens of Eden to spring up along their banks.

The difference between the rivers of now and the rivers of then will be the difference between heedlessly following the line of least resistance and a career of well-ordered design. For, although poets have sung delightfully of the spirit of the rivers, they were indebted to fantasy, not the rivers, for their concept. An unrectified river is the personification of waywardness and purposeless wandering. It may serve as a horrible example, but never as a model to follow. Its one attraction is its beauty, its one hope is going on for ever. The soul of man yearns for the river's claim upon immortality.

Certain scientists have sought to bridge the chasm betwixt death and life, betwixt inert matter and active, betwixt inorganic and organic. They have not succeeded. But what there are not continuations from one to the other there are many resemblances, analogies, correspondences, which suggest poetical or philosophical parallels. It is so with the river and the life of a human being.

We know when river and life have their birth, but their prenatal origins are lost in mystery. We cannot trace out all their sources or tell how their substance was cunningly fashioned in the depths of the earth. We can trace the death of the one in its commingling with the ocean and the other in its commingling with the dust, but with both it is as with the candle that has gone out.

We know that the controlled river is the useful, the uncontrolled the harmful, and it is just so with the life of a man or a woman. The unrectified life is a wandering, capricious thing, fuller of harm than of good, of bane than of blessing, whereas the life that is planned, ordered, controlled, straightened, has its sources reservoir and conserved, is a source of surpassing power and service to men.

This is not saying that the main current of life, like the general trend of the river, is not determined by circumstances beyond our control. As the characteristics of a river can only be modified, not revolutionized, so the main current of being were shaped by a power not of ourselves. We can modify them, direct them, make them consciously purposeful and productive. The river can't. Of itself it can do nothing but go on following the lay of the land to the end. This difference proclaims the smallest man greater than the greatest river.

WHAT THE WORLD IS DOING

Immigration Barometer of the Times.

Joseph Murray, acting commissioner of immigration at Ellis island, New York, contends that "immigration furnishes the one not entirely barometer of the times." The statistics he supplies in proof of his claim show with much conclusiveness that there is a fixed relation between immigration and the condition of the times, but as a barometer the amount of immigration is subject to the objection that it acts after the storm instead of before it. For example, in October, 1906, when times were easy, but 88,000 immigrants landed at Ellis island, but in October, 1907, when the financial panic was at its worst, 100,000 landed, and this number was equalled in November. The barometer was not yet working. In January, 1908, men being out of work, the barometer had noticed something, and but 19,000 came; 31,000 in March, 39,000 in April, 35,000 in May, and 27,000 in June. The worst of the panic was over, but emigrants were going faster than immigrants. In brief, the character of the times may safely be taken as an indication of what immigration will be, but immigration is merely an indication of what times have been, and, as we know that already, it is a failure as a barometer.

What Ails the Gulf Stream?

That old and supposedly reliable friend of humanity, the Gulf Stream, recently has been guilty of many vagaries, and its conduct is unaccountable if not reprehensible. Canains of vessels which follow some part of its course agree in reporting that they never have known it to act as it has during the past winter. Heretofore they have felt that, whatever else might vary, they could rely upon the Gulf Stream, but now it is faith in it that is being rudely shaken. Not only has it sometimes departed widely from its regular course, but for weeks at a time they have been unable to find it at all. Steam vessels recently arrived from Europe report encountering cold weather all along its course, and the captain of the Brazilian steamship Goetz actually found ice water in the stream just off the coast of Virginia. These are the facts as testified to by mariners, but it is difficult to account for them. This warm current has been so absolutely reliable heretofore that such a departure from its long-time habits is pretty nearly inexplicable. It has been suggested that perhaps the Gulf Stream has been wandering in the Arctic regions, but this does not explain why it should have done so, if it has.

"Mother's Day" Celebrated in England.

It was but the other day that "Mother's Day" first was celebrated in California and other states of the Union, and we said to one another that the idea was pretty and that it was strange that nobody had thought of it before. As a matter of fact, somebody had thought of it before and the thought had crystallized into action. The people of Cornwall, Devonshire and Lancashire, in England, have celebrated annually a mother's day for generations, mid-Lent Sunday being the day thus recognized. Their method of celebration differs from that recently adopted here, necessitating more preparation than is involved in wearing a white carnation or rose in the button-hole. On mid-Lent Saturday women bake large cakes, and on the same day men and children gather flowers and decorate carts with them. Being thus prepared, the entire family, with the decorated cart and the cake, goes to visit the mother or mother-in-law, as the case may be, and the cake is presented to her. Residents of London in numbers, each carrying a cake, visit the old woman's home on this day and it is joyously celebrated. So, after all, it appears that we were rather belated in thinking of Mother's Day.

General Castro Again Is Heard.

General Castro, the modern "man without a country," now is in Spain, as is generally known. It is not so well known, however, that his mind is serene in the consciousness that he is all right, but there seems to be no question about it, judging by the following remarkable language given out by him in the form of an interview:

My smiling countenance, my noble aspect, my absolute tranquility, demonstrate that my conscience is clear and that it does not accuse me of having done harm to anybody. When the Versailles was nearing the French coast a severe gale sprang up, and many of us on board feared disaster. But I said to them: "Be not afraid; I, Cipriano de Castro, am with you. God cannot and does not permit Cipriano de Castro to perish, for he has appointed him to be the Light of Liberty; the light which shall blaze forth on the day when justice shall rule the world."

It is a pleasant thought that, however the fortunes of Castro may have been wrecked, his self-concept has not as yet received a noticeable scratch.

Fortification of the Panama Canal.

During their recent visit to Panama Secretary of War Dickinson and Major General J. Franklin Bell investigated the situation thoroughly with a view to forming a tentative estimate in relation to fortifications that will be needed to protect the canal against attack. According to this tentative estimate the most powerful and costly batteries will be placed on the Pacific end of the canal, one each on the islands of Flamenco, Culebra and Naos, which lie ten or fifteen miles off the shore. These three batteries, without equipment, it is estimated will cost \$3,500,000. Six miles up the canal from the Pacific coast a secondary battery, it is estimated, will cost \$500,000, and a military post about half-way up will cost about \$250,000. At El Boco point, on the Atlantic side, batteries will be placed at a cost of about \$2,500,000. According to the estimate, it will be noted, the entire cost of the fortifications will be inside of \$7,000,000. The railroad will be practically abandoned when the canal is completed.

England's Roast Beef and Our Meat Trust.

The British government having awakened to a realization that "the roast beef of old England" is not what it once was proudly proclaimed and sung to be, has been investigating the cause of its deterioration, and, acting under its instructions, the British embassy at Washington has been doing the same thing. The embassy recently made its report, and it is not of a nature to fill the soul of a patriotic American citizen with pride, for, according to this report, the poor quality of the beef on that side of the water at present is due to the fact that it is American beef furnished by the American beef trust. The report does not suggest that we do not have good beef on this side of the Atlantic, but what it does suggest is that our beef trust cannot be relied on to supply it to its customers, a conclusion from which many Americans will not be inclined to differ. The British government now has the report, which was prepared by George Young, second secretary of the embassy; what it will do with it remains to be seen.

The Forerunners of Columbus.

It is not news that the Norsemen discovered America long before Christopher Columbus took his celebrated journey to the westward, but if a stone recently discovered in Douglas county, Minn., is not a hoax, evidence exists that they not only antedated the discovery by Columbus longer than it has been supposed, but traveled much farther to the interior than heretofore had been realized. The inscription on the stone, which now is in possession of

H. J. Almar Rued Holland, of Ephraim, Wis., curator of the Sons of Norway historical archives, is in the Runic character, which is known to have been used by the early Norsemen. Translated, it reads:

Eight Goths and 22 Norwegians upon a voyage of discovery from Vinland westward. We had a camp by two skerries, one day's journey north from this stone. We were out fishing one day. When we

(Concluded on Page 440.)

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Perry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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DOCTOR RAINSFORD'S RETURN.

One of the most interesting writers in our contemporaneous magazines is Dr. W. S. Rainsford, whose articles describing his hunting experiences in Africa are now appearing in the Outlook and the World's Work. An Irishman, born in Dublin, educated at Cambridge, in England, he became an Episcopal missionary, traveling through the United States and Canada. For seven years he was assistant rector of St. James' Cathedral, New York, but he sprang first into national prominence in 1883, when the vestry of St. George's church offered him the rectorate. He accepted on three conditions: a free hand in the management, a small salary, and \$10,000 a year as a lighting fund for which he would make no accounting.

He quickly inaugurated the weak parish on Shyversant square, for the doctor is a fighter above all else. He conceived his church to have a mission to attract everybody to hear the gospel, and he made the attractions very large and the gospel very brief and straightforward. He made a gymnasium and a billiard parlor annexes of his church; he organized dancing parties for poor boys and girls of the East Side, where they could enjoy themselves under proper conditions instead of holding their courtships on street corners and in the parks. He organized athletic sports, and, being a fine athlete, led the work himself. He founded scout missions, and ran them himself. At a Sunday school held in a room behind a tough saloon, he was interrupted by a drunken rough who intruded. Doctor Rainsford tried twice to quiet him, and then knocked him senseless. The rough thereafter became a self-appointed private policeman to keep other roughs from bothering the children.

And, all the while, in his big church, where Pierpont Morgan passes the collection box, Doctor Rainsford was preaching a hit-from-the-shoulder religion, denouncing the corruption of riches and sounding the call to young men to take up the work of helping humanity. An amazing influence went out from his personality and teaching. The director of the great Carnegie Technical Schools at Pittsburgh is a disciple; dozens of settlement workers in New York got their inspiration to devote their lives to humanity from him. Few men have more largely impressed a great city than Doctor Rainsford did New York. He is a man's man, and young men and old were his followers.

An attack of disease that endangered his brain forced a vacation of several years, and he went to Africa to recuperate. His appearance as author is enriching current literature, but it is hopeful of a greater result—his return to activity where he has been one of the most original and forceful leaders of modern tendencies in human uplift, tendencies that have reacted as powerfully upon literature as they have upon life.

THE ORIGIN OF THE "LAMBS."

Augustus Thomas describes the origin of the famous actors' club, as follows, in the Record-Herald of Chicago:

During the years between 1820 and 1834 there lived in quaint chambers on Inner Temple Lane, London, Charles Lamb and his talented sister Mary. Both of these writers are best known today by their "Tales from Shakespeare," of which the tragic ones were written by Charles and the comic ones by Mary Lamb, but in the years mentioned these two were reputed for their hospitality and for the notable character of the social gatherings which occurred in their chambers. Some enthusiastic biographers have compared these historic meetings with the celebrated evenings of the Holland House for brilliancy and profundity. Among the friends who made the supper parties with Charles and Mary Lamb memorable were Coleridge, Lloyd, Southey,

Wordsworth, Hazlett, Leigh Hunt, Talfourd, George Dyer and Tom Hood, and with these when the coffee houses closed it was a favorite exclamation, "Let's go around to the Lambs."

Years after when most of these notable personages had joined the majority parties at the Lambs' were discussed in genial reminiscence in the clubs and coffee houses of London. It was the tenderness in which these recollections were held that caused a number of young actors and writers, forming a club in London, to call themselves The Lambs. Members of this London organization, migrating to America and lonesome for the atmosphere of the London club, organized a similar organization in New York, which subsequently became the successor and the heir of the London club. The earlier shepherds of the New York Lambs were English actors—Montague, Wallace and Beckett. Following these were Billy Florence and the line of American players and writers that have since that time presided over the well-known organization.

It is therefore seen that The Lambs have a lineal and logical title not only to their name, but to the spirit that controls them. If there exists anywhere in America any suggestion of the fraternal and convivial atmosphere of the London club, it is to be found in The Lambs.

A TURKISH JOAN OF ARC.

Refika Hanoum, the first woman to join the Young Turk party in its fight for government reform, is the daughter of Kiamil Pasha of Constantinople. When she was eighteen she announced to her father that she did not wish to get married, as she intended to devote her life to uplifting the women of her race. Her father allowed her to follow her bent and she became a teacher in the girls' school in Istanbul.

When she joined the Young Turks it was with the understanding that she would prepare the women of the harems to help in the cause, and they when the cause was won were to help her ameliorate the lot of the women. The method pursued was to instruct women, who when they were properly educated were sold into the harem of the man they were trying to reach. When they succeeded in their mission they were bought back by the Young Turks, acting through Refeka Hanoum.

On one occasion they wished to reach a man who was one of the heads of the army. Refeka Hanoum selected one of her cleverest harem assistants and sold her as a slave into the harem of the army man with instructions to learn the best way to reach him. In a short while this woman reported that the man worshipped his youngest daughter. It required a year's work to win over the girl and five more years for the girl to win her father to the cause.

A sister of the old Sultan was one of the first women won over by Refeka Hanoum. She joined the Young Turks because she hated her brother, whom she always called the usurper. After studying the movement she did much toward winning over women in the Sultan's harem. Through these women the Young Turks were enabled to learn all the Sultan's plans and outwit him.

"LES MISERABLES."

The Westminster Gazette recently told some interesting particulars about the composition of "Les Misérables." Between conception and completion no less than thirty-two years elapsed. The idea of the romance occurred to the author in 1830. He signed an agreement about it in 1832; he began to write in 1845, set it aside in 1848, returned to it in 1850, finished it in 1851, and published it in 1862. His readers will be interested to learn that Jean Valjean was, in the first manuscripts, called Jean Trejean, and that his story was based on the true story of a certain

Pierre Maurin who, in 1801, was sentenced to five years' penal servitude for stealing a loaf of bread from a baker's shop. The original of the bishop was Mounseigneur Miollis of Digne.

"THE NEXT THAT DIES."

By Bartholomew Dowling.

The following poem was written by an Irish officer in the English service while on duty at Delhi, India, when a plague of cholera was at its height. The maharajahs, particularly the regent, were doing every day to his lords, when twenty officers of the English army, without hope of seeing the country or friends again, formed a club and sought to drown their sorrows in the wine cup, and, by jest and song, divert their thoughts from the terrible and inexorable fate which awaited them. The author of the poem died almost before the cholera of Hurrah for the Next That Dies! had ceased to proliferate, and it lies that a week every member of the club had crossed to the "sable shore."

We meet 'neath the sounding rafters,

And the walls around are bare;

As they echo peals of laughter,

It seems that the dead are there.

But stand to your glasses steady,

We drink to our comrade's eyes;

Quaff a cup to the dead already—

Hurrah for the next that dies!

Not here in the goblet's glowing;

Not here in the vintage sweet;

'Tis cold our hearts are growing,

And dark is the doom we meet.

But stand to your glasses steady,

And soon shall our pulses rise;

A cup for the dead already—

Hurrah for the next that dies!

Not a sigh for the lot that darkles;

Not a tear for the friends that sink;

We'll fall 'mid the wine cup's sparkle,

As mute as the wine we drink.

So stand to your glasses steady,

'Tis this that the respite buys;

A cup for the dead already—

Hurrah for the next that dies!

Time was when we frowned on others—

We thought we were wiser then;

But let us let them think of their mothers,

Who expect to see them again.

Not stand to your glasses steady,

The thoughtless are here the wise;

A cup to the dead already—

Hurrah for the next that dies!

There's many a hand that's shaking,

There's many a head that's sunk;

But soon, though our hearts are breaking,

They'll burn with the wine we've drunk.

So stand to your glasses steady,

'Tis here the revival lies;

A cup to the dead already—

Hurrah for the next that dies!

There's a mist on the glass congealing—

'Tis the hurricane's fiery breath;

And thus doth the warmth of feeling

Turn to ice in the grasp of Death.

So stand to your glasses steady,

For a moment the vapor flies;

A cup to the dead already—

Hurrah for the next that dies!

Who dreads to the dust returning?

Who shrinks from the sable shore?

Where the high and the haughty yearning

Of the soul shall sting no more?

Not stand to your glasses steady,

The world is a world of lies;

A cup to the dead already—

Hurrah for the next that dies!

Cut off from the land that loves us,

Betrayed by the land we find;

Where the brightest have gone before us,

And the dullest are left behind.

So stand to your glasses steady,

'Tis all we have left to prize;

A cup to the dead already—

Hurrah for the next that dies!

HAVE WE BUILT DEATH-TRAPS?

GRAVE CHARGES INVESTIGATED BY MAYOR TAYLOR.

Does the splendid achievement of San Francisco in rebuilding its vast area of ruined buildings in three short years conceal a daily menace to thousands of hundreds of citizens, of school children, and of patients in hospitals? Grave charges that incompetent inspection has permitted death-trap construction have been made by men high in the engineering world. Beneath a prosaic examination into the conduct of the board of public works there lurks the possibility that there may be exposed another series of scandalous acts of incompetence, and criminal evasions of law, if not of graft.

When the investigation of the board of public works thrust its gaunt head into the news columns of the daily papers, hardly anybody knew what it was all about, and few know yet. What follows will give an idea of what started the probe originally.

On December 24, 1907, Hugh M. Burke, then secretary of the Good Government League, wrote to John B. Leonard, a distinguished civil engineer in San Francisco, the following letter:

"Can you inform the Good Government League if the buildings now under way in San Francisco would be more creditable and enduring if the board of public works should revise and enforce its regulations relating to construction, inspection, and material?"

On December 30th, Mr. Leonard replied in a letter signed jointly with him by Henry A. Schulze, a noted architect, and Wm. Ham. Hall, the famous engineer, as follows:

"We, the undersigned, constituted a committee appointed by the Structural Engineers' Association, in June, 1906, to appear before the Honorable Board of Supervisors relative to some important parts of the new Building Ordinance then under consideration, and we did so to appear."

The letter then narrates that the committee, as individuals and not as representatives of the Structural Engineers' Association, called on the chairman of the board of public works and pointed out to him that the failure of building construction then being done in San Francisco would be a reflection upon the architects' and engineers' professions, and that, for that reason, as well as for the good of the city, they would call his attention to these facts: that the amount of building being done was unprecedented in the history of the world; that plans and specifications were being drawn and the buildings erected under rush conditions; that the force employed by the board of works to pass upon plans and specifications, and the force employed to inspect buildings in process of erection, were both utterly inadequate to do justice to either; that it was common knowledge in the building trades that many buildings in course of construction were badly designed and were being erected in a manner certain to be dangerous to life and property in the event of either severe earthquake. The committee urged the chairman of the board of works to use his good offices to rectify these errors before they became great enough to cause a public scandal and before they caused loss of life and property. Later the committee wrote these statements and recommendations out and sent them to the board of works, in December, 1906.

Continuing the reply of the committee to the secretary of the Good Government League, the committee enclosed a copy of this written statement, and said in conclusion:

"Having again talked the matter over, we regret to tell you that we see no reason at this time for changing our views of last December, 1906."

In other words, these gentlemen asserted, as of knowledge, that building construction has gone up in San Francisco, under the inadequate supervision of the board of public works (which is charged by law with the duty of such supervision), that is a menace to life. The Good Government League last winter

called these statements to the attention of Mayor Taylor, and he referred them to—the board of works! That board shelved them. Now the Good Government League has forced an investigation of the board of works before the Mayor, which puts it squarely up to his honor to satisfy himself whether or not the charges are true, and, if true, whether or not he shall exercise his prerogative of disciplining whomever he finds to be culpable.

The reason that concrete structures are chiefly among those being investigated appears from the following excerpt from the original statements of the committee of engineers, that was forwarded to the board of works in December, 1906.

"In urging before the honorable board of supervisors, some months ago, the admission of reinforced concrete as a type of construction under the building ordinance, while we strongly endorse such construction, we at the same time expressly pointed out that, more than all others, it depended on skilled design and supervision for its special value, and we stated that either ignorance or bad faith in its handling would make it dangerous."

"We now say to you that it is common talk among engineers, architects, builders and others who should know, that structures of reinforced concrete are in course of building in San Francisco which are dangerous, and personally we know such statements to be well grounded."

"We furthermore say to you, emphatically, that if failure comes to such reinforced concrete structures, it will not be due to faults inherent in the type of building but to faults in the design and execution of the particular structures."

"Finally in this connection, we must not be understood as implying that the radically safe construction of which we have in general spoken is confined alone to reinforced concrete buildings. We have referred particularly to that class because we feel the responsibility of having as a committee represented the merits of the type of construction before the honorable board of supervisors, as above adverted to, and because we believe to be the city's best interest not to have failure in what should be a reliable standard type of building construction."

These are grave charges, and the public should patiently follow the investigation now under way, for it involves the responsibility for a menace fraught with disaster if those charges be proven. No citizen of San Francisco can afford to be passive in interest toward such a situation.

THE TRUTH ABOUT WINE IN EUROPE.

Editor The California Weekly.

Gentlemen—As you say in your letter, there is a great deal of misunderstanding and unnecessary heat in the discussion of the temperance question. The facts with regard to the effect of wine drinking on temperance are fairly clear, but the over-statement of both the advocates and opponents of wine drinking tend to confuse the issue. It is not true that in Germany men rarely ever get drunk nor is this true of France, as a whole. It is true, however, that in the wine drinking districts of both Germany and France drunkenness is exceedingly rare, especially in comparison with the prevalence of drunkenness in the parts of Germany and France where other alcoholic beverages take the place of wine. Drunkenness is also very rare in Spain and Italy, where wine is the prevailing drink over the whole country. In all these countries drunkenness is far more common in the large cities than in the country. It is in the cities where the most distilled liquors are consumed. The fight against alcoholism in France is directed against absinthe, brandy and all other injurious drinks which contain distilled alcohol. Wine is recognized by everyone as being totally outside of the question, and is served

just as freely in the temperance, or as they are called, anti-alcoholism restaurants as any other.

You say in your letter that the war against the saloon will be waged to the death of that institution, and undoubtedly all people who desire improvements in our morals and politics hope that your prophecy is true, and none more so than the wine makers. The saloon, however, in the bad sense has nothing to do, that I can see, with the drinking of moderate quantities of light wines in families, restaurants and hotels. Light wines are practically never sold in saloons and the regular wine drinkers are not patrons of the saloon. If, therefore, we can abolish the saloon and all its evils, every friend of the wine makers and wine dealers will be pleased. But to accomplish that, it is not only not necessary to trammel in any way the production and con-

(Concluded on page 446.)

Announcement

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Hurry!

Glorious motto Americans heed:

Hurry!

Whether you play or whether you feed,

Hurry!

Hustle from bed and into your pants,

Gulp the breakfast that Providence grants,

Rush like the dence for the car—last chance—

Hurry!

Mighty nice girl; you'd better propose—

Hurry!

Says she will take you to buy her clothes,

Hurry!

Run to a clergyman hickety-split;

Urge him to rush you a marital fit,

Tempus is fugitive; get up and git!

Hurry!

God made the planet in just six days—

Hurry!

Rested the seventh, which we can't praise—

Hurry!

Rested the seventh, it thus befell

The pained address the proud's compel

He's not the American deity—Well,

Hurry!

Run to your labor, and gallop to sleep

Hurry!

Equally hasten to smile or to weep

Hurry!

Hustle and bustle and rustle the while

Toile and push in the rans and the—

Oh, we are fools of the quickstep style.

Hurry!

A Talk With Alcibiades.

You now, my Alcibiades, have attained the age when you know the most. Your acme of knowledge has been reached; you are standing on the summit of wisdom, and, of course, as you are standing on it, it follows that even wisdom is beneath you. This is a splendid height to have been attained so young, but it takes a boy of about your age to attain it.

From this time on you will be both surprised and grieved to note how rapidly you know less. Why, in a few years from now you will not be able to teach your father almost anything, as you now are. At present you realize that the "old man" conducts a fairly successful business, but, oh, how you do yearn to give him pointers about it at times, especially when he shows an almost painful slowness in drawing checks—in your favor. In ten years from now you will not feel so competent in the pointer line, and in twenty years it is not at all impossible that you will be wondering why all the business sense of the family was cut off just one generation back of you. This will be tough, Alcibiades, but you will not be the first man whose youthful knowledge has tapered off into something not noticeable by the naked eye.

I beg of you, my Alcibiades, not to believe that I am belittling your youthful wisdom. On the contrary, although it sometimes is right amusing, I hold it an excellent thing for its foundation is that faith in self without which no man ever made much of a success of life. So hold it while you may, and never mind our laughter. It is needed while it lasts, and when it is not needed the unfeeling world right soon will point it out of you.

The Legislator and the Law.

A certain legislator helped to enact a law and after it was enacted he said: "Behold, I helped to make it, and consequently know what it means, and it is great!"

Then a Court took a whack at that law, and after it was done with it the legislator said: "Well, I helped to make that law, and I know it meant something, and it is some great."

Then a Higher Court took another whack at that law, and it finally had adjourned the legislator said: "I faintly recall that I helped to make that law, or something that read the

same way, but there were others who were more responsible than I, and I should sooner have nothing said about it."

Then a Still Higher Court took a shot at that law, and after it had put its judicial gun away the legislator said: "I admit nothing. You will have to prove it against me, and I have several friends who will swear to alibi showing that I never wanted anything of the kind."

Moral—It is a wise legislator who knows his own law after the courts are done with it.

Moral 2—Ignorance of the law excuses no man, unless he is a lawyer.

The Opinions of Rufus.

Whether blowin' your own horn pays depends some on the time, place an' y'riety of horn. Frinstance, if it's a fog horn 'twouldn't be much of a success in a prayer-meetin'.

The saddest words of tongue or pen is, Tariff's again fixed again.

Ever notice that the feller that needs prayin' the most gen'ally is the one that does the least of it?

You an' me is opposed to lyin' on principle, but both of us has noticed that the kind that ain't on principle comes in rather handy sometimes.

My hair bein' consid'ble thin, I don't know of nothin' more discouragin' to me than a bald-headed barber tryin' to sell me a hair-restoritive.

I want to say to the feller that said failures is letters in the hornbook of experience that I've got sev'ral alphabets in middlin' good order that I'd sell fer dern few cents on the dollar.

Girls' lips an' bees: Whether you git honey or git stung depends on the way you approach 'em.

Men alters look at trouble through a telescope—look at their own through the big end, an' their neighbors' through the little end.

Proclaimin' your merit don't prove it. The seeds in a gourd make more noise than them in a punkin, but I'd rather have the punkin.

Creeds, I take it, are frills that men have tried to sew onto the Nazarene's golden rule, an' sometimes it seems to me we git the frills so thick we hardly notice the rule at all.

Ever notice that if you've done a good deed it makes you feel fine—specially if plenty of other people know about it?

To You, My Friend.

To you, my friend, where'er you be,
Though known or all unknown to me;

To you, who love the things of God,
The dew-begemmed and velvet sod,

The birds that trill beside their nest,
"Oh, love, sweet love, of life is best;"

To you, for whom each sunset glows,
This message goes.

To you, my friend, Mayhap 'tis writ
We ne'er shall meet. What matters it?

Where'er we roam, God's light shall gleam
For us on hill and dale and stream.

And we shall hold the blossoms dear,
And baby lips shall give us cheer,

And, loving these, leal friends are we,
Where'er you be.

To you, my friend, who know right well
That life is more than money's spell,

Who hear the universal call,
"Let all love all, as He loves all,"

Oh, list me in your ranks benign,
Accept this faltering hand of mine

Which, though unworthy, I extend,
And hold me friend.

Thoughtful Man Discusses Calhoun.

"I regret," said the Thoughtful Man, as we rode side by side on the street-car—"I regret the disposition of the mob to belittle my friend, Mr. Patrick Calhoun, because he will not go on the witness stand and explain about the \$200,000 that bought the former supervisors, thus doing injustice to a noble man and patriotic citizen—Will you kindly let me

hang to that strap with you? Four men and a woman already are hanging to the strap on the other side of me. Thanks."

"Why should we take it for granted that he could inform us about that \$200,000? You or I might be able, for we rarely spend that sum without noticing it, but it is different with this great man and public benefactor—ouch! Out stepping on my toes!—In the multitude of his financial dealings he does not notice pin money. Is \$200,000 spent? It is a bagatelle. Probably he is not even aware of it. Why should we take it for granted that this man of lamblike innocence, this helpful citizen—

All right, madam, I do not mind your walking on me. I also am walking on the man on the other side of me—this helpful citizen knows all about the trifling odds and ends of his business? It is preposterous.

"As for the disappearance of the books containing these minor accounts, the treasurer was needed in New York, and he felt it obligatory on him to take them with him. Mr. Calhoun himself has told me, with tears in his fawn-like eyes, how deeply he regrets this fact, and, as he remarked, what can he do? The treasurer is a very obstinate man, and he refuses to return, although Mr. Calhoun, upon bended knees, has begged him to do so. It is a pity. Just because of the obduracy of a malignant treasurer the reputation of this free-handed philanthropist is ask some of the newspapers and periodicals if you don't believe me! Is—What! What's that the conductor said? This car goes no farther! Oh, da—"

I lost the Thoughtful Citizen in the surging and cloudburst crowd that oozed from the car, and consequently am unable to do his further justice to a noble man and public benefactor. Can you find an unoccupied strap to which to hang?

Whistlin' Jim.

Feller I knew called Whistlin' Jim
Never a picture was built like him
Cavernous mouth and ears so big
They seemed to have sort of flyin' rig:
Sort of a squint or a cross in his eyes—
Never be picked for a beauty prize.

But the way he could whistle! Well, say, it seemed
Like something I'd hoped, or had loved, or
dreamed.

And the songs of the thrush, the lark and
the linnet
Were all mixed up in a medley in it;

The whisper of winds, and the murmur of
brooks
In a lullaby sung to the sun-flecked nooks;

A prayer that was whispered for me one
day,
The voice of a faith that has passed away—

Why, I heard them all, like the soul's own
hymn,
In the liquid trills of this Whistlin' Jim.

Feller I knew called Whistlin' Jim
Went with an angel that called for him.
Reckon the angel his whistlin' heard.

Made a suggestion and Jim concurred—
Savin', "I wish you would come up higher;
We're needin' your notes in the heavenly
choir."

And now in the city of peace and of cheer
I reckon the angels must listen to hear
Sweet notes in the melody line,
The song of the birds and the shimmer and
shine

Of days that themselves are a song from
their God,
The anthem, unheard, of the blossoms that
nod.

All hopes and all visions, all lore of the
wise
Who whisper the Silence and know it re-
plies;

And, list'nin', the angels—at least, it's my
whim
Remark, "What the chorus has needed was
Jim."

A DISTINGUISHED PORTRAIT PAINTER

By ARTHUR INKERSLEY.

For more than two years past there has been living at Coronado Beach in this state one of the most distinguished portrait painters of the present day—H. J. Thaddeus, a member of the Royal Hibernian Academy. Before coming to California, Mr. Thaddeus had a studio in New York, where he painted portraits of Mrs. Philip Lydig, Mrs. Lorillard Ronalds and other women well-known in American society. But the climate of New York proved too severe for his constitution, compelling him to give up his studio there and come to Southern California, the mild and genial air of which completely restored his health.

Mr. Thaddeus' reputation as an artist was established by his portrait of the late Pope, Leo the Thirteenth. After this splendid work had been exhibited, commissions poured in upon him. He painted in rapid succession portraits of the Princess of Wales; the Grand Duke Michael of Russia; the Abbe Litz; the Grand Duchess Elene of Russia; the King of Wurtemberg; the great naturalist Sir Richard Owen; the successor of Leo XIII in the pontifical chair, Pope Pius X; and many other celebrities. His portrait of the late Mr. William Ewart Gladstone now hangs in the Reform Club in London and is considered one of the finest ever painted of the famous Prime Minister. Engravings of it signed by Mr. Gladstone sell for \$500. The late Queen Victoria was so highly pleased with the portrait of Sir Richard Owen that in 1893 she commissioned Mr. Thaddeus to go to Egypt, to paint the portrait of the young Khedive, who received the artist with distinguished honors and appointed him Painter-in-Ordinary to the Khedival Court; subsequently sending him as an envoy extraordinary on a mission to Windsor Castle, where Mr. Thaddeus

showed himself to be possessed of high talent as a diplomat.

In 1899 Mr. Thaddeus was again in Rome, having received a commission to paint a portrait of the beautiful Duchess de Mondragon. On this visit he was struck by the pictorial possibilities of the great Catholic ceremony called the "Obediencia," or homage of the Cardinals to His Holiness the Pope. Some months later he produced a painting which has been termed one of the greatest religious pictures of modern days. It was bought by the Catholics of New South Wales, Australia, and now hangs in the Roman Catholic Cathedral at Sydney. It has been engraved by one of the most noted engravers of Germany. During this second sojourn in the Eternal City Mr. Thaddeus had the privilege of painting another portrait of Pope Leo XIII. When Pius X became Pontiff of the Western Catholic Church, he wished that the painter who had depicted his predecessor in St. Peter's chair twice should portray him also. Though he had just assumed his high office and was almost overwhelmed by its manifold demands upon his strength, His Holiness found time to give the necessary sittings to Mr. Thaddeus, who produced a portrait on which The Tablet—the most important Catholic periodical of London—commented as follows: "Cardinal Moran pronounces Mr. Thaddeus' portrait of Pius X to be a splendid and speaking likeness, which promises to bring the artist even greater fame than he won by his well-known portrait of Leo XIII." The New York World reproduced the portrait as a supplement on Easter Sunday, 1904, being permitted (through the good offices of Mr. Thaddeus) to issue with it an Easter greeting—the Pope's first message to the American people.

During a recent stay at Coronado, I paid several visits to Mr. Thaddeus' studio, where hangs one of the portraits of Leo XIII, which has been retained by the painter for purposes of exhibition and reproduction. Other pictures of great interest to be seen there are portraits of Mr. Philip Lydig and Mrs. Lorillard Ronalds; a study of Sir Mortimer Durand, formerly British Ambassador to the United States; an autographed engraving of the portrait of Mr. W. E. Gladstone; engravings of the Khedive's portrait, now hanging in Windsor Castle; of "The Irish Harp," owned by the Princess of Wales; of the Marchioness of Zetland's portrait; a three-quarter length portrait of Mrs. Thaddeus, the artist's wife, who, with their two sons, makes her home at Coronado Beach; a study of the head of Miss Southerland, a daughter of Captain W. H. H. Southerland of the battleship New Jersey; as well as attractive sea and land scenes showing the versatility of the painter. It is possible that the portrait of Pope Leo XIII may become a permanent possession of this state, some negotiations looking to its purchase having been made.

("Forerunners of Columbus"—Concluded.)

returned we found 10 men red with blood and dead. Ave Maria, save us from evil. We have 10 men by the sea to look after our vessel, 41 days' journey from this island, year 1362.

They were a long way from home, these Norsemen—if they were there at all—and they were 130 years in advance of Columbus, more largely advertised excursion. It follows that much interest pertains to the stone, if genuine, but, at the same time, it will not be forgotten that, regardless of who came first, or when he came, it was the voyage of Columbus that really counted in the long run.

Finian haddie is the Scotch name for smoked haddock, as that is what the fish is. It is a Scotch creation and it gets its front name from Findon, Scotland, where it originated. Haddie, of course, is the diminutive of haddock.

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POLITICAL TABLE TALK

By THE WATCHMAN.

A Big Incubus For Sale Cheap

The city of Sacramento, capital of the state, has an incubus and wants to get rid of it. That desire is of long standing, but has always been disappointed in fruition. The California Weekly sympathizes with Sacramento, would be glad to help it, and to do so does not mind printing a free advertisement. James B. Hagen, with his 44,000-acre ranch lying just north of the American river adjacent to the city, constitutes the incubus. To unload the incubus it is necessary to buy the grant, as the ranch is called, subdivide and sell it off to small farmers. Some of the land could be sold to advantage for city lots and suburban villa sites. Hagen is willing to sell, but only as a whole. He wants \$1,500,000 for the land, or a little more than \$34 per acre. Some of the land is as good as lies out of doors, some of it is about as poor as lies out of doors, and a great deal is medium quality. The range of value, according to present standards, may be said to be from \$10 an acre to \$200, though an expert salesman of real estate would have no difficulty in selling a good deal of it to suburban residents at \$500. There is money probably big money, in the transaction for any syndicate which can command sufficient capital, which can wait for its profits and knows how to handle the business properly. Now, who will buy Sacramento's incubus, give the city a chance to grow, and in so doing realize a fortune? In this big country full of men able to handle big propositions in business this one ought to prove easy to somebody.

More Out of Politics Than Mr. Bryan

It is so long since silver was a political issue that most persons are forgotten whether or not it is still being mined, and if mined they do not know what becomes of it. The statistics, those uninteresting but indispensable witnesses, show that in 1907 there were produced 185,000,000 ounces of silver, which was three times as much of the white metal as when the "crime of '73" was committed, and somewhat more than in 1896, when we had the great free silver campaign led by William Jennings Bryan on his prancing warhorse. Silver continues to go down in price, but the world of industry has got into that position where it can hardly stop silver production. In other words, silver is a by-product of other forms of mining and will be brought forth in increasing quantities. It will become an increasingly useful metal as it gets cheaper, but will be of only minor importance as money.

Miller Loomed Larger Than Home Folks Thought

It is said by his townsmen that State Senator E. O. Miller of Visalia, who has been suggested as a Democratic nominee for governor in 1910, is by no means sure that he wants to try for the office. In the present weakened condition of the party in California, the man who heads its state ticket is pretty certain to have to pay its bills, provided he is able to do so; Miller is able, for he has made a great deal of money in oil and land speculations; but he is a good keeper as well as a good getter, and he dislikes the thought of giving up \$25,000 to \$30,000 on a campaign which, nine chances to ten, would end only in defeat.

By the way, it appeared to surprise the Visalia people a little when Miller gained such prominence and made such a reputation in the legislature. His town's people knew that he was a smart attorney, but they did not regard him as a great leader, and he has never been considered to be the leader of the Democratic party in Tulare county. Indeed, the talk that he would be nominated for governor is received in his home city with some incredulity.

Only a Languid Interest In An \$18,000,000 Expenditure

Governor Gillett's \$18,000,000 road bond proposition, around which discussion will certainly seethe and froth, before the next state

campaign is over, has hardly begun to attract the attention it deserves. A person who has been traveling extensively through the state reports that occasionally one hears the matter discussed by the country people in a languid sort of way, as though they felt it to be an important possibility, but still a long way off. Yet it is not too early to foresee that the division of sentiment is going to be a strong one when it finally comes to be felt that the issue is close at hand. A great campaign will be made for the bonds by the automobile interests, which are becoming wonderfully strong in country as well as in city. Once upon a time the farmer bore a bitter grudge against the prosperous city man who rode in an automobile, but now it is the ambition of every well-to-do farmer to own an auto; many of them are buying, and, by so doing they learn, as they never learned before, the difference between good roads and bad. Yet there will be plenty of opposition in the country to the \$18,000,000 bond plan, though it may become a kind of local issue; counties which, like Los Angeles, San Joaquin, Sacramento, and a few others, have voted bonds liberally for road purposes will not be so keen for state bonds as those counties which feel they must have better roads but have so far done nothing to secure them.

A Few Large Cities Will Bear the Burden

Then the state scheme is to build main highways merely, and a great many country people will know in advance that they will not be on or near these highways. The law says the highways are to connect county seats with the towns which are not county seats will not be eager to pay for benefits in which they are not to share. In the southern part of the state, where in the past improvement bonds have been issued most freely, they are now beginning to feel the burden of the increased taxation, and there are signs of a conservative reaction which may have an influence on the fate of all the state bond proposals. And, finally, the attitude of the large cities toward the large cities of all these proposals is in considerable doubt, due to the fact that they will be called on to pay a very large part of the taxes and will derive only indirect benefits. San Francisco, Los Angeles, Oakland and a few other large towns represent more than half of the assessment roll of the state, and would have to pay more than half of the bond tax, but they could hope to have very little or none of the new road mileage constructed within their municipal limits. Many a city taxpayer will doubtless vote against the bonds on this narrow view, although the active campaigning for the bonds also will center in the cities. Indeed, in the country it may prove to be one of the strongest arguments for the bonds that the project is one to get good roads for the rural districts, mostly at the expense of the cities, which heretofore have left the rural districts to pay for roads without help from incorporated towns. In short, there is going to be a great play and counter-play of selfish interests in the decision of this issue, and in the meantime the best thing for everybody to do will be to study up the exact terms and conditions of the legislation on the subject.

Take Your Seat Chief Justice Beatty, Mr. Perkins

proposed that every man should be compelled to serve as a juror unless he preferred to pay fine of \$50, takes a different view of the subject from that taken by a celebrated Massachusetts jurist of whom the following story is related. It was in the old days when the richest merchant in the city of Boston was one Perkins, and on a certain ocean Perkins was chosen as a juror. Instead of coming into court he sent a clerk to pay the usual fine of \$25, and to say to the judge that Mr. Perkins was very busy that day and could not possibly serve. "Go and bring Mr. Perkins before the court," said the judge to the bailiff. When he had

been brought he was asked why he could not serve on the jury, and in answer said: "If your honor please, I am just getting off a ship to China today, and it would interfere very seriously with my business if I should be compelled to sit on this jury. I prefer to pay my fine." "Mr. Perkins," said the judge, "how is it that you are able to send ships to China?" "I don't understand, your honor," said the great merchant. "Well, I will explain myself, then," continued the austere magistrate. "You are enabled to do business only because the laws of your country are enforced, and to enforce the laws requires jury service on the part of all citizens. Take your seat in the jury box, Mr. Perkins." And he took it.

McCarthy and Casey Deeper in the Mire

The McCarthy faction of the Labor party have put themselves deeper into disfavor with the working people by the brazen effrontery of the manifesto they issued earlier in the week to all union laborers, "ordering" them not to sign any other petition than the McCarthy-Casey slate for place on the primary ballot. This slate itself is one that carries small favor with the public. For example, the selection of "Cold Feet" Fickert for district attorney hardly rises to the dignity of a joke when one recalls Fickert's removal from the Stanford football team because he lacked stamina in the nerve-trying rushes that win games. The district attorney San Francisco needs now does not want "cold feet."

Geo. A. Connolly for District Attorney?

Which brings to the front another name now seriously considered as a possible common candidate of the independent Republicans and Democrats: George A. Connolly, a member of the board of supervisors, who has made a good record and who is considered a courageous and able attorney who would continue the graft prosecutions as they have been conducted. William Hanley, the present assistant, is still being favorably considered, also.

Academic Criticism of Pre-Primary Organization

Some criticism has been made of various independent movements to concentrate voting strength upon certain lists of candidates, in view of the intention of the primary law; but one hardly sees how candidates, good or bad, could be elected without pre-primary organization for the purpose of getting men before the people for consideration. These objections sound academic, especially since the law itself provides automatically for the final reference of all "tickets" to the electors, or what-not, back to the people themselves for rejection if the people please.

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THE GRAFT CASES.

There have been no startling or particularly new developments in the trial of Patrick Calhoun during the past week. The evidence generally has related to the looting of papers from the prosecution by the defense, and, as was the case last week, Detective John Helms has occupied the stand much of the time. He has testified to receiving the prosecution's papers from E. A. Platt and delivering them to William M. Abbott, attorney for the United Railroads and for Patrick Calhoun. In stealing the papers from Detective Burns' safe skeleton keys were required, and Helms swore that he received the fact to Abbott, had them made on his order, and Abbott paid for the same. Nicholas Korgnold, another detective, also testified to bearing prosecution papers from Platt to Abbott.

Helms testified to efforts made by the defense to prevent him from testifying to the foregoing facts, the effort including the promise of a bribe of \$3,000 by Wingfield S. Lamb, who represented Alonzo J. Monroe, who, in his turn, represented the Calhoun defense. In this connection Monroe, although an evidently unwilling witness, was called to the stand. He admitted that he had sent Lamb to see Helms, but declared it was merely to offer his (Monroe's) services in connection with an arrest by forest rangers to which he said he had heard that Helms had been subjected, further testifying that he was not aware that Helms was involved in the graft cases. Thereupon Mr. Heney introduced the following letter from Monroe to Henry Marvel, at Bridgeville, in evidence:

"My Dear Henry:—If either Charles Goff or Helms comes through, please telephone at once at my expense. If you can give me any information that you possess about Helms or Goff, what either one has said about their occupation or otherwise, or who they were employed by, write me fully at once and I will pay you for your trouble. I want all the information I can get about them or their proposed or movements. I will keep strictly confidential what you write, and ask you to keep my inquiries confidential. Burn

this letter, so that it will not be seen by others."

From which it is fairly evident that, although Mr. Monroe was an unwilling witness for the prosecution, he was almost too willing in some respects.

The prosecution was surprised when Rex N. Hamlin, who heretofore confessed to having a hand in looting Burns' office, refused to testify on the ground that he might incriminate himself. He was at once dismissed.

The attorney general and district attorney having applied to the supreme court for a rehearing in the case of Louis Glass, convicted of bribery, to whom the appellate court granted a new trial, the answering brief was filed by the attorneys for Glass last Wednesday. It is understood that the supreme court will decide next Friday whether or not a rehearing will be granted.

LETTERS THAT NEVER WERE SENT.

1. To a Sensitive Judge

Who Loves the LAW

and Dislikes Critics.

I am sorry, very sorry that you do not like to have Judicial Proceedings translated into plain language for common people, and am grieved that the Law, the sacred palladium of the liberties of criminals and others, should in your opinion, need such elaborate fortifying against the assaults of ignorant persons.

But I fear that your strictures are wasted on me and suspect that my ignorant "lay" mind cannot meet a mind trained to revere whatever laws happen to have been passed. You may believe that all law spells justice, and is right, but I shall continue to criticize the law, and to criticize those who determine, and thereby in a sense, create the law, whenever I see these sacred persons and this sacred institution, permitting and thereby committing injustice.

Let us look back at the Schmitz case. A crime has been committed. The crime was proven. The man who committed the crime was convicted by a jury. The Appellate and Supreme Courts released a man proven guilty. No layman doubts that Justice was balked and defeated by the release of a guilty man. If the Law is ordained to release the guilty we might fear that it is intended to punish the innocent. There must be some reason for it. Anyhow it ought to be investigated by laymen, as laymen have to submit to it. If the law is so worded as to shield the guilty it ought to be changed, in the interests of Justice and all immortal and immortal things removed from the path of Justice. If on the other hand the Court—but it would not do to say that.

In my humble opinion the Bench and the legal profession ought to be working to make straight and clear the pathway of Justice, instead of decanting on the ultimate sanctity of the law. For to the lay mind, law, after all, is but a tentative and an unsure human striving after an ideal of Justice.

When President Taft sets so eminent an example of dissatisfaction with criminal procedure, is it to be wondered at that humble laymen should criticize the abortions of Justice, attributed by the Bench to the Law? President Taft should be given a jail sentence for contempt.

To pursue a disagreeable subject further: No intelligent man, not even an anointed Judge, can deny the inequality before the law of the rich man and the poor man. The more expensive sworn servants of the law (lawyers) a man can hire, the better his chances of being adjudged innocent. The result as far as Justice is concerned is oftentimes about the same as would accrue from buying a verdict.

How many poor men could have kept out of the penitentiary as long as John R. Walsh, the bank wrecker, if they had been convicted of equal crimes?

In the government's case against the Chicago Packers, the question of their guilt was never tried. After months of sparring by able and extremely expensive attorneys, they were acquitted because their own books of account proved them guilty. Suppose that their agent had found dynamite, fuse and

(Concluded on page 447.)

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SAN FRANCISCO'S TRACTION PROBLEM

I. HOW CHICAGO BLAZED THE WAY

Written for The California Weekly by WILLIAM KENT.

The traction situation of San Francisco is not a novel one. In general outline it is practically the same as other cities have had to face. Shall San Francisco ignore the experience of other cities? Shall it take a leaf from the history of Chicago? Shall San Francisco master its problem and dominate its servants? Or shall it permit its intramural transportation to drift from bad to worse in the New York way—trusting to "individual enterprise"—until inflated securities shall have wrecked the stockholders and until it becomes impossible to secure new capital except on terms unfair to the city?

If a constructive policy is to be adopted, the public must be educated to the situation, for the fight will not be a short one and the people must be patient and steadfast. They must be prepared to ignore bait set for their undoing, and they must appreciate the theory underlying franchise privileges.

It might be well, here and now, to lay down some fundamental axioms accepted by all students of municipal civics.

1st. Intramural transportation is a necessity of a large city.

2d. A city must provide for the necessities of its people either directly or through agents.

3rd. The right to charge for necessities such as water, light, or transportation is a right to tax, which is a sovereign right.

4th. If this right to tax be granted to an agent under a franchise it must be regulated and controlled, and the control must be continuing and practically absolute, otherwise the servant may become the master and may exercise the taxing power as heedlessly as Turkish or Roman governors have used their tax farming licenses to loot outlying provinces.

5th. No extramural control can be enforced without the privilege of forfeiture of franchise by purchase by the city or another agent of the city.

Again:

1st. The furnishing of each necessity should be a monopoly, whether exercised directly by the city or by its agent, because competition leads to unnecessary extravagance in duplication of plants, and instead of giving better service gives worse and more expensive service.

2d. The only excuse for inordinate profit is found in a corresponding inordinate risk.

3rd. The element of risk should, as far as possible, be eliminated from the furnishing of public necessities, and correspondingly the cost should be reduced to the consumer, or the quality of service raised to a point where there shall be no more than reasonable returns on actual capital invested.

4th. There is no room for watered stocks or inflated bonds under any sane theory of licensed public utilities, and such superfluous evidences of capitalization proclaim an intent either to wrong the community that the utility corporation is supposed to serve, or to sell gold bricks to investors, or both.

Again:

1st. Quality of service is the first desideratum, cost of service the second.

2d. If a street railway corporation be permitted to charge a five-cent fare the quality of service should be raised by equipment, length of haul and transfer privileges—and the city should receive a percentage of such fares, so as to reduce the profits to a reasonable interest rate on the capital investment.

3d. Any percentage thus accruing to the city should be set aside for transportation purposes and should not be used in the general funds.

So much for theory: how can it be approximated in practice?

Let Chicago answer.

In 1895 Chicago began to awaken to the fact that the traction companies were running the city and the state for the pockets of promoters and grafters, instead of running the street cars in the interest of the traveling public.

The system operated by Yerkes had capitalized jury bribing, aldermanic corruption, the complaisance of mayors and governors. He had added to the burden assumed by the roads

his personal debts and the vast charges found in his expansive legal accounts. He and his friends had capitalized bogus construction accounts, and further muddled the situation by worthless guarantees.

The public were being thoroughly damned and the public woke up. When the town began to rub its eyes Mr. Yerkes proceeded to tell the people that he and his rattletrap system had created the city, and he promised volubly to do some more creating if allowed more privileges, but the people judged of him by the past and set resolutely to work to hold Mr. Yerkes down and correspondingly to elevate the transportation and the civic morals of the town.

At the expiration of thirteen years of warfare the end was accomplished—an ordinance passed by the council and accepted by the people by a referendum vote, that in a large measure settled the long controversy in the public interest. Not final in its action, for there can be nothing final in such an adjustment, but the ordinance provides for all contingencies in the future that can now be apprehended, and has the flexibility that will doubtless meet the unforeseen.

First of all the city council resolutely squelched all privileges that would extend the duration of existing franchises. It refused to grant ordinances, for new trackage, to extend beyond the life of connecting lines.

All requests for changes in motive power were viewed with suspicion as likely to harbor some hidden scheme whereby fresh claims could be made against the public.

A policy was adopted and adhered to that no general franchises should be granted until extortive claims were abandoned. Further that no franchises should be granted except they provided the right of purchase at a reasonable price by the municipality. And also that any and all franchises should be so drawn as to insure the city's right to obtain good service.

It was a long, complicated story, this tale of thirteen years of groping, but the end was worth the struggle, was worth the work, the wear and the strain—was worth the valued life it cost, for through it Chicago as a democratic community grew into an appreciation of its civic unity and became a self-respecting entity, besides reaping what it had sowed in the expected crop of decent transportation.

The result was embodied in an ordinance passed in January, 1907, and adopted by the people at an election held the following April. A resume of its provisions may be of popular interest. Those directly interested in San Francisco's problem should study the document itself.

First of all there was an absolute ignoring of capitalization. An expert board gave a liberal estimate of the value of the tangible assets of the existing railroads and added thereto a carefully made estimate of the value of expected franchises.

Upon this property and these rights the company was allowed 5 per cent. interest before the city should put in any partnership claim.

Immediate rehabilitation was undertaken under a board of supervising engineers, one chosen by the city, one by the companies and one selected by those two. The city's representative, in making valuations, Mr. Bion J. Arnold had proven so fair that he was selected as the third engineer and chairman of the board.

This board has the power to specify what improvements and extensions shall be put in, and to see that they are put in and to watch the costs.

Upon all moneys raised for such work the companies are allowed a percentage for brokerage, so that if the bonds sold for such purposes should bring less than par, they would be recognized at par by the city.

In addition, the city permits a contractor's profit or percentage on the work which is done directly by the companies. This profit

or percentage is figured at the customary 10 per cent.

Upon all sums thus raised and expended the companies shall be allowed 5 per cent. before making any division with the city. Also, before any division of profits, 14 per cent. of the gross receipts are taken out and set aside to provide for extraordinary expenses, such as complete change of motive power. This constitutes a fund going with the property, and in the event of municipal purchase the amount unexpended goes to the city. Obviously the expenditures out of this fund would not entitle the companies to ask interest on the amount expended.

Lastly, interest having been allowed, and of course all expenses having been provided for, the net profits are divided: 55 per cent. to the city and 45 per cent. to the companies.

This is a partnership agreement, and it is obviously fallacious as well as unfair for a partner to take a percentage of gross receipts.

It is further absurd for a city to empower an agent to perform such a function, and then, by a gross charge, crowd that agent to make money at the expense of the service. Mr. Walter L. Fisher, who drafted this ordinance, found in this "net," rather than "gross," division, his greatest difficulty, but he stood unequivocally for the right principle and fought it through.

The term of the ordinance is twenty years, but the city reserves three options.

First. To purchase the roads for municipal ownership and operation at the expiration of six months notice at a price of par plus 10 per cent.; par meaning the amount recognized in the original valuation and with subsequent cost of rehabilitation and extension added thereto.

Second. To authorize a board of trustees to purchase the property for the city at par plus 10 per cent. Such board of trustees to content themselves with the 5 per cent. allowed on the investment—all net profits going to the city.

Third. To authorize the purchase of the property by others who might make more favorable terms with the city, at par plus 20 per cent.

These are the broad features of the ordinance under which peace and good will have come to Chicago and the traction service, and under which that service is rapidly becoming the best in the country. If at any and all times that service is not good, it can then and there be remedied.

Municipal ownership is but a short step—a matter merely of a definite and fair payment; municipal control is complete.

Needless to say the companies are freed from the possibilities of blackmail and competition. The element of risk is so completely obliterated that capital rushes in to purchase the 5 per cent. bonds at a price well above par.

The advertisements issued for the sale of those bonds recite that under city supervision there can be no overcapitalization. The city in protecting itself has protected the investors.

This does not sound like New York or San Francisco. "Individual enterprise" has run its course in New York as it is now doing in San Francisco. Does San Francisco prefer to follow the all wise theory of "individual enterprise," or at the risk of rapidly becoming socialistic will it protect itself and the investors as Chicago has done?

If San Francisco chooses the latter course it cannot begin too soon to know the facts:

1. The value of tangible railway property.
2. The franchises that cannot be assailed and their value.
3. The franchises and claims that can be attacked in the public interest.

Then a program should be mapped out and adhered to—a program whereby San Francisco shall recover gains from franchise whatever that may add to the values already created by grant; a policy that shall insist upon every improvement in service that can be forced

upon the companies. There must be a steady, straight ahead policy that is absolutely regardless of existing capitalization but always prepared to recognize the fact that a well-behaved traction company is a public service and entitled to fair wages for good service.

If the servant tries to become the master and persists in endeavoring to operate the city in its own interests, then the larger the club the quicker the reformation.

In the next paper I shall consider the questions of Municipal Operation, Lowered Fares versus Net Percentage Compensation, together with further reflections on the interests of promoters, widows and orphans, and other innocent and guilty investors.

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UP AND DOWN THE STATE.

It is expected that the Truckee Land and Lumber Company will begin work on a logging railroad from French creek to Stanwood within the next two months.

Down here, where flowers bloom throughout the year, it is difficult to realize that there are parts of the state where travel is made difficult by snow, yet the Truckee Republican of recent date tells of a citizen of that place who started to go to Carpenter's and was compelled to turn back because of impassable snowdrifts. Living in California is but to order what one wants, and then reach out and take it.

On June 7, 1905, a license to marry was issued to Antemileo Arieta and Mary Altro, both of Fresno. Having secured the license, they considered themselves duly married, and have been living together as husband and wife since that time. It was only when a daughter of the woman by a former husband attempted to have the license recorded that they learned that they were in error. A wedding followed, and belated congratulations now are in order.

The other day the fourth annual fiesta given under the auspices of the Modesto Woman's Improvement Club took place in that city, and, like its predecessors, it has been pronounced a noteworthy success. Credit pertaining to it belongs to the women, and the men who sit on back seats recognize the fact.

It is reported that the American Water and Guarantee Company, of Philadelphia, Pa., is about to purchase the properties of the Sacramento Land Company and the Central Canal and Irrigation Company, the present owners of about seventy-five miles of canals in Colusa and Glenn counties. It also has secured options on about 100,000 acres of other lands in those and Yolo counties, making a total of about 250,000 acres, which will be placed under a complete irrigation system. Eventually the land will be sold to colonists.

The Southern Pacific Company has recently received the two largest engines ever run on a railroad track. The length of each engine and tender is ninety-three feet six and one-half inches, weight 600,000 pounds, water capacity of tank 9,000 gallons, and oil capacity of tank 2,850 gallons.

OUR UNDEVELOPED RESOURCES.

There are in the United States 80,000,000 acres of swamp land which can be drained and which will be as arable as a garden when they are drained. This swamp land would provide homes for and support 10,000,000 people. There are in the United States millions upon millions of arid and semi-arid lands, which irrigation could make and is making very fertile. These lands will support 15,000,000 households, or twice the population of New York state. There are what may be called the Lost Lands; lands lost to the public through fraud; lands lost to the public through lack of knowledge of how to handle their peculiar formation. Only twenty per cent. of Uncle Sam's lands are yielding living averages. What of the rest? Conservation says every acre, every foot of every acre, must be made productive of something. If you can't grow crops, grow trees! If you can't drain swamps, grow cranberries and matting reeds! If you can't irrigate, then practice dry farming! If you can't farm rocks, then harness their cataraacts into water power! As to the lands lost to the public through fraud, Conservation says: "Take them back for the public or charge their full price for the public."

And you are still only at the beginning of Conservation's big program. For every ton of coal mined, a ton and a half is wasted; or, to put it differently, for every four tons mined, six tons are wasted. In the petroleum fields, enough natural gas goes to waste to light every city in the United States free of cost. The fire waste of the United States is the highest in the world; so is the bill of fire insurance. And greater than all these is the waste of human life in mine and factory. From "Our National Heritage," by Agnes C. Lunt, in The Outing Magazine for June.

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FROM 1878 to 1882 I acted as traveling representative of a firm of hardware merchants in Wharton, Texas. I might describe myself as a "drummer," but that word does not give a sufficient idea of all my duties, which were manifold, including not only the sale of goods, but frequently the delivery of small parcels in communities off the general line of travel and the collection of debts as well. I was little more than a boy at the time, yet sometimes I would return from a trip carrying as much as two or three thousand dollars with me, and, as Texas at that time numbered a considerable sprinkling of desperadoes among its citizens, the position I held was one of some responsibility and danger. I realized then, as I realize now, that I was given the place principally because of my intimate acquaintance with the German language, which was almost exclusively spoken in many communities in that part of Texas.

I had been on my one of my periodical trips, and was on my way home, bearing a considerable sum of money, when the adventure of which I am about to tell took place. Shortly after noon I reached a little rural settlement known from its most prominent citizen as Von Briesen's. At this place Herr Von Briesen himself ran a little store which, although it made small pretensions, transacted a business of no slight dimensions. My business with the proprietor, consisting of the sale of a fair bill of goods and the collection of nearly four hundred dollars, was soon transacted.

During the time while I was thus engaged a tall, sun-burned fellow, dressed in the prevalent frontier style, sauntered in and took a seat near the stove, but as he appeared to pay no attention to me, I paid little to him, and it was but casually that I inquired of the merchant when our business was completed: "Who is he?"

"I know him not," Von Briesen replied in a low tone, "but if I were in your place I should of him beware."

It was at this time that but seventy or eighty miles from Wharton, and it had been my intention to ride fifteen or twenty miles before the night set in and camp wherever it might overtake me, thus insuring my arrival at home on the morrow, for I meant to stop only at Peck's Corners, and there but briefly, on the way. However, the words of the worthy merchant disquieted me, and I was tempted to alter my plans.

"Oh, well!" I finally said to myself, "he does not know this man, who may be a thoroughly worthy citizen, and probably his suspicions are entirely unjustifiable. It would be the height of folly for me to delay my journey simply because Von Briesen suspects a man whom he never saw before."

Thus reasoning, I went out to prepare my horse for the continuance of my journey. I was engaged when the stranger sauntered toward me.

"Goin', young feller?" he inquired.

"Yes," was my laconic response.

"Which way?"

"San Antonio," I replied, for I did not think it advisable to let him know the direction in which I really intended to journey.

"Goin' that way yourself," he said. "Thought of wain't 'till mornin', but it might be kind of pleasant like to jog together, mightn't it?"

"I prefer to travel alone," I brusquely responded.

"Oh, well, if you're that dern partickler!" the man muttered as he turned upon his heel and left me.

This set me to thinking again, and I was half inclined to stay where I was for the night and take daylight for my journey; but I was desirous of reaching Wharton as soon as possible, and told myself that to remain where I was would be, under the circumstances, childish folly, so I finally decided to go on.

I was perhaps twelve or fifteen miles out of Von Briesen's, and already was beginning to consider where I should pass the night, when, at the summit of a long, low hill, I chanced to look back. Far to my rear on the highway I saw that traveler whom I had so casually met, and, by distance, which was moving in my direction. It might have been a coyote or a stray

HOW I CAPTURED A BANDIT

By A. BODEN

from some herd pasturing in the vicinity, but the money I carried made me apprehensive, and I determined that I would discover who or what was following me, if possible, before I had gone much farther.

I continued my journey for a half mile or so and then stopped, thinking that I would ascertain the nature of the object behind me as it came over the summit of the hill, but, although I waited the larger part of an hour, nothing appeared. Perhaps, after all, it was some wild prowler of the plains or a scarcely tamer stray steer. This was a reasonable enough supposition, and yet, somehow, I was not satisfied with it. I could not shake off an apparently unjustifiable apprehension that I was being followed, and for no good purpose.

Although I assured myself that this feeling was absurd, it grew upon me, and in selecting my camping place for the night I was influenced by it. I waited until I had passed the summit of another low hill, where a gully several feet in depth ran by the side of the road for some distance. Entering this, I retraced my course about a quarter of a mile, and finally staked my horse in the deepest part of the gully. Then I climbed the side of the ravine and, hidden by sagebrush, awaited developments.

By this time the sun had set and night was about me, but a moon nearly at the full made the landscape almost as bright as it had been by day. I waited so long that I had about concluded to stop only to sleep, when a low thud of hoofs came to my ear, and almost immediately the moonlight glimmered on a dark object some distance down the road. While I waited in anxious expectancy the object drew nearer, and I saw that it was a man on horseback.

The man drew nearer and nearer to where I lay behind the sheltering sagebrush, and just as his head topped the summit of the hill he stopped to reconnoiter the road beyond it. At this time he was but three or four rods from me, and in the brilliant moonlight I recognized him as certainly as I could have done in daylight.

He was the fellow who had interviewed me while I was saddling my horse at Von Briesen's.

At that time he had assured me that he was going to San Antonio; he now was nearly twenty miles on the road to Wharton. He had expressed an intention of waiting till the morrow, and he had not done so. Moreover, it was quite clear that he had followed me, and had tried to do so without my knowledge. There no longer was room for doubt that he was after me, and I knew the men of the plains too well to fancy that he would have any trouble in following my trail, whenever he chose to do so, from the road to the place where I had camped. He certainly would find me, and all that remained for me was to be ready for him when he came.

My preparations were soon made. I restaked my horse where the moonlight would shine upon him throughout the night, knowing that any marauder would presume that I slept near him. Then I retraced my steps some fifteen or twenty rods up the gully to a point where I had observed a large boulder which would serve both for concealment and as a species of natural fortress. Behind this boulder I took my place, looked to see that my rifle was in good condition, and the long vigil began.

The slow, slow hours! It seemed that they never would pass. My senses were strung to preternatural acuteness. Shadows appeared to take shape and move as I sat there, and not the least crackling of a twig beneath the feet of some prowler of the night escaped my ear. A dozen or more times I started, with every muscle tense, assured that my unwelcome visitor was approaching, and as many times I found that my senses had deceived me.

Midnight came, as my watch informed me; then, after a time that seemed interminable, one, two, and finally three o'clock. By this time, as I was young and vigorous, the desire for sleep was weighing heavily upon me, and I was beginning to think that I had mistaken the intentions of the man who had followed me. I suppose that I must have dropped off into a brief nap in which I still fancied myself on guard, for the next I knew the man was within twenty feet of where I sat in the shade of the stone, and I had no idea concerning how he got there. He was standing in a half crouching posture, with a gun in his hand, and as I looked, he cautiously moved toward the place where my horse was plainly visible in the moonlight. So intent was he on approaching the place where he supposed my camp to be without being discovered that his voice was his first intimation of my presence.

"Hands up!" I cried, with my weapon leveled upon him. "Drop your gun!"

He glanced at me, saw that I had the "drop" on him, and obeyed my order without a moment's hesitation. So the dropping was over, and his hands going above his head. Then he turned to me as coolly as if he had just met in the most commonplace way.

"What's the matter, sonny?" he asked. "Think this is a polite way to treat a stranger?"

"What are you doing here at this time of night?" I queried by way of response. "Keep your hands up!" for I fancied I detected a tendency on his part to lower them.

"My horse slipped his rope, and I was hunting for him," he explained, and his hands went a little higher. "You seem to have queer ideas of hospitality, young feller."

"Never mind my ideas," I retorted, "but just keep your hands up while I remove that revolver from your belt if you don't want to stop a bullet."

It was a somewhat delicate job, removing the revolver from his belt, but I kept my own revolver cocked and leveled upon him, and evidently he felt that it would be wiser to offer no resistance. So the dropping was safely accomplished, and I felt that, with reasonable caution, I had nothing further to fear from my visitor; but the question what I should do with him still remained unanswered. Almost as if he knew what I was thinking about, he broke in upon my reflection.

"See here, my captivatin' friend," he said, with undisturbed sang froid, "I haven't done you any harm yet, whatever I was intendin' to do—which we needn't talk about now, seein' as it might be unpleasant—and it's nobody's business what you do with me. I've got a few hundred dollars in a sack where my hoss is staked, and you can have it if you'll let me take the hoss and sort o' fit. What do you say?"

Even if I might otherwise have considered such a thing, which was not probable, his cunning had overreached itself, for I decided that if he was so anxious to get away it was the more my duty to hand him over to the officers of the law. So, compelling him to saddle and bridle my horse as well as his own, and to ride in front of me, we started toward Wharton. In this order, and keeping my gun trained upon my captive, we safely rode into Peck's Corners, which we reached shortly after seven o'clock, and there I hunted up a constable. To him I delivered my prisoner, with an explanation of the circumstances under which I had captured him. The officer looked at my captive; then he gave a long, low whistle, turned to me, and said:

"Say, young man, do you know that you are in luck?"

"Why so?" I asked.

"Well, firstly, I should say, because you are alive after tackling this fellow. Do you know who he is?"

I did not, and I said so.

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Did you ever stop to consider the advantages offered by a loan like this where you are sole master of the situation so far as this one investment is concerned, and for a lot of other reasons I can name?

This is the safest class of investment known to-day.

The security is almost invariably double the amount of the loan and sometimes a good deal more. Mortgage, note, fire insurance policy and certificate of title go with each loan.

To complete a loan you can either come to my office, yourself, act through your bank or send the money to me, as you choose.

I personally inspect the security for every loan, examine all the papers in the transaction, select reliable fire insurance and title companies and collect and remit the interest to you every month or every quarter, as you like, without charge to you.

The borrower pays all expenses.

I have placed millions of dollars on these loans without a single loss or fire-robbery.

I turn down lots of applications for loans because I am not personally satisfied with every detail. Those that I offer to my clients I guarantee are all right in every way.

I invite closest investigation of my loans, my methods and myself.

The population of Oakland is 240,000 and growing fast; there is much of activity in building and other lines of development here, plenty of opening for capital, and, consequently, unlimited opportunity for the use of money.

Send for list of loans now on hand, and to facilitate matters please state in what amounts you want them. I'd like to write to you.

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References—Any commercial agency anywhere, any bank in Oakland and the Oakland Chamber of Commerce and hundreds of satisfied clients, among whom are, very likely, some you know.

Automobile Notes.

"There are more ways than one in which to consider the automobile," says Chester N. Weaver, manager of the local Studebaker branch. "To most persons, when the word automobile is mentioned, the first idea is speed—getting from place to place without the use of street cars or trains and in a short space of time comparatively. There are few persons who consider the automobile from a hygienic standpoint, until they have either owned one for a time or have been advised by their physician to use one.

"But, as a matter of fact, from a hygienic standpoint the automobile is the amusement par excellence and it furnishes a very necessary relaxation. Judicious use of the motor car will rejuvenate tired nerves, change the feeling of dullness to one of energy and arouse a keen joy in the beauties of nature. Any physician will tell you that the pace is stimulating to the circulation.

"Three essentials to health are air, light and space. Without these the result will be physical deterioration. Can you suggest more satisfactory method of obtaining these than by autoing? These life-giving qualities go hand in hand with motoring and with the present-day stage of the development of the automobile bad weather need figure little and will have practically no effect upon the true lover of the sport."

In connection with the celebration of the opening of the new Queensboro bridge, in New York, a unique "motor hunt" will start at 8 o'clock from the New York end of the bridge on Thursday, June 17th. Controls or covers will be located at the various public places on Long island in the territory between the Queensboro bridge and the Oyster Bay-Jericho-Hicksville-Central Park-Massapequa road, an area of about 300 square miles. They will be plainly marked by a placard and a yellow banner. The hunter upon finding a control will receive a card showing that he had been there, and also have his own contesting score card punched on the number corresponding to that of the control. The winner will be the driver securing the greatest number of cards.

("War in Europe"—Concluded.)

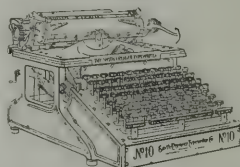
sumption of wine but to do so very considerably increases the difficulty of doing away with these evils.

Wishing you success in your efforts in the cause of temperance.

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"Well, he's 'Big Bill,' and I reckon you've heard of him. Secondly, you're in luck because the rewards offered for his capture amount to more than four thousand dollars."

I made no immediate reply, for I knew the reputation of "Big Bill" as one of the fiercest and most bloodthirsty of frontier outlaws, and I actually was scared beyond expression by the thought of what I had done. Many times since I have wondered just how I would have acted if I had known the desperate character of the villain who was on my trail that afternoon and night.

Nothing further remains to tell except that "Big Bill" went to prison for life for one of the murders he had committed, and I really did receive rewards amounting to forty-three hundred dollars for his capture. I gave three hundred dollars of that sum to the constable, one thousand paid a mortgage on my widowed mother's farm, and the remainder made a very respectable beginning of a bank account.

The Pronunciation of Pepsys.

Because Pepsys projected himself rather than the ideal portrait of himself he has been dedicated as the patron saint of gossip—a fate to which Miss F. Z. Hallam Moorehouse is said to demur as unjust in her book, the first biography of Pepsys, to be entitled "Samuel Pepsys, Administrator, Observer, Gossip." Readers who are still doubtful, by the way, of the pronunciation of his name will welcome this stanza, published in the London Graphic.

There are people, I'm told—some say there are heaps—

Who talk of the talkative Samuel as "Peeps"; And some—so precise and pedantic their step—

Who call the delightful old diarist "Peppie"; But those who think right (and I follow their steps)

Always mention the garrulous gossip as "Pepsy."

PERSONALIA

The world's champion croquet player is named J. G. Wardenburg.

Pinero is just now completing a new play, to be presented in America with Ethel Barrymore in the leading role. The title of the piece has not been announced.

Oyster Bay has followed Buzzard's Bay into innocuous desuetude. The new summer capital of the United States is Beverly, Mass., where Burgess Point House will be President Taft's vacation home.

Gov. John A. Johnson, the Democratic governor of Republican Minnesota, emphatically declares that he will not run again. His third term expires in January, 1911. His favorite recreation is baseball.

The German emperor publishes a paper called "A Daily Record of International Opinion." Its circulation is limited to two copies, one of which the Emperor receives and the other goes into the National Library.

William Winter became the dramatic critic of the New York Tribune in 1865, so that he is just about to conclude his forty-fourth season in that capacity. He has been the friend of nearly every actor of note in that time.

The "Orange Bud" is the household pet name of the baby daughter of Queen Wilhelmina of Holland. Her name is Juliana, an uncommon name in Holland, but it was borne by the mother of the national hero, William the Silent.

The English champion shorthand writer is S. H. Godfrey, who wrote 2,300 words in ten minutes. He frequently writes 30,000 words a day in the ordinary course of his professional work, or about the number of words in a light novel.

Major General Leonard Wood is co-operating with owners of automobile runabouts in New York who plan to organize a volunteer First Army Motor Corps to assist the government in the rapid transportation of troops in time of war.

Ernest Thompson Seton is a native of England, is forty-eight years old, and has begun to be troubled by the thought that he should have "developed himself" ten years ago instead of trying to follow beaten trails in his art and writing.

Burr McIntosh, who was the Taffy in "Trilby" has returned to the stage, after several years' trial of photography and magazine publishing, as Senator Langdon in "A Gentleman from Mississippi," and has received a cordial welcome from the public in Chicago.

Price Collier, whose articles in Scribner's on "England and the English; from an American Point of View," have attracted wide interest, was for nine years a Unitarian minister. He was later connected with the Forum and Outing, and is well-known as a writer on sports.

Dr. and Mrs. William Hunter Workman, of Worcester, Mass., are among the most famous mountain climbers and explorers in the world. Mrs. Workman holds the world's record for altitude reached by a woman (22,568 feet) and Doctor Workman the record for the highest altitude attained by man on a mountain (23,394 feet). They have just returned to Paris from an ascent of a peak in Turkestan 21,350 feet high.

The English artist, Alma-Tadema, confesses to a superstition concerning the number seventeen. Among many coincidences of the number that he recounts are the fact that his wife was seventeen when he first met her, the number of the house to which he took her wife seventeen, his present house did bear the number, and the first spade was put to the work of building it on August 17, 1885.

IN MEMORIAM.

By Tom Gregory.

"Cease firing"—hark, the bugle calls
Over the war-torn ramparts—"Cease."
And o'er the blood-stained trenches peacem
Soft as a benediction falls.

"Cease firing." Now with point reversed
The crimson, reeking sabre drips.
Cold grow the cannon's fevered lips—
Its sulphur vapors far dispersed.

"Cease firing." From the turret's rim
The voiceless muzzles frown across
The sea where the heaving surges toss
The iron squadrons—silent, grim.

"Cease firing." Now the flowers fall
The voiceless troopers' glorious graves.
The flag that led them softly waves
Across the mounds where roses fall.

"Cease firing." See the shattered red
Thin battle-line "at ease" the while
The muffled drums from file to file
Roll out the Assembly of the Dead.

"Cease firing." By high Lookout's hill,
By dark Bull Run, by Mobile's beach—
And where the once-stained rivers reach
To gulf and sea, the guns are still.

"Cease firing." Lo, along the great
Red field of Gettysburg the rain
Freshens the grass above the slain.
The nesting dove coos to her mate.

"Cease firing." Fierce war disappears,
The blossoms hide its graves today.
The soldiers of the blue and gray
Strike hands out of the riven years.

"Cease firing," all. "Sound taps." Beneath
The sod the fallen warriors sleep.
Above the sod the flowers heap.
Below the flowers is buried Death.

—Santa Rosa Democrat.

("To a Sensitive Judge"—Concluded.)

caps, and stolen property on the person of a suspected safe-blower. Would that discovery have been a reason for an acquittal?

Everyone knows of the disgusting Thaw case in New York, and the unconscionable time taken (not to try him but) to try out all the tricks of the law. Fortunately few had to hear of an assault case in Marin county by which an obscure Italian was judged guilty and began his sentence within three weeks of his offending.

No intelligent man—not even an appointed judge—can deny the inequality before the law of the simple layman and the legal trickster. How many laymen could have emulated the record of Collins in delay and in cost to the community that tried to try him? By what version of Justice has a rich man or a lawyer a right to inflict upon the community a greater cost of a trial than a poor man or a layman?

Why not admit (since all men know it) that the law is afflicted with numerous verminiform appendages, any one of which can be irritated into producing the inflammation known as injustice, if properly worked upon by justice-dodging lawyers?

Why not frankly advocate such an operation as will remove these useless and troublesome blind alleys, so that honest people may profit more by the law, than do crooked lawyers?

Alas! I can see you pitying my ignorance and deploring the spirit of anarchy that skulks in that ignorance. But again, alas! alack! with equal sorrow I pity the sad condition of law that leads so often to injustice, and through my tears I also pity those servants of the law who are willing to let it stand as it is, only partially capable of providing Justice.

If England did not do better than we do, I should not be sure that we could do better; but there is a general consensus that England is ahead of us years and miles.

I spent two years in aiding in the manufacture of law in the City Council of Chicago. I should never call upon my fellow citizens to respect the laws we made on account of the sanctity of their source. Congress and the State Legislatures are just about as worthy sources of law as was that city council.

The laws we made were properly subject to criticism and were mercilessly criticized. I believe we must know all laws by their fruits, and if injustice is done, injustice so obvious

as to be beyond dispute, I believe it our duty to criticize the law or the court that declares the law or both. One or both must be wrong.
WILLIAM VENS.

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OUR SCHOOL FOR CITIZENSHIP

Election of President and Vice-President.

The writer of these articles has sought to make it clear that the national constitution and laws do not constitute the government of the United States, but only the hands and feet, so to speak, with which the government performs its services for the people. It is to the credit of the makers of the Constitution of the United States that so few changes have had to be made in the methods provided for doing things. In fact, the only change of method made so far is in the election of president and vice-president. Another change, that of the method of electing United States senators, is pressing hard for adoption and will be adopted despite the opposition of corporate influence and the resistance of the Senate itself. The power of the people will not always be successfully resisted.

Originally the constitution did not provide for electing a vice-president with a pre-election designation of the particular person to be vice-president. It was provided that the person receiving the highest vote in the electoral college should be made president and the person receiving the next highest should be made vice-president. Had the constitution remained as it was we should, in November last, have elected Mr. Taft president and Mr. Bryan vice-president.

The reason why this plan was not satisfactory was that political parties came early into existence and party antagonisms ran strong. The victors in the presidential contest could not therefore brook the election of a vice-president from the vanquished party and one who, in the event of the death of the president, would become president and so overturn the policies which the successful party had put into operation. It is a little remarkable that the makers of the constitution had not foreseen and provided for this contingency. Although party spirit had not developed in this country at the time the constitution was adopted, it had in England and that object lesson should have proven sufficient.

Although this reason for the adoption of the twelfth amendment was the cause of its submission and adoption it was not the occasion for it. The occasion was found in the incident that Thomas Jefferson and Aaron Burr, candidates for the offices of president and vice-president, respectively, (informally of course) of the then Republican party had each seventy-three votes in the electoral college. While it was the intent of the voters that Jefferson should be president and Burr vice-president, the constitution had not provided for making such intent effective and the election was thrown into the House of Representatives where Burr hotly contested for the higher office, notwithstanding the fact that his candidacy before the people had not been for that office at all. Alexander Hamilton, distrusting Burr more heartily than Jefferson, who had been his opponent at every step since the formation of the government, secured the election of Jefferson and the enmity of Burr which culminated in the death of Hamilton four years later.

The constitution as it was provided that, in the event of no candidate receiving a majority of all the votes cast, the House of Representatives should choose a president from the five highest candidates voted for. Amendment twelve reduced this range of selection to the three highest.

Another important provision was added so that if the House were to dead-lock on the vote, and fail of choosing a president up to within four days of the date for inauguration, then the person elected vice-president should become president and be inaugurated as he would be in the event of the death of the president elect.

Finally, a clause was added providing, what was not necessary under the former system, that the candidate for vice-president must possess the same essentials of eligibility to office as the candidate for president. This amendment was proposed in December, 1803, and ratified in September, 1804.

It is by no means certain that this method of election of president and vice-president is its final form. Under the method as it now exists a person receiving a minority of the popular vote may receive a majority of the electoral vote and so be elected president. This has occurred a number of times, and always with a sense of popular dissatisfaction. The makers of the constitution distrusted the power of the people wisely to choose president and vice-president and put that function as far from them as they dared, but the people as a whole are not distrustful of their own ability and may some day demand that the popular, and not the electoral college, majority shall be made effective. However, that will be likely to wait until the problem of the popular election of senators has been worked out.

Only Two Fires in Seventy Years.

The city of Cartagena, in the Republic of Colombia, is one spot where the business of being a fireman is no great drain on the nervous system, according to Joseph K. Duffy of San Francisco, who spent some months in Cartagena.

"There have been two fires in Cartagena in the last seventy years," Mr. Duffy said. "One man who now is growing old says his father remembers as a small boy when a house in the town was burned. That was an accident. The other fire, which happened recently, say about a dozen years ago, was believed to have been of an incendiary origin."

"But these fires did not destroy the houses in which they happened, because the houses are built of stone. All that can burn is what is inside. This felicitous state of affairs is ascribed by some of the inhabitants to the influence of San Pedro Claver, a priest of Cartagena a couple of centuries back, who within the last ten years was made a saint."

How Wind Produces Waves.

There are wind waves in water, sand and snow. The great sea waves are produced at that part of a cyclone where the direction of the wind coincides with the direction of the advance of the depression. Along this line of advance the waves in their progress are accompanied by a strong wind blowing across their ridges as long as the atmospheric depression is maintained. So the waves are developed until they become steep. The average height in feet is about half the velocity of the wind in miles.

A wind of fifty-two miles an hour gives waves of an average height of twenty-six feet, although individual waves will attain a height of forty feet. The prevailing wind in all longitudes is westerly, so wherever a westerly wind springs up it finds a long, westerly swell, the effect of a previous wind still running, and the principal effect of the newly born wind is to increase the steepness of the already running long swell so as to form majestic storm waves, which sometimes attain a length of 1,200 feet from crest to crest.

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Making the Issue Plain.

There seem to be no bounds to the devotion of Mr. Francis J. Heney to the cause of reestablishing justice in this city and state. He does not want to be District Attorney. It will bring under his supervision a lot of executive detail with which he cannot wish to be bothered, and the emoluments of the office are a bagatelle to what he could earn if he were to cut loose from his present work and devote himself to private practice but, having put his hand to the plow, he will neither turn back nor to one side until he has finished the task in hand.

It is tremendously important that the supreme issue, the issue of whether or not predatory wealth is to be made as amenable to law, as liable to punishment, as predatory poverty, shall go to the people of San Francisco squarely. This issue is elemental. Upon its determination rests not alone the reputation of San Francisco at home and abroad, but the integrity of our institutions, the safety of wealth that is not predatory, the honesty of official and civil life, the morale of the general public. In short the pending issue involves all that is fundamental in American life.

With Francis J. Heney as candidate for District Attorney there will be no dodging this supreme issue. It will stand out so plain that not one voter will be in doubt regarding it. San Francisco will go up once again to judgment and that it will come away vindicated. The California Weekly has not the smallest doubt. Ever since the manhood of San Francisco has been measured it has measured up to the highest requirements. In standing for this office Mr. Heney has again placed the city and the state under profound obligations to him, and yet it is probable that Mr. Heney loves justice better than he loves either San Francisco or California, dear to him as both of them certainly are. The light is on. It will be great.

Put the Information to Use.

Dr. Walter Landley, president of the board of trustees of Whittier State School, has been in Europe studying the delinquent child problem and, so report has it, was much impressed with the French system of farming such charges out to the agricultural peasantry under proper surveillance, on the part of the agents of the state, both of the child and of the caretaker. It is to be hoped that upon Dr. Landley's return he will emphasize the need for placing out under home conditions a much larger proportion of the inmates of Whittier school than have heretofore gone out. Such institutions as Whittier are needful only for a sort of rough-breaking of young human colts, caught up off the ranges of our towns and cities, that they may be placed out in family homes fitted for their care. To this function should be added the more prolonged care of the thoroughly incorrigible, at the worst only a small percentage of the whole. Whittier has neglected this work disastrously and largely that the Whittier state farm might be kept in

THIS NUMBER CONTAINS

San Francisco's Traction Problem

(Second Article.)

BY

William Kent

Readers of The California Weekly will, in due time, find every important public issue explained by some person whose special knowledge gives him a right to be heard.

apple-pie order. The lads have been utilized for the farm instead of for the lads, a constant tendency in all such institutions. A proper parole system would cut the population of both our reform schools in half within a year or two, and, by and by, halve the remaining half.

In the Hands of the Mayor.

Those were very serious charges which Attorney M. I. Sullivan made in the course of his address before the mayor in defense of the Board of Public Works. They were that the whole investigation had been inspired by two persons who had failed of securing the adoption of their materials and that the Good Government League had been used for this purpose. Than this nothing could be more injurious to the League or to good government. Upon this the mayor will do well to make a finding of fact that the truth may be known. From other sources we learn that it has been a custom for builders to construe building regulations, and even specifications, in the light of common practice among builders; that it has been the custom to allow wide deviation from specifications in the interests of competition and economy without impairing strength below the line of ample safety with a margin to cover the unexpected; that the builder is given the benefit of this substitution in competition among bidders, in which case, of course, the substitution must have been agreed to in advance of receiving the bids. Whatever the state of facts may be the mayor should set it forth so clearly that the public mind may be at rest regarding the status of building operations in San Francisco, especially with regard to public buildings. No serious harm can come from a searching publicity while from a feeling of public apprehension and doubt very serious consequences are likely to result. The mayor's finding of fact should be so clear as to set the whole subject at rest and do justice to whom justice is due and condemnation to whom condemnation is due. Nothing short of this will satisfy the public mind. It is up to His Honor the Mayor.

The Beginning of the End.

In all likelihood the Calhoun trial will have passed into history by the time The California Weekly pays its next visit to its patrons. So far as the public mind is concerned, the guilt or innocence of Patrick Calhoun is not in issue. That the accused supplied Abraham Ruef the approximate sum of \$200,000 with which to buy the trolley franchise through the board of supervisors is denied only to meet the requirements of legal procedure. It is our criminal jurisprudence that is on trial. We have built up a difficult system of administration of criminal law, a system that gives guilt every conceivable advantage, especially when unlimited money is able to surround the accused with seven devils active on his behalf. If no other good results we shall, when these trials are over, know where the fault, with the law lies and shall act about remedying it.

A Massachusetts Idea.

In dealing with problems that vitally affect the people, Massachusetts and New York lead the nation and, of the two, Massachusetts rather sets the pace for the Empire State. The newest venture of the Old Bay State is the establishment of a people's college, a combination of all that is profitable in the modern correspondence school and the university extension courses, the idea being to take higher education to the homes of the people rather than always to bring the people to higher education at a cost they cannot afford to pay. Existing school buildings will be utilized, when not otherwise employed, for courses of lectures, recitations, etc. Regular bachelor degrees will be granted when and where attainment has met all the conditions imposed by colleges generally, and not otherwise. If it take ten years to get a college education that way, instead of four years away from home, what is the odds so it be obtained ultimately when, otherwise, it could not have been attained at all? No doubt something of the "Massachusetts idea" was borrowed from Denmark where the popularization of advanced education has perhaps been more general in recent years than in any other country. Great possibilities lie in the "Massachusetts idea."

A declaration from President Taft, in line with the utterances of Secretary MacVeagh at Chicago, to the effect that, in the event of the failure of the Republican party to fulfill the expectations of the nation that the tariff be revised downward, it would become the duty of the President, as head of the Republican party, to undertake its reorganization, would call forth such an acclim of approval from ocean to ocean as to give an impression that "Teddy" must have returned.

It may be well for the San Francisco Bar Association to consider whether or not facility for spurring persons likely to be wanted as witnesses outside the jurisdiction of our criminal courts may properly be regarded as an essential prerequisite for the privilege of practicing law in the courts of California.

CANNOT "WORSE US" ANY.

When Bryanism was in flower there were many who voted for free silver in the conviction that, whatever might follow the experiment, the event could not "worse them any," as they phrased it. Uncouth though the expression may be it aptly fits the Geary street railroad bond enterprise. Whatever may follow the experiment in municipal ownership it cannot make conditions in San Francisco worse than they are. The mind of man cannot conceive how they could be made worse.

The traction management is part of a malignant, grasping, unrelenting conspiracy to exploit the city of San Francisco. It is part of an incorporated plutocracy that recognizes the efficacy of no law not made to serve its own ends. In its interests, and those of its manager and his predatory associates, the public conscience has been so debauched as to render a percentage of the population unable to distinguish right from wrong, good from evil. The machinery of the law has been disarranged to the last degree, public servants have been corrupted and higher courts brought low in the estimation of public opinion.

Rich men, in their insatiate greed for greater riches, have made it almost a reproach to be rich. The security of honest wealth has been undermined. The confidence of common men in the common law has been broken down. Anarchists have been made of socialists and socialists of individualists. The conspirators are digging the foundations of security from under their own children. In comparison with any evil that can flow from municipal ownership and operation of the Geary street line the existing condition is far the worse.

San Francisco cannot sidestep this traction issue. The service is inadequate. The persistency with which horse cars are run and the public discommoded, rather than make a reasonable concession to the city's interests, betrays the irreconcilable condition of the management's mind. The volume of securities issued upon an inadequate foundation of value shows the exploitation of the investing, and not the service of the traveling, public, to be the final object in view.

Fortunately for San Francisco the light emitted from Chicago's solution of the traction problem may illuminate San Francisco's path. A second article upon the subject, written by Mr. William Kent, who was one of the few who fought that fight through, is a feature of this issue of this paper. Other articles will follow. The way will be made so plain that none need fear to walk therein. If the United Railroads cannot be superseded with a complete municipal system it can be brought to terms by an incomplete one and that will be worth the cost.

THE POWER OF A SANE ENTHUSIASM.

Elsewhere in this paper will be found a brief resume of the work of a young man possessed of a splendid enthusiasm. William Denman, if health and life are spared him, will be heard from hereafter. Not that he is ambitious for himself, or greedy for getting into the public eye. His purpose lies outside of himself and, whatever of recognition or reward comes to him as a result of his achievement, will come apart from his purpose, which is to do a work that greatly needs to be done.

Men who have witnessed the shortcomings of many courts have found their faith in the ability of The People to select judges much shaken, not realizing that the people have rarely selected their judges, that they were selected for them by the one litigant that has cases in every court, special interests which every judge can subserve if he will remember at the critical moment who it was that made

THE STAFF

A. J. PILLSBURY, Editor and Manager
CHESTER H. ROWELL, Associate
A. J. WATERHOUSE, Assistant
E. FRENCH STROTHER, Assistant
O. BLACK, Business Manager

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him a judge. It has not been generally known, as it early became known to Mr. Denman, that great corporations lay siege to all courts of justice and, too often, effect their reduction to possession without the judges thereof realizing the ignominy of their position.

Judges who would strike the man who approached them with coin in hand, wherewith to secure undue advantage, have been so ensnared in, and made dependent upon, the manipulators of party machinery as to make them subject to a mastery as vicious as it must have been galling had it been fully realized. The only possible remedy for this condition is to emancipate the bench from partisan control.

An independent judiciary has as certainly been the ideal of American manhood as the establishment of justice has been the hope of the race. The only way to attain such a judiciary is to enable manhood to make the selections of all judges from lowest to highest. It cannot be attained by delegating the function to the paid manipulators of a great and predatory incorporated plutocracy. Ever since California gave birth to a corporation greater than itself, and more greedy of power even than of pecuniary gain, the function of selecting judges has mainly been so delegated.

Other men had thought that our judiciary ought to be nonpartisanly selected and elected, but Mr. Denman added to the thought the power of a sane enthusiasm with the result that the judicial systems of two states have already been emancipated. The emancipation of the judiciary of California cannot long be delayed.

The lessons the people of California have learned from the failure of justice in flagrant instances will not have to be relearned soon. The absolute breaking down of the appellate judiciary in the presence of a colossal need for retributive justice has shocked the manhood of this commonwealth like an earthquake. That manhood is resolved that, if an independent judiciary is in fact an unrealizable dream, at least it shall not be dependent upon the malevolent cupidity of an intolerant and ambidextrous materialism. Rather shall it lean upon the free manhood of the commonwealth, adequately equipped for making a free choice of judicial candidates. It is unexpected or desired that judges shall be politically neuter gender, but only that they shall owe no man anything, save the will to establish justice, and that they shall be endowed with common sense as well as with learning.

THE TERMINAL RATE RUMPU.

It is right that there should be competition between water and rail transportation, and it is right that where such competition exists seaport cities should have the benefit of it; but in order to have any claim upon consideration, such competition must exist in

fact. No paper competition, no competition dependent upon the mere presence of water without the going to and fro of ships, should enter into the issue of rate-making. San Francisco cannot in good conscience demand that freight rates to interior points shall be made higher than to San Francisco because of water competition unless water competition exists. If it does exist it will be impossible for the railroads to ignore the fact in the making of their rate sheets. It will be impossible for them to deprive San Francisco of a possible advantage except at the cost of carrying long distances at less than remunerative rates. If goods can be loaded on the cars from the wharves of San Francisco at as low a cost as upon the cars at Chicago, then they can be carried into the intermountain region at as low a cost as from Chicago. At some point betwixt Chicago and San Francisco such rates must be equal. That point should mark the sphere of influence of both cities. Neither city should quarrel with it. If San Francisco limps in this pending terminal rate try-out it is because her water competition has been more constructive than productive, because it has existed mainly on paper. That it has so existed has been the fault of San Francisco's business men. They have not dared or cared to avail themselves of God's great highway washing their very doorsills. Complaint of the monopolization of that ocean is a confession of incapacity and want of courage. The freight is here and so is the water. Ships can be built.

WHERE JUDICIAL REVIEW IS NEEDED.

A trial judge in San Francisco is reported to have been made wroth because a jury, that had just brought in a verdict of guilty, ventured to advise the court that the extreme penalty of the law should be meted out to the convicted culprit. The judge rightly felt that the jury was trenching upon his prerogatives.

But if a jury may properly recommend a criminal to the mercy of the court why not to that court's retributive consideration? By what parity of reasoning is the first justified and the other condemned? Both are invasions of the judicial function. If the statute allows one why not the other? The only assignable reason is that the trend of legislation has been constantly in the interests of the defendant, not so much that mercy may be shown as that justice may be defeated.

Nevertheless, if there be any part of the proceedings of a trial court in criminal cases that especially needs to be reviewed that part is the fixing of sentences. We have in California as many kinds of justice as we have trial judges in criminal courts. Viewed from the vantage ground of a state prison, justice, as administered in this state, is a travesty. There are men in our prisons serving sentences ranging all the way from two to twenty-five years for the commission of crimes of essentially similar gravity under essentially similar conditions. Prisoners are given hard "jolts" or easy, but few have justice meted out to them with anything akin to an intelligent regard for making the penalty fit the offense.

A fault with our judicial system is that judges are not trained for their positions. They do not know the things that are needful to be known that they may discharge their duties properly. It helps the situation little to put above them an appellate bench of judges no better equipped than themselves. In Germany judges are educated to be judges and, that they may be fit to fill judicial positions, are taught the things which a judge needs to know.

Among these things is a knowledge of penology, a knowledge of the laws of mind, an acquaintance with the utilities and utilities

of punishment and, more especially, a consciousness that punishment is scarcely the purpose at all, but rather the redemption of, or protection of the public front, anti-social persons.

The trail of the serpent of politics is over our whole system of conviction, sentencing and execution of sentence. The political mind is an uninformed mind. When the people themselves shall have become charged with the duty of selecting and electing judges the public will come to cherish more exacting standards. Under the regime that has obtained in California men have been mainly concerned for getting their friends into office in order that those friends may serve them a good turn when they get there. This is all very human, but very unfortunate. Applied to the judiciary it is abominable. The indeterminate sentence would do much to remedy this inequality, much to right this wrong.

Retirement of Waring Wilkinson.

A morning paper has announced the probable retirement of Waring Wilkinson from the superintendency of the State School for the Blind and Deaf after forty-four years of continuous service. The inevitability of the flood of years would compel such retirement sooner or later anyhow, and it were better, perhaps, to be of choice than of necessity, yet it would be better for the institution, the state and its charges if his retirement were to come hereafter. No greater compliment to his efficiency could be paid than this, that during all these years the exigencies of politics have not so nerved any partisan as to make him venture to put Professor Wilkinson out that some retainer might be put into his place. No other public servant has received so high a compliment from political powers that have not scrupled to make merchandise of every other form of public patronage.

With Their Eyes Open.

It is unfortunate that no good enterprise can be started in California without promoting a lot of buncomen to exploit the undertaking for the swindling of the gullible out of their savings. It is so with eucalyptus planting. A perfectly legitimate industry, certain to be largely profitable when followed with right methods in right situations, has given opportunity for innumerable companies to be formed for selling poor land at high prices for the planting of eucalyptus where they cannot produce anything but disappointment, either for this generation or the next. That our readers might be put in possession of foundation facts regarding the industry a series of articles was procured on the subject from one of the most competent men connected with the National Forest Service. His final article appears in this issue. Those who have read this series will have been forewarned. Those who have not seen the articles have been shared with others in the misfortune of not being readers of The California Weekly, whose ambition it is, in due time, to have the truth set forth regarding every important public concern by the person whose knowledge of each subject gives him the best right to be heard. Our thanks are due Mr. George W. Peavy for his interesting and instructive series.

A Word to the Wine Interests.

Word comes from Fresno that the Wine and Spirit Review has arrayed itself and some of the vine growers in open hostility to Fresno's recent determination to close the saloons, while leaving open the bona fide restaurants and family liquor stores. The saloon is not only the worst enemy of temperance, good citizenship and good government, but it is the worst enemy of wine and wine. We do not cite vine growers and wine makers to teetotallers for testimony to this

effect, but to the more intelligent and observant among their own people. Writing for this paper last week Professor Bioletti said: "Light wines are practically never sold in saloons and the regular wine drinkers are not patrons of saloons." The Fresno Republican, not at all a prohibition paper, truthfully declares: "If every city in the United States were to enact the Fresno ordinance there would be such a boom in the wine business that all the vineyardists in California could not possibly meet the demand." If California vine growers and wine makers make common cause with the saloons they will find their a lost cause. The doom of the saloon is writ large and to force the enemies of the saloon to become enemies of wine will be for wine to share the doom of the saloon.

Under a McCloud.

The State of California has no adequate means for learning the truth about the recent unpleasantness at McCloud and, inasmuch as the state has not, neither has this paper. There are, however, certain presumptions that may be uninjuriously held in default of anything better to hold. Among these are the following: that the presence of so many raw Italian laborers was due to the McCloud Lumber Company's desire to secure the cheapest help available notwithstanding the tariff maintained to enable American manufacturers of lumber to pay American wages to American workmen; that the company's stores were of the "plunk me" variety; that in making his headquarters with Manager Quale of the lumber company General Lauck was extremely impolitic. If, as he says for himself, it was the most convenient thing he could do he probably now sees that it was also about the most inconsiderate thing he could do. He and his forces are, to draw it mildly, under a McCloud.

These, Our Caesars.

There are gentlemen in San Francisco who assume to own assembly districts, and there are assembly districts in San Francisco that do not resent the assumption of ownership. Leadership is well, but the leader should be the servant and not the master. He should do the will of his district, not the district his will. The direct primary gives the citizen a chance to be free if he cares to be free. If he does not he should be disfranchised and cast out. A fault with our political life is that the citizen has been so long a dupe, if not the slave, of a predatory corporation that he no longer realizes his own political potency. These, our district Caesars, are small fellows at best, very well as servants, very ill as masters. Make them keep their places.

A contemporary ventures the prophecy that the direct primary law will prove disappointing. This is not unlikely. A people long deprived of self-government can hardly be expected to step at once into a full and effective administration of public affairs, but, come what may, the direct nomination system cannot be less fortunate than the political bargain counter system presided over by men of high station and low character.

It is insisted that members new to the United States Senate, no matter what their previous station may have been, should show great deference to those who have "grown gray" in the service in the Senate. The admonition would have more to commend it had fewer of those who have grown gray become the "gray wolves" of that august body.

Mark Sullivan, in Collier's, declares "the principle of tariff revision to be: 'Vote for my lumber and I'll vote for your steel.' Wrong again, Mr. Sullivan. It is, 'Vote for my plunder and I'll vote for your steel.'"

The Deeper Significance : : : : of Living : : : :

The best paying crop of the year is harvested, not in the fall, but in the last weeks of spring and in the first of summer. This harvest is of graduates of university, college, high school, etc. The ceremonial attendant upon this harvest exists in interest all the year, and festivals the world has ever known. There is not only rejoicing that the crop is at last ready for harvest, but a boundless love for the crop itself. It is that love that has given eclat to the commencement function.

Well has this function been named "commencement." These young persons are going out to service or they are going to the bow-wows. There is no alternative open to them. This world has no use for persons who can not or will not serve it, and it is coming to have less and less use for those self-seeking persons who desire especially to be served rather than to serve. The idea of going out to service may not impress some graduates favorably, but that is what living amounts to, and those who serve the largest number to the greatest advantage are the most widely known and honored.

The most successful physician is the one who can carry the most of health to those suffering from sickness. The most successful lawyer is the one who can make the most safely and certainly secure the largest number of clients through the business world, preserving their rights, remedying their blunders, establishing justice where injustice had usurped a right or inflicted a wrong. If we can find a person capable of serving the civic needs of nearly ninety million people we will find him to the highest office within the gift of any people and make him President of the United States.

The finest example of going out to service the world has known was that offered that world by the Nazarene carpenter nineteen centuries ago. The most significant act of his incomparable career was not, as many suppose, the act of perishing upon the cross. That may have called the largest number of persons to his standards. But the most striking spectacle, and the crucifix has been clasped lovingly in the dying hands of millions, and has given peace to multitudes of perturbed spirits hovering upon the brink of the abyss, and yet, "In His Name," tens of thousands have suffered themselves to be led to the stake or to be buried alive. Physical bravery transcends all bounds yet set to test it.

But there is a test of moral courage that is not often fully met, a test set by this exemplar of the world. Believing himself to be the anointed one, the especially accredited messenger of Eternal Majesty, the only begotten son of God, and so looked upon by his disciples, he nevertheless girded himself with a towel and washed the feet of his peasant followers. He had stepped into the sloughs of the unweeded streets of Jerusalem. What an emptying of self of vanity was that!

Going out to service! That is what commencement means. Many who go will hear the call of duty to tasks that will seem to be beneath them, seeing how they have "graduated," and many such will be a long time idle, wanting an occupation that will befit their more exalted station; but whoever seeks honestly and unselfishly for a chance to serve will find the harvest white and the reapers few. All that any of our spring crop of graduates needs is a chance to take hold somewhere, to take hold in humility, simplicity and truth and, once having taken hold with a determination to serve, advancement will follow as rapidly as capacity for service develops. There is a misfortune in having advancement come faster.

What a boon to the world would it be if each graduate of university, college or high school were to carry in the mind's eye, in the heart's most secret recess, the picture of the Christ, girded with a towel, washing the feet of a disciple! Surely no one of them would ever withhold the hand when duty called through fear that the task were beneath him.

WHAT THE WORLD IS DOING

The World's Railroads.

The Prussian ministry of public works has compiled statistics relating to the railroad of the world, which are brought down to the close of 1907. It finds a total mileage of 594,867, which is apportioned as follows: In the old world, Europe has 199,385 miles, Asia 56,294, and Africa 18,519. In the new world, North America (including 2,745 miles in the West Indies) has 270,803 miles, South America 32,166, and Australia 17,700. It thus will be seen that North America has a railroad mileage almost equalling that of the old world, and more than 35 per cent. in excess of that of Europe. Of the 270,803 miles thus credited to North America about 225,000 miles, or 83 per cent., are in the United States. During the year 1907 a total of 14,560 miles was added to the world's mileage, and this was distributed as follows: North America 7,829 miles, or 54 per cent.; Europe 2,917, or 20 per cent.; Asia 1,628, or 11 per cent.; South America 1,380, or 9 per cent., and Africa 998, or 7 per cent. The new world outstripped the old in railroad building in the ratio of nearly two to one. Within the ten years terminating with 1907 the world's railroad mileage has increased by more than 23 per cent., and it is estimated that approximately \$50,000,000,000 now is invested in these enterprises, the per capita for the world's population being about \$32, while that of the United States is nearly \$200.

Elementary Education in Italy.

Statistics recently published by Professor Beniamino Rinaldi, of Milan, give a view of elementary education in Italy which perhaps is as interesting as it is depressing. It appears that here at the present time but 9,776 public schools in Italy, although the number fixed by law is 82,043, and their teachers are by far the worst paid public servants in the kingdom, averaging from 37 to 46 cents a day. The 55,000 teachers thus employed cost the state but \$4,600,000 a year, an average of \$83.63 a year to each teacher, a sum which does not suggest luxurious living. As against this average salary of \$83.63, note that the other Italian civil employees receive an average salary of \$404.35, or nearly five times as much as the average teacher receives. Italy pays for the state telephones \$400,000 a year more than it pays to all its teachers, and its army bill exceeds its instruction bill in a ratio of more than twenty-five to one. Professor Rinaldi, as the result of his investigations, declares that Italy is exceeded in illiteracy only by Turkey. The whole record needs to be changed if Italy is to maintain a reputable place among the nations of the earth.

New Calendar for Russia.

It is considered probable that Russia will adopt the new calendar for the year which is advocated by Professor Solodiloff. Under the system the calendar year would begin at the spring equinox, and the quarters would be reckoned from the equinoxes and solstices. The first two months of every quarter would have thirty days each, and the third would have thirty-one days. This would provide for 364 days, leaving one day, 48 minutes, 46.7 seconds of the solar year still to be accounted for. To provide for this omission there would be a New Year's Day which would have no weekday name, and every four years there would be a day to be designated solely as the Day After New Year. Once in 128 years the Day After New Year would be dropped, and thus the length of the solar year would be sufficiently regarded in the calendar. As will be observed, the Russian calendar, if thus adopted, will differ from our own in various particulars, but it will attain about the same end in paying deference to the sun as the final arbiter of the length of the year.

German Cities Decreasing in Population.

The industrial depression which characterized the year 1908 in Germany, as well as elsewhere, resulted in a decrease of the population of the leading cities of the German empire, according to a report made by Consul lift of Nuremberg. This decrease was due to emigration, and was general, very few cities showing an increase. Berlin, which heretofore has grown more rapidly than any other European city, showed a net loss in population of 4,419, decreasing from 2,111,361 at the end of 1907 to 2,106,942 at the end of 1908. During the same year there was an excess of births over deaths of 16,415, but this was more than offset by a net loss by emigration of 20,834. Nuremberg is noted as an exception, its population increasing from 311,651 at the close of 1907 to 316,176 at the close of 1908, an increase of 4,525, but of this increase 4,444, or all but 81, was due to an excess of births over deaths. Consul lift asserts that statistics show that the decrease still is being continued.

Berlin and the Unemployed.

Notwithstanding the decrease in population due to hard times, mentioned in the preceding paragraph, Berlin prides herself upon her system of looking after the unemployed. To this end she has established a central labor exchange, which is maintained by the co-operation of the municipality, the trade unions and the workers who do not belong to unions. The cost of operating this exchange is about \$25,000 a year, of which the municipality pays \$5,000, while the unions and the workers contribute the remaining \$10,000. The exchange furnishes shelter for the unemployed, if desired, for nothing if the applicant belongs to a union, upon payment of a registration fee of five cents if he is a non-union worker. It has two large buildings to provide this shelter, and during 1907 it furnished it for 138,098 men and women, and found employment for 95,678 of them, an average of 262 having been given work daily. Taken as a whole, the exchange is said to be a model of thorough and paternal organization.

World's Most Effective Cannon.

What is said to be the world's most effective cannon was recently tested at Woolwich, England, and gave satisfaction. It is a twelve-inch wire, breech-loading gun, and has the highest velocity of any weapon yet made. Twelve-inch guns heretofore made have had an approximate range of sixteen miles; this is said to be effective at eighteen miles. It is announced that cannon of this type will form part of the armament of Dreadnaught battle-ships, and it is understood that the British government will place orders for them with the royal arsenal at Woolwich as soon as the requisite shrinking pits, now in process of construction, have been completed.

Remarkable Sale of Pictures.

For a long time Americans have borne the reputation of being willing to pay more for the work of celebrated artists than the people of any other nationality. Now, however, it would appear that our British cousins have decided to run us a race for the distinction, judging by the recent sale of the collection of the late Sir John Charles Day in London, a sale which the London Time terms "quite the most remarkable event of its kind which has ever occurred in this country." There were 123 oil paintings and 165 water-color drawings in the collection. The paintings brought \$366,500, or almost \$3,000 apiece, while the water-colors sold for \$96,830, or nearly \$600 apiece. The paintings included works by Mikl. Corot, Harpignies, Rousseau, Manet,

Jacob Maris and Willem Maris. The highest price paid for any one piece was \$25,500, which was given for Millet's "The Goose Maiden." Some of the pictures were bought by American dealers, but a large proportion, including some of the most expensive, went to Englishmen.

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription and dispense your remedies, and a store that will "grab" by paying the physician a percentage of your prescription?

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AS 'TIS DONE IN FRANCE.

Paris witnessed last week an impressive example of applied democracy, occasioned by the inauguration of l'Abbe Loisy at the College de France. Truly Gaulois was the attempt to unite two radically opposed principles into one speech; to hold the residue of freedom of speech, or rather freedom of teaching maintained by police! To be sure, it was not unexpected, this hybridizing, in a milieu that demands to be regulated to infinitesimal detail.

The selection of M. Alfred Loisy to the chair of History of Religions in the College de France produced a little tempest of comment. The clerical party regarded the choice as a direct deft to itself and as a reward to the various anti-clerical elements for past support or as a bid for attitude. A modernist, a notorious excommunicate crowned for his apostasy with opportunities for further mischief; or a hero and martyr for the cause of mental and religious enfranchisement, to be supported and encouraged in his work. Such were the parties.

May 3d was the day signaled for beginning his collegiate functions. Mutterings of trouble began. First off, the Camelots du Roy, a band of hot-headed ultra clerico-royalist, planned, or were accused of planning, a renewal of the disturbance for which several of their leaders were arrested and jailed last spring. Rumors of their hiring interrupters at seven francs a day circulated through the Latin Quarter. Next, a great yellow placard appeared on the signboards appealing, in the name of Les Etudiants Republicains, to all students and lovers of liberty, etc., etc., to defend M. Loisy and the principle of freedom of teaching, etc., etc. To formulate and organize this defense a meeting was called for May day.

A great crowd responded. The meeting opened quietly enough, with a brief address by the student chairman, who explained the prophylactic nature of his plan: We, the Association of Republican Students, etc., have heard of the menaces planned and have decided like good physicians to take preventive measures for defense. M. Guignebert, professor at the Sorbonne, followed with a resume of M. Loisy's life and work, and a justification, from the savant's point of view, of his election to the faculty—a very keen, witty, good-tempered but critical address, which brought the audience to its feet with applause. M. le Senateur Delpeche added a brief speech, severely anti-clerical. "Rise, young men of the Latin Quarter!" he cried. "Rise and defend the liberty of thought and teaching; defend it with reasonableness, and arguments, and if you can, defend it with the Right Fist and the Left Fist, if you must!" Again wild cheering, through the midst of which a pale, nervous young Camelot rose and demanded the floor; he was granted the privilege and mounted the platform, only to begin a rambling, highly emotional general harangue in justification of the Camelot campaign against the "insulters of Christ and Jeanne d'Arc." Suddenly he turned to M. Delpeche and shouted almost in his ear, "incoherent personality about 'that politician, the unspeakable Delpeche.'" On the instant a dozen hands grabbed the unwise youth and hustled him away with unnecessary violence; one of his conferees attained the platform, shouting and protesting against the conduct of his friend, and demanding in the name of "Republicanism" the right of free speech, which he claimed had been guaranteed by the chairman, but violated atrociously; he was appeased and the other young fellow led back to the platform, where he weakly admitted that the word "politician" had slipped out unintentionally, but decreed bitterly his rough handling. The meeting closed with a rainbow of promise built up of vows to "handle the situation without police aid" and "vive la Republique."

Next day continued the campaign of education by proclamation. Messieurs the Came-

lots and Etudiants Patriotes announced that the proclamation of Messieurs the Etudiants Republicains was a Lie, nothing less; that nothing could be further from their plans now (sinister and significant little word!) than to disturb M. Loisy, "that creature of Jews and University Protestants." Le Matin publishes a personal letter from M. Loisy himself, in the course of which he says: "I wish to withhold myself from all politico-religious quarrels. I present myself as a savant, and I have no other concern than my scientific work." It is neither as apostate nor as member of the church that I enter the College de France. . . . I am afraid that the 'turbulents' of whom you speak may not be very responsive to arguments of good sense. If they have not been able to see that my nomination was an affair of the strictly scientific order, that politics nowise entered into it, that my candidature was not a candidature of combat against the church, all the explanations that one could give them now would be superfluous.

At action Francaise—rabid clerico-royalist journal—on the other hand, maintained its fusillade of insinuation. Further affiches appeared on the bulletin boards. The Republicans had announced their endeavor to supplant the police. My hopes rose high. Here I should see an exhibition of intelligent self-government, of "efficient democracy."

On the morning of the third I found myself at nine o'clock surrounded by a crowd which already besieged the great iron gates of the college. The president of the Association of Republican Students and many of its members mingled with the crowd. All was going peacefully. But alas! suddenly a whole company of gendarmes swung around the corner and completely besieged the college; soon the familiar "Allez-vous-en, Messieurs," "Circulez-vous, Messieurs," sounded up and down the street and my dream of democracy faded. The Republic had not quite the mustard-seed of faith in its own republicanism and sent force to secure democracy and fair play.

At half past nine the gates swung open; the crowd surged through the narrow courtyard, crushing a little woman against a post in its course, and crammed the amphitheater. Followed an hour of tension, of curiosity, of expectation, of resolution. Precisely at half past ten, eighteen members of the faculty mounted the platform, led by M. Levasseur. At the end of the column—M. Loisy. Salvoes of applause which after a minute or so turn into a rhythmic "Vive Loisy! Vive Loisy! Vive Loisy!" A Camelot attempts some counter-cry, but is lastly suppressed. Through all this demonstration M. Loisy attempts to hold himself unperturbed, and at the first moment of calm began the reading of his address, in a low but remarkably clear and precise voice. No rhetoric, no polemic, no sops of any sort to the general disputatious public. He immediately plunged into his subject, told us dryly and sympathetically of the work of his predecessors, set forth his general ideas of his subject and his plans for attacking it. He had been careful to write out, and even to print, this address in advance, and kept close to the printed pamphlet, avoiding any possible descent into emotions of the moment, though it is a moot question whether theologians or historians of the critical school ever experience emotions. There was no emotion apparent; for example, when he read: "Religious can be materials for science; there is nothing to prevent the application to them of the methods of observation and criticism which serve in the study of history." Nor again when he began to treat of the history of religions it is necessary to regard men of his sympathy and indulgence that one must have for everything human. It is not, however, necessary to limit oneself to the narrow point of view of one particular or exclusive religion. If one believes in the religious is the perfect expression of the religious ideal it is useless to occupy himself with others. For myself, I

believe that when a man does not know others he knows but poorly his own religion." And whatever was lost to dryness or coldness was more than compensated in vigor and precision.

But towards the end, a burst of emotion, thrilling emotion, illumined the reading of the last words of his answer to the question, "What do you expect of me?" He had been outlining his program, matters and methods. With a sudden gesture, he concluded: "Vast program; shall I accomplish all its steps? I do not know. All that I can promise you (and here all the strength of the man rose to emphasize sharply his words) is to march on courageously. And I shall have no other concern but for the truth!"

Almost before the applause began he had slipped away to the shelter of his colleagues. The customary battery of cameras lined up expectantly at the college gates—but vainly, for a side-door opened quietly and the hero of the day was hurried out into a carriage and whipped away without more ado. Another camelot attempted to spit on him as he mounted the fiacre, but was seized by a vigilant gendarme and thoroughly shaken. A curious and very illuminating phenomenon thus, that on such a propitious occasion for demonstrating the very democracy of democracy the gendarme had the last word.

PARIS, May 10, 1909.

SHAW ON THE DRAMA'S POWER.

George Bernard Shaw, in a recent utterance, gave voice to the following brilliant description of the true place of the stage in the education of the public:

"The theater is literally making the minds of our urban populations today. It is a huge factory of sentiment, of character, of points of honor, of conception of conduct, of everything that finally determines the destiny of a nation. And yet it is openly said that the theater is only a place of amusement. It is nothing of the kind; a theater is a place of culture, a place where people learn how to think, act, and feel; most important, that all the schools in Christendom. A healthy Englishman amuses himself in the field and in the society of his friends; the theater can offer nothing in the way of amusement to compete with these except vice; and at that it can easily be beaten by places that the Nationalaters. Would any sane man call the National gallery or the British museum a place of amusement? It is true that these institutions are commercial failures, just as Westminster abbey is a commercial failure. And I sincerely hope that the National theater will be an equally conspicuous and equally priceless commercial failure. It is with that view, in fact, that we are asking for an endowment of half a million for it. Who speaks first?"

PATTI'S SECRET.

Now that I have plenty of time for reflection, says Adelina Patti in the current Strand Magazine, I am intensely amused at the wonder of which I am the object. People wonder at what they are pleased to call my perpetual youth, and they wonder how I manage to kill time here at my castle in far-off Wales, away from society and social excitements. Such shoals of letters I receive, begging me to tell them the secret of my voice, my complexion, my figure. I endeavor to satisfy them by their word that, if I will only tell them all, it will be held inviolable. As if there was any secret, unless temperance in all things is a secret! I never strain my voice, I avoid all pastries and rich dishes, and I am a slave to nothing; I endeavor to sprightly and busy for an idle moment, I love to manage my own house, to call upon my neighbors, to entertain my friends—M. Jean de Reszke and his charming wife have just traveled all the way to visit me—to practice scales, and what is left over is devoted to reading and needle-work.

MEN WHO DO THINGS

WILLIAM DENMAN.



Mr. William Denman.

father, James Denman, was the founder of the first free school in San Francisco, and was afterwards for many years superintendent of schools.

After graduating from the University of California, in 1894, Mr. Denman entered Harvard Law School, from which he graduated in 1897. He immediately began to practice law in San Francisco, and at the same time acted as assistant professor of law at Hastings Law School and as law lecturer at the University of California. While on the university faculty he was tendered one of the Philippine judgeships, which, after some hesitation, he declined. He has steadily risen at the bar and is now among the foremost of the attorneys of San Francisco, practicing especially before the federal courts.

He has, at the same time, been active in politics, as an organization Democrat, though he voted for Roosevelt and Taft at the last two national elections. He is, properly defined, a Roosevelt Democrat. In college, Mr. Denman organized the New England League of Sound Money Clubs, an organization with locals in all the eastern colleges, which had a considerable effect upon the political results of McKinley's campaign. He has, since leaving college, been a delegate to seventeen Democratic and non-partisan conventions. The second of these was the famous "Jim Budd convention." Here the regular order of nomination was reversed, on the plea of "taking the judges out of politics," and the nominations for supreme court justices were made before the nomination for governor. The real purpose of this plan was to nominate Judge Murphy of Del Norte for supreme justice, so that, when the nominations were made for governor, the Budd forces could object to the nomination of Barney Murphy on the ground that two Murphys on the ticket would alienate the German vote. This was successfully done, and Barney Murphy was defeated by Budd.

In thinking this "clever" piece of convention politics over, Mr. Denman first saw the menace to the character of the bench that was in the nomination of judges by conventions primarily interested only in the most "politic" selections to be made for immediate strategic, party reasons. Here a supreme court justiceship was handed about as a political shuttlecock in a game to win another man the nomination for governor. Where was the prospect of sound judgment from judges so selected?

Many things in Mr. Denman's experience tended to confirm this misgiving. He noticed the difference in procedure in the federal and the state courts—the one expeditious, brushing aside technicalities to get at justice; the other dilatory, and using technicalities as a means of favoring the side that had "pull." He noted the ease with which political lawyers got extensions of time in which to prepare

briefs, in the state courts. He observed in a thousand ways the effects of political pressure upon the state of mind of judges in procedure and decisions alike.

These things led him to undertake a fight to get a law through the legislature providing for the non-partisan election of judges. He enlisted the co-operation of the San Francisco Bar Association, which endorsed the idea and appointed a committee to work with the members of the other bar associations of the state to forward the movement. This committee, which has been continued in office, is composed of Charles P. Eells, chairman, Judge Charles W. Slack, John F. Davis, Matt I. Sullivan, and Warren Gregory.

He carried the fight to the state legislature, and the bill that he drafted passed the Senate and came within five votes of passing the Assembly. He had the votes to carry it in the Assembly, but a bereavement in his family prevented his presence at Sacramento until the last two days of the session, when it was too late to rally his adherents.

The movement is still under his guidance, however. He is now preparing to further it through the new state association of bar associations. He is preparing for the press a series of letters containing the votes of the members of the legislature on the bill, and, as far as can be learned, the pressure that was brought to bear upon those who voted against it. He is also writing to each member of the legislature, pointing out the reasons that the public believes caused him to vote as he did on the bill. He has a large faith that, with the strength the idea showed in the last session and with the better quality of members likely to be elected under the new direct primary law, the measure will easily pass at the next session.

An interesting sidelight of the campaign is the fact that Mr. Denman brought about the passage of this law in two other states by trying to get it passed here. He wrote last summer to a majority of the governors and chief justices of the several states, inclosing a rough draft of the bill and asking their opinion of it. He recently heard from the governor of North Dakota, who said that Mr. Denman's letter had come just when he was writing his message to the legislature; that he had incorporated the idea of the bill in his message, that the legislature had promptly adapted the bill to local conditions, and passed it, and it is now the law in North Dakota.

The chief justice of Montana wrote that he had referred the letter to the chairman of one of the judiciary committees of the legislature with the result that it had been made the law in Montana.

All the while Mr. Denman has kept up his interest in politics. In the Democratic municipal convention of 1899, in San Francisco, he led the fight to keep the national platform out of the local platform on the ground that the silver question had no bearing on good government in San Francisco, and after two defeats, his resolutions were carried on the third day. This fight was in line with the other movement, to dissociate in politics those things that have no mutual relevancy toward the main matter at issue.

Mr. Denman is a member of the board of governors of the San Francisco Bar Association, and a member of the committee appointed by that association to prosecute the disbarment proceedings against George D. Collins, which, by the way, were prosecuted to the last ditch that the courts would permit them to be carried in view of his imprisonment and consequent withdrawal from practice.

Enough has been told above to show that the man who is primarily the founder of the non-partisan judicial movement is high enough in the law to command the respect of the profession, and versed enough in politics to know how the pressure is applied to judges and to know the rational, safe way of removing from the evil influences of political

manipulators the judges of the state.

Mr. Denman is making a fight for one of the essential reforms of our governmental system, and deserves the heartiest co-operation of all citizens, as well as a place in this paper's gallery of "Men Who Do Things."

THE GRAFT CASES.

After practically four months of wearisome effort the trial of Patrick Calhoun is drawing to a close, and any day now may see its termination, at any rate, so far as the trial court of Judge Lawlor is concerned. Last Wednesday Assistant District Attorney Heney announced that the prosecution probably would have all of its evidence presented on Thursday (yesterday), and as it is understood that the defense will offer no testimony in its own behalf, there then would remain in the

(Concluded on Page 456.)

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Only the Crucified Live.

As from the old we have known it.

For all of the years attest it.

That a crown of thorns is woven

For him who would serve us best.

Deep in our lore 'tis graven:

He who would be our friend

Knoweth Gethsemane's garden.

Calvary at the end.

Heroes of right and duty.

Holding God's standard high.

They in their love have called us.

We answered them, "Crucify!"

Yes, but the slayers moulder.

And all that the aeons give

To them is the shame that brands them—

Only the crucified live.

Socrates, Huss and Bruno,

Ye who were tried by flame

Or by the hemlock's poison,

Yours is a deathless name.

Still as the years are added

Unto this rolling ball,

Ye are our honored heroes—

But where are your judges, all?

Dust of the dust unheeded,

This are your judges now;

Ye live in the wide world's honor,

Laurels upon your brow.

High on the cross of torture,

Jeered by the rabble mean,

Whispering, "Father, forgive them"—

Lo, 'tis the Nazarene

But the blood-mad mob has vanished,

Seeking oblivion's trust;

Dishonored and all-forgotten—

Save only the loving Christ.

Hold to this truth, brave battler

For duties the high gods give;

Though you be crushed and broken,

Only the crucified live.

Should He Give Up Smoking?

It is as you say, Elnora. If John loves you he should, knowing how much it would gratify you, be not only willing but pleased to give up smoking. He should for your dear sake be willing to give it up, just as you would give up—give up—well, say, wearing a hat that is likely to sever his jugular vein when he rides next to you. No, on second thought, that would be asking too much of you; but he should be willing to give up smoking, for your sake, just as you would give up something that was not too important, for his sake. Yes, you are right; he ought to give it up.

And yet, do you know, Elnora, I should not ask him to do so if I were in your place. No, I should not take the chances.

Once I knew a man whose dear wife asked him to give up the smoking habit, to which he had been addicted for years. He was a fine man, gentle, kindly, a fond husband and a devoted father. His wife admitted that she could not see that smoking hurt him any, but she had heard that it was a bad habit, and so she urged him to give it up.

He did so, and the first day thereafter the family noticed that he was different, but they said that they must be patient with pa under the circumstances. The second day the canary attempted to warble after he got home, and he threw the bird, cage and all, through the window. The third day he kicked the cat after the canary, and his language—well, this paper is to go through the mails, and so I cannot attempt to repeat it. The fourth day the rest of the family hastily went to visit a cousin of the mother, and thence they sent the man a round robin earnestly pleading with him to go to smoking again. He did so, and now anybody could live with him.

Yes, Elnora, John ought, out of regard for your feelings, to stop smoking, but were I in your place I should not ask him—not until you have found out what sort of nerves he carries, anyway.

The Opinions of Rufus.

A prison's a place where we confine men for being guilty of not havin' money 'nough to live expensive lifestyles.

The main difference 'tween soshal gossip an' malignant gossip is that the first is told on your neighbor an' the last is told on you.

Lots of men love babies, but they can more or less control their affections when the infant's howlin' 'long 'bout 3 o'clock in the mornin'.

"The pleasure of gittin' out in the country an' eatin' apples, penches an' sech fresh from the trees is what I call bucolic," said Lufe Jones. He tried it, an' after that he left off the first syllable. Didn't persist it was pleasure, either.

A Christmas without Santa Claus, a Fourth of July without noise, an' a Heaven without any sense o' humor in it—Oh, it's no use my tryin' to be good.

We men poke a lot of fun at the women, but if you think they don't get even why don't you get married?

"This better to have loved an' lost." Lots o' fellers that's tried it an' won say they's no doubt 'bout it.

The profoundest man I ever knew was a feller named Skaggins. He could tell the difference in principle 'tween the physical party he belonged to an' the one he didn't belong to.

The only thing I know of that's more depression than not to attain the ideals of youth is to attain 'em an' find out what they really 'mount to.

These waste-basket hats is improvin' to some sossen, for they ain't no doubt that they cover up considerable of their faces.

Not Very Good in School.

Not very good in school was I;

Didn't know whether to smile or sigh

As the battered schoolhouse I now recall.

With its desks deep carved by the urchins small.

There I studied somewhat, or truancy tried,

Wooded by the charm of the world outside.

And dreaming today I hold it sure

That the teacher's task was no sinecure.

But earnestly, faithfully, patiently still,

The master guided us up the hill.

And, though 'twas little we gave him heed,

Taught us the lessons the years would need.

Not very good in school am I,

In the great, great school where our fates we try.

Fall often I turn from the books away.

The lessons unlearned while I truant play.

And I cry in my folly: "Let Duty pass;

I will dance with Pleasure, the bonnie lass."

And I turn from the Master, all loving, kind,

For a child am I, and the child is blind.

But the Master heeds though afar I stray,

And He guides me still in His chosen way.

And patiently, tenderly, He doth lead

My soul to the lore that my soul shall need.

Modern Definitions.

Smart Set—Ironical term, generally applied to people who are almost anything else.

Higher-up—One who has money enough to keep out after he has been caught at it.

Appellate Court—An intermediate hope for those who have been caught with the goods on them.

Love—A strange emotion which thrills one at sight of a person clad in the garments of the other sex.

Divorce Court—A place for scratching the necks that are mad in heaven.

Patriot—One who loves his country and belongs to your party. Frequently the order is reversed.

"She was greatly disappointed, after marriage, to find that her ideal of a husband was not what it had been before marriage." "What did she do about it?" "Changed." "What? The ideal?" "No, the husband."

Thoughtful Man on Payment of Prosecutors.

"As a citizen and a taxpayer, sir," said the Thoughtful Man, "I protest against the payment of any of the graft-prosecution's expenses out of the public funds. It is an outrage, sir, an infamy, a—yes, it is all of that. Why should the public pay for a corps of gunshoe artists for the prosecution, when Mr. Calhoun pays for his own, or, at any rate, permits the acrobats who ride in street cars to pay for them? Why should this invidious distinction be made, and why should tax-payers tolerate it? Dummit, they shouldn't."

"It is not as it would be were a man to enter my store and steal a loaf of bread. In that case he naturally and justly would be arrested one day, tried the next, and started for a five-years' sojourn in San Quentin on the third day; and the public could afford to pay a hawk-eyed sleuth for the seven minutes services that occasionally might be required in such a case. But to pay such sleuths for weary months after weary months of repulsive service in hounding a noble and patriotic citizen who has done nothing except to pay out \$200,000 to helpful supervisors in order to improve his business chances—sir, it is intolerable. My heart rebels at thought of it, and I rise in indignant protest. The tax-payers should make home row—I mean, Rome howl, in refusing to permit it."

"But if the tax-payers should not pay prosecution expenses, what shall be said of private citizens who go into their own pocket-books to secure what they malignantly term justice for the philanthropist who paid \$200,000 for the privilege of supplying this city with the latest and most luxurious style of street-car straps, of which the citizens avail themselves at five cents per avail? Could human conduct be more basely objectionable? It could not. Yet these men proudly hold up their heads in our midst and act as if they were engaged in the laudable enterprise of prosecuting a man who has been unable to secure work and hence is amenable to the vagrancy law. The shame of it! Strange that they do not appreciate the infamy of helping to prosecute a man—I should say, a public benefactor. It should not be tolerated."

"But," said I, "if neither the public nor private citizens should pay for prosecution, who should?"

"That is not my affair," the Thoughtful Man replied. "Let the prosecution decide that for itself. Why should I mix in its affairs? I am merely expressing the sentiments of the large and honored class to which I belong, sentiments which you may hear repeated in some of our clubs almost every day. S'long."

And he s'longed. * * *

The Man Who Sows.

The man who sows a kindness, he may reap it by and by

In the country of our dreaming somewhere out beyond the sky;

The man who sows a duty, he may garner in its sheaves

Far beyond this narrow valley where the spirit hopes and grieves;

The man who sows a loyal faith may breathe its fragrance here.

It blossoms into sweeter life and blessing "Over There!"

These as they sow shall also reap, but this is true, I find:

Who sows but greed of yellow gold his harvest leaves behind.

The Wretch.

He gazed upon the cold tombstone which he had had erected to his wife's memory.

"She is at rest," the simple inscription read. There's two of us, he enigmatically said, as he turned from the quiet place to the burly-burly of the great world.

Wherefore it is written in the records that he was a wretch.

("The Graft Cases"—Concluded.)

argument of counsel and the jury's decision.

A large part of the evidence presented during the week just past has related to the papers stolen from the prosecution and found in the keeping of officials of the United Railroads. These papers, largely consisting of reports concerning jurymen, have been placed in evidence, and different batches of them have been identified as the property of the prosecution by Raymond Schindler and W. H. Russell, both of the prosecution's detective force, chief clerk Alexander McCabe of the district attorney's office, and Miss Marian Doyle, a stenographer. The defense, of course, attempted to minimize the effect of this evidence, but without shaking its credibility.

Alexander Lathan, Ruef's former chauffeur, who accompanied the ex-boss at the time the latter is supposed to have secured the money he paid the former supervisors for their votes for the United Railroads' franchise, refused to testify, on the ground that he might incriminate himself. Lathan's wife, however, furnished an interesting bit of testimony in swearing that when her husband left the state at the time when he was needed as a witness in the graft cases, he went in the employ of the father-in-law of Luther Brown, of the United Railroads detective agency. Moreover, according to her testimony, her traveling expenses as well as those of her husband and \$150 a month, were paid for Lathan's services.

And at last, after an absence from the state of about two years, appeared George E. Starr, treasurer of the United Railroads, he having been recalled by the illness of his wife. The account books of that company, which were

sent East, still are there, but Mr. Starr testified that Calhoun sent him East, and, further, that he had on August 23, 1906, on Calhoun's order, credited the United Railroads Investment Company with \$200,000 on the books of the United Railroads, Calhoun explaining to him that he had borrowed this amount of the investment company. There was no attempt to explain the coincidence that \$200,000 is the amount supposed to have been used in buying Ruef, Schmitz and the former supervisors.

UP AND DOWN THE STATE.

All rights of way for the extension of the Visalia electric railroad from that city to Woodlake and Redbanks have been secured, and contracts for grading are being let. The line will be constructed as rapidly as possible.

S. R. Barnett, editor and half owner of the Suisun Courier, and Miss May A. Cobb, of Copperopolis, were married last week. The bride formerly was a schoolma'am, and the groom being an editor, congratulations may be extended with neither hesitancy nor misgivings.

A Los Angeles company has purchased 3,200 acres of land in the Yucaipa valley, near Redlands. An irrigation system will be established, and then the land will be set out to cucalypts.

Thousands of acres of land near Hanford recently were flooded through a break in the levees along the Kings river, the volume of the river having been swelled by melting snows. The flooded country was about five miles long by a mile or two in breadth.

California's first capital, Monterey, recently decided by a ten to one vote to issue bonds in the sum of \$150,000 for municipal improvements.

It is reported that all the bonds issued for the construction of the Clear Lake Northern railroad, to be laid between Lakeport and Pieta, have been sold.

Court records show that D. D. Gilstrap, of Gridley, has brought action for divorce against "Lillian J. S. D. A. Butts-Gilstrap." It appears that Mrs. Butts-Gilstrap was named after five aunts, as well as one or two other people, and, as all of the aunts now are dead, she has abbreviated her wealth of initials by substituting for the five the figure and letters "5 D. A.," the same being interpreted, "five dead aunts," her method of signing her name being that under which she is sued in the complaint.

New York capitalists have purchased 13,000 acres of the Hickman ranch in Stanislaus county. It is said that a large sum of money will be expended in cultivating and otherwise improving the land, a pea cannery to be one of the first improvements.

An unconfirmed rumor asserts that Asiatics employed on the Western Pacific Railroad in Nevada recently burned one of their number as a sacrifice to Buddha.

Last week a nugget bearing gold valued at \$1,100 was taken from the Phoenix mine, near Harleton, Butte county.

A QUAIN LITERARY RELIC.

Thomas Wentworth Higginson, in an article on immortality in Harper's Bazar, quotes from a letter, never before published, written by Elizabeth Penbody, whom he calls the source and founder in America of the kindergarten system. The letter, addressed to a friend who had lost a child, includes these words: "Just now you are, I dare say, in the mood of Emerson's wail in the Threnody. Do you know that it was quite at first he poured out that song of woe, and it was not till a year afterward he wrote the rest—from the words, 'The Deep Heart Replied.' This fact gives both parts more meaning—and I think you will find solace in reading now the first part and thinking of the rich consolation it store and for you. But excuse me for making suggestions," the letter concludes, quaintly, "when God has spoken to you so intimately."

The well-merited appreciation of The Bank of Germany, 1225 Broadway, Oakland, is due to the capable financial methods of the well-known business men forming its board of directors. Their energy and foresight have placed it among the leading institutions of its kind in Oakland.



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They say that no one can live without dining, but thousands do.
To eat is not to dine. If you want to dine well you must be content to eat out.

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POLITICAL TABLE TALK

By THE WATCHMAN.

Two Good Men Decline to Run The writing of this page has been deferred to the last possible moment in the hope that the events which have crowded the social calendar of the week would eliminate the choice of Republican candidates for mayor in San Francisco before The California Weekly goes to press. However, when this is written, James Rolph, Jr., and Marshall Hale, the two men either of whom would seem sure to be elected if he would consent to run, have not refused, and the Independent Republicans are still at sea for a candidate. The striking fact, however, is that the Municipal League of Independent Republican Clubs has risen, in a few weeks, to be tacitly regarded by the public as being the controlling element of the Republican party in San Francisco, and, more the deciding factor in the municipal campaign. The League is a group of district clubs, organized under the model club in the Thirty-Ninth District under the active direction of Edwin McMurray and with the cooperation of a body of men of remarkably high average of public spirit and character. The League absorbed most of the strength of the Lincoln-Roosevelt League for the municipal needs of the hour. Each club elected "conferees" to attend a "conference" committee meeting—in reality a convention, but a convention directly responsible to the district clubs which must endorse or condemn the action of the conferees. And at the end the convention binds nobody; it simply acts as an organized expression of recommendation of a ticket as a means of attracting public attention to the best men that the best sense of a representative gathering of Republicans can agree to recommend.

Old and New Conventions The action of the San Francisco Democratic Club (the anti-McNab Democrats) in holding a similar conference, indicates what The California Weekly has before pointed out, that no system of nominations will ever eliminate the pre-nominating gatherings to unite on candidates. Such an end, in fact, is undesirable; the desirable thing, and the thing that the direct primary seems to achieve, is the elimination of the old style convention with power to practically "freeze out" all candidates for office not "slated" by the practical politicians.

Heney is the Issue Of course, the sensational and encouraging event of the week is Francis J. Heney's agreement to enter the race for district attorney. The Independent Democrats have nominated him and he has accepted, and the issue, thus squarely raised, makes it inevitable that the independent Republicans will follow suit and that the Good Government League (rapidly growing in strength and likely to be a powerful factor in the campaign) will do likewise. Mr. Heney did not want the office, but when it became evident that Nat Coughlan and "Cold Feet" Fickert were the only others in the field it became necessary for him to enter the race. Coughlan, in reply to Heney's attacks on him, thoroughly discredited himself by a letter of virulent and vulgar abuse, published only by the disreputable Evening Globe. The candidacy of Mr. Heney is a good thing. It puts the paramount issue squarely before the people, and the coming campaign will clearly separate the sheep from the goats in San Francisco as a result.

Union Labor Entanglements The Union Labor ticket is having a rough road. Even the Royal Arch is complaining against having nine saloonkeepers among the eighteen candidates for supervisors, fearing its effect on public sentiment in favor of prohibition. McCarthy, with his Call libel suit, and with the discrediting co-operation of Jerome Bassitt and Eddy Yoell, is in an uncomfortable position toward the public. Tom Finn, the chameleonic water-front politician, is still impudently claiming that he will re-

ceive the Republican endorsement for sheriff—a grim piece of irony if true, which it isn't. Mulcrey has failed to work the independent Democrats for an endorsement for county clerk.

Campaign Possibilities Among the possibilities as candidates are H. G. Mathewson for auditor (he is now chief deputy and commended to the Republicans by the retiring auditor, Goodhue for recorder); and Percy V. Long for city attorney—all Republicans. Another probability is that many of the present supervisors will run for re-election on the strength of the Good Government League's pledge to endorse heartily the candidacy of any incumbent who has made a good record—a pledge that involves the endorsement of all but two or three members of the present board.

League of Justice Not Lincoln-Roosevelt A "rousing" League of Justice was formed at Los Angeles a short time since and a committee of one hundred is at work completing the organization for effective work. A mistaken notion has gone out that this league is to take the place of the Lincoln-Roosevelt League. This is not so. The League of Justice is non-partisan. The Lincoln-Roosevelt League is political. The first has to do solely with the reformation of the judiciary and of judicial procedure to the end that justice may be more speedily and impartially administered. The second has to do with the emancipation of the Republican party from corporate domination in this state. Both organizations will be offered by essentially the same type of citizen if not the same persons, and neither can accomplish its purpose unless the other accomplishes its purpose also. It will be impossible to reform the judiciary in this state and still permit Mr. Herrin to name the judges, and it will be impossible to reform the criminal procedure and permit the Herrin organization to control the legislature; and yet the League of Justice has mainly to do with justice without regard to party, whereas the Lincoln-Roosevelt League, bidding godspeed to the better element in Democratic politics, will find hard work in reforming the Republican party from corporate domination. These two leagues are friends and allies, but neither has been substituted for the other in the cradle.

League of Justice to be Made National Prof. George H. Boke City taking steps necessary for making the League of Justice national. It is a grand concept and the need for it is certainly national. It will be a splendid achievement for California if it shall become a national movement for the reformation of criminal laws and procedures and the securing of better men to occupy judicial positions. The malady from which we suffer is national and not state. California is not the only state in the union whose appellate judges are carefully selected by the political handy men of a great corporation, selected because of types of mind suitable to the purposes which these great corporations have at heart, or selected that they may remember at the crucial instant who was that selected them. New York is as much corporation-ridden as California, and Pennsylvania is more so. Professor Boke has entered upon a magnificent undertaking. California sends greeting to New York and craves its co-operation in making the League of Justice national in its scope and as efficacious in producing results as comprehensive in its field of operation.

The Saloon Issue While Los Angeles does not hold its city election until spring, municipal politics is beginning to ferment there already and there are signs that the saloon issue may cut some figure in the campaign. Los An-

geles has the best system of saloon regulation in the state, but it has the saloon and the saloon as an institution is under condemnation there as everywhere, despite the fact that the saloons of Los Angeles are as decent as saloons can be made. But the stirring up of this issue is not coming from prohibitionists or anti-saloon forces in any form. It is coming from the liquor interests that have grown resolute under restriction and want to widen the saloon zone and lessen the quantity of liquor which may be sold in original packages not to be drunk on the premises. No city that has taken a forward step in this particular ever took a backward one to stay backward, and Los Angeles will not. It will not suffer the saloon to invade the residence districts under any pretense and, if the issue be forced, it may do as Fresno has voted to do, cut the saloon out altogether and confine liquor selling to restaurants and family liquor stores. However, the forces are lining up and can hardly fail to be a factor in the next campaign.

Wallace for Mayor of Los Angeles San Francisco, like San Francisco, suffers from an embarrassment of riches when it comes to men fit to be mayor, but, like San Francisco, it has not always selected its best timber. In fact it has made mayors of indifferent stuff for some years, with results lamentable to contemplate. Indications now are that public sentiment is looking about for the man for the place and, among others, it is looking over the qualifications of A. J. Wallace. If it wants a clean man, thoroughly conversant with public business, it will find such an one in Mr. Wallace. A trouble in both the big cities is that the best men are still in business harness and loth to hang it on the peg for a short term as city executive. We need more men who, having acquired enough to make them independent, are disposed to give some years to the service of a public that made it possible for them to become independent.

It Was Nice Of Nat Coughlan The Honorable Nat Coughlan conferred an important favor upon the citizenry of San Francisco when he launched his philippic against Francis J. Heney, and especially when he launched it in the Globe. Everybody now knows exactly where Nat stands. All should have known it equally well before, but Nat has now, himself, taken cognizance of his own state of mind and political affiliations. Not one man can now vote for him for district attorney with any expectation that, if elected, he will do anything that the higher-ups do not want done, or will fail of doing anything they do want done. There is nothing like having the issue made plain. Thanks to Nat. Awfully grateful, don't you know.

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SAN FRANCISCO TRACTION PROBLEM

Second Article. By WILLIAM KENT.

In my first paper, published in The California Weekly of June 4th, there were considered the broader theoretical outlines of the relations that should exist between an intramural transportation system and the city. It was shown that transportation, being a necessity, should either be furnished directly by the municipality or else under stringent license by an agent of the city, and that in the revocable (but not confiscatory) terms of such license lay the only ability of the city to control its agent.

Granting such control there is an open question as to whether or not the city should directly operate the roads. Whether municipal ownership of the franchise rights with full control and with private operation is more advisable than the assumption by the city of this function. In favor of the city's operation of transportation, as opposed to the plan made necessary in Chicago on account of inability to raise money for the purchase of the properties, there is first of all the fact that the city would enjoy all net profits, instead of 55 per cent. of such profits.

There is a saving in obtaining money for construction and equipment; inasmuch as a municipality can borrow at a rate of 4 per cent., where even a protected corporation must at present pay 5 per cent. Brokerage and construction profits can also be eliminated from the charges against the city.

Granting equally good management under public as under private operation, there would be little doubt that with the economies above mentioned, Chicago could, by dropping its 55 per cent. of net receipts, furnish its patrons with the longest of hauls, and the best of service, for a four cent fare and have a comfortable margin for unexpected contingencies. But the limitations of bonded indebtedness

made it impossible for Chicago to adopt this policy, and so in spite of a desire for municipal operation the other plan was adopted as the only choice.

The opponents of municipal operation oftenest satisfy themselves by making the assertion that cities are necessarily incompetent and corrupt and therefore should not be entrusted with any so-called business enterprises.

Certainly no business can be performed except under the continuity of a non-political civil service. As far as corruption and mismanagement are concerned no public operation can ever be more disastrous to the community or the stockholders than some of the "private enterprise" concerns have been.

A municipal government capable of organizing an intelligent, fair and honest system of control ought certainly, with proper civil service laws, to be capable of operating.

The danger that rests in the possibility of a vast army of employees organizing to run politics in their own interests is more worthy of consideration, but even this could doubtless be fended against.

There is no danger so great as the one that springs from the hostile attitude of unrestricted individual greed, with its continuing assaults on the integrity of public officials.

Personally I believe that the close and more obviously municipal government approaches the welfare of the citizen, the more attention the citizen will pay to municipal government, and intelligent active interest is the need and the hope of democratic government.

Indirect Tax of Compensation.

The Chicago plan provides for a division of net profits, in other words the city levies an indirect tax on the traveling public. This indirect tax resulted in the city's obtaining in the first year of the arrangement approximately \$1,500,000. Under ordinary conditions such an indirect tax would be entirely indefensible. The city's profit should be left in the pockets of the riding public. But Chicago had declared for municipal ownership, and the only means by which this could be obtained under bond limitation was by accumulating a fund for this purpose. The tax is one levied on present patrons for the benefit of future patrons, and cannot be expended for general purposes. Moreover, the city can use its percentage, if it so desires, for the lowering of fares.

Anyone who has been through the war against franchise privilege can foresee and foretell with accuracy the arguments that will be used against any effort to curtail the privileges of municipal beneficiaries. Our old friend "Vested Rights" will immediately leap to the front, and will proclaim that the pleasant license already enjoyed must be continued indefinitely, or there is the horrid injustice of "confiscation." We shall hear the pitiful wailings of Wall street "widows and orphans" who have placed their little all in the gold bricks and toy balloons of inflated finance. At the most heated period of the Chicago struggle, Mr. "Dooley" solemnly advocated hanging the "id—widdies and orphans" as the real oppressors of the city.

We shall hear much of the corruption and incompetence of city government, but nothing of the swindling of "high finance," or the wickedness of purchased legislation and corrupted juries. We shall be told that we are fouling our own nest, whenever we try to kill off the insects that infest it. And worst of all, from Captains of Industry and the bankers, brokers, and lawyers they own, we shall learn the awful news that CAPITAL is being DRIVEN AWAY, and that from now on we must make our choice, "surrender or walk." Chicago did not surrender, Chicago is riding in luxury, and the bankers who once sold inflated "Yerkisms" under bogus guar-

(Concluded on Page 460.)

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THE EUCALYPTS IN CALIFORNIA

IV. THE PRODUCT: ITS USE AND VALUE

Written for The California Weekly by GEORGE W. PEAVY, United States Forest Service.

The idea of treating timber trees as a crop, planting and harvesting them in regular rotation, is a novel one to the average American. Europeans accustomed for generations to the utilization of forest crops regard the matter as prosaic as they do the production of barley and potatoes. The forester of foreign countries, fortified by the results of centuries of practical experience, can tell almost to a nicety the volume of material which a given tract of land will produce if planted to a certain species of tree. In our own country, forestry is still almost a matter of experiment that the volume and character of the returns from tree planting are largely a matter of conjecture. It is true that European experience is of some use and that the examination of native forests yields valuable data, but until our lands have been classified through the harvesting of crops of forest trees on them, forestry proper in this country cannot be the exact science it is abroad.

Uses of the Eucalypts: Shelter Belts.

The planting of eucalypts in California has been practically for three purposes: To form shelter belts for the production of citrus or other crops, to produce wood for other domestic uses, and to grow material for the market. To urge the importance of wind-breaks to the orchardist or rancher of southern California is unnecessary. They have become a common and most important factor in the horticultural development of that part of the state. In fact, the necessity for shelter belts is so great that in some sections certain crops cannot be raised without them. To their protection may be attributed, in a large measure, the fine quality of California's citrus crop and through their agency large sums are indirectly returned to the state. Properly managed, the wind-break may also be made to yield a large amount of fuel and, near seaport towns, piling for wharf construction.

In the San Joaquin and Sacramento valleys there is a wide field for the extension of this form of planting. A systematic introduction of eucalypts in those regions would, in the aggregate, return almost untold wealth to the ranchers by lessening the effect of the hot, drying winds which sweep up and down the valleys. At the same time, the trees would make the country more attractive by breaking the monotony of the level stretches; they would furnish a supply of wood for domestic purposes and shade for the stock. It is very evident that these two regions are now yielding but a fraction of the wealth which they are capable of producing, and it is very important that attention be directed to shelter belt planting as one step toward bringing them to a higher degree of productivity.

Eucalypts for Domestic Uses.

Closely associated with shelter belt planting has been that for producing material suited to use as fuel, posts, etc., upon the ranch. The available supply of native oak is rapidly diminishing and it is very desirable that the rancher should have an independent wood supply for future consumption. There is hardly a ranch which does not have some waste land in arroyos or on hillsides which could be put to growing eucalypts, and the thrifty rancher should see that such land is put to this use. He may be sure that any surplus which may be produced will find a reasonably good market.

Commercial Planting.

The business of planting eucalypts for the purpose of producing commodities for the market is still in its infancy in this state. Just how remunerative the business will prove is still largely a matter of guess-work since the future market is uncertain and the productive-ness of the various grades of soil and the adaptability of the different species of American grown eucalypts to commercial uses have not yet been determined. Groves have been estimated which show a yield of more than 115,000 feet board measure, or 25,000 cubic feet of material per acre in eight years. It is

well to understand, however, that no mill man, under present conditions, would get that amount of merchantable lumber out of them. This is without question a phenomenal growth—one that could not be duplicated unless the conditions under which it was made could be reproduced. On the other hand, groves have been measured which have produced only 6,000 feet board measure, or 3,000 cubic feet of material in twenty-eight years. These are extreme cases of course. It is very certain, however, that the yield from the great majority of commercial plantations will fall far below the maximum figures indicated above.

From measurements made by the forest service of about 180,000 trees grown under all conditions, the following average figures for height, diameter, and volume growth were obtained:

Age Years.	Height Feet.	Diameter Inches.	Volume Cords.	Value Per Acre.
6	48	4.0	32	22
8	55	4.6	20	29
10	61	5.2	34	38
12	65	5.8	38	44
14	70	6.4	44	50
16	73	7.0	43	56
18	76	7.4	46	62
20	78	8.0	48	68

It must be understood, of course, that the poorest as well as the best grades of groves are included in these measurements and that individual trees in the poorest groves will exceed the diameter and height figures, while in the best groves individual trees will fall below these averages. The purpose of quoting them here is expressed in the hope that they will serve as a mental corrective to those who are inclined to accept as authoritative the yield estimates presented by some of the eucalyptus companies. This information is quite different from that told in a booklet issued by one of the most prominent of the eucalyptus companies, in which Circular 2, published as the result of a co-operative study made by the forest service and the state, is quoted as showing the average diameter growth of trees grown in all sorts of places and under all conditions to be eleven inches at ten years, and the height ninety-two feet for the same period.

Present Market Conditions.

At present there are three principal uses for which eucalyptus timber can be employed. These are fuel, piling, and lumber in its various forms. The fuel market is not an active one. In general, consumers will not accept eucalyptus if oak can be had. About San Francisco, it is not generally even used for fuel purposes, some of the dealers even refusing to handle it. This may be due to improper methods of seasoning. In Santa Barbara and the vicinity of Los Angeles, the price to the consumer is from \$10 to \$12 per cord, delivered. The owner of a cordwood grove can get from \$1 to \$1.50 per cord on the stump. The difference between the stumpage price and the price to the consumer represents the cost of working the stuff up, delivery, and the middleman's profit.

American grown eucalypts have never given satisfactory results in contact with the soil. Consequently, there is no market for the timber for use in the form of posts, poles, or railroad ties. It may be possible that improved methods of seasoning or the application of preservatives will increase the durability of the timber in contact with the soil to such a degree that it will have a value for the purposes above mentioned. The planting of eucalypts to supply a market which does not exist, and for a use to which the timber is not fitted, is precarious business from the investor's point of view. At the least, and the man who buys eucalyptus acreage on the representation of some concern which promises him a yield of 500 poles per acre valued at \$5 each may very properly be said to be taking a "flier," in spite of the fact that he may have been assured

that the estimate is a most conservative one.

The common blue gum, *E. globulus*, has proved to be decidedly satisfactory for use as piling. It is comparatively resistant to the attacks of marine borers and does not readily decay in the water. It is a difficult piece of timber to handle for this purpose, however, owing to its great weight and to the fact that it cannot be floated. Eucalyptus piles from thirty to sixty feet in length and with a butt diameter of from twelve to eighteen inches are now being delivered at the San Francisco dock for from twenty to twenty-four cents per linear foot or, in round numbers, from \$6 to \$16 each. If the cost of cutting and hauling is taken into consideration such trees are worth on the stump from \$2 to \$10 each. It will be readily understood that a plantation must be located close to the market in order to make the production of this form of material profitable. At the same time, only selected trees will be accepted since comparatively straight sticks are required.

But few of the eucalypts planted in this state have reached a size suitable for sawing into lumber; consequently, there is a very limited market for stumpage for this purpose. About \$15 per thousand may be regarded as an average figure for this class of material. As in the case of timber for piles, only the choicest trees will be purchased by the millman. The price indicated above, \$15 per thousand, which the owner of the grove receives for his material, is quite at variance with the price, \$130 per thousand, which some of the eucalyptus companies selling stock and acreage say will be received. It should be clearly understood that the first of these prices is the value of the raw material on the stump; the second is the price of the manufactured product of the highest grade ready for the consumer. The wide discrepancy between the two prices represents the items of cost and profit in cutting, milling, seasoning, transporting, and marketing the material. The first price is similar to that of the wool on the sheep's back; the second to the price of the finished garment; or to use another figure, the first may represent the rough stone as it comes from the quarry, the second the same material in the finished structure. It is as reasonable to base a quotation of the price of wool or the price of marble on their final form as it is to quote the price of the highest grade of the finest finished material as the price which the grower of eucalyptus timber will receive for his uncut material. At present, a good grade of eucalyptus lumber, cut from mature trees, is being imported from Australia and laid down in San Francisco for \$85 per thousand feet, board measure. In large lots a price of \$77 per thousand can be made.

The Cost of Establishing Plantations.

Those who have been paying or who contemplate paying from \$150 to \$300 per acre for land planted up to eucalypts will perhaps be interested in knowing just what it costs per acre to establish eucalyptus plantations. In the first place, the initial cost of lands similar to those which certain of the companies are offering for sale is \$8 to \$30 per acre. Some companies, without question, have purchased more expensive lands. The cost of thoroughly preparing an acre of ground for planting should not exceed \$6. Seedlings can be purchased for \$6 per thousand. Actual planting has been done this season for less than \$3 per acre, planting 1,000 trees to the acre. The cost of cultivating and otherwise caring for an acre for two years should not exceed \$6. Assigning a value of \$25 per acre for the land, the total cost of carrying a plantation through to the end of the second year should not be in excess of \$50, a figure which will include interest on the investment, taxes, and protection against fire.

As was indicated in the preceding of these articles, it is certain that the business of growing eucalypts for profit has a great future in California. It is equally certain that it will be carried on eventually, not by companies sell-

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ing stock and acreage, but by conservative business men who are willing to undertake an enterprise from which the returns will be moderate but comparatively sure. No business man is attracted by an investment which holds out promise of a return of 30 per cent to 240 per cent, on his money. It is very certain that many people are now putting their money into eucalyptus culture who have absolutely no conception of the business, many of whom are going into it on the installment basis and who will as inevitably default in their payments as do those who buy life insurance or investment insurance with the expectation of realizing large returns in the form of dividends.

The state forester, in a recent interview on the subject of the commercial planting of eucalypts very pointedly says that it appears that some of the companies are more concerned in obtaining the widow's mite than in actually propagating eucalyptus timber. There can be no question that it is more important that the mite of the widow and of others of moderate means should be safeguarded than that people now comparatively wealthy should be further enriched. The American Lumberman, perhaps the most conservative publication representing the lumber business in the United States, says in a recent editorial:

"There are signs that eucalyptus schemes are going to be presented to the public without anything but wind back of them, which will yield phenomenal profits to their promoters but heavy loss to those who invest their money. We fear that many people, within the next few years, are going to invest their money in eucalyptus prospectuses and handsomely prepared stock certificates, deeds and contracts, instead of real eucalyptus properties."

After all, the eucalypts are only trees, which live and grow according to laws as to those of the Medes and Persians. They must have space in which to grow, moisture and sunlight. Treated rationally, they are sure to become a valuable resource. Exploited like a bonanza mine, they are sure to yield disappointment and loss.

("San Francisco Traction"—Concluded.)

antees to estates, are now salting down "socialistic" bonds as their safest assets. The very New York financiers who tried to lead the town are furnishing money to build it up.

Let the associated and affiliated agents of the "widows and orphans" emit their plaintive screeches. Even such as they are rendered more calm and rational by the escape of surplus steam, even though the noise be discordant.

In order that those struggling for public rights may not be guilty of exaggerations and render themselves ridiculous, it is necessary that they should learn and know the facts concerning the existing companies—

1. The capitalization per mile of the railways.
2. The cost per mile of duplicating the trackage, equipment and plant of the railways.
3. The cost per mile of the best modern equipment.
4. The earnings of the railways.
5. The cost of operation.
6. The division of profits.

(a) Payment of interest on bonds representing investment.

(b) Payment on bonds representing promotion.

(c) Dividend payments on stock.

(d) Last, and most important to San Francisco, the "Legal Expense" account.

The next paper will show why, under existing conditions, the Geary-street road should be a municipal undertaking.

Admiral Mahan's New Book.

Rear-Admiral A. T. Mahan, a world-famous authority on naval affairs, has turned from his technical writings to compose a book on "The Harvest Within: Being Thoughts on the Life of a Christian," its underlying theme being "the mystical relation of the individual life of the Christian man and the corporate life of the Christian church to the life of God in Jesus Christ."

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Capital.....	\$ 3,000,000.00
Surplus and Profits.....	1,876,614.56
Deposits.....	11,501,180.38

OFFICERS

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JAMES K. LYNCH.....	Vice-President
J. K. MOFFITT.....	Cashier
H. SKINNER.....	Assistant Cashier
C. H. MCORMICK.....	Assistant Cashier

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First Federal Trust Company

Montgomery and Post Streets
Near Market Street

JOSEPH G. HOOPER, Manager

Capital.....\$1,500,000

Deposits of \$1.00 and upward received, on which interest is paid at the rate of 3½ per cent. per annum.

This Company is associated with the First National Bank, and has its banking rooms adjacent to the bank. It is owned by the shareholders of The First National Bank, and is governed by the same board of directors.

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The German Savings and Loan Society

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Guaranteed Capital.....	\$ 1,200,000.00
Capital actually paid up in cash.....	1,000,000.00
Reserve and Contingent Funds.....	1,479,042.50
Deposits Dec. 31, 1908.....	35,079,498.53
Total Assets.....	37,661,836.70

Officers—President, N. O. Oshland; First Vice-President, Daniel Meyer; Second Vice-President, Emil Rolite; Cashier, A. H. R. Schmidt; Assistant Cashier, William Herrmann; Secretary, George Tounay; Assistant Secretary, A. H. Muller; Goddellow & Fells, General Attorneys. Board of Directors—N. Oshland, Daniel Meyer, Emil Rolite, Ign. Steinhart, J. N. Walter, J. W. Van Bergen, F. Gilmann, Jr., E. T. Kruse, and W. S. Goddellow.

Mission Branch, 2572 Mission Street, between 21st and 22d Streets. For deposit and payment of deposits only. C. W. HEYER, Manager.
Richmond Branch, 422 Clement Street, between Fifth and Sixth Avenues. For deposit and payment of deposits only. W. C. HEYER, Manager.

HAVING concluded the discussion of the question for the evening, the charter members of the Galoot club found themselves the sole occupants of the smoking room. Instinctively elevating their feet to the periphery of the card table and tipping back in their chairs, they put themselves in a state of respectful receptivity for another installment of personal romance which, for some time, the Reverend had, in strictest confidence, been disclosing to each other.

"Look here, Judge," demanded the newspaper man, "you have listened to all that the rest of us have had to disclose in relation to our experiences in affairs of the heart, but, aside from an occasional and cautious expression of astonishment, you have been strictly mum. Tote fair, Judge. It is your turn."

"The fact of the matter is," declared the Judge, apologetically, "there has not been in my life the smallest element of the romantic."

"I can well believe you," ventured the Professor, "for the domestic life altogether, which your married life comes as near as may be to typifying the best that is possible in connubial felicity, and in such instances I have noticed that there is apt to be little of romance."

"I thank you, sir," said the Judge, bowing to the Professor in the courtly manner which had so much to do with his being made and retained as Superior Judge in and for that county. "And really," he continued, "I can not say that you are far in the wrong. It has not occurred to me that there is anything wanting to make my domestic life altogether agreeable to me, and I have the happiness to believe that it is not less agreeable to my wife. I think that our happiness in each other has not cost either of us a conscious effort."

"A case of pure affinity, I suppose," observed the newspaper man, "but tell us about it, anyway. It is your turn, and you can tell something."

"I do not mind telling you gentlemen the little there is to be told about our courtship and marriage," replied the Judge, "but I warn you that my story will be short and wholly uninteresting."

"My wife's brother and I chanced to be chums at college. Charles always was communicative and, as he seldom tired of telling me about his sister Nell, I conclude that he was equally inclined to writing to his sister Nell about me. At all events, when I went home with him at vacation his sister came to meet us at the gate and, after kissing him, extended her hand to me and said: 'I know all about you already.'"

"Thanks to your brother, I feel quite a little acquainted with you," I replied. We went into the house, fell to visiting, and have been visiting ever since. If you gentlemen can make a romance out of that you are quite at liberty to do so."

"It was agreed that, however satisfactory wedded life might be under such circumstances, the manner of its being brought about was excessively uninteresting as material for romance."

"But, gentlemen," the Judge continued, "while I am able to impart to you nothing of romantic interest in relation to my own courtship and marriage, I can relate a quasi-personal experience which befell me only four years ago that will tax your faith in my sanity to the utmost."

"You know me, for a matter-of-fact man, one who has had small patience with the ists and isms which so many (if I may so designate them without giving offense) shallow persons affect. It is because of my known attitude towards everything of this kind that I venture upon this narrative with the greatest timidity."

"All of you, no doubt, noticed the recent reports in the newspapers touching the death of the Reverend Oliver Langworthy, rector of a popular church in one of the fashionable suburbs of Chicago. The incident was discussed at the time around this table, but no satisfactory explanation of the manner of it was afforded and, indeed, the Chicago police are still as much at sea to account for the affair as ever. I am sure for it perfectly, and perhaps ought to, and yet I should enter upon the task with the heartiest reluctance."

"You will remember that the remains of

THE MYSTERIOUS EXPERIENCES

OF A MATTER-OF-FACT MAN

(Being the Sixth Galoot Club Romance.)

By TOBIAS BLACK

deceased were found in a small summer house or study in a corner of the grounds of the rectory. The discovery was accidental, the roof of the study having been burned by sparks from a fire across the alleyway. Also that the remains were found in a low chamber over the study, approached through a closet by a ladder fashioned of slats nailed at intervals across the wall, the rude stair being concealed by a curtain hung up before it. The chamber was ventilated by two small apertures in the gables and was furnished with only a mattress, robes and coverlets, spread with considerable abundance upon the floor.

"No marks of violence were found upon the body and the autopsy disclosed no organic reason for the departure of life, save a noticeable emaciation, which, however, was not great. Deceased had been absent from his duties little more than a week. His wife testified at the inquest that her husband was supposedly absent on a visit to Boston and intermediate cities, and she produced letters from him, written upon hotel paper at Detroit, Rochester, Albany and Boston, the latest mailed only four days previous to the discovery of his remains, but an examination of the hotel registers at those places failed to disclose his having registered there and none of his friends, whom he wrote as having seen, had seen him during his absence from Chicago, yet for the first time in his letters relating to his friends was strictly true in each instance, even to the smallest particular. Beyond these known facts the detective forces of Chicago have not progressed, as I learn from a letter from the chief of police received this morning, in making an inquiry I made as sympathizing friend."

"Now for my share in the mystery. It doubtless has not been forgotten by any of you that, four years ago, I spent a number of weeks visiting in the east, returning home through Florida, Key West, Galveston and by the Sunset route."

"To come at once to the point, while in Chicago on Sunday I started out quite early on one of the suburban railways and, riding about aimlessly until the hour of church service, my feet, chance dropped into the church where the Rev. Oliver Langworthy was rector."

"Gentlemen, the sermon I heard that day marked an epoch in my religious life. The edifice was crowded to suffocation and rapid attention was given. The duration of the sermon cannot have been over forty minutes, but so absorbed was I that I was not aware of its possessing the element of duration. The speaker was delicately organized, but his voice was ringing and resonant and not an intonation was lost by his hearers."

"What his text was, if he took one, I do not recall, but he talked of the people, of their struggles in life and in soul-life, disclosing such knowledge of the subtler phases of the mind and heart of the world as astonished me beyond measure. He took his congregation by the hand, as it were, and led them through the labyrinths of the heart and mind of human kind, explaining processes of action as a father to his children."

"I was so charmed with the sermon that I remained in my seat until the congregation had dispersed and, handing my card to one of the ushers, begged the privilege of speaking to the rector personally. I was invited into

his study at the chapel, intending only to thank him encouragingly and to express my surprise at the depth and compass of his information, but before I knew it I had spent an hour of sweetest communion with what seemed to be almost a divine personality. When we parted it was like a parting of friends of long standing."

"By divine personality," interrupted the newspaper man, "I presume you intend us to infer that the eloquent gentleman was a hectic. I have noticed that where there has been a blessed outpouring of the divine spirit men in the full flush of health and vigor are regarded as of the earth, beefy."

"Objection overruled, with leave to amend at some proper time," remarked the Judge with chilling civility, as he resumed his narrative."

"I continued on my way eastward, then southward, and in due season reached St. Augustine, Florida, where I took rooms at the Alcazar."

"As I entered the dining room for lunch, and allowed my eyes to scan the hundred strange faces at the tables, I was astonished to find at one of them the strikingly refined physiognomy of the Reverend Oliver Langworthy. Catching sight of me, he beckoningly invited me to have a seat at his table, which I did."

"He explained that he had been summoned to St. Augustine to the bedside of a dying parishioner and was to leave for home with the remains at a very early hour the next morning. He was glad, he said, to meet one who might induce him into more cheerful atmosphere, the strain upon his organism having been more tense than he could well bear."

"The hotel was just then the rendezvous of an editorial association, and gentlemen of the press and their female companions were much in evidence. That evening they were invited to dine in a body at the Ponce de Leon and, as I had been invited to join the party, bringing with me any friend I chose, I requested the pleasure of the company of my clerical friend and he accepted with undisguised satisfaction."

"The afternoon was spent in the most agreeable manner possible, only a single incident transpiring that was in any way noteworthy. In looking through the gardens of the Ponce de Leon we came unexpectedly upon a gentleman and lady walking among the shrubbery. My companion suddenly turned upon his heel and, catching me by the arm, drew me rapidly away. He readily confessed, as soon as we had passed out of sight, that a vis-a-vis meeting with that couple, in view of the little diversion we had planned, would be decidedly not to the purpose."

"The dinner hour arrived and, having dressed, we moved toward the Ponce de Leon. To my surprise, my companion led me by a circuitous path to an unfrequented part of the ample gardens in shadow from the electric lights, then, turning full upon me, in a low tone, but with great earnestness, not unmingled with emotion, said:

"It seems to me that you have known you always, as perhaps I have, for who can know of a certainty whence we come or whither we go. I am about to trust you with my deepest secret, a secret that I have shared with none other, but present conditions are extraordinary and justify extraordinary measures. You have marveled at my knowledge of the human soul and of life. I am about to show you how I came by that knowledge. Trust me now as you have felt trust in me until now, and do not evince surprise at anything that takes place. It will be best for me to assume a customary incognito for the evening, which I will at once proceed to do."

"Casting a hurried glance about him to see if anyone were approaching, he dropped upon his hands and knees and disappeared under a thick copse of vines and shrubbery. I walked to and fro for perhaps ten minutes, when I saw someone approaching from the other side of the copse, through a by-path. Taking my arm, this person said: 'Now we are ready,' and led me out into the light."

"And here, gentlemen, is where I must put my reputation for veracity and sanity to a severe, but only preliminary, test. How shall

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according to amount; small loans of \$500 to \$1,000 bearing the higher rates, and those of, say, \$1,000 and upwards, bearing the lowest of six per cent.

I have some mortgages on hand now for sale on that basis, besides several applications for new loans on the same terms.

Did you ever stop to consider the advantages offered by a loan like this where you are sole master of the situation so far as this one investment is concerned, and for a lot of other reasons, can name?

This is the safest class of investment known to-day.

The security is almost invariably double the amount of the loan and sometimes a good deal more. Mortgage, note, fire insurance policy and certificate of title go with each loan.

To complete a loan you can either come to my office yourself, call through your bank or send the money to me, as you choose.

I personally inspect the security for every loan, examine all the papers in the transaction, select reliable fire insurance and title companies and collect and remit the interest to you every month or every quarter, as you like, without charge to you.

The borrower pays all expenses.

I have placed millions of dollars on these loans without a single loss or forfeiture.

I turn down lots of applications for loans because I am not personally satisfied with every detail. Those that I offer to my clients I guarantee are all right in every way.

I invite closest investigation of my loans, my methods and myself.

The population of Oakland is 240,000 and growing fast; there is much of activity in building and other lines of development here, plenty of opening for capital, and, consequently, unlimited opportunity for the use of money.

Send for list of loans now on hand, and to facilitate matters please state in what amounts you want them. I'd like to write to you.

GEORGE W. AUSTIN

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References Any commercial agency anywhere, any bank in Oakland and the Oakland Chamber of Commerce and hundreds of satisfied clients, among whom are, very likely, some you know.

I make others, and especially the police department of the city of Chicago, believe that which is inherently so preposterous, and yet, to me, so absolutely unquestionable?

"Rest easy, Judge, about the police department of the city of Chicago," interrupted the newspaper man reassuringly. "If it is anything like our own department you can give it a fill with any old thing."

This interruption endured with so little grace that the newspaper man was perceptibly abashed and did not "chip in," as he called it, until another irresistible opportunity offered.

"At the moment when Oliver Longworthy disappeared under that shrubbery he was of rather less than medium stature, thin to the point of sparseness, so delicate in organism as to suggest invalidism, stooped in the shoulders and his whiskers were thin and almost downy in texture. When he came out from thence he stood shoulder to shoulder with me, and my height is just six feet, was straight as an arrow, weighed not less than 200 pounds, and his beard was thick and bristly. His skimmed-milk complexion had changed to a ruddy peachblow."

"Mr. Hyde," announced the newspaper man with much confidence, but the constrained glances of his associates confined him to the single ejaculation and the Judge proceeded with his narrative.

"You promised not to be surprised at anything," he said, as I halted under the full glare of the electric light and, with heart beating wildly, gazed full upon him.

"But," said I, "when I made that promise I did not have in contemplation the witnessing of a new birth in the image of one's maker."

(To be Continued.)

The Peace of Great Art.

The greatest pictures represent men and women in peace, clouds and mountains in peace; men and women noble, clouds and mountains beautiful. Never in the universe does the great art of man acknowledge guilt, grief, change, or fear—Ruskin.

Automobile Notes.

"In finish of body, no concern manufacturing automobiles has arrived at the point acquired by the Studebaker company in its fifty years of vehicle making," says the manager of the San Francisco Studebaker branch. "Every car turned out by the Studebaker factory has been given twenty-eight separate operations in the paint shop, occupying a period of eight weeks, and one needs but to inspect the upholstery to appreciate why persons of distinctive taste purchase Studebaker cars."

"Mechanically, the Studebaker concern embraces all that is regarded as best practice among skilled mechanics of the industry. Take the make-and-break system of ignition for instance. As applied in the Studebaker-Garford cars, it has killed the argument of every salesman who has jump-spark ignition to offer. It accomplishes all that is asked of it, and so much more that the man who has longest owned a Studebaker-Garford becomes the most enthusiastic talker in its behalf. Never has the old adage, 'A pleased customer is the best advertisement,' proven more correct than in the growth of the Studebaker automobile business throughout the country."

The official announcement has just been made that kerosene may be used as fuel in the 1910 models of the White Steamer. This is the first time that any important automobile concern has been able to recommend any fuel other than gasoline and the innovation is of no small significance. It has many times been predicted that with the number of automobiles constantly increasing there would soon come a time when it would not be possible to produce sufficient gasoline, at least at anywhere near a reasonable price.

Kerosene as a fuel obviously possesses many advantages over gasoline. First of all is the greatly reduced cost of kerosene, which in some sections of the country is only one-half to one-third that of gasoline. Secondly, kerosene may be obtained wherever civilized men dwell together, because it is in universal use as an illuminant and it can be stored anywhere and handled with impunity. There is not a cross-roads store, there is hardly a farm-house, where the tourist cannot procure a supply of kerosene. Thirdly, kerosene is more efficient than gasoline as a fuel in that a gallon of kerosene contains about 15 per cent. more heat units than a gallon of gasoline, and therefore a car can travel proportionately further on a gallon of kerosene.

"Tell me frankly, sir, what you think of my daughter's voice?" "Well, madam, I think she may have a brilliant future in water-color painting."—Figaro.



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A DAY IN A DRY TOWN

By ONE OF THE STAFF.

Tulare City was the first town in the San Joaquin Valley to vote "dry." It has had more than a year of experience without a saloon in it and anyone acquainted with the town before it went dry will be interested to learn just what the situation now is and how Tulare people feel about it. That The California Weekly might carry this message to other communities a representative of the staff spent last Saturday in Tulare, and what is here set down as true is true.

A bit of review of the history of this valley will be useful to an understanding of the shake-up which the campaign for a dry town gave it. It was organized by the Pacific Improvement Company, when the old Southern Pacific was built up the valley, and it was made a division headquarters, with repair shops, and was typically a railroad town. When the policy of concentration and elimination in railroad operation came into vogue, three divisions were concentrated into two and the division headquarters, shops, etc., were removed from Tulare, and the people scattered from Oakland to Los Angeles. The town lost a third of its population, and was set down as finished, it not dead.

To work out of this condition an irrigation district was organized with the purpose of increasing the supply of water for irrigation in the surrounding country, and the town bonded itself with the district for half a million dollars. The panic of '93 left the farmers without a market for their products; they first defaulted on the interest on these bonds and then, being badly advised, sought to repudiate them. After a five years' contest a compromise was effected, the debt discharged and the bonds burnt. Meantime hundreds of houses had been moved out of town, in the hope of saving something out of the wreck, and the population had been reduced from 3,000 to scarcely more than 2,000 souls.

After the burning of the bonds it took some years for the people to recover from the herculean effort put forth to pay the debt and, just as the people were on their feet with fine prospects for good times, here came this agitation for a dry town. As elsewhere, the saloons had been run regardless of decency. High school lads were being ruined and workmen were being robbed of their wages and a few petty gamblers thrived. The merchants and property owners, who had borne ten years of struggle with patience and fortitude, felt unequal to this new burden and, almost to a man, opposed prohibition. They pleaded that the business would go to Visalia and Hanford, on the one side, and to Porterville and Bakersfield on the other, and the prohibitionists would be dry as a bone. They were right, greater than they could bear, and that without effecting the purpose they had in view, as prohibition would not prohibit.

Do Not Want Saloons Back.

During his "Day in a Dry Town," the writer of this continued his inquiries to those who had opposed making the town dry and had voted against it. With one accord they all freely confessed that not one of the bad effects they had anticipated had resulted. Being a dry town had brought as much trade as it had cost. Men who had never thought of trading at Tulare drove there to trade because it was dry or, if they did not drive, they came by train. The trade of the town has so increased that all the old saloon buildings were speedily occupied by other lines of business, and only two store rooms are now vacant. One of these was vacated only a short time ago, so that the stockkeeper might enlarge his facilities and double his stock. It is to be doubted if Tulare has one business man who would vote to bring back the saloons.

One old resident, who had been a drinking man all his life, put it this way: "I have had my whisky all my life, and will have it here if there is any in the country to be had. I buy

it by the keg and keep it in my home, but I don't want any more dirty saloons in my town." Another, who once kept a saloon himself, said: "I want my beer once in a while. I think I ought to have it and that there ought to be some way for me to get it, but I don't want any more saloons in Tulare." Few felt that the present status was final, but no one wanted the saloons back. It was conceded that about all the old fellows who had habitually used whisky still use it, but less than ever before, while great numbers who drank beer or whisky because it confronted them everywhere, and not because they cared especially for either, go without it to their gain. The money they formerly spent for such things they now spend for better things to eat and wear, and general business is helped and absolutely not hurt.

Advertising Value of "Dryness."

Another important result has followed. Having voted the town dry, the people capitalized the reputation for being dry for all it was worth, with the view of attracting the better sort of investors and residents to the community. As a further attraction to this better class, they began to fix up the town, to paint, put in new fronts, take down crippled old awnings and to give the town a city aspect and air. The tendency to fix up became almost a mania with the result that Tulare has been transformed. It may be set down as the spickiest, spannest, newest, neatest town in the San Joaquin Valley, if not in the state; and the pride and courage, the local patriotism and optimism of the people, suggest that they must all have come from Los Angeles. They have not, but they have got the Los Angeles spirit, and Southern Californian investors and homeseekers are coming right here. Not one croak can be heard in Tulare. There is not one vacant home to let, and if homes could have been had the school census would have increased more than 100 over what it did increase. During this year of being a dry town between fifty and sixty new residences have been built and the song of the saw and the hammer is still heard.

Substitute Thirst Killers.

Wine is making its appearance on some tables where it was not known before. A club has been organized and equipped for the accommodation of gentlemen, but no hard drinks are allowed there. If a thirst becomes intolerable Visalia is only twelve miles away, and some do go there to slake it. It is commonly believed, too, that the three drug stores in Tulare act as Good Samaritans when life-saving stations are needed. Physicians are not heartless in the matter of making out prescriptions in extreme cases, but the one fact that stands out clearer than all others is that, whether prohibition prohibits or not, no citizen of Tulare wants the saloons back. There is no street and no part of any street along which ladies may not pass without being made uncomfortable and, from out behind no swinging door comes any maudlin, drunken, beastly guffaw that sounds like the laugh of a hyena welling up from caves amid the tombs.

Tulare City may not always persist to be a dry town, but it now seems improbable that it will ever contain another saloon. With The California Weekly many Tulareans are looking for something that will be better than either the saloon or prohibition, with The California Weekly, the last man of them infinitely prefers a prohibition that does not prohibit to such saloons as Tulare supported for more than thirty years, open from year's end to year's end and knowing no law but inclination, no purpose but gain.

When closed up and closed out some of the saloon keepers went into other lines of business and are doing well. A few brushed the dust of the town off their feet and went elsewhere with their gains, but the remarkable

part of it is that no one of these is believed to have carried to exceed a thousand dollars with him. The business had not proven a wealth-producer, even to the saloon keeper.

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The Thirteenth Amendment.

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. Congress shall have power to enforce this article by appropriate legislation.—Amendment XIII, ratified December 18, 1865.

The chief value of this amendment at this time is as a landmark from which we may look back to see how far we have come. From the time when the Dutch brig, laden with slaves, landed at Jamestown until the adoption of the Thirteenth amendment this western civilization had wrestled with a great curse, and the curse had gotten the better of the argument. We are still wrestling with it.

It is unnecessary at this time to review the historical events leading up to this culmination, and it is especially undesirable to strive to fix the blame here or there. The people of America sinned against heaven and against humanity, and it paid the penalty required by retributive justice.

It is of value to a student of citizenship, now and again, to take the measure of the limitations of human kind. No man but knew in his heart that slavery was wrong. It was known as well North as South and South as North, but neither North nor South were willing to give it up as long as it was profitable. At the breaking out of the Civil War the property value of the slaves in the South was not far from two billions of dollars, and their earning capacity paid interest on the investment.

It was a good deal to ask of the South that it lay that wealth upon the altar of human welfare and brotherly love, even the altar of justice. The sacrifice was so great that the North rarely never asked it. It merely asked that slavery be kept where it then was. The South was fearful that it could not be kept where it then was, and continue to be there. It was felt that it must increase or diminish, wax or wane, extend or contract, and, with this purpose in view, some fatality prompted the South to undertake to dismember the Union. That the North would not stand, despite the erasing cowardice of its commercial interests, and the war followed.

Let it be clearly understood: The North was fighting to save the Union, not to free the slaves. The South was fighting to hold the black man a slave, whose shackles the North was not trying to break. The issue was not between liberty and slavery, but between union and disunion.

But that power which moves upon the deep of human history wrought for human liberty and it came as an incident to other issues far more incidental than itself. This justness of progress has no care for cost and no pity for those who must pay the bills. When, in the course of human events, the time came for doing away with property rights in men those rights, no matter how securely vested, were done away with.

The most significant, the most discouraging, fact of it all is that the nation should have deserved such punishment as it received. It was not great enough to rise in its majesty for the righting of a great wrong. Its statesmen were not great enough to come together in humility in a spirit of conciliation to do that which the far-seeing knew must be done, and so it paid the price of shortsightedness and of a blinding, devouring greed, paid it with interest compounded, and paid it in heart's blood, as well as in gold.

The lesson of this supreme tragedy of the nineteenth century is that there is no divinity to save a nation from the consequences of its own acts, a people from punishment for its own sin. Not that special dispensations of Providence mete out wrath to nations and to men, but that history, whether individual or national, is a record of cause and consequence and never of gathering figs from thistles. There is a shallow optimism that holds cheerily to the belief that everything will come out all right in the end. Everything will come out right in the end if right-minded men fight for the right and strive for that end, not other-

wise. The direction of least resistance, the direction of non-resistance, will lead to the brink and the abyss.

True enough the slavery issue did come out right, but what of the cost? Shall we not count a cost that has paid pensions enough to have rectified all our national waterways and built half a dozen Panama canals, a sacrifice of half a million young lives, the engendering of hatreds of neighbor for neighbor that live and forty years have scarcely effaced? Our national history will be what we make it. Every wrong inflicted, every blunder made, every duty neglected will be paid for, principle and interest. That is the lesson taught by the Thirteenth amendment to the Constitution of the United States.

SHEAR WIT.

He. The captain says we are stuck hard and fast on a rock. She (very sick): Thank God!—Life.

A bookworm, said papa, is a person who would rather eat than read, or a worm that would rather eat than read.—Indianapolis Journal.

San Francisco Cigar Dealer: Do you want a bit cigar, sir? Tenderfoot: What in thunder do I want of a bit cigar? I'll bite 'em myself.

Charlie Lovejoy: Um—ah—er—er—er! He! he— Jeweler (to his assistant): Bring that tray of engagement rings here, Henry.—Tit-Bits.

Mistress: Look here, Susan; I can write my name in the dust upon this table! Susan: Ah, mum, there's nothing like eddication, is there, mum?—Comic Cuts.

Joan: I'm awful frightened at the lightning! I wish there was a man here. Mistress: What good would that do? Joan: He'd tell me not to be such a fool.—Punch.

Woman Suffrage: Gladys: So you've sent Herbert about his business, have you? Maybelle: Yes, but I have since used the—recall on him.—Chicago Tribune.

Tutterson: Did Bronson leave a will? Smithers: Yes—that is, he left a widow, and she'd represented all the will Bronson had for twenty-five years.—Harper's Weekly.

Brown: What did your wife say about your being so late home the other night? Jones: Nothing at all. She just sat down at the piano and played "Tell me the old, old story."—Sated Heart Review.

The stranger at the next table asked the returned East Indian missionary if he might have "some of that sauce," pointing to the missionary's private bottle. The minister complied graciously, and the stranger poured some of the mixture on his meat and took a liberal mouthful. After a moment he turned with tears in his eyes to the minister, "You're a minister of the Gospel?" "Yes, sir." "And you preach hell and damnation?" "Yes," admitted the minister. "Well, you're the first minister I ever met who carried samples!"—Success.

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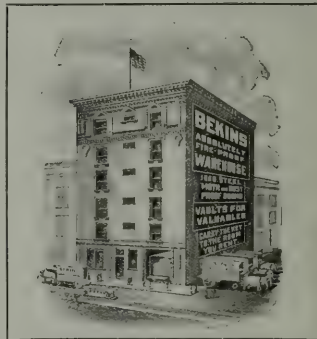
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The Issues Involved.

Before another issue of The California Weekly reaches its readers the case of the People against Patrick Calhoun will have been somehow determined by the jury or the jury will have determined not to determine, not an improbable outcome of half a year's labor.

That the boodle supervisors were paid money to vote for the trolley franchise, that the money paid came from the coffers of the United Railroads and that the payment was authorized by Patrick Calhoun no one doubts and practically no one denies. Whatever verdict the jury may find Patrick Calhoun will stand before all the world convicted of that charge. No earthly power can save him from that fatality.

But there are other issues of great importance involved. The world is waiting to know if, under the rules of the judicial game, a person of great wealth may be convicted and punished for a crime the commission of which is practically undenied.

The public is waiting to know whether or not, under our system of selecting a jury, it is possible, after four months of effort, to select a jury that is not packed.

As being representative of public sentiment, the world is waiting to know from this jury whether or not San Francisco sees any harm in bribing public officials to grant special privileges to greedy corporations, and if inability to obtain such special privileges without bribery is to be accepted as a complete justification for such bribery.

The paramount issue involved in the case at bar is whether or not the constitutional right of those who know all about the facts to refuse to testify to those facts, is a right that ought to exist.

When these San Francisco graft cases shall have passed into history we shall know, and the whole world will share the information, whether or not our system of criminal jurisprudence, and the constitution of our appellate courts, has been sanctioned, or condemned, by a crucial test applied to them. We shall know whether or not we, in America, have one law for the control of the predatory man and another, or none at all, for the control of the predatory millionaire, whether our government is free and equal or if it may be ridden over rough-shod at the pleasure of an incorporated plutocracy.

And the determination of these issues will be worth all they cost in time, in effort, in money, even if there must be added thereto the lives of martyrs to the cause of even handed and expeditious justice.

San Francisco's Level Best.

Boston has organized a tremendous civic improvement work to be accomplished in less than six years, a work that will make that city do her level best to become a model for other cities to follow. San Francisco has an opportunity to do her level best this coming week. There are nine public improvement propositions to be voted on. Every one of them should carry. San Francisco has the credit, it has all the time there is in which

THIS NUMBER CONTAINS

Hetch-Hetchy: The Law and The Facts

BY

Marsden Manson
City Engineer of San Francisco.

Readers of The California Weekly will, in due time, find every important public issue explained by some person whose special knowledge gives him a right to be heard.

to redeem its pledges, and it has the every-day need. If it lacks anything it is the spirit to do its level best for the civic whole instead of merely for self. That every San Franciscan does. No fault can be found with him for lacking individual enterprise. His fault, if he have any, is that he has not taken the thought he should for his city, has not lived, fought and voted for the good of San Francisco. If every San Franciscan will do his level best for San Francisco's level best next Tuesday and Wednesday a new era of civic improvement will be ushered in, so that when, in 1915, Boston invites all the world to come and see what The Hub has done for parks, schools, playgrounds, civic centers and public utilities generally, San Francisco can extend a further invitation to come and see how much better San Francisco's level best is than Boston's. Now Boston is no mean city, and San Francisco will have to hustle to beat Boston.

The President's Special Message.

The probabilities are that the value of the President's message to Congress, asking for a 2 per cent. tax on the net incomes of corporations, and for the submission of a constitutional amendment to the states providing for an income tax, is mainly strategic. It is to be accepted as a showing of the executive hand in the tariff issue. This paper will not undertake to interpret the exhibition. It does not know how. Anyhow the President is not as somnambulant as he has seemed. The proposed tax upon corporations is as objectionable as his proposed tax upon inheritances, and for the same reason. The states are resorting to indirect taxation instead of direct and largely through taxation of corporations. The general government would be trespassing. The income tax idea is everlastingly right and the supreme court of the United States was everlastingly wrong in declaring it unconstitutional. It should be made to eat that crow by a reversal of its own decision. The ratification of a constitutional amendment providing for a graduated income tax by three-

fourths of the state legislatures is problematical. If it were to be by the people of three-fourths of the states there would be no doubt, but legislatures rarely represent the people and might misrepresent them on that issue.

Nevertheless Not Vindicated.

George D. Collins has "gone across the bay," and apologists for our existing system of administering criminal law may be tempted to point with pride to the consummation as a vindication of that system. Nevertheless our criminal jurisprudence is not thereby vindicated. Quite the contrary. Here we have a congenial scoundrel guilty of an atrocious crime against society, his own children and the woman who bore them, without the respect of bench or bar, alone, conducting his own case, unprotected by any political bureau or association of predatory villains. It was to no man's interest to protect him from the law's retribution, and yet his final incarceration has taken three years and eight months and has cost the state and the city of San Francisco tens of thousands of dollars and made the ministers of the law no end of trouble. And he has done all this by taking advantage of the intricacy of legal machinery. An adequate system of criminal jurisprudence would have required fewer months for working out its end than this case has taken years, and would have cost the public fewer hundreds of dollars than this has thousands.

The Final Word on Hetch-Hetchy.

Mr. Marsden Manson's article on the Hetch-Hetchy water proposition, elsewhere in this issue, is so clear and convincing that it would seem that the discussion of the issue might appropriately terminate with it and all hands fall to and help put the project through to completion. It will be a great task and a long struggle, but if the men of this generation were to leave no other achievement as a heritage for coming generations they would be entitled to a generous degree of ancestral worship from posterity because of that achievement alone. There is no greater blessing than an abundant supply of pure water and, next to this blessing, may well rank such a self-perpetuating supply of power as will subserve all the requirements of municipal use for ever and aye. In fact, it is the possibility of a power supply that makes this proposition pre-eminently attractive. It is a splendid concept and its materialization should be an object of solicitude to every resident of the bay district. It can not be that all shall think alike. It is too much to hope that so great an enterprise can be carried to completion without leaving some heart-burns somewhere and inflicting some injury, but it may be doubted if any similar enterprise ever went forward less handicapped by such burdens than will the enterprise of bringing water and electrical energy from Hetch-Hetchy valley to San Francisco bay. A good beginning has been made. It only remains to stand steady and true and a glorious ending will be achieved.

NO SIDE-STEPPING, GENTLEMEN.

The issue in the forthcoming campaign in San Francisco is as to whether or not efforts which have been making for nearly three years to bring successful rascality to the bar of justice, that the laws may be vindicated and the guilty punished, are or are not to cease, and whether or not the failure of the law, when confronted by predatory millions, is to be confessed. Who are the men who most unequivocally represent the efforts to enforce the laws? They are Rudolph Spreckels and Francis J. Heney. If they are not themselves put in nomination before the people for the office of mayor and district attorney then whoever are put in nomination must be as thoroughly identified with their purposes as they are themselves. Why not these two as well as any substitutes for them? The issue is one to be met in absolute frankness before the people. It is an issue also to be met in absolute frankness before the civilized world, for the world is looking on. It is not only successful rascality that is on trial, but also our modern system of jurisprudence. It is just as important that our system of criminal jurisprudence be put to the supreme test here and now, that it be made to bear the burden or break down under it, as it is that the supremacy of successful rascality over honest methods and honest men be determined one way or the other. This double issue must not be sidetracked until all the world knows what to believe. If our civilization is a failure let its failure be writ so large across the canopy of heaven that the children of men may see and know and profit by our unfortunate example. It is important, too, that San Francisco take the measure of its own manhood. It will know then whether it has or has not a right to respect itself. To shuffle, to sidestep, to evade or gloss over, is to confess in advance a lack of moral and civic courage. If these prosecutions are to go on until the law breaks down or rich rascals break rock let us know it. If they are to stop with the end of the present administration let us know that. We shall all breathe easier when we know the truth. The world will think better of us if our righteousness goes down in defeat than if we permit it to be shunted to one side to die a living death in shame and humility. Let there be no side-stepping, gentlemen.

PROOF OF SINCERITY REQUIRED.

An up-country periodical demands that The California Weekly prove the sincerity of Spreckels, Heney and their associates, else it will not believe in the guilt of San Francisco grafters. The sincerity or lack of it of these men has as little to do with the guilt or innocence of Calhoun, Glass, Ruef et als. as whether or not Editor Rod Saul's great-grandmother was a monkey has to do with the municipalization of the Geary-street road. The issue is incompetent, irrelevant, immaterial and unworthy of consideration, so far as the indicted men are concerned, by any person not in his dotage. The issue that confronts the accused is: are you or are you not guilty? Nevertheless, the sincerity and disinterestedness of Spreckels, Heney and their associates are proper subjects for discussion so far as they, themselves, and their own standing in the community are concerned. From this point of view, and not from that of the guilt or innocence of the accused, the issue may be considered.

John the Baptist, alone, in prison, hourly facing death at the caprice of a tyrant, came to doubt the advent of one whom he had himself been the first to proclaim the Anointed One, and so he sent messengers to ask of Jesus if he were truly the Christ. The messengers were told to see for themselves what

THE STAFF

A. J. PILLSBURY.....Editor and Manager
 CHESTER H. ROWELL.....Associate
 A. J. WATERHOUSE.....Assistant
 E. PRENTICE STROTHER.....Assistant
 O. BLACK.....Business Manager

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was being done. They saw and went away convinced. There is no other way of proving the sincerity and disinterestedness of Spreckels, Heney and their associates.

The men have given nearly three years of tireless effort to the cause. Mr. Spreckels has devoted to the cause a sum of money large enough to constitute a generous competency for any well-to-do man, and Mr. Heney has worked three years, as few men could have stood it to work, without compensation. They have fought against vast wealth incorporated and entrenched for predatory purposes, fought against a polluted press and a saturnalia of conspiracy and intrigue seldom equaled in human history and have not flinched or shown the white feather at any time. Their lives have been in danger every day and hour and, although shot down, Mr. Heney got up from his pallet in the hospital and went at it again. And they are still fighting!

Now what can imagination require that these men do in proof of sincerity and disinterestedness that they have not done? Will some doubter point to some one thing left undone that could be done to render the purity of their motives, and the sincerity of conduct, more evident? Whoever is not convinced by what is open to be seen of all men would not believe were one to rise from the dead to assure him. Those who doubt are either benighted, bedeviled or bought.

THE LARGES OF THE KING.

Denouncing Andrew Carnegie for the ruthlessness of his career, Rabbi Stephen S. Wise, of New York, lately declared that this country needs justice more than libraries. This is a true saying, and it may be taken as true while holding that we need libraries not less, but justice more. Not yet has Andrew Carnegie earned the right to be known as a philanthropist. This country never produced a more heartless slave-driver than he. While his great steel works were bringing him in millions upon millions he kept the wires hot with admonitions to crowd the men harder and ever harder. He took them in the prime of young manhood and made them aged men at forty-five. In forty years he and his associates reduced Pittsburg from a self-respecting American city to a cringing, poorly paid, task-driven Babel of forty tongues to the end that forty multi-millionaires might be made who did not know what to do with their money when they had made it.

Time was when all the burdens that people bore were heaped upon their bent backs by their kings and all the beneficences they enjoyed came through royal bounty. It was the king who founded universities, hospitals and libraries, if there were any. Are we reproducing that condition in this country? Are all our benevolent institutions to come to us from

great industrial warriors who first extort from us, and then bestow upon us, to the extolling of their virtues forever and ever? It would seem so, but if so let us not forget what manner of men these our benefactors were? Let us demand justice not instead of, but as well as, libraries, hospitals, colleges, institutes and let us call no man a philanthropist who gathered his gain by cashing in the lives of children in short clothes, the eyesight of needlewomen, the bodies of young girls. Let us not extol overmuch the virtues of a man who gives what he can by no means take with him beyond the brink of the grave, the capitalized result of having shortened the productive span of a strong man's life from forty years to hardly more than twenty. Let us judge righteous judgment that men who wish to stand well in the estimation of their kind may form correcter ideals as to what constitutes a claim upon public consideration.

It is fit that this demand for justice, rather than for the largess of kings, should come from a Jew. The basis of the Christian faith is love and mercy, that of Judaism is justice. Job had the moral courage to demand of Jehovah that, first of all, he be just, and Christianity places justice before mercy if not before love. There is not today a Jew, not recant to the faith of his fathers, who is not standing for justice, in San Francisco or elsewhere, justice first if mercy afterward. Justice marks the highest concept of the Jewish race and its religion, and it is good news that the eloquent voice of Rabbi Wise is being lifted up on behalf of the ancient ideal of the prophets of his people. For many there are of that fold who, in quest of gain, have wandered far from the time-honored standard.

Whoever amasses wealth through honest, humane service—let him receive the meed of praise for being a philanthropist, even though he found no libraries, colleges or institutes. There is no higher benefaction than finding something for people to do who might otherwise stand around all the day idle, but let us draw the line where blood is transmuted into gold, warning the ambitious that whoever crosses that line leaves behind him all hope of honorable recollection in the remembrance of posterity.

GRIM BUSINESS.

It is grim business that is going on in the United States Senate these days, and it requires grim men to do it. To all intents Nelson Wilmarth Aldrich is the United States Senate, and he is as grim as the visage of death. In that one personality is focused all the greed of which an uncorrupted plutocracy is capable. Its one purpose is to shackle the power of resistance of the American consumer while organized rapacity goes through his pockets.

We in this country are all protectionists, Democrats as well as Republicans. There are not more free traders in America than there are anarchists. All of us want all the protection that is needed to give the American producer as good a chance in the American market as any foreign producer can have. We all of us want a tariff wall around our border high enough to equalize the cost of production at home and abroad, and high enough to prevent that process of dumping excess of commodities that tends to demoralize industry and to prevent stability of supply and demand.

Democrats have confused the issue by declaring for a tariff for revenue only, because it constituted a shibboleth which slipped glibly off the tongue, but never at any time have Democrats in Congress voted for a tariff for revenue only. They have always voted, as they now vote, for a tariff that will protect. Protection is the American tariff doctrine and

only the policy of the vulture and the hyena applied to tariff-making can produce such a revulsion of feeling in America as will cause the overthrow of the protective idea.

But the foundation of the protective idea of tariffs was that there should be a free market at home, that competition within the tariff wall should have free course. It has this no longer. The concept of combination of allied interests has been so worked out that every market, and practically every commodity in every market, is under duress. Competition is eliminated and every commodity has not only its wholesale, but its retail, price fixed for it before it leaves the factory. This is so nearly the universal law of modern trade that the exceptions prove the rule of the law.

Nelson Wilmarth Aldrich is the person whom the allied plutocracies have commissioned to see to it that the American market for their commodities is made a closed market. The commodities not produced by allies of these plutocracies will have no share in this exploitation save as, through community of interest, displayed in voting right, they get under the plutocratic umbrella for protection. The makers of commodities that stand out in the storm will find their wares on an enlarged free list to get on as best they may with a competition as wide as the world.

It is grim business, this tariff making, and Nelson W. Aldrich is a grim man. He can see the pressure of a decreasing wage and an increasing cost of living bearing down upon the millions with the weight of mountains without the twitching of a facial muscle. He can see the plight of Pittsburgh reproduced in every manufacturing city and hamlet on the continent without a sigh of sympathy or a qualm of conscience, so that his masters reap rich dividends and make him their high commissioner to enforce their greedy will upon an impotently protesting public.

They say on behalf of Aldrich that he understands the tariff question. So he does. If he did not some other man, and not Aldrich, would occupy the seat of the mighty. He knows exactly what he is doing and exactly why he is doing it. He takes care of his friends. Let others do likewise, and to the victor let the spoils of victory go. His emblem is the black flag.

When at last this record of rapacity is wrought out and signed by the President, as it is not unlikely to be, the cry will go out, "Let the tariff alone. Suffer the people to get to work." It will be so. Factories will start up, business will move, prosperity will come to all who can shift the burden of an increased cost of living to other shoulders than their own, and Aldrich and his fellow ravishers of helplessness will be justified by results.

But just as surely as the coming of the Day of Judgment to Aldrich, as it has come already to H. H. Rogers, the pressure of life will bear harder and harder upon the consuming multitude, their standard of living will shrink lower and lower until the pauper problem of America will be as hard to solve as that of Europe and, if the policy of organized spoliation be long enough persisted in, then as hard as that of Asia.

"All the protection that is needed without one dollar of tribute to the grim monster of organized rapacity," should become the shibboleth of a tariff reformation of the immediate future. May La Follette and Beveridge carry the war into the enemy's country. Do it now.

Bryan for the Senate.

The ambition of William Jennings Bryan to occupy a seat in the United States Senate is a proper one. Whatever efficacy there is in a nation-bound public sentiment should be focused upon Nebraska that it may send Mr. Bryan to the Senate. Since Thurston the general public has not known if Nebraska

has or has not been represented in the upper house, save as some years ago investigation was made into disreputable methods of getting there. The conferring of senatorial honors upon Mr. Bryan would restore Nebraska to the map. To be sure Mr. Bryan is, and ever has been, something of a false alarm, but whatever of vagaries may get into his head his heart is right and a little right-heartedness injected into the grizzled ranks of the citadel of American plutocracy would serve a useful purpose. Upon reference to the congressional directory it will be found that one Elmer Jacob Burkett, by name, occupies a seat in Nelson Aldrich's assemblage of nobles, a seat that will become vacant in 1911. Get up, Mr. Burkett. Mr. Bryan, have his seat.

An Allowable Presumption.

The granting of a rehearing, as it is called, by the supreme court in the Glass case is to be accepted with satisfaction. It raises the allowable presumption that four of the seven judges constituting the higher court entertain an inkling that the district court of appeals may have turned Mr. Glass loose on insufficient grounds; but this does not necessarily imply that the higher court feels that, by going farther and looking deeper, it may find additional grounds for nullifying the conviction of said Glass. We shall know more about this when the rehearing has been had and a decision rendered. And it should be remembered that the district court of appeals retained one un-shot arrow in its quiver to which it called special attention. This was as to whether or not the evidence of guilt sustained the verdict. It seems likely that this will be gone into in the higher tribunal and the public need not be surprised if it be found that the jury, as well as the court below, had erred. Nevertheless, whatever the finality, it can do no harm, and may do great good, to have the issues in that case threshed over in the limelight of publicity. Responsibility for palpable miscarriages of justice must be fixed. If it does not lie with courts of appeal we must find where it does lie. No remedy can be applied until the fault is found and responsibility fixed. What becomes of Louis Glass is relatively unimportant. It is what becomes of justice that is crucial.

Tamalpais Centre.

George Kennan told years ago of an exile in far Siberia who looked up with a spark of intelligence beaming from his eyes long enough to exclaim with some exaltation: "We have a new cemetery." In his daily round of exiled doing, the setting apart of a new fence corner to be a repose for the dead was the only event that could warm his imagination enough to set his tongue loose. The narrow range of human interest off there in the unknown had stupefied him. Next to hereditary tendency, and the life of excess, more persons lose their minds from a narrow range of interest, a range that leaves seven-eighths of the brain unused, than from any other cause. People need other people. The blight of farm life, which the younger generation runs from as from a pestilence, is the loneliness of it and the narrow horizon. This spirit kept the American colonies asunder in early time and made the several states hate one another like alien lands. It required more than a century to develop a national life and spirit which, had it been developed soon enough, would have saved the horror and cost and agony of civil war. Therefore whoever undertakes to bring people together in friendship, and for a broadened range of interest and activity, is a true benefactor. Social life is to humanity what aeration is to water; it keeps it from stagnating. The Tamalpais Centre should furnish a model for the state. It will re-create many a dead one.

The Deeper Significance : : : : of Living : : : :

Humility is not an American trait. Quite the contrary. We have made ourselves ridiculous in the eyes of the world, almost contemptible, by our propensity to brag. We are recovering from this malady by appreciable degrees but a permanent cure seems a long way off. We regard the Japanese as a "cocky" people, but who ever heard a Japanese brag of administering a thrashing to Russia? Had we done it we should have strutted over the whole earth.

Now these characteristics that are national are so because they were first individual. The things that the American people do we do, the things that they stand for we stand for. Our nation's faults are ours as certainly as are its glories. The way to remedy them is to begin with ourselves.

There is no harder lesson to learn than humility. Perhaps it was made hard to learn because it is not a good thing to learn too much of it. To be humble without being timid is difficult, and timidity is a misfortune. It has caused the failure of what would otherwise have been very useful careers. There are persons so timid that they appear always to be apologizing for their own existence. There are women whose timidity has stood in the way of their marriage and men who have never been able to screw themselves up to the sticking point of proposing matrimony to the women of their choice. No one not a sharer in timidity can form any conception of the burden it forces its victims to carry.

Somewhere betwixt that boastfulness which is our national humiliation and that timidity which makes infirm of purpose there should be a calm consciousness of ability to do and dare, without the marring effect of bluster and brag. This is a thing to be striven for ardently, for it can be gained to a helpful degree.

But to accomplish this end it must be entered upon systematically. The propensity to brag must be restrained, deliberately, continuously, just as one may deliberately, by watching himself, cease using profane language, bad grammar, spitting on the sidewalk. One who undertakes to do this must say to himself: "Henceforth I will let my deeds proclaim my virtues." They will do it if he has virtues.

The task of the timid person is harder. If the boaster can come to an understanding that he is a boaster, and that boasting is vulgar and thoroughly discreditable, his victory is half won. The timid person has no story to know that he is timid, and that timidity is a handicap, but he must force himself against the grain to take forward steps that he desperately dreads to take. He must say to himself: "Look here, my fellow, you can do this thing; you know you can. It is in you to do it, and now I am going to force you right out on the firing line where you have got to make good or show the white feather, and that would be a disgrace that you never had been ashamed to face. They would not have been inspired by a desire to excel, but dread of failure has nerved them to a dogged persistence that overcame all obstacles and produced important results.

The spirit of self-assurance is disagreeable, but, in our country, where it is so common, it is not a serious hindrance to success. Timidity is, and needs to be fought. We are not even humbly, not dejectedly, and we are not even required to walk humbly except before our God. At all events we should neither crawl nor crawl. The tendency to shrink from contact with the world, from the work that we might do, is to be resisted and whoever is parent of a shrinking child should strive as hard to cultivate it out of that child as though it were a downright fault, which it is, and a common one, too.

WHAT THE WORLD IS DOING

Our Nation's Manner of Growth.

A report prepared for the New York chamber of commerce compares the development of the United States in 1858 with that attained in 1908. In the half century the population of the nation increased 193 per cent. This seems a very pretty showing until we compare it with the increase in wealth, which has been almost three times as rapid, or 563 per cent.

The United States has increased its riches about three times as rapidly as it has increased its population. In the same time its people have multiplied their bank deposits by more than thirty-four. On the other hand, the indebtedness of the nation has been increased in the ratio of nearly 24 to 1—which might seem to be unnecessary while we were piling up wealth so rapidly and while government receipts were increasing by 1,186 per cent. Our army expenditures have increased by 329 per cent, and those of the navy 745 per cent. Imports per capita have increased from \$8.35 to \$13.70, and exports from \$9.14 to \$21.04. In but one thing of any moment has there been a decrease during this fifty years, and that is—but need it be named?—in the amount of foreign commerce carried in American ships, which decreased 39.06 per cent.

The Burden the Japanese Carry.

Whether one likes or dislikes the Japanese, it is impossible for anyone not to admire the splendid devotion they are displaying in dealing with a national debt which far exceeds, in proportion to numbers, that which any other modern nation has borne. It may be questioned whether any other people could or would bear a burden so heavy, yet "the little brown men" are not only carrying its weight of interest, but are quite rapidly reducing the principal. The national indebtedness of the Mikado's realm is about \$1,250,000,000, or one-eighth of the total wealth of the country, more than two-thirds of which sum was incurred in the wars with China and Russia. During the last three years the people have paid not only paid the interest on this immense debt, but have paid \$55,000,000 a year on the principal, a rate which, if maintained, as it seems likely to be, will obliterate the indebtedness in less than twenty-three years. In this manner the Japanese are meeting their obligations as debtors, but at fearful cost to themselves. They are turning 30 per cent. of their net income into the national treasury. Land taxes have increased from 2.5 to 17.5 per cent., and the tax on incomes, including the lowest, varies from 10 per cent. to more than 20 per cent. By radical means, and which the foregoing examples give an idea, the national revenues have been increased, in eight years, from \$127,000,000 to \$318,000,000; and still, it is asserted, the people do not complain. Like or dislike the Japanese, as you will, but when you feel the need of a lesson in patriotism look in that direction.

Mexico's Next Vice-President.

At the Mexican election which will be held next year, President Diaz doubtless again will be chosen to succeed himself, but President Diaz then will be well along in his eighty-first year, and it is probable that he will not live to complete his six-year term of office. Hence the choice of the vice-president likely to succeed him in the presidential chair is of interest not only in Mexico, but also on this side of the Pacific. There are two aspirants for the office. Ramon Corral, the present vice-president, and Bernardo Reyes, governor of Nuevo Leon. What gives the situation interest here is the fact that these two men represent what may be termed the American and the non-American party, and he is making the most of a charge that Corral did what he could to obtain a favorable concession for E. H. Harriman in connection with his Western Mexican railroad. Mr. Harriman is an American, and represents

American interests when they do not clash with his own, so sympathy up this way will be with Vice-President Corral and the American party.

"Drunkards' Island."

Whatever else may be said of the Salvation Army, it will not be gainsaid that it is eminently practical in dealing with the ills that afflict humanity. In New Zealand it has adopted a method of sobering drunkards, and keeping them sober, which is perhaps the only way, in many instances, in which that end could be attained. The Army has obtained from the government of New Zealand the small island of Pakaton (now known as "Drunkards' Island"), and on it has established a colony composed of those who are victims of alcoholic liquors. The island is twenty-five miles from Auckland, and the only means of communication with the city is by the Army's motor boat. No alcoholic drinks of any kind are allowed on the island, and the New Zealand legislature recently passed an act permitting magistrates to commit persons four times convicted of drunkenness to the care of the Army there. The island is said to be beautiful, and there the colonists work at small manufactures, gardening and fruit culture and—keep sober.

Salary of Men and Women Teachers.

The United States bureau of education recently published some interesting statistics relating to the salaries paid men and women teachers in the high schools, both public and private, of this country. In considering them it should be remembered that the salaries paid in such schools are the highest paid in our common schools. Men's salaries range from \$300 to \$3,500, with the exception of a few principals who may receive as high as \$5,000, and the women receive from \$200 to \$2,500. The average salary of the men is \$700, that of the women \$550. The monthly average throughout the year, in the case of the male, is \$58.33; in the case of the female \$45.83, and in each instance the average time expended in preparing for the work of educating is eight years. If you will consider these figures, perhaps you will wonder, not that we sometimes have unsatisfactory teachers in high schools, but that we have those who are satisfactory as often as we do.

Harriman's Operations in Mexico.

Few have more than a confused notion of the great work the Harriman interests are doing in Mexico. They are giving the west coast of Mexico a complete system of railroad transportation, a system of lines linking up the principal towns and joining the Mexican Central, the backbone railroad of the sister republic. This has required the building or rebuilding of 1,800 miles of railroad, including the old Huntington line from Nogales to Guaymas. Mazatlan is 760 miles still farther south, farther than from San Francisco to San Diego. From Mazatlan the road goes on south as far as Tepic, some 200 miles, thence eastward to Guadalupe, where connection is made with a branch of the Mexican Central. This system of roads will involve an expenditure of \$70,000,000 and is being financed by the Southern Pacific Company. The Mexican government helps with a subsidy of \$10,000 a mile, a modest bonus considering the character of country which must be built through. More than half the construction work has already been done.

Hawley's Operations in Mexico.

The prophecy has been freely made that the successor of Harriman as the colossus of American railroads will be Edwin Hawley, and he appears to be about to dispute Harriman's supremacy on the Mexican Pacific. Hawley controls the Clover Leaf, the Clover Leaf controls the Chicago & Alton, the Minneapolis and St. Louis, and the Iowa Central and the

Chesapeake & Ohio. The Kansas City, Mexico and Orient has fallen into the same hands and all that is now needed to complete a vast system of railroad from the Atlantic to the Pacific, ramifying the heart of the continent, is a line from Cincinnati to Chicago, which will probably be acquired in the purchase of the Chicago, Cincinnati and Louisville and the completion of the Kansas City, Mexico and Orient to Topolabampo on the Gulf of California. This port, rechristened Port Stillwell, is 1,000 miles east of San Francisco and 500 miles nearer to Kansas City. This road is completed as far as San Angelo, Texas, and is building through Chihuahua now and expects to reach tidewater in eighteen months. It will make another transcontinental road and has already contracted with the Hamburg-American company for a line of transpacific steamers. The Hawley system already embraces about 5,000 miles of road and is extending in all directions, and is to be reckoned with even by Mr. Harriman.

A monument to the genuine negro poet, Paul Laurence Dunbar, is to be unveiled in Woodlawn cemetery, Dayton, O., on Sunday, June 26th, his birthday. The memorial is a fine granite boulder, bearing a bronze plate on which is engraved a verse from Dunbar's "Death Song."

Musical circles are much interested in the fact that Richard Strauss is hard at work on a light opera. The composer of "Salome" and "Elektra" will not talk about his ideas for the composition, but it has leaked out that the time of the action will be in the latter part of the eighteenth century, and that the name of the opera is to be "Sylvia and the Star."

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "grail" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. The store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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GOSSIP OF CURRENT LITERATURE AND REPRINTS OF OLD FAVORITES.

EDWARD EVERETT HALE.

On the day of going to press with our last week's issue, too late to be chronicled in *The California Weekly*, word came that Edward Everett Hale had passed from this life. Perhaps he was not a great man. If he was not then we have none, for he was as great as any we have. He had made his name a household word throughout this country. For full sixty years he had taken a man's part in all that his country did and was. It is probable that none of his books would prove imperishable, but the influence that went out from them will, that is, if man is immortal, for his books and sermons have impressed themselves upon plastic minds and hearts by the millions.

He was not a philanthropist who gave with lavish hand wealth wrong from unrequited, life-devouring toil, but he so organized the fountains of charitable endeavor in Boston as to carry hope to despondent hearts by the thousand, thus setting upon their feet those that had fallen. It was he who declared that if some way could be found for taking care, in Boston, of all the pauperism and misery that had been caused, directly or indirectly through intemperance he and his church would agree to take care of all the rest.

He was a man of great simplicity of character and directness of speech. If he was not a great writer at least he was a lucid one. His rules for composition were characteristic and entirely sound. They were: "Know what you want to say, say it, use short words rather than long and use your own language, then cut out all the passages that strike you as being particularly fine." There were no "dictionary words" in any of his written productions.

A stalwart, shaggy, bristling man with a stentorian voice, strong in his convictions and steadfast in his purposes, he had made himself as gentle as a little child; tolerant, patient, a minister—not one to be ministered unto—he gave his life to service and after eighty-seven years, fell asleep. Greater men America may have produced, as it is to be hoped that many much greater will be produced hereafter, but of the men of his time there was perhaps none who lived a more well-rounded, wholesome, sane and useful life than Edward Everett Hale.

Capt. Nathan Hale was executed by the British in 1776. His grandnephew, Dr. Edward Everett Hale, has just died at the age of eighty-seven. The young patriot who gave his life for his country at twenty-one declared that he would gladly give many lives in the same manner if he had them. Doubtless the aged patriot who has been with us so long would have done the same just as gladly. But he served his country gloriously throughout his long life, which from first to last radiated patriotism and goodness. The kindly and wise American who wrote "The Man Without a Country" in the midst of the Civil War and who not only had for his motto the inspiring words, "Lend a hand," but led many thousands to adopt that motto for their own, had an enduring place in the records of this republic.

The late Sir Edwin Arnold while in Japan was much impressed by the Japanese method of announcing the death of a person of distinction. "He descended to die," was the serene declaration of those islanders. If this phrase is allowable in western philosophy one must think that when an aged good man whose presence has been a benediction to those about him for many years finally departs, his work has thoroughly done and in the best of order, it may be spoken of him without offense.

A few years ago Doctor Hale gave to the public his plan of attaining long life. Here it is in his own words, as he summarized his views and his method.

"1. Rule both mind and body with an iron hold. You are master.

"2. For the body, enough good sleep, enough good food, enough good exercise.

"3. For the mind, regular work; work in

the line of your genius and stop when you are tired.

"4. After you are forty you may, if you are not a fool, choose your own rules, your own medicine and your own food. But you will find that the more you are in the open air and the more you are with other people, the better you will succeed. You will also find that there is nothing gained by brooding over failure.

"1, 2, 3, 4, 5 (and always). The great central statement of life and history in this matter is: 'He made himself of no reputation and took upon himself the form of a servant, wherefore God has highly exalted him'."

These rules of life are not the poorest part of the rich legacy which Doctor Hale has left to mankind.

MISS KNAPP'S VERSATILITY.

A versatile ability which made it possible for her to do almost everything well, though perhaps she lacked the special talent which might have given her first rank in any one department of literary work, characterized Miss Adeline Knapp, the California writer, who died recently in her California home. "I was born in Buffalo," she once said, "but it was merely incidental, because I never lived till I came to California in 1887."

For a time she edited and published a weekly newspaper in Irvington, Alameda county, and afterwards she was a writer on San Francisco daily papers. One of her first literary successes was a book called "Upland Pastures," which was issued by the Roycroft establishment. In 1901 she was commissioned by a New York publisher to go to the Philippines and write a school history of the islands, and on her return she became editor of a magazine in New York city. She contributed serial stories to St. Nicholas and other magazines, and did a great variety of other literary work. Personally she was a brilliant, witty woman, though she appeared to be well known only to a small circle of admiring friends.

Of Miss Knapp's occasional efforts in verse the following are examples:

Summer Hills.

A flood of sunlight, a circle of swallows,
The eddy of grass in little hollows;

The breath of cattle in upland meadows,
A bluebird's note in leafy shadows;

A hum of bees from slopes of clover,
A swish of trees the wind blows over;

A blue expanse to the far Forever,
A dream of life, and pure endeavor.

To William Keith, Painter.

Here where the tired day steals out to sea—
Past the tall guardians of the Golden Gate
Down to the rim of Time, where rest doth wait

Within the portals of Eternity—
Dwelleth a wizard; cunning-handed he,
With seer's insight and with poet's heart;
And he hath seen and shown by very Art
The soul of color, and its mystery.

To him the reaching oaks their glory show;
Tis his to learn, and his to make us know
The mystic beauty of the greenwood old;
The promise of the hills; the valleys sweet;
The golden wonder of a world complete;
The glory of a vision yet untold!

DAVID BELASCO'S DEBUT.

The story of David Belasco's debut upon the stage was told to a member of the staff of *The California Weekly* the other day by one of his boyhood schoolmates in San Francisco. At the old Lincoln school, on Fifth street, near Market, "Dave" was considered an odd character, with his profound seriousness, his bushy head of hair, and his fondness for dramatic recitations. The school had "speaking" every Friday afternoon, as the custom

used to be, and Dave was invariably one of the speakers and he invariably recited "The Maniac" with a great tragic air and much thrashing of his hands through his foretop.

Then, in the early '70s, Sheridan, the tragedian, brought "Julius Caesar" to the old Metropolitan theatre on Montgomery street, and hired a lot of supernumeraries for one of the big scenes. Dave joined the supers, and his classmates, hearing about it, packed the peanut gallery on the opening night. When the big scene came on, with Dave in the troop of supers, the gallery began yelling "Three cheers for Dave." The racket brought the action to a halt. Then somebody yelled "Speech! speech!" and a voice rose from the clamor, calling "Give us 'The Maniac,' Dave!"

And Dave gave them "The Maniac." Gravely marching to the front of the stage, he ran his hands through his hair and dramatically let them have the whole piece.

The curtain had to be rung down, and from the sounds that came from behind it the audience judged that Dave was being discharged to the tune of the riot act. Anyhow he appeared no more with Sheridan's caste. But he had made the plunge that started him toward his present pre-eminence, not as an actor, but as the greatest American dramatic producer.

SONNET.

By John Keats.

When I have fears that I may cease to be
Before my pen has glean'd my teeming brain,

Before high-piled books, in charactery,
Hold like rich garners the full ripen'd grain;
When I behold, upon the night's starr'd face,
Huge cloudy symbols of a high romance,
And think that I may never live to trace
Their shadows, with the magic hand of chance;

And when I feel, fair creature of an hour,
That I shall never look upon thee more,
Never have relish in the fiery power
Of unreflecting love—then on the shore
Of the wide world I stand alone, and think
Till love and fame to nothingness do sink.

AN ACTOR'S REMINISCENCES.

Frank Teweke, who recently celebrated the fiftieth anniversary of his entrance on the stage, has published his memoirs, in which he says that he appeared 8,718 times in the thousand parts of which he has kept a record, says the New York Tribune. In that time, in his capacity as an actor, he was "thrown from the stage" 742 times, married 2,519 times, was Kaiser Joseph 89 times, was king once, prince 46 times, duke 259 times, baron 483 times and banker 717 times. "I had more wives on the stage than all the sultans in the world combined, and as many legions as did on the stage only 39 times, and these catastrophes occurred in my young days, when I committed the misdeeds allotted to me in 'Don Carlos' and 'Kabale und Liebe.'" Of his own experience as king, Teweke says: "It was at Pressburg in one of Birch-Pfeifer's tragedies. In one of the scenes my queen's veil became entangled in a piece of furniture, and I advanced to assist her in loosening it, when from the wings I heard the beer basso voice of the stage manager: 'Here, you! Don't you know you're blind?' I dropped the veil, and from that moment on the play ceased to be a tragedy."

Henry B. Harris, the proprietor of Hackett's theatre in New York, has notified James K. Hackett, the lesser, that the place he is being presented at the theater is a public nuisance and must be withdrawn or he will take steps himself to have the nuisance abated.

Sir Charles Wyndham, the eminent English actor, who is now appearing in New York, first appeared on the American stage in 1865 with John Wilkes Booth only a few weeks before Booth assassinated President Lincoln.

AN ASSOCIATION FOR NEIGHBORLINESS

ORGANIZING VILLAGE COMMUNITY INTERESTS AT TAMALPAIS CENTRE.

The people of Marin county, across the bay from San Francisco, are organizing enthusiastically an association to promote neighborliness. They call the association Tamalpais Centre, and they plan that from it shall radiate the community social life, organized, in turn, into outdoor sport clubs, children's playground associations, clubs for the study of botany, music, art, theatricals—in short, that the part of life in Marin county which everybody can enjoy together better than they can enjoy it privately, shall be sympathetically fostered and organized by the people themselves through the medium of this parent supporting body. This is a community movement, and it has taken hold of the imagination of all the people in a most encouraging way. The association will soon be formally launched, with a membership of about 1,000. The plan is that the membership fees shall support all the activities of the association, but that these fees shall be so graduated that everybody may share in the benefits of membership.

A clear idea of the purpose of the association is expressed in the letter of the trustees

Situated at the base of Mt. Tamalpais, the idea is to create a community of fellowship and interest in all the things which go to build up a healthy body, a healthy mind, and healthy citizenship. The land will be set out with baseball diamonds, handball courts, tennis courts, a swimming tank, a racetrack, and buildings for clubs, public hall, and gymnasium. It is an attempt to solve the problem of the village community; to make life worth living for those who want to live as they should live, and to realize that "there are others."

The Rev. Ernest Bradley, the Associate Rector of Trinity Church, San Francisco, has been asked to be the executive head of the institution. When seen about it Mr. Bradley was very enthusiastic. There is no work he would rather do than this kind of work, and there is no place he would rather work than Marin county, which he considers peculiarly adapted to just the work the executive committee have in mind. Tamalpais Centre is situated in the midst of a number of small towns within walking distance of each other,

to do with the broadest outlook upon life, and the building up of healthy bodies and healthy minds. It is a centre for everyman, where everyman can be a brother and work for the good of the whole.

And most admirable is the democratic character of the plan. This is the people's own movement. They are organizing it, their enthusiasm and energy will carry it through, and its benefits are for the enjoyment of all. No better method has been devised to foster community interest and friendliness and intellectual alertness. No better practice in the elementary functions of organized life seems visible than this democratic community organization to promote the welfare and the happiness of all. The value of this discipline in independence and community team-work will be inestimable to the growing citizens who are now the boys and girls of Marin county.



May-Day at Tamalpais Centre.

inviting the Rev. Ernest Bradley to accept the post of executive head. The letter says:

"Tamalpais Centre, as you know, has been established to meet the social needs of our time and place. It must be a centre of neighborliness wherein all of us working together may more fully enjoy the life granted each of us. It is destined to mean opportunity for rest, recreation and instruction for men, women and children.

"Our community is composed of people of all creeds and of no creeds. Any recognition of denominationalism in our work would destroy the possibility of each of us being able to claim the Centre as his own.

"We must have a library and reading room; we need civic and literary clubs; the boys and girls must be assisted to organize their amusements, and they need chances for the study of subjects not included in the school course, such as manual training, domestic science, natural history and the arts. We hope for good lectures and good music and must provide a platform for the expression of highest thought."

Tamalpais Centre is the result of the interest and gifts of Mrs. A. E. Kent of Kentfield, Marin county. Twenty-nine acres of land eminently suited for the work were presented to the community on May Day, and over 4,000 enthusiastic citizens gathered to show their appreciation of the gift, and to organize for future developments. At this May Day fete the Marin Stadium Association provided the games and races, and the event was considered a red letter day in the annals of Marin county.

Tamalpais Centre is what the name indicates.

and on the same line of railway. To get to the Centre will not require any more trouble than it takes to get down town in a larger place, and not as much in some instances. Besides this matter of distance, there is ample breathing space, mountain, forest, and seashore; in short one of the beauty spots of the world. In the course of a few years there will be a big population about the Centre and by that time it will more than have proved its right to be, and have shown the wisdom and vision of the donors and workers.

Mr. Bradley goes to Chicago at once to study at Chicago Commons, and other centres, and to make investigations especially along the line of play grounds. In the meantime the land is being prepared and a building erected which will contain a hall for public gatherings, concerts and lectures, club rooms, etc. Mr. Bradley will return in September and complete the work of organization. Various clubs will be organized for boys and girls, and for men and women of an athletic and literary character.

Along the line of athletics the Marin Stadium Association is already doing some good work, and is full of enthusiasm for the future. The whole thing is to be community interest and development based upon play, the improvement of mind and body, a working interest in arts, civics, and moral questions, and the wholesome religion of neighborliness. The fact that Mr. Bradley is connected with the Episcopal Church will have no bearing on his position as the executive head whatever. The work will be absolutely without caste, creed, or politics except as these things have

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

To My Only Love.

'Twas back in a country olden,
In a land of vale and fell,
Where the days of our lives were golden,
I courted my little Nell—
Or, hold! I am not exactly certain whether it
was Nell, or Bell, or Dell. Well, it doesn't
really matter; to a word of the sort I am
bolden—
I need it my rhyme to swell

Her lips were as cherries mellow
That swing in the sun all day,
And I was her one best fellow,
The love of my making May—
Say, now that I reflect, I guess that May was
not the one, but what does that matter?
Don't you find that you get a little mixed
on their names sometimes? So, if I do the
same, kindly do not tell. O,
May does for the rhyme, anyway.

Thoughtful Man on Calhoun's Coyness.

"Why should I condemn my friend, Mr. Calhoun, because he did not go on the stand and tell what he knew about that \$200,000?" the Thoughtful Man inquired. "Coyness, shyness and innate modesty are beautiful characteristics, and it was these, and these alone, that made him shy from telling what he knew. He felt bashful of the result, although, possessing a vivid imagination, he knew that he would pass through the ordeal unscathed. It would be about this way: 'I understand that your name is Calhoun,' says the cold-blooded Heney. 'It is,' the noble man on the stand replies. 'You are a grandson of John C. Calhoun?' says the crafty Heney.

"I am," my friend responds, while a flush of pride mantles his face. "You are also a descendant of Patrick Henry?" the odious Heney continues. "I am," my friend replies, while he adds some more mantle.

"You feel proud of your ancestry, do you not?" says the ruthless Heney.

"I do," is the modest reply.

"Then why don't you give them a chance to reciprocate?" says Heney.

"Order in the court! His Honor sternly commands the crowd.

"Then the callous Heney suddenly turns upon his victim.

"For what did you pay that \$200,000, Mr. Calhoun?" he inquires, with the cunning of a serpent.

"My memory concerning it is somewhat vague," my friend replies, "but it is my present impression that I paid it out for a fare on one of my cars."

"But the price of a care-free is five cents, is it not?" the wily Heney continues.

"That, as you well know, Mr. Heney," my friend replies, "my dignity is the price of hanging to a strap, if you can get the strap. To obtain a seat is quite a different matter. Lots of men would testify that they have not been able to secure one at any price."

"You might think this would settle it with Heney, but even clearer explanations do not convince him. He at once sidesteps.

"Where did Ruef get the \$200,000?" he paid the supervisors for your over-head-trolley franchise?" he impertinently inquires.

"But my friend is patient as well as coy. 'I regret to state, Mr. Heney,' he responds, that Ruef always has refused to tell me. Time and again I have pleaded with him to give me the information, but he was obdurate.

"Tell with you!" was all he would reply."

"And so it would go. Can you wonder that a man of delicate and refined sensibilities and great coyness felt that he could not endure it? He knew his own innocence, but he was afraid it would be too hard to explain it. Ah well, whatever comes, there is one consolation."

"What is it?" I asked.

"The appellate court," the Thoughtful Man responded, with a sigh of relief.

The Opinions of Rufus.

The world owes every man a livin'—after he's proved by earnin' it that he's entitled to it, an' not before that.

Your an' my shins is consid'ly barked by stumblin', Silas, but ain't you never noticed that it them times stumbles that taught us how to shy clear of rocks?

I don't know much 'bout it, but I shouldn't wonder of Old Nick is more upst by one deed of lovin' kindness than he is by a hull fusillade of amens an' hallchuyers.

I've heered of fashinable churches where fashionable Christianity is fashionably preached, but I've had tolerble reliable information that the Man of Nazareth bl'onged to the other kind.

I notice that I'm a blame sight more disposed to hit the other feller's v'riety of sin a crushin' blow than I am my v'riety. Anybody orto be able to see that they's a lot of mitigation circumstances 'bout the latter.

Course I regret that they's so much of the 'iginal Adam in me; still I can't help admittin' that I'm under obligations to the old feller for consid'ble fun.

"Let us then be up an' doin'," for if we ain't the chances are that we'll be up an' done—brown, too.

When you reflect that great men may be born of mothers that was these waste-basket hats you can't help reelin' what a handicap it is that men has to overcome to make any-thing of their lives.

Believin' that they's a little good in the worst of men, I'm clingin' to the trust that The Almighty knows how to develop it, an' they ain't no doubt that eternally 'll give Him plenty of time.

The Great Auction.

Mine was a babe, and I loved her well—

Oh, 'twas in older days—

For she held my heart in the potent spell

And the charm of her baby ways.

But Time, the auctioneer, waited not.

And she passed like the flush of dawn,

Or a roseate dream too soon forgot,

With his "Going—going—gone"

My babe was gone, but a maid was mine.

Oh, little we maid, my love,

You came to me with your eyes ashine,

Like a messenger from above.

And my days you blessed. But the Auctioneer

Paused not—like a startled fawn

You passed to the shadows that fold us here.

With his "Going—going—gone."

My babe is gone, and the little maid

Passed over the shadowy hill.

They were mine one day, but afar they

strayed.

And vainly I seek them still;

And I wait, I wait for the Auctioneer

Who holdeth my soul in pawn,

For I hope to find what my heart lost here,

With his "Going—going—gone."

The Best Man—

Didn't frequently advertise the fact that he considered himself so, either by word or action.

Didn't thank the Lord that he was not as other men, but left it to the Almighty to decide whether that was to his credit or discredit.

Didn't feel that the poor devil who needed help must be able to present testimonials concerning his good character;

Didn't feel that the thought of heaven should draw down the corners of a righteous man's mouth;

Didn't feel that prayer would amount much higher than the spirit of an action of kindness;

Felt that a heathen in hand is worth two in the South African bush, so far as hopes of redemption are concerned;

Let his charity begin at home, but didn't feel it necessary to keep it there all of the time.

As We Dare Believe.

I am thankful today that the "narrow path" Has widened somewhat since the olden day.
That our God no more is a God of Wrath
Who feels no pity for those who stray;
And I thank the Father who sits above,
No more the Avenger all dire and grim,
That my soul may trust to His perfect love,
Who knows I wandered, but cried to Him.

A Trying Situation.

Ever pause to reflect how you are going to feel when you attend that last mass convention and the recording angel pulls the record on you and reads it aloud right out in meeting? Be awfully embarrassing, will it not? Strikes me that way. No reservations, no concealments, no holding-back, you know; and before the biggest kind of a crowd at that. You, for instance, who claim to be a pretty good fellow, how are you going to feel to have your record read in something like the following form:

Blikins, J. K.—Held himself respectable; liberal with money—anybody's; fond of wife—several, in fact; beat trusting friend out of \$1,000; gave \$10 to church; public conduct model—when he was in his home town; had chance to steal \$3,000—said, "No, I'd get caught at it," didn't take the chance.

How would Blikins feel, I ask, after that sort of thing had been strung out for an hour or two? Then think of Mrs. Blikins' feelings in listening to something like this:

Blikins, Elizabeth Zenobia—Quite devout—at times, attending church regularly—when she had new costumes; extremely neat—so much so that she pulled her skirts carefully to one side when she passed an erring sister; public conduct excellent—told herself that she would lose her social standing if it were not.

I might continue, and still be within the facts pertaining to human nature, but I sympathize with Mr. and Mrs. Blikins, and so I will not; but bear in mind that the recording angel will not cease reading until the whole record has been introduced. Oh, it is going to be a trying occasion, I tell you.

What! What's that you say? Why don't I introduce some of my own record here, instead of Blikins'? Oh, I prefer to wait for the great recorder to do that, and when he does I mean to ask him how he would be willing that I should go out somewhere in the back lot and wait there until the reading is concluded.

A Summer Lilt.

About this time of year is when

Each pot feller grabs a pen

And straight indites a soulful lay,

Which lilt along in 'bout this way:

Now am'rous Summer wooing comes,

With promises of cheer;

The bee in flowery kingdoms hums,

And birds—make mine a beer—

And birds, with throats attuned to praise,

Cheer travelers on their way,

While suns in skies unblemished blaze

—And drat these flies! I say.

In sun-loved vales the brooks' acclaim

Is sermon sans a text.

A sermon—ah, yes, I'll take the same—

A sermon—was, next,

I wonder—sermon, ser—Oh, well,

The summer is all right

Is what I started out to tell,

—And how the fleas do bite!

Thus doth the soulful poet man

Indite his lay as best he can,

And it would thrill us all, I claim,

Were't not that—thanks, I'll take the same.

Necessarily Ostracized.

Mrs. Sportleigh—I shall never invite her to another of my bridge parties.

Mr. Sportleigh—Dubious character, eh?

"Worse than that. She always wins."

THE GRAFT CASES.

In the case against Patrick Calhoun the past week has been mainly occupied by the arguments of attorneys, Assistant District Attorney O'Gara making the opening argument for the prosecution and being followed by Attorneys Alexander C. King and A. A. Moore for the defense.

In his opening address to the jury Mr. O'Gara insisted that there are two cardinal questions on which the decision of the jury must hinge: First, was there bribery, preceded by an offer to bribe, of former Supervisor Nichols? Second, if there was such an offer, was it made for and in behalf of Patrick Calhoun? In connection with the first question, Mr. O'Gara maintained that the offer was conclusively proved by the direct evidence of Nicholas, Gallagher and other former supervisors.

In connection with the second question O'Gara also held the evidence conclusive, showing, as it did, that the former supervisors were bribed to vote for an overhead-trolley franchise for the United Railroads; that the bribe-money thus received came from Abraham Ruef; that about the time it was thus paid \$200,000 was transferred from the United States mint to Tiry L. Ford on the order of Patrick Calhoun; that after this transfer Ruef visited Tiry L. Ford in the office of the latter; that Ruef had direct dealings with Calhoun, and other circumstances bearing upon the case.

The arguments of Attorneys King and Moore, for the defense, differed rather in manner of delivery than in effect, the former running to monotone, the latter to declamation. Summarized, their argument ran about

as follows: None of the evidence shows a connection between Ruef and Calhoun; even if Ford supplied Ruef with money for bribes there is no evidence that Calhoun was cognizant of the fact; the evidence of the former supervisors is unworthy of credence; even if there were a bribe, no preliminary offer has been satisfactorily shown; even if the jury believes that \$200,000 was paid to Ruef, it may presume that it was paid him as a fee.

At this writing Assistant District Attorney Heney still is to make the closing argument for the prosecution; then will follow Judge Lawlor's charge, and the case will be with the jury.

Last Saturday the state supreme court ordered a rehearing of the case against Louis Glass, in which the appellate court had reversed the verdict of guilty found against him in the trial court.

Actions have been begun to enjoin City Auditor Koster from paying the salaries of Detective Burns and his assistants and of Assistant District Attorney Harrison.

The cases against Jerry Van Wormer, Albert McKinley, W. J. Corbin and Rex N. Hamlin, charged with the grand larceny of papers from the office of Detective Burns, have been continued.

It is understood that the case against John Claudianes, charged with participating in the dynamiting of James L. Gallagher's residence, will be dropped for lack of sufficient evidence to convict.

UP AND DOWN THE STATE.

The shipment of cantaloupes from Imperial valley began about the first of this month, and by the seventh the traffic was in full swing, the melons being then shipped by the carload.

It is anticipated that Colusa's water carnival, which will be held during the three days beginning today, will attract a large number of visitors to the pretty little city on the Sacramento.

The Redlands Facts reports that the orange crop for the season of 1909-10 probably will be light, large quantities of that fruit having dropped from the trees during the recent variable weather in Southern California.

Under the terms of a recent decision of the state supreme court Terminal island, and contiguous territory, belongs to San Pedro rather than to Long Beach, which had attempted to annex it.

More than 800 resident voters of Santa Monica and Ocean Park have petitioned that the two towns be consolidated under one municipal administration, and in the election, which will follow, it is believed that this result will be attained.

Indians of Colusa county have decided to sue in the United States supreme court to recover possession of several thousand acres of choice land in that county. The red men maintain that they are entitled to the land under the terms of a treaty made more than a half-century ago.

The state road between Placerville and Lake Tahoe now is open, an automobile having passed over it on the ninth instant. In order to get through, it was necessary, in some places, to dynamite a passage through snowdrifts.

A young California condor was captured from its nest in Piru canyon, near Ventura, recently, by a Mrs. Ellis, who was lowered to its nest on the face of a precipice by means of a rope. At present the baby bird is about the size of a goose, but after he is grown he should measure 12 or 14 feet from tip to tip.

Rumor has it that the Los Angeles and Salt Lake Railroad company soon will build a Lake from Riverside to Redlands and Highland and thence through Cajon pass to the desert, and finally to Daggett, thus doing away with the necessity of using the tracks of the Southern Pacific and the Santa Fe.

The well-merited appreciation of The Bank of Germany, 1225 Broadway, Oakland, is due to the capable financial methods of the well-known business men forming its board of directors. Their energy and foresight have placed it among the leading institutions of its kind in Oakland.



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POLITICAL TABLE TALK

By THE WATCHMAN.

Men Talked of There are but three men who at this writing can be considered avowed candidates for the Republican nomination for governor, and these are ex-Senate Senator Charles M. Belshaw, Secretary of State Charles F. Curry and Philip M. Stanton, Speaker of the Assembly. This leaves out Governor Gillett, who may decide to be a candidate, and also others who may hereafter make a similar decision; just at present the governor's friends are inclined to think he will not run. In the rather improbable event that no candidate save these three should come into the field, some good people might feel considerably at a loss to know how to "line up," because they would regard none of them as ideal.

Herrin Less Obvious Another question of interest would be where, in the improbable event before mentioned, the Southern Pacific railroad company would bestow the favor of its support? Its most natural affiliation would be with Secretary Curry, but sometimes Mr. Herrin reports to affiliations which appear unnatural, though they can always be traced to a good solid basis of self-interest for the railroad corporation. Last winter Herrin started on a new deal with the legislature, the object of which was to make the people believe that the railroad is no longer offensively political, translated into other language, that means only that the same objects as before will be sought to be accomplished, but it will be wholly by indirection. In the pursuance of this policy, it might be Mr. Herrin's goal to seek to make a deal with Belshaw, with Stanton, rather than to support a candidate so obviously favorable to the interests as Secretary Curry.

Candidates With Fights On Without attempting to discuss either Mr. Stanton or Mr. Belshaw at this time, it may not be devoid of interest to point out that if the convention system should be hard pushed to secure that hearty endorsement from the people of their own counties which is necessary to a successful candidate under that plan of nominating, and although under the direct primary a solid "trading delegation" from the home county will (thank God!) be an unknown factor, the lack of neighborhood unanimity will be likely to make itself felt even with the new plan of nomination in operation. The independent voters of Los Angeles, a mighty host, will have none of Stanton, and in Contra Costa county there has been brewing a tremendous ruction which may result in the overthrow of the faction with which Belshaw has long been identified.

The State of Perkins' Health As for Governor Gillett, the opinion now generally prevailing, that he will not try again for the governorship, appears to be based on the belief that he wants to be United States Senator and thinks that he sees a chance. This does not imply that any one thinks the governor will try for the senatorship before the next legislature; the politicians who put forward this explanation of the governor's attitude postpone his candidacy until 1915, or whatever earlier date at which Senator Perkins' seat may fall vacant, not thinking it credible that Gillett would presume to come out and contest with Frank Flint. But if Gillett is not a candidate for governor (and nobody seems authorized to guarantee that he will not be), there may be other reasons for it than a desire to wear a toga. It is worth while to recall under what circumstances Mr. Gillett became a candidate in 1906. It is an apparently well authenticated fact of political history that he did not break the chrysalis and spread the wings of his soaring ambition until he had first received a good solid assur-

ance that the Southern Pacific would make his campaign for him, and it is just possible he is waiting for a new contract of that sort before he ventures again. There are some politicians who would be willing to bet that the contract will never be renewed, because there is an impression abroad that without any violent break, the governor and the Southern Pacific company have drawn apart during the last year. This may be because of a mutual disgust or for the sake of appearances.

Some Southern A short time since another Los Angeles man, Motley H. Flint, postmaster, was talked about as a candidate for governor, but naturally there could not be much substantiation to the candidacy of anybody for that office who has a brother who is a candidate for United States Senator. There was another and really greater disqualification in this instance, however, for M. H. Flint is a machine politician of the rampant and offensive kind. It would be more to the purpose if that Los Angeles county would bring out for governor, say, State Senator N. W. Thompson, who made so good a record last winter. In the last election, if we are correctly informed, Thompson was acceptable to both the reformers and the regulars.

Go As You Please Politics While in San Francisco the campaign for the November election has taken the form of a series of unofficial assemblages, in the nature of conventions, to suggest candidates to the electors, in Sacramento, another city which is to renew its government in November, the candidates are making their contests individually, and the politicians are connubiating privately and not publicly. M. R. Beard, a Democrat, who was defeated for mayor in 1907, although at that time he had organization support, is making his canvass, and several of the present holders of less important offices have filed petitions. The uncertain quantity is Mayor White, who has not yet consented to stand for reelection, although both his reformer friends and the organization politicians are trying to persuade him to do so. The organization is actuated by several things, one being that it has no available candidate of its own. Another is that it hopes by accepting White for mayor to make its peace with the voters and be left alone to recapture the city committee and to choose candidates for the other offices.

When Satan Was Sick! Meantime the saloon question. A question which eclipses in interest everything else in Sacramento. Immediately after Fresno went partially dry, and when it was reported that Rev. Bristol, who connected that successful campaign, would go to the capital city to inaugurate prohibition there, the liquor interests had a bad case of stage fright and decided that something must be done right away. A public meeting was called at which Marshall Diggs, an eminently respectable citizen, presided and speeches were made on the necessity of fighting saloon abuses on one side and prohibition on the other. A committee composed of very good men who do not believe in prohibition were appointed to draw up a model license and regulation bill, and to present it to the city council. After taking as much time as was needed for deliberation the committee reported a license ordinance of which the main features are: Raising of the saloon license to \$600 a year; closing at midnight and half day on Sunday; yearly renewal of licenses and none to be issued without approval by majority of tax-payers in the half block; no license to be renewed except on favorable report by chief of police; no side or rear entrances and no private rooms; no increase in number of saloons, but gradual reduction to one hundred; saloons to be banished from residence districts

after January 1, 1912. How far these excellent proposals will get is uncertain, as the city trustees are not believed to be favorable to them, and the liquor interests have now partially recovered from their panic.

Henry Certainly The supreme political development of the week in San Francisco politics is the certainty that Francis J. Heney will be a candidate for district attorney. He was nominated by the Independent Democrats, and neither accepted nor declined. It is now certain that he will be nominated by the Municipal League of Independent Republican Clubs at about the time this paper reaches our readers. Earnest friends of Mr. Heney, out of the best intentions and out of fear of the policy of risking him personally in a fight for the office, have labored to produce another candidate whom Mr. Heney could endorse so that, if defeat comes, it would not fall upon him who has already sacrificed the most for civic righteousness. But events have made his nomination inevitable. The California Weekly, for one, is glad of it. San Francisco now squarely faces the issue, and if San Francisco fails to elect Francis J. Heney district attorney, the humiliation is San Francisco's and not Mr. Heney's. And if he is defeated, The California Weekly expects to see the people of the state of California rebuke San Francisco and the corruptionists who have fought him by forcing his election to some office of more distinguished honor and of more far-reaching power for good.

George L. Center The reform movement that has found voice and power in the Municipal League of Independent Republican Clubs has found a leader in its municipal campaign. Mr. George L. Center, the "dean of the Mission," has laid aside his personal inclination and plans for recreation in Europe to accept the nomination for mayor. With independent wealth, an independent mind, and the fighting qualities of his Scotch blood, he makes a fine man for the place. He stands right on the continuance of the graft prosecution. He has been identified all his life with the advancement of San Francisco. He has made an excellent supervisor. He represents a high type of business man and public-spirited citizen who does his civic duty in politics. He will head the ticket, Heney will be district attorney, and with a sound list of candidates for the other offices, such as the League has proved its ability to select, that ticket should win, and probably will win first at the direct primary and then at the election. If we had the right kind of a law the issue would be settled once for all at the first election. The ticket of the Municipal League of Independent Republican Clubs would sweep the city.

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SAN FRANCISCO'S TRACTION PROBLEM

Third Article. By WILLIAM KENT.

In two preceding articles, published June 4th and June 11th in The California Weekly, I considered the theory of the relations that should exist between those furnishing public utilities, and the municipality. I also showed how by eliminating the element of risk, and treating real investment fairly, Chicago has succeeded in boiling the water out of dropical corporations and putting intra-mural transportation outside the pale of politics. Peace reigns in Chicago, the peace of municipal self-respect and not the peace of surrender to greed and graft.

The people of San Francisco are facing a definite issue. Immediately before them is the forking of the roads. They must decide whether they will begin to own and operate their city or whether they will postpone the day of their awakening.

It is time that the city realized that the United Railroads are not operated in the public interest, but to pay, if possible, on watered securities, and to furnish the sinews of war to those who are debauching the municipal life, and defying right and justice.

Before this situation all theories of a unified system, of a monopoly of transportation, become of minor importance. San Francisco must not arm its worst enemy with more grants of power. There must be a struggle and the sooner it is begun the sooner it will be over.

The Geary street road is but an incident in the policy to be adopted. No public utility can rest on the rights already acquired, in a growing city. It must continually ask for more, and until all water is evaporated from its securities and until this arrogant corporation exhibits "an humble and a contrite heart," the city must clamp down on it, and hold it down.

The city cannot sell the Geary street franchise without

First, the practical certainty that it will become United Railroads property, and without

Second, tying itself up to an outgrown system of licensed extortion, unless there is retained the right of purchase and operation.

This right of purchase and operation at some future time, would mean far greater cost when exercised than if exercised now.

Moreover there are many things that San Francisco wants to know, that will be fully and clearly demonstrated by the equipping and operation of this small system.

It is urged against the segregation of this road that it will not have transfer privileges. It now has none. The United Railroads have been trying to cut out transfer privileges, and have not been gracious toward the public in their Sutter street attitude.

It will not be long before, by one means or another, they will be forced in their own interest to exchange transfers with a municipal railway. Their stockholders will demand it as well as the traveling public.

It is urged that a city government is necessarily too corrupt and incompetent to handle such abstruse questions. If San Francisco people will compare their mayor and supervisors with the talent under indictment they will not long hesitate as to which are most likely to act in their interest.

Elected officials, it is said, are always politicians and cannot do business on business principles. And yet to elect judges you entrust the questions of liberty, property, ay, of life and death.

Elected officials are responsible for the public health, and the education of your children. But rather than trust them to run a few street cars and collect a few nickels, some of you would hand those functions over to men whose evident interest and proven disposition is to give you the minimum of service and the maximum of misgovernment.

As to success from a financial standpoint, there can be no possible doubt, in business management and a five-cent fare. A five-cent fare seems satisfactory to San Franciscans provided they get good service. Their road would be built to furnish good service and would pay from the start. There should be no difficulty whatever in finding capable and disinterested persons who would have abundant time out of court and out of jail, to man an efficient commission. There are engineers to be had who can be relied on to see that honest construction work is done.

Doing the task directly will give a clear knowledge of cost, and will substitute plain statistics for the Ananias records and the lost documents of the United Railroads.

Public policy at this juncture demands the municipalization of the Geary street road. There is no financial risk under decent management.

The people will see to it that the management is decent, and by no possibility can municipal management be as hostile to the public welfare as is that of the United Railroads.

Earthquake, fire, and plague are minor afflictions "and but for the moment," when compared with a public servant, arrogantly assuming the mastery of the city.

The oldest American woman author is Mrs. Francis Alexander, a native of Boston but a resident of Florence for nearly sixty years. She was ninety years old when, in 1905, she sent the manuscript of her book, "Il Libro d'Oro," to her publishers.

The Washington Post says that the only genuine brown coffee diamond known to exist in the world is in the possession of Mrs. E. A. Montgomery, of San Francisco. It is three and one-fourth carats in weight and is worth more than \$50,000.

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HECH-HECHY: THE LAW AND THE FACTS

Written for The California Weekly by MARSDEN MANSON, City Engineer of San Francisco.

So much that has been misleading and erroneous has been written and stated with regard to San Francisco's application and grant for the use of the Hetch Hetchy reservoir for a municipal water supply, that it is necessary to lay before the public generally a clear statement of the law and the facts.

By the Act of October 1, 1890 (26th Stat. at L. 651) there was established a reservation in California on the west slope of the Sierra Nevada Mountains, embracing about 1,500 square miles and subsequently known as the "Yosemite National Park." Section 2 of the Act contained the following provision:—

"That such reservation shall be under the exclusive control of the Secretary of the Interior, whose duty shall be, as soon as practicable, to make and publish such rules and regulations as he may deem necessary or proper for the care and management of the same; and he shall have jurisdiction for the preservation from injury of all timber, mineral deposits, natural curiosities, and wonders within said reservation, and their retention in their natural condition."

Rigid Regulation Modified.

During the years 1887-88, and '89 the United States Geological Survey, in its investigations of the resources of the United States, found that within this area vast water resources originated, which are capable of being used to the benefit of the lands of the San Joaquin valley which are deficient in natural rainfall for intensive farming; these resources could also be used for municipal and mining purposes. The Geological Survey therefore made examinations of the various reservoir sites capable of being utilized, and it was found that such, determined the general character of structures necessary and made approximate estimates of the capacities of these reservoirs, including Hetch Hetchy reservoir. (See 21st annual report U. S. Geological Survey, Part IV, Pages 456-3.)

Acting under this advice and realizing that these and all reservoir sites must ultimately be utilized, Congress saw fit to modify the very rigid and inhibitory provisions of the law of 1890, and, on February 15, 1901, (31st Stat. at L., Page 790) enacted the following law:—

"That the Secretary of the Interior be and he is hereby authorized and empowered, under general regulations to be fixed by him to permit the use of rights-of-way through the public lands, forests and other reservations of the United States and the Yosemite, Sequoia and General Grant National Parks, California, for electrical plants, poles and lines for the generation and distribution of electric power, and for telegraph and telephone purposes and for canals, ditches, pipes and pipe lines, flumes, tunnels or other water conduits, and for water plants, dams and reservoirs, used to promote irrigation, or water for domestic, agricultural, manufacturing or cutting of timber, or lumber, or the supplying of water for domestic, public or other uses, and to the extent of the ground occupied by such canals, ditches, flumes, tunnels, reservoirs, or other water conduits, or water plants, dams and reservoirs, or other works permitted herein are not to exceed fifty feet on each side of the channel limits thereof or not to exceed fifty feet on each side of the line of the dam, pipe line, pipe lines, electrical, telegraph and telephone lines and poles, by any other association or corporation of the United States, which is intended to be held to exercise the use permitted herein for any one or more of the purposes herein mentioned."

There then follow two provisos of no material interest to the question now being considered.)

"—And provided further that any permission given by the Secretary of the Interior under the provisions of this act may be revoked by him or his successors at his discretion, and shall not be held to confer any right or easement or interest in, to or over any public land, reservation, or park."

Six Elevenths of Hetch-Hetchy Owned.

It will be seen, therefore, that Congress, after an expenditure of more than ten years with the inhibitory law of October 1, 1890, above quoted, saw fit, after thorough examination and survey, by its own agents, of Hetch Hetchy reservoir and other sites, to modify materially the inhibitory provisions of the law of 1890 to making possible the use of the water resources arising in the various reservations, public lands, and parks named in the law. It will also be seen that this action was not taken without due consideration. Years of examination and study

were devoted to the question by the trained officers of the Geological Survey, and more than a year after the report had been received Congress passed the second of the laws above quoted. This latter law especially provides for the granting of rights of way for reservoirs. The reservoirs were surveyed and pointed out by a scientific bureau of the government. Amongst these is the Hetch Hetchy reservoir. On the floor of this reservoir there are meadow lands of something like eleven hundred to twelve hundred acres in extent. The title to more than six elevenths of this area had passed from the government to private parties prior to the act of February 1, 1890. These patented lands San Francisco purchased and holds. San Francisco also holds the right to utilize the remainder of the reservoir space, under the decision of May 11, 1908, of the Hon. James Rudolph Garfield, Secretary of the Interior, acting under the law of February 15, 1901. This latter right San Francisco holds under a law of Congress specifically and distinctly passed for the purpose of pointing out to the public at large and making possible the utilization of reservoir spaces within the limits of the Yosemite as well as other parks, public lands and reservations named in the law cited.

No Protest Until San Francisco Applied.

It is to be noted that other meadow lands and other valleys have been filed upon by private individuals and by corporations within the limits of this reservation, but not one word of protest has been raised against these filings. Moreover no protest was raised when the law opening these reservations to filing was proposed. Only after six elevenths of the Hetch Hetchy reservoir are owned by San Francisco and the remaining five elevenths yet standing in the ownership of the government and opened by its own acts to acquisition and utilization and after San Francisco has been legally granted the use of this remainder, have protests been urged.

These protests come from two classes or sources; First, the Spring Valley Water company, holding a monopoly of water supply for the city of San Francisco under the crude and ill-advised laws of the early history of the State of California, aided by those who have secured water power rights of enormous value for the development of electricity and the supply of water; secondly, a group of sentimentalists who in one sided discussions amongst themselves have decided that to the people of the United States the Hetch Hetchy valley has been decided in perpetuity by Congress; and that any utilization thereof in accordance with the laws of Congress and in accordance with the right of the city of San Francisco to use its own holdings for the public purposes for which they can be used is a "desecration" of this valley.

What the Bills Provided.

Now the facts are: That only six elevenths of the floor of the Hetch Hetchy have any patents whatever or deeds in perpetuity passed by the people of the United States. These are held by San Francisco. San Francisco also holds the right under the laws of this country to flood the remainder and use this and her own holdings for the highest purposes for which they can be used. The bills of Congress were not to grant San Francisco the right to use the valley, for that right that city already holds. They were to effect an exchange of lands in order to return to the government lands to which it desires to recover title, and to render the desirable nature of the permit revocable granted. It is not, however, probable, even if no exchange be effected, that, after large expenditures have been made, any Secretary of the Interior would in his discretion feel justified in considering the revocation of these permits.

Jealous of Municipal Activity.

But suppose these sentimentalists, backed by corporations of great power, should succeed in blocking San Francisco in this water

development; does any sane human being entertain the idea that at some near time in the future this reservoir will not be used, for the imperative needs of the human race? And possibly through the beneficent intervention of those "whom God in his wisdom" has bestowed the right to utilize all sources of natural wealth.

It is manifest to any student of the economics of water supply and of the development of electricity by water power that it is not intended by corporations who have appropriated or secured most of the sources of natural wealth, that a city like San Francisco shall break into the holy circle of knowledge of how much it costs to develop, transmit and utilize hydro-electric power, or to supply the homes of a great city with that element of existence, water. It is clear that the opposition to this monopoly is selfish and that its leading but misguided allies are the group of sentimentalists above referred to. Some few of these have actually seen the Hetch Hetchy Valley; have described the beauties of the flowers growing on the lands owned by San Francisco, have gone into ecstasies of delight over the curves and beautiful sinuosities of Tuolumne river, flowing between green banks owned by San Francisco, have uttered their protests against cutting down oak, pine and cedar trees growing upon lands owned by San Francisco, have intimated that peaks rising one-quarter to one-half a mile above the floor of the valley are to be devastated and ruined by flooding the reservoir two or three hundred feet deep, have published pictures of falls, of rapids, bluffs and magnificent scenery, Big Trees and precipices distant a score of miles or more from the Hetch Hetchy, and even beyond the limits of the Tuolumne watershed, which are to be "devastated" by the utilization of this reservoir. The World's Work of April, 1909, published eight illustrations of scenery in and around the basin of the Tuolumne, and in that of the Merced—some in the Yosemite Valley itself—only one of which will be in the least affected by the use of the lands owned by San Francisco for a water supply. The other seven are more than twenty miles distant, and six of them are not in the basin of Tuolumne river.

The May number of the World To-day publishes five pictures of similar features. The lower portion of the scenery in one only, namely, the Falls of the Hetch Hetchy, will be affected to a point some fifty feet below the bottom of the lower fall. This falls is above the highest proposed reservoir. The others are no more affected by this utilization of San Francisco's lands and holdings than will be Central Park in New York, or Hyde Park in London. Yet upon such articles as these publications are being formed, upon the most erroneous and unjust basis.

A Bit of Muir Description.

Mr. John Muir describes some of these "enlarged" features as follows:

"The most strikingly picturesque rock in the valley is a majestic pyramid 2,000 feet in height, which is called by the Indians 'Kolana.' It is the outmost of a group like the Cathedral Rocks of Yosemite and occupies the same relative position on the south wall. Facing Kolana on the north side of the valley there is a smaller, but being formed by the Yosemite Capitan, about 1,900 feet high, and over its brow flows a stream that makes the most beautiful fall I have ever seen. The Indian name for it is Tueculala. From the brow of the cliff it is free in the air for a thousand feet, then strikes on an earthquake ledge, the Yosemite broken up into a ragged network of cascades. It is in full bloom in June and usually vanishes towards the end of summer. The Yosemite Bridal Veil is the only fall I know with which it may be compared, but it excels it. The water that wonderful fall in air, swaying grace of motion and soothing repose. Looking across the valley in the spring, when the snow is melting fast, Tueculala is seen in all her glory burning in the white sun fire in every fiber,

Approaching the brink of the rock her waters flow swiftly, and in their first arching leap into the air a little hurried eagerness appears; but this eagerness is speedily hushed in sublime repose, and their tranquil progress to the base of the cliff is like that of downy feathers in a still room. The various fabrics into which her waters are woven are brought to view with marvelous distinctness by the instreaming sunshine. They sit and float from form to form down the face of that grand gray Capitan rock, in so leisurely and unconfused a manner that one may examine their texture and patterns as one would a piece of embroidery held in the hand. Near the bottom the width of the falls is increased from about 25 feet to 100 feet, and is composed of yet finer tissue, fold over

fold—air, water, and sunbeams woven into irised robes that spirits might wear.

"A little to the eastward, on the same side of the valley, thunders the great Wapama or Hetch Hetchy Fall. It is about 1,700 feet high and is so near Tueculala that both are in full view from the same point. Its location is similar to that of the Yosemite Fall, but its volume of water is much greater, and at times of high water may be heard at a distance of five or six miles or more. These twin falls are on branches of the same stream, but they could hardly be more unlike. Tueculala, in sunshine, chanting soft and low like a summer breeze, in the pine; Wapama, in gorge shadows, roaring, and booming like an avalanche. Tueculala whispers that the Almighty dwells in peace; Wapama is the thunder of his chariot wheels in power.

"There are no other large falls in the valley. Here and there small streams, seldom noticed, come dancing down from crag to crag with bird-like song, doing what they can in the grand general harmony. The river falls about twenty feet into a surging trout pool at the head of the valley; and on Rancheria creek, a large tributary that comes in from the north-east, there is a series of magnificent cascades, broad silver plumes like those between the Vernal and Nevada falls in Yosemite, half leaping, half sliding, down smooth, open folds of the rocks covered with crisp, clashing spray, into which the sunbeams pour with glorious effect. Others shoot edgewise, through a deep narrow gorge, chaining and surging beneath rainbows in endless variety of form and tone." (Century Magazine—August 1908; quoted on page 38 of the Hearings of the Committee on Public Lands, U. S. House Rep., December 16, 1908.)

It may be comforting to the admirers of verbal lingerie and frills to be assured that none of these "networks," "veils," "fibers," "downy feathers," "fabrics," "textures," "patterns," "embroideries," "tissues," "plumes," nor "irised robes" are going to be interfered with in the least, now nor at any time in the future, as the features and phenomena (these terms are intended to describe are far above the highest level of the proposed reservoir.

Other Sources Considered.

It is furthermore alleged that there are other sources from which San Francisco can draw an adequate water supply.

Let us for a moment forego the manifest truth, that the supply selected by San Francisco was not open in accordance with the government's own act and in harmony with the laws of Congress, and that the right to use her holdings for the highest purpose for which they can be used did not exist, and let us suppose that this magnificent supply had not been made available by Congress through the law of February, 1901. To what straits would San Francisco then be reduced?

First, it is recognized by all, that this city must ultimately go to the Sierra Nevada for an adequate water supply, and that no Coast Range or nearby supply can ultimately be relied upon for this all-important necessity of municipal and domestic existence. Under the munificent laws of Congress each and every one of these other Sierra sources, from and including Feather river on the north to Stanislaus river on the south, has been "appropriated" by corporations and individuals who hold it at exorbitant figures; so exorbitant that one, devoid of adequate reservoirs, complicated with prior users and rights, utilized by the state for power and light, and by land owners for irrigation, polluted by hotels, summer resorts, farms, cattle ranges and other human activities, was offered for the modest sum of \$10,500,000, including works not definitely specified.

We will name over these various "possible sources."

First, there is Feather river on the north. Every adequate reservoir within this drainage basin of more than 3,500 square miles is held by corporations looking to the development of or actually engaged in the development of electric power. Within this watershed are mining operations, villages, towns and farms, which contaminate the water to such an extent that, if diverted at any reasonable point,

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(Continued on Page 478.)

(Continued.)

THAT is it precisely," he affirmed, as he took my arm again and led me for a walk about the grounds until I controlled my agitation. "I am now," he said, "as I shall be in glory. I am as I was, and yet not the same."

"No one would know me for Oliver Langworthy, yet I am he, only that I have put off corruption and put on incorruption. I stand before you the perfected type of the being I was born to become, had not the limitations and accidents, inherited and acquired deficiencies of nutrition and environment, combined to make me less than the evolutionary forces within me strove to make me. My terrestrial body lies there in the shrubbery, to all appearances dead, yet if an ear were placed to my chest a regular but modified beating of the heart would be detected. That would continue for a number of days, because the motions of the heart are prompted and preserved by nerve ganglia independent of the brain, but nutrition has ceased, except as stored-up vitality, of which I had little, scarcely more than enough to suffice from meal to meal or day to day, is drawn upon. If I were gone too long exhaustion would finally cause the heart to cease performing its functions and my body would become untenable."

"My present body, which you see, is a thought body. It was thought by God when he thought me, and is ever present with me, for no thought of God ever ceases to be. It envelops me as an atmosphere, but in this I do not differ from other beings except that, by prayer and culture of the mind and soul, I have acquired a certain degree of mastery over my common clay, attained by few, yet possible for all."

"My friend," he continued, "death is ever so simple and easy after one has died a few times. The axemen of the spirits of those who are released is a bewilderment of joy at the simplicity of the transformation that has taken place. Indeed, it is hard for them to believe that they are really dead."

"If you are quite calm now and reconciled," he said, bestowing upon me a look of assurance such as a father might bestow upon a terrified child, "we will go inside. Do not mind me greatly. Mingle with the others as occasion offers. I shall be at your side as times as need be. You may refer to me, if occasion requires, as Professor Oliver, of Chicago, whom you chanced to meet at the hotel table. This will not be doing violence to the truth, as I am an instructor in psychology with the special restriction that my pupils are also instructors in psychology, but pledged to secrecy, for regard my ministerial as my serious work in life, and wish nothing else to interfere with it."

"We had now passed through the marvelously beautiful outer portal of the Ponce de Leon and directly began to ascend the marble staircase leading to the main floor. I saw that of a certainty my companion was attracting attention enough. Every passer turned to look at him, and the women especially, craned their necks that they might keep him in view."

"We presently found our hosts for the evening, to whom I presented my companion, and soon the entire party repaired to the sumptuous dining hall, our group finding seats at a table in a delightful alcove, at once retired and yet commanding an excellent view of the great assembly hall. We sat at table for perhaps two hours, during which my companion ate as heartily as any other member of the party and talked much more entertainingly. He was vivacious, courteous, at times witty, and when he spoke seriously the went to the heart of the issue and laid before us the truth clearly and unmistakably. This he did without self-conscious timidity or arrogant assumption of superior knowledge. In fine, while he did not speak with that unquestioning authority to which Jesus taught his disciples, he talked as one wielding a loving mastery over his hearer, of which others were as cognizant as himself."

"I could not be oblivious to the many interested glances cast from other tables toward my visitor from the realm of shadow."

THE MYSTERIOUS EXPERIENCES OF A MATTER-OF-FACT MAN

(Being the Sixth Galoot Club Romance.)

By TOBIAS BLACK

"I should ejaculate!" interrupted the newspaper man. "A ghost sitting down to a swell dinner and putting away course after course like an ordinary human gourmand would be worth going to Florida to see. Your spook seems to be the real thing. I rather like him. Go on."

"As I was saying," continued the Judge, without regarding the undignified interruption. "I could not be oblivious of the attention my friend drew to himself from the lady and gentleman upon whom we had come (and away from whom we had run) in the garden that afternoon, and who sat at an adjacent table. It appeared that the lady could not keep her eyes off him, but, as for the subject of her scrutiny, he seemed to be altogether unimpressed by it."

"Dinner over, the guests wandered over the great Standard Oil hotel-palace, the most luxurious establishment on the continent, and perhaps in the world, admiring the beauty and excellence of its artistic appointments, and especially the splendid collection of paintings and statuary. There is really nothing too good for newspaper men, you know," added the Judge, in a tone suggestive of ulterior purpose, "when, as in this instance, they were being most royally entertained without cost to themselves."

"Oh, I can stand that all right," responded the newspaper man. "That free dinner was the best bit of advertising the owner of the Ponce ever invested in, and even you, yourself, four years after, are pushing it along."

"As we passed through the parlors and galleries," continued the Judge, "and stopped to look at some artistic creation, the Professor would often discourse of art, pointing out excellencies or limitations that others in our party had not been able to detect, and at such times we were quickly surrounded by a group of eager listeners, for, apart from what the Professor said, his voice had a resonance little short of ravishing. When he spoke everyone within range instinctively stopped to listen."

"It was upon one of these occasions that, in turning from a painting upon the beauties of which he had been discoursing, we came full upon the lady and gentleman already referred to, upon whom we had unexpectedly come in the garden that afternoon (how be it, without having attracted their attention), but when I turned to my friend I found that he had stepped into another apartment. I was besieged with questionings regarding him, and told the little that I felt at liberty to tell, that he was Professor Oliver, of Chicago, whom I chanced to meet at the Alcazar at the lunch hour, and that I found him a very fascinating and cultured gentleman."

"In moving toward other objects of interest I found myself at the side of the lady already referred to. She was handsome, though delicate, and I gathered that her husband was a wealthy manufacturer and that they were at St. Augustine on account of her health, for the husband appeared to be sufficiently robust."

"I feel that I have seen that gentleman elsewhere," she said, speaking of the Professor; "but almost as though it were in my dreams that I had seen him. He impresses me most strangely, yet I am sure that I have not met him at any time."

"I told her that, in my own case, it was

quite common to see a face that I thought I had seen before, but had not."

"I am very sure though," she insisted, "that I have seen him elsewhere, and I do not think that he can have a double, for there is something about him so very extraordinary. He appears to be surcharged with life, and yet there is little about him to suggest the animal kingdom to which we all belong. He is spirituelle without being weak, which I regard as particularly rare."

"We had rejoined the company with whom she had been walking, and I sauntered through the apartments with them for the better part of an hour, but nowhere did we catch sight of the Professor. Finally the husband of the lady excused himself in order to repair to the smoking room, bidding us good night and admonishing his wife not to sit up for him when she had gone to their rooms."

"Hardly had he taken his departure when his wife drew me to a divan, that we might the more easily view the delicate frescoes on the ceilings, as well as rest a few moments, for she was weary with walking."

"Do you know," she said, "I have thought him out. I mean the Professor. There is that about him which reminds me of a dear friend of long ago, only the Professor is so much taller and straighter and more robust. Almost he might be a younger and more athletic brother-in-law—but here she glanced furtively about and then, with downcast eyes, whispered, "the Rev. Oliver Langworthy, formerly of Detroit."

"Yes," said I, "there is a resemblance, I must confess, now that you have called attention to it, yet no one would ever mistake the one for the other."

"You know him then? Oh, do tell me about him. How long is it since you have seen him? Have you heard him preach lately? Is he not almost a divine man?"

"I told her the little I felt at liberty to tell, and found in her a most attentive listener. Indeed, she seemed to be laboring under a strong emotion, which she strove continually to suppress, but seeing that I was not oblivious to the fact, glanced hurriedly from side to side, to assure herself that we were quite alone, and then half-whispered into my ear:

"I do not know why I should tell you, an entire stranger, but I feel strongly impressed to do so. It is only duty that Oliver Longworthy and I love more than we love each other. My husband is kind and tender and—so jealous of Oliver that his name is never mentioned in our house. I shall not see him again as long as I live, which may not be so very long, as I am far from strong, but I pray without ceasing that he may go where Oliver goes when we die, and that we may be together and love each other just as much as we wish to there, without doing anyone wrong. Now you know all. Why I have told you I do not know, but I am sure you will not find it necessary to tell anyone else, at least not until I am dead. I find that I am so wrought up over what we have been talking about, and have such strange thoughts, that I must go to my room and put myself again in God's keeping. I am so glad to have met you, and hope that we may meet again some night."

"I conducted her to the elevator and she passed out of my sight forever. She is now dead. The shock of the death of Oliver Longworthy killed her."

"Hardly had the elevator disappeared beyond the upper floor when I found the Professor at my side. 'If you have rested sufficiently,' he said, 'I have something in view that will interest you, and, taking my arm, we passed again into the garden.'

"That woman is a most beautiful and amiable character," I observed. "Oh, dear! As a lily among the thorns, so is my love among the daughters," answered the Professor, quickly adding, "Oh! my dove, thou art in the clefts of the rock, in the secret places of the stars; let me see thy countenance, let me hear thy voice, that I also may share thy countenance is comely." "And it is often that I do see her in this guise," he added, "but only when she is asleep."

"You take an unfair advantage of her," said I. "Why do you not admit her to share in your great mystery?"

(To Be Concluded.)

("Hetch-Hetchy"—Continued.)

it would have to be filtered, conducted in closed conduits to San Francisco, and there pumped for distribution at elevations reaching San Francisco level to more than 700 feet above. Not one kilowatt of the power necessary for this pumping could be obtained except by the leave of some corporation, which has taken up and appropriated these rights, without protest from the hundreds of who protest against San Francisco doing exactly what these corporations have done for selfish ends, and for their own purposes under the laws of the same Congress.

The Yuba Is Private Property.

The new drainage basin south of Feather river is its tributary. Yuba river. Every reservoir, every fork of this river, is held by private corporations engaged in the supply of hydro-electric power, irrigation water, mining operations or other activities. In the entire basin of Yuba river, every one of its forks, every one of its reservoirs, every one of its closed conduits or individuals who have appropriated and are in whole or in part, utilizing its resources. It is nearly as remote as Feather river, and its waters from the upper portions, even if kept pure from contamination, would have to be transported through closed conduits over long distances through a closely inhabited, cultivated or grazed country. If permitted to flow along their natural channels to the lower reaches to be there diverted, stored waters would become contaminated by drainage from closely occupied regions. The present users of these waters would have to be compensated, should they be diverted to other purposes, and riparian rights would have to be satisfied. These considerations and the contamination of the waters by mining debris lead the engineers considering the various sources in 1906-1901 to abandon further consideration of Yuba river, as a source of supply for municipal purposes.

The next river, the American, drains some 1,800 square miles, but has no adequate storage areas within its basin. All of its low waters are fully utilized. Many of the rights are not fully utilized, nor adjusted, so that San Francisco, or any municipality utilizing these waters, would have to buy out, in many instances, several claimants. The physical conditions known to the engineers who advised San Francisco in the beginning of these water supply examinations, were such as to absolutely inhibit the use of this watershed as a possible source, and it was known that it was not necessary to make extended examinations of its manifestly inadequate possibilities.

Why Tahoe Has Head

Lake Tahoe, on the east side of the main crest of the Sierra Nevada mountains, has been proposed as a source. This source is impracticable for several reasons. First, it would require extensive tunneling through the Sierra Nevada mountains. Second, these waters are utilized by their flow down the Truckee river out upon the plains of Nevada for power, irrigation, and municipal supplies. In this development the United States government stands first in its "Truckee-Carson" project. Third, around the margins of this magnificent mountain basin, lakes have grown up dozens of resorts and hundreds of summer homes, the drainage from which must ultimately pollute to a certain extent, even the superbly pure waters of this grandest of mountain lakes. This source is therefore absolutely ruled out of practical consideration.

South of American river is the Mokelumne, with quite a number of small reservoir areas, all fully owned or utilized by corporations and none available, except at great cost.

Next south is the Stanislaus; adequate in area, with pure waters, subject to slight contamination, but owned for many years past, by corporations engaged in the development of hydro-electric power, and recently purchased from them by the United Railroads of San Francisco for the operation of their system.

Between these are one or two minor streams and lakes, Bear river and the Cosumnes, which are inadequate, both in volume, storage capacity, and possibility of utilization, and are moreover lower down on the Sierra and of very inferior quality, when compared with other Sierra streams.

It will be seen, therefore, that there does not exist on the west slope of the Sierra and north of the Tuolumne river, a single stream which could be utilized, as has been so glibly suggested. Moreover, if these waters could be utilized, there yet remains the fact that these very corporations are allied in such a way that San Francisco would have to purchase from one or the other the power necessary to raise these waters to sufficient elevation to supply all of the five upper levels if not the lower ones, into which the city is naturally subdivided.

Even the attorney of the Spring Valley Water company has pleaded that, if San Francisco could not get water sufficient from his company, she could get it from one of these, his allied brothers in "appropriations."

As Garfield Saw It.

But Secretary Garfield, after a statesmanlike study of the entire situation and having at his command the skilled and highly trained officers of the United States Geological Survey, and the water supply experts of the government, decided that "In considering the reinstated application of the city and county of San Francisco, I do not need to pass upon the claim that this is the only practicable and reasonable source of water supply for the city. It is sufficient that, after careful and competent study, the officials of the city insist that such is the case." By granting the application opportunity will be given for the city by obtaining the necessary two-thirds majority vote to demonstrate the practical question as to whether or not this is the water supply desired and needed by the residents of San Francisco."

When the people of San Francisco, under this broad and clear proposition, had an opportunity to express their views at the election of November 12, 1908, they decided by a majority of over six to one in favor of the supply, which the Geological Survey of the United States government had pointed out as desirable in 1890, which the laws of Congress had made available in 1901 and which her officials and officers had consequently selected and laid before them.

Where the People's Power Has Gone.

It has been alleged that San Francisco should be charged for the power developed by these stored waters. It is again significant that these urgings have not been made as regards power companies who have secured rights of far, far greater value at the bare cost of complying with the over-generous laws of Congress and of the several states. Any one who reads between the lines of the message of President Roosevelt, vetoing the bill granting to a private corporation power rights on James river in Missouri, will note that there are five corporations, practically controlled by

five men who have appropriated rights worth five hundred millions of dollars, and not one whimper or one objection have we heard from the sentimentalists and other allies of the corporations which have appropriated these powers. Moreover, it is manifest to the student of economics and of the resources of our country, that the hydro-electric powers of the United States are greater in value than all the coal fields and all the oil fields of our country put together. These hydro-electric powers possess the additional advantage that when a million kilowatts of energy have been utilized they are there the next morning and the next, for future generations as long as gravity shall cause the waters to flow from the mountains to the sea. But whenever a hundred thousand tons of coal or a hundred thousand barrels of oil have gone into the economies of the human race they are gone forever, as elements of wealth or as resources to be utilized.

If these pleaders that San Francisco be made by the United States government to pay for the utilization of waters which belong not to the government, but to the State of California, will turn their attention to the broader and

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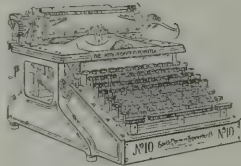
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CALIFORNIA

noble problem of conserving the resources of this country from corporate greed, they will have a broader and nobler field for the exercise of all their energies and of all their patriotism.

Also This People's Playground.

It has also been alleged that, in utilizing the water flowing from the basin of the Tuolumne river above Hetch Hetchy reservoir, the public must be shut out from the "people's playground." Let us study a moment the features of this "playground."

First, it constitutes 483 square miles. Through it there lies a single practicable road. Not one-tenth part of the area is accessible to any but the hardest mountaineer, and that only during the months of June, July, August and September. Nine-tenths of it, or more, are mountains of extreme ruggedness, through which in narrow and dangerous trails only the hardest of mountain climbers can pass. To speak of this as a "playground" is erroneous in the extreme. It is full of temples, placed by the hand of the Almighty in remote and inaccessible ridges and peaks rising to snow-bound heights of ten to thirteen thousand feet above sea level in order that only those devotees whose worship is pure shall ever reach their gates, shut out forever from the weak, gaping crowd, who have not the energy nor the soul to appreciate their grandeur. Inaccessible and severe, they frown upon the weakling who would attempt to scale their sacred precincts as a "playground." From these superb heights there flows, as the snows of winter melt, the purest water. During this period of melting, rain again cannot reach the higher levels. Only when the mountains are free of snow and the run off practically ceased can the devotee reach these regions. During this period camp waste and impurities are exposed to the glaring sun of the skies of California. Later any germs which may exist in these wastes are exposed to the frosts of early autumn. It is well known that harmful bacteria cannot exist under a few hours of sunshine and but few withstand a night of frost. The members of these mountain climbing clubs are the polluters which their brethren represent, they should be ruled out, not only of the basin of the Tuolumne, but out of any mountain region from which human homes are supplied with water. If during the few months of summer and early autumn, waters flowing therefrom shall be polluted, by the few tourists whose energies and devotion may carry them into these regions, what must be the degree of pollution to which lower and more accessible areas full of human activities are subjected?

There are thus three classes of objects—first, those who from selfish purposes subvert the laws of justice and of right and attempt to prevent San Francisco from acquiring and developing a source of water made available by the beneficent laws of our country. Second, those who from sentimental reasons magnify and distort to extreme degrees the actual effects of utilization of Hetch Hetchy reservoir for a few hundred feet above its floor. Third, those who from ignorance choose to assert that the exclusion of the public from the drainage area is necessary. The first of these classes seizes upon every whimsey of the other two to magnify and misrepresent the facts for their own avaricious ends.

San Francisco legitimately and equitably holds these rights to a superb water supply. Only through injunctive and misrepresentation on the part of others and through neglect on the part of her own citizens can she lose them.

GREAT MESSENGERS AND—MESSENGER BOYS.

Moriz Rosenthal, the great pianist, has this to say of the works of modern composers: "The orchestra is written for nowadays in preference to anything else, because it makes a small idea go the farthest." Composers of today have not sufficient thoughts to construct an effective piano piece. The piano is a merciless revealer of weak design. All modern composers strive to write something novel, whereas the great composers wrote what came to them irrespective of effect. The present education is responsible for the musical undred of today. The young are given the new

before they know the old. We will not deny that there is a message in the new music; but there are two kinds of bearers: The great messengers and—messenger boys! Rosenthal will make an American tour next season under London Charlton's direction.

BETTER PROMISE FOR THE EUCALYPT.

Editor California Weekly—Sir In Mr. Peavy's final article on eucalypts, which deals with the rate of growth and the value of their product, it seems to me that in his desire to correct the impression conveyed by certain prospectuses issued by eucalyptus companies he has erred on the other side. As he does me the honor to quote me in support of some of his statements, and as it may be assumed that therefore I agree with all of them, I would be glad of an opportunity to correct that impression.

His table showing rate of growth seems to me especially misleading. It apparently rests on a solid basis of fact, the figures were obtained from actual measurements of 180,000 trees, representing practically every grove in the state. They therefore represent a true average of what had been accomplished in eucalyptus culture up to the time when they were taken, 1903. For want of better data, they might be considered as true for the plantations now being established or at any rate as furnishing a "mental corrective to those who are inclined to accept as authoritative the yield estimates presented by some of the eucalyptus companies." A moment's reflection, however, will show that they are quite valueless even for purposes of mental correction, for the present plantations are of an entirely different order from those the figures are based upon. Mr. Peavy himself says, "The business of planting eucalypts for the purpose of producing a commodity for the market is still in its infancy." That is, hitherto they have been planted not where they would grow best—not according to their requirements as laid down by Mr. Peavy in his second article—but wherever the planter needed trees for wind-breaks or on otherwise unproductive land for domestic fuel supplies. In consequence it is safe to say that most of these groves are in situations that would be entirely unsuitable for commercial plantations, and it is manifestly improper to use such figures as forecasting the results of commercial planting.

To assume that a fair average yield or even a mental corrective can be obtained in this way is to assume that the educational work accomplished by this office, by the Forest Service and by Mr. Peavy's own articles has been and is being wholly thrown away. This I am unwilling to believe, and in fact it is contradicted every day by dozens of inquiries received by this office. Bona fide planters are no longer planting by guess, but upon the best information they can get.

The man Mr. Peavy is after is evidently the unscrupulous promoter. Undoubtedly, as I said in the interview referred to, "certain promoters are apparently more concerned in obtaining the widow's mite than in propagating eucalyptus timber." The yield from their plantations will be as near to nothing as they can safely make it. On the other hand, there are persons in the business who realize that there is a profit both for the promoter and for the investor and who wish to do the right thing by both.

If the average investor is to share in the profits of the industry, which Mr. Peavy admits to be a sound one in spite of his discouraging figures, it must ordinarily be as a shareholder in some company. Only, he must first satisfy himself that the company is sound and that the officers have both the knowledge and the will to make the enterprise successful. Under these circumstances, \$150 to \$300 per acre is not an excessive price to pay for land since it represents not the initial cost but the prospective value of the land and crops.

This office has taken upon itself to correct as far as possible misstatements and false impressions given out regarding eucalyptus, and it seems to me that Mr. Peavy's final article is as worthy of attention in this respect as the prospectuses we both object to.

G. B. LULL,
State Forester

Little Billy, weeping bitterly at the zoo: "I want to see the animal we sang about in church last Sunday—the consecrated cross-eyed bear."

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June 15, 1909.

OUR SCHOOL FOR CITIZENSHIP

What Constitutes Citizenship.

All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside.

No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.

No shall any state deprive any person of life, liberty or property without due process of law, nor deny any person within its jurisdiction the equal protection of the laws.

The foregoing constitutes Section 1 of the Fourteenth Amendment to the Constitution of the United States. It was paraphrased the better to consider the several parts of it.

Citizenship is a thing upon which the world has set great store. It was a great thing to be a Roman citizen and during the French Revolution citizenship was deemed the highest honor that could be conferred or enjoyed. Citizenship implies an interest in the government, a right to protection and, in our case, to participation in the affairs of government. It is unfortunate, however, that our sense of the obligations of citizenship is not as lively as that of the benefits to be conferred and rights enjoyed under it.

It is a bit surprising that the Constitution of the United States had suffered so important a matter as what should constitute citizenship in the nation and the states to pass on undefined until the Civil War made such determination and definition imperative. The creation by emancipation of more than four millions of new citizens, not unlikely to be encroached upon, forced the hand of the nation to write in the organic law that in which citizenship should consist.

The first clause leaves a small opportunity for misconception. Not all persons born within the United States are subject to the jurisdiction of the United States. The children of diplomats from foreign nations are not. They are citizens of the nations from which their parents are commissioned. Until recently the children of our own native Indians were not citizens, and not all of them are now, though the tendency is to accord them citizenship, as well as to impose upon them the obligation of citizenship. They have been wards of the nation, not citizens. With these limitations all persons born in the United States are citizens of the United States and entitled to all the privileges and immunities of other citizens. This is true of Chinese children or of Japanese born in the United States, although their parents cannot become citizens by naturalization, being prohibited by statute from so doing.

The second clause above quoted embodies one of the results of the Civil War. It was certain that without this guaranty of rights discriminating laws would be enacted to the injury of the freedmen. There are few instances more strong than that of race antipathy. It is unreasoning, unkind, ungenerous and, sometimes, inhuman, but it exists and must always be reckoned with.

Besides, there is that within us which tempts us to assume superiority over those weaker than ourselves, a natural gravitation toward an aristocracy of some kind. Knowing this and foreseeing that these tendencies would manifest themselves on the part of the white people of the South against the blacks, the nation undertook to forestall the effect by incorporating this clause in the amendment. It has not been wholly successful, but it has helped to make the condition of the blacks more tolerable than would otherwise have been possible. They have been discriminated against more or less in the administration of the laws if not in the wording of the laws themselves.

The third clause had the same purposes in view, but it has had an effect that was never dreamed of by those who drafted it. It has given to artificial persons, persons of the state's own creation—that is, to corporations—all the rights, privileges and immunities granted by the constitution to living human beings. This clause has been held by the Supreme Court of the United States to deny

to the states power for treating corporations differently from the manner in which individual persons are treated. Had this been understood at the time the amendment was drafted it would not have been so drafted and had it been so understood by the people when they voted on it, it may be doubted if it would have been adopted by three-fourths of the states. The extension of these privileges and immunities to corporations was a bit of judge-made law, made to oblige tremendous financial interests.

The writer of this series of lessons in citizenship has sought to emphasize the fact, not fully realized, that our government was not founded, pre-eminently, upon the rights of man—of humanity whether possessed of property or not—but upon property. The makers of the constitution were fearful of what the propertyless might undertake to do in a free government with acquired property. They were afraid that they might want to divide and, when there again became an inequality of condition, divide again, so they enthroned property in such a position of security as no other nation on earth has done. This final clause of Section 1 of the Fourteenth Amendment so established the rights of property that nothing short of a revolution will ever curtail those rights.

This becomes something of a source of anxiety when we see individual citizens accumulating, and freely disposing of, more wealth than kings ever owned as though they had themselves created it, when, in fact, it was mainly created by Almighty God as a common heritage for his children. The writer of this is no alarmist, nor is he a socialist or a malcontent of any sort, but he believes that the Man, and not the things that the man may possess himself of, deserves first consideration under constitution and laws. Sometime, somehow, the preeminence of humanity over property will have to be declared and made the cornerstone of this Republic. In the contrary direction lies aristocracy, inequality of opportunity, degradation of the proscribed class, anarchy and revolution, likely to follow as result of an incorporated plutocracy made possible by the Supreme Court's construction of the final clause of Section 1 of the Fourteenth Amendment.

Poor Lo off the Copper.

The new cents to be coined at the Philadelphia mint will bear the head of Abraham Lincoln, and the inscription, "In God We Trust," will appear upon the coin. This marks a radical departure in American coinage. Heretofore the United States cent has borne only the head of an Indian.

Proofs of the new cent have been struck and submitted to President Taft by Victor D. Brenner, the New York sculptor and medalist, and he has been advised from Washington that the inscription, "In God We Trust," must appear. This change will necessitate a delay in the coinage, and new cents will not be in circulation until late in August.

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Still a Wager of Battle.

The kernel of our judicial system came to us from the forests of Germany and the North Sea Low Countries, which countries, by the way, threw away their own judicial seed corn and took over Roman jurisprudence entire, much to the advantage of said countries. The origin of our system was in barbarism, and one of the barbarities of early days was the adjustment of disputes through trial by battle, it being superstitiously believed that the fates, the powers of darkness or divine interposition, would so nerve the arm of right as to make it triumphant. A judicial priest presided and the mob gathered to see the issue fought out.

We, in this country, have not gotten wholly away from the Wager of Battle idea. During the trial of Patrick Calhoun, and especially during the closing days, there was nothing short of a wager of battle, the destructive powers of language being used in lieu of clubs, broadswords, rapiers or shooting irons. Both the prosecution and the defense felt free to hurl at the opposing side anything and everything that came handy, from vegetable phraseology in an advanced state of decay to huge-voiced boulders hurled down from stormy heights of eloquence.

During the entire progress of the trial, the newspapers have chiefly chronicled the clashing between the attorneys. The rest of the proceedings were mainly regarded as immaterial if not irrelevant. The treatment of the jury justified the theory that it represented the commonality and that the commonality is essentially a mob and not composed of inquiring, reasoning seekers after truth. It seemingly occurred to no one to make a calm, dispassionate appeal to the understanding of that jury, in a conversational tone. It was essentially a contest of physical endurance; but we should remember that it was only ninety years ago that the British parliament formally abrogated Trial by Battle. We haven't come so very far since then. A trial of a criminal cause should be an inquiry and not a battle, or contest of any kind, and the Roman law so regarded it. To this end a trial judge must have great power. With us he has come to be merely an umpire. Is it not about time to rationalize and civilize our whole criminal procedure and behavior?

If Calhoun Had Been Coffey!

If Patrick Calhoun had been Michael Coffey and Coffey Calhoun, what a difference!

If Calhoun had been Coffey it would have required three days instead of three months in which to empanel a jury in his case; it would have taken less than a week to thresh the issue out; he would have been found guilty after thirty-five minutes of deliberation; and he would now be making jute bags for the state. The testimony of the boodle board, with such corroboration as was afforded, would have convinced twelve men beyond a reasonable doubt of the criminal culpability of Calhoun.

But if Coffey had been Calhoun it would have taken three months to secure a jury be-

THIS NUMBER CONTAINS

A New Era in State Building

BY

E. French Strother

Readers of The California Weekly will, in due time, find every important public issue explained by some person whose special knowledge gives him a right to be heard.

fore whom his trial was to be had, more than two months more of trial, twenty-four hours for deliberation and the jurors would have stood ten to two against his conviction on the evidence of the boodle board corroborated though it was at every essential point.

If Calhoun had been Coffey and Coffey Calhoun, what a difference! But what was that difference? Money, the sheltering arms of a confederation of iniquities banded together to make justice an affair of poverty and to hold successful rascality immune to the laws of men, to make it a caste, an upper crust of purchased privilege, neither fearing God nor regarding man. The difference between Calhoun and Coffey is sufficient, if established in our institutions and maintained against assault, to encompass the destruction of the Great Republic and write "finis" at the end of what men had hoped would prove the most promising chapter of the world's history.

Oakland's New Departure.

The Oakland school system has undertaken a forward movement that, while it has been over-long delayed, should encourage every other city in California to do likewise. It has arranged to inaugurate a system of physical examination of pupils preparatory to their entering school to ascertain what, if any, handicaps such school children labor under and whether or not such deficiencies are remediable. At the head of this department they have placed one of the very best men for the place to be found in this state, Dr. N. K. Foster, secretary for six years or more of the State Board of Health. He feels a profound interest in the subject and will bring to bear upon the task a trained enthusiasm. Dr. Foster is the soul of sincerity and he has the moral courage to sustain him, come what may. It will be no perfunctory performance that he will go through. The handicapped child will not only be given a chance at physical equality of opportunity with its fellows, but it will have a friend at hand who will insist that neither stupid nor indifferent parents

nor political pull, shall prevent its getting it. Good for Oakland. What city comes next?

Wherefore Immune?

The California Weekly wishes no man harm and it cherishes no grudge against Willard P. Calkins, but it should not be possible, in a civilized country, for any person to gather together half a million of other people's dollars and blow them down the wind as lightly as a child may toss soap bubbles into the air, and then retire within the sheltering arms of bankruptcy, never to be called to account through any criminal procedure. It would seem that there must have been culpable carelessness, if nothing worse, in the management of the Calkins Syndicate, and the notorious bad character of the periodicals that man conducted raises a strong presumption that there must have been something worse. The career of Willard P. Calkins invites scrutiny.

United Cities' Conference.

In presenting to the readers of The California Weekly the resolved results of a conference, held in Chicago nearly three and a half years ago, the Staff is conscious of having dug up some rather dry bones that will be viewed with small interest by the many, and yet, it is to be hoped, with much interest by the few. As pointed out many times in these columns, the problem of democratic government, still very much of a problem, is to be worked out in the cities, not alone the large cities, but the small ones also, and whatever helps the cities to be governed as they should be will help the state and nation to be governed as they should be. Viewed from that standpoint, the results of the United Cities' Conference, held in January, 1906, deserve to be preserved for careful reading and occasional reference. They will be found elsewhere in this issue.

The Poor Manufacturers.

The Los Angeles Express shies at the proposal to levy a tariff tax of 165 per cent. on the importation of woolen blankets when the facts show that 15 per cent. abundantly equalizes the difference in labor cost of production at home and abroad. The Express overlooks the item of "a reasonable profit to the American manufacturer" guaranteed by the Republican platform of last year. That is what the extra 150 per cent. was tacked on for. Would the unfeeling Express force the children of woolen manufacturers to go hungry?

Let no patriot be surprised or discouraged if the anticipated supreme court decision, on the direct primary law, sets the movement back where it started. Sincere friends of the direct nomination idea have predicted that it would require ten years to wrest from the powers that have dominated courts and legislatures in this state a satisfactory, workable and really direct nomination law. What with duplicity, cunning and a not unlikely technical interpretation of the law at the hands of the courts, it will be matter for congratulation if this prediction be not fulfilled.

WHAT ARE WE GOING TO DO ABOUT IT?

The California Weekly hesitates to predict revolution. It has been often predicted, and predicated, upon insufficient reason by vaporous personalities whose mouthings were unworthy of serious concern, but this much may be prudently said: The happiness of the American people can not be guaranteed under a system of jurisprudence that holds only the weak to accountability before the law and suffers predatory wealth to go unwhipped of justice and uncondemned by public sentiment, alike whether it buys public servants away from their official duty or surrenders to blackmailers who have misused public confidence in order to secure public office. Take either horn of the dilemma and the perpetuity of free institutions becomes impossible. In an issue betwixt justice without liberty and liberty without justice we can not foreknow what the decision will be, but this we do know: It can not be fortunate, and it is this issue that an incorporated plutocracy is forcing. Of all forms of government the plutocratic is the most abominable.

It is too plain to be questioned that, confronted by malefactors of great wealth, our system of criminal jurisprudence, from trial court to court of appeal, from the empanelling of a jury to the final finding of the court of last resort, breaks down under strain. Something must be done about it. What?

In the first place, we must emancipate our city, state and national governments, from corporate control and restore the undisputed supremacy of the whole people. Without this we have no freedom of people or institutions.

Second, our legal processes must be reformed and simplified, the ceremonial element largely eliminated and the soul of justice reincarnated in the procedure. In doing this we are not without example and leadership. British justice is the model for the world. Great Britain has gone through what we are going through, has solved the problem that we are trying to solve, and we have only to take her example, and adapt it to our uses, to make the path straight and the goal certain. To this end The California Weekly has arranged for a series of authoritative articles dealing with the administration of justice in Great Britain, that all may know what that country has done that we need to do. Inasmuch as all our institutions are British in origin, we suffer no humiliation in going to the same source for further guidance.

Our trial courts must be restored to them those common law powers, of which lawyer legislators have stripped them, without which a pulchre is only an umpire and a court an arena.

Then our bar must be purged of men who, having sworn, as officers of the court, to uphold justice and the law, make fortunes by debauching justice and making a travesty of the law.

The task is simple but not easy. Mother England will show us where we took the wrong trail and the way to get back to the right side of the road, but all the powers of the infernal regions will be brought to bear to prevent our getting back to first principles and taking a new start. There is not a villainy, vile or aggressive, associated, incorporated or justified, that will not fight the battles of our criminal jurisprudence like cornered wildcats. Things are now exactly as they would have been, except that present-day struggles for justice tend to create unfortunate situations for gentlemen who should be free to get what they want, however they go about getting it, without being embarrassed by low fellows like Joseph W. Folk and Francis J. Heney, who regard a public office as a public trust and are evidently without superior breeding. Yes, there is one more thing that the associated plutocracies desire—a well drilled military

THE STAFF

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A. J. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
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trained to shoot when ordered by their social superiors without asking why.

California has the opportunity to lead in this herculean task. The eyes of the nation are focussed upon this state and its chief city. A League of Justice has already been formed and its scope of operations may easily be made, first state and then national. Who, that can command a hearing, shall speak to the people that they may go forward?

OUR OBLIGATIONS TO MR. CALHOUN.

Mr. Patrick Calhoun has not lived in vain. He has performed a great, if not a meritorious, public service. He has demonstrated in the view of the whole world the imbecility of the American system of criminal jurisprudence as applied to trial courts. He has shown the impossibility of convicting a rich man of any crime he may choose to commit against the general public, even though the commission of that crime be not denied either by the accused himself or by any of his sympathizers or friends. Today justice lies prostrate, bedraggled, driveling, disgustingly imbecile, an incompetent whom no one not a pauper or a fool need fear. Whoever aids us to know the worst about us is far from being our greatest enemy. Hence these acknowledgments of obligation to Mr. Patrick Calhoun and the seven spirits who entered into the temple of justice with him and helped to render its last condition more foul than its first.

Mr. Calhoun has, first of all demonstrated the truth that our highly elaborated and intricate system of selecting a jury results, in crucial cases, in keeping every man off the jury panel who ought to be on and putting on the jury panel only those who ought to be off. He has shown how, in crucial cases, three months may be expended in sifting a few particles of chaff from a whole granary of good wheat that the wheat may be rejected and the chaff retained. Only imbecility could have made itself believe that the huddle supervisors, no matter how discreditable a lot they may be, could have persistently sworn to having received bribe money that they did not receive. For, have they not "sworn to their own hurt and charged not" the final test of truth telling?

Mr. Calhoun has shown that the principle of eliminating incompetence and capacity from the jury is extended also to the witnesses. By the application of this principle the very persons who do know the facts that must be established in order to establish justice are not only excused, but practically prohibited, from testifying. In order to be excused from telling the truth a witness has only to say, in effect, "If I were to tell the truth the truth would show that I, too, am a criminal," in order to go forth, not only free from testi-

fying but free to claim absolution from taint of a criminality that he has himself confessed. This is not justice. It is foolishness. And not only may those who do know all the facts refuse to testify regarding them, but the jury is estopped from drawing such conclusions as any sane person must draw from their refusal to testify. This final absurdity we owe, not to the courts, but to legislator attorneys who make their livelihoods by keeping out of prison men whom the public good requires to be in prison.

Mr. Calhoun has also demonstrated the malign influence which a boughten and corrupted press may exert over the sentiment of a community, by and through the policy of persistent and consistent perversion of news and editorial expression. It is great.

He has also demonstrated the innate tendency of every unit of successful rascality to rally to the defense of any such unit that finds itself in the need of help. He has shown that there is a bond of union between malefactors of great wealth that will bear any strain put upon it up to the point where rascality ceases to be successful. This is the cause of Rascal Ruef's unfortunate predicament and why he has relatively few friends to defend or apologize for him. He hasn't made good at being bad. On the contrary, he made a mess of it and is not unlikely to be the only one of the whole rascally confraternity who will make jute bags on state account.

But there are some limitations to the public services of Mr. Calhoun. He has not demonstrated the quality of our courts of appeal. He has not made it absolutely certain that courts constituted as those courts are will, at every crucial test, follow the letter of the law to the neglect of its spirit; that they will invariably preserve the law in its symmetry and immaculateness while allowing justice to be hurled into the gutter to be rent to pieces and devoured by pariah dogs; that they will remember at the supreme instant what influence it was that put the judges thereof upon their respective benches and what influence there is that can take them off benches if they do not meet the expectations of their creators. These points are still in issue. Even the Schmitz, Ruef and Glass cases have not determined such issues beyond the shadow of a doubt. It is essential that they be so determined. There is therefore one more great public service which Mr. Calhoun may perform: He has the money and he has the men. All he needs is opportunity. Let him therefore have another trial in the hope that, next time, he may gain access to our courts of appeal and so complete a needed detail of demonstration.

THE PRESIDENT'S MESSAGE IN RETROSPECT.

The President's special message to Congress, recommending a 2-per cent tax upon the net incomes of corporations, and the submission to the states of a constitutional amendment authorizing the imposition of a national income tax, rather stunned us. We could not understand the intent and purpose of that message and said so. That it was strategic we felt convinced, and we have seen no reason for change of opinion as to that. But in what does that strategy consist?

William Howard Taft was designated as a proper person to be made President by Theodore Roosevelt, and it was through the Roosevelt influence that he became President. The expectation was that the Roosevelt policies would be essentially his policies and that the good work started by Roosevelt would be forwarded to consummation by Taft.

But the people have heard little from Taft since. He has played golf. Some have come

to doubt him and many to entertain that discouraged feeling that takes the heart out of home. The Aldrich gang have sought to rivet the chains of extortion upon the wrists of the consuming multitude that favored individuals may go through the pockets of the people at their leisure. Taft has looked on, but he hasn't "let on" that he saw anything. All these months he has been as uncommunicative to the public as the Sphinx. Then came this special message that seemingly had little or nothing to do with the tariff.

The two things that President Taft has recommended that Congress do are the two things that predatory interests would be most certain to not wish to have done. The two per cent tax upon the net earnings of corporations would give the general government an interior view of every corporation doing business in the United States. It would involve such a prying into business affairs as no government on earth has undertaken and it would afford such an opportunity for uncovering corporate abuses as must furnish a foundation for supervision and control that would almost make the government a director of all corporations.

When, in 1894, an income tax was made a feature of the Wilson tariff bill, and the Supreme Court of the United States sustained it, it did look as though a united community had won a substantial victory over a united power-holding class but, upon a reconsideration of the issue, the Supreme Court proved its allegiance to the power-holding element and the income tax was pronounced unconstitutional. It is a tax that only the benevolent, righteous, country-folks, square-deal, rich and well-to-do will consent to pay, and its levying and collection involves a searching governmental inquiry into private, as well as corporate affairs, most distasteful to all persons and corporations that love darkness rather than light.

Now at the precise moment when the raising of these two issues must prove most embarrassing to Aldrich and his crowd of extortioners, the President sets off this bomb under the sofas upon which these persons have been peacefully lounging. It has dazed the gray wolves and dazed the nation. That bomb wasn't set off accidentally. It was done on purpose and the purpose of it was strategic. It virtually says to Aldrich and his combination: "You fellows make a tariff bill that will meet the expectations of the consuming millions of America or I will go to those millions with a double-barreled issue that will turn your constituency inside out." If this is not the explanation of that message, what is?

It may be remarked in conclusion that a tax upon the net incomes of all corporations, or only those doing an interstate business, would prove a perfectly just revenue producer. What is wanted is not more ways of taxing the same persons who are now bearing the brunt of the cost of government, but more ways for taxing those who now escape their just share of the common burden. A corporation tax affords such a way. The most valid, if not the most serious, objection to the imposition of such a tax is that the trend of state taxation is in that direction and the same form of taxation ought not to be resorted to by both state and nation.

METROPOLITAN SPIRIT LACKING.

The result of Tuesday's bond election in San Francisco was a just cause for mortification. It displayed a tendency as distinctly unamerican as unmetropolitan and shows that the huckster spirit that has characterized much of the journalism of this city in past years, has permeated the general voting constituency to an injurious degree. Any person who will vote for a playground or a park

for his own district of the city, and against playgrounds and parks for other portions of the city, is unfit to exercise the right of suffrage. He is too small to be a voter, whether or not he be too young, too new to the country and the American atmosphere, too near to the border line of inadequate mentality or whatever may be his besetting limitation. He deserves to be roundly abused and made ashamed of himself, if he be capable of experiencing the sense of shame.

Nevertheless, these civic ineptables are voters and do vote and must be taken into account. They must be made fit to be a portion of the electorate of a great city or their city will not become great. It will be and remain an over-grown country village seen in its true character only when a circus parades the streets and all the people turn out to see the elephant. The progressive, American, metropolitan, patriotic, home-loving element in the life of San Francisco (and that there is such an element the election also shows) can now see what it has cut out for it in the way of public education in regard to public needs. The inert, unintelligent, precinct-bound, foggy constituency can and must be made to have a different spirit come over their dreams, their thoughts and their acts.

There were a few particulars in which right-minded men might honestly differ. The new civic center proposal was at least debatable. A less elaborate and costly detention home might subserve all essential needs if supplemented by an intelligent probation and placing-out system; but as to the parks and playgrounds—their failure to carry was the result of an obtuseness as little to the credit of the morals of those who voted against them as to their mentality.

The superlative need of San Francisco is a community of interest, a metropolitan spirit. The need is to get together. The solidarity of the city has not been consummated. San Francisco is little better bound together into one homogeneous whole than the east bay cities are. There is as little in common between the Western Addition, the Mission and the Potrero, in San Francisco, as between Oakland, Berkeley and Alameda. A getting together for the interests of a common humanity is a prime necessity.

Tuesday's election was a manifestation of the same narrow, huckster spirit that prevented the widening of certain streets, except on condition that the other fellow's street be the one widened. In all respects wherein men may earn praise for courage and capacity for helping themselves the Men of San Francisco have made good, but when it comes to making good for the common good their exaggerated individualism makes them almost anti-social beings. Their passion for public service is on a parity with their passion for transcendentalism in philosophy, literature and art, not overmastering.

A Pacific Appointment.

The selection of Frank A. Leach, now director of the Mint, to be president of the People's Water Company, that supplies the East Bay cities, is worthy of consideration. Mr. Leach is essentially a man of peace. His instincts are not predatory. Had the People's Water Company wanted an executive to practice extortion upon the public at all the meters and faucets in the system, Mr. Leach would not have been the man. As they did want Mr. Leach the inference is unmistakable that the People's Water Company wants peace and contentment, justice and fair dealing. If public service corporations generally were similarly disposed as little would be heard of municipal ownership as of forced-

The Deeper Significance : : : of Living : : :

"To those who have no resource within themselves for living well and happily every age is burdensome; but to those who seek all good things from themselves nothing can appear evil while the necessity of nature entails, in which class particularly is old age, which all men wish to attain, yet complain of when they have attained it."

So wrote Cicero, a half-century before the birth of Christ. And he wrote truly. The dependent life is not a good life to live, no matter what the form of dependence, and the life that is not good to live becomes in old age gall and wormwood for bitterness.

People struggle, save, and scrimp all their productive days that they may make pecuniary provision for tiding them through the few years when they shall have little or no capacity to earn; but how many take thought for laying up store of interest to keep them mentally alert when, physically, the spring has gone out of their joints, the elasticity out of their steps and the aches of age lay hold of them?

It is not good to have too much done for us. There are men who, with a suspender button off, are helpless. Some one must as certainly come to their rescue as though they were about to fall into the sea in the act of solving ice. The love of woman has so spoiled many a man as to make his second childhood as helpless as his first. His bath must be prepared for him, his shaving water heated, the shirt he is to put on laid out and his wife must escort him to the door, whiskbroom in hand, to see that no vagrant threads cling to his clothing. When such a man grows old he becomes a patient in the care of some one as certainly as though sent to a hospital.

There are hundreds of old men and women in hospitals and in the insane asylums, not merely because they have grown dependently and irascibly old. There is no other place fit to receive them. With their children or grandchildren they are intolerable, a burden too great for flesh and blood to endure, and if so they are hustled off to an institution where the care of human porcupines is reduced to an occupation.

It will be noted above that Cicero speaks hopefully of those who seek all good things "from" not "for" themselves. The difference is world-wide and never so apparent as in age. The person who has all his life sought all good things "for" himself will find himself bereft in age of all that can make old age tolerable. The person who has sought all good things all his life "from" himself will have a reservoir to draw upon that will not fail him while he retains his faculties, and if he has used his faculties he will retain them. We lose, as we grow old, only those things that we did not much use when we grew old. The person who has sought up his family and fitted them for life may have had his chance to reach out and gather to herself an array of interests beyond her daily round of doing, but, the crop matured and marketed, she owes it to herself to widen and broaden her capacities for enjoyment against the day when she becomes a maternal has-been.

The man who founds a family and acquires a competency may, if he have only mediocre abilities, have to devote himself pretty steadily to his business, leaving relatively little time for broadening his interior development, and he would not, in age, be an intellectual pauper. He must somehow prepare himself with resources within himself so that when business is laid aside there will be something left. Many a man dies with the harness on merely because, when the interior development was nothing left. It is not a virtue so to die.

"Nothing can appear evil which the necessity of nature entails," and a rightly lived life will yield an old age that has its compensations for all its denials. Cicero saw this 2,000 years ago, for he spoke much of the obligation that men have to the young, and the obligation that men have to the old. The assassins in the employ of Antony cut off his head too early to give him much of a taste of old

WHAT THE WORLD IS DOING

Nitrogen as a Fertilizer.

Ten years have passed since Sir William Crookes, the noted scientist, pointed out that a general famine could not be far distant for the world unless some method of fertilizing and rejuvenating the soil, and restoring the nitrogen agricultural processes take from it, could be discovered. With this conclusion men of learning generally agreed, and so Professor Bernthsen's recent demonstration of a method of taking the nitrogen from the atmosphere for that purpose, which was made before the Central Technical College, of London, was of great significance. In the process this demonstrated nitrogen taken from the air is mixed with various elements and converted into such nitrates of sodium, potassium or calcium as farmers may use for fertilizing purposes, electricity being the transforming agent. Water power may be used for energy in effecting this transformation, and it is claimed that there is no question that fertilizing nitrates thus may be produced in commercial quantity. Those who are best qualified to judge say it is a discovery that is big with possibilities for the betterment of humanity.

Identification by Veins of the Hand.

It is not impossible that the Bertillon system of identification by means of the print of the skin on fingers and thumbs may be succeeded by a method proposed by Professor Tomassio, an Italian. The Bertillon method long was considered pretty nearly perfect, but it has been discovered that criminals can, and do, circumvent it without great pain either by using a razor on the finger tips or by burning them, the process so altering the markings that identification no longer is possible. Under Professor Tomassio's method the hand of the person whose future identification may be desired is held downward for some time, or some way the flow of blood is restrained, and after the veins have become swollen they are photographed. It is claimed that no two persons have identical venous markings on the backs of the hands, and, while this assertion perhaps has not been fully demonstrated, it is not improbably true. Of course, if it is, the Tomassio system would be the perfection of identification, in that in no conceivable way could the record one bears on one's hands be altered.

King Edward as a Horseman.

King Edward of England so long ago established a reputation as a "dead game sport" that nobody need be greatly surprised by any of the features which still serve to maintain that reputation, even though he is drawing near to his seventies. Nevertheless, it is rather startling to learn that his winnings on the turf in about twenty years have amounted to more than \$700,000, a very comfortable addition even to a monarch's income, although, of course, it is far from being clear gain. For a long time the odds of fortune ran heavily against King (then Prince) Edward, but in 1889 it finally turned in his favor, and since then there has been but one year (1901) in which he has made no winning. His heaviest winnings thus far were made in 1900, when they amounted to nearly \$150,000. However, it is considered quite likely that he will exceed the record of 1900 this year, as he already has won about \$75,000 and his chances for the remainder of the season are considered particularly good.

Population of Chinese Cities.

Middle aged people will readily recall the time when they were taught that Pekin, China, had the largest population of any city in the world. Later and more reliable information, however, does not justify this former teaching, and it is believed that the first official Chinese census, now being taken, will not only shatter this old theory of Pekin's population, but will

also materially reduce former estimates of China's multiplied millions. Careful preliminary estimates place the number of Pekin's inhabitants at less than a million and possibly as low as a half million. It appears that either of two cities, Siangtan and Signan, not improbably exceed Pekin in population, with about a million inhabitants each. Other cities, any one of which may surpass Pekin in this respect, are Canton, with an estimated population of 900,000; Tientsin, with 800,000; Chungking, with 705,000; Shanghai, with 651,000, and Foochow, with 624,000. The old geographies had it that the population of the Chinese empire numbered at least 500,000,000. It still sounds enough, but it is becoming evident that the census will reduce the number by from 20 to 35 per cent. The old estimates were another instance of guessing at the unguessably immense, and men rarely err on the side of under-estimating in such cases.

George III and Our Forefathers.

A collection of letters written by George III of England and John Robinson, his secretary of the treasury from 1770 to 1782, was recently sold at auction at Sotheby's in London. Some scraps of the stubborn old monarch's correspondence give a most interesting, not to say entertaining, view of his mental attitude toward our rebelling ancestors. For example, he wrote the following to Robinson under date of March 5, 1777: "I am sorry to find that any one adopts the idea of there being any reason in Sir Howe's application (sic) for 20,000 additional troops. I know the thing is impracticable, and if he and his brother will act with a little less leanness (which I really think is cruelty, as it keeps up the contest) the next campaign will bring the Americans in temper to accept such terms as may enable the wisdom of the country to keep them in order, for we must never come into any such arrangement as may patch for a year or two and then bring on new broils. The regaining of their affections is an idle idea. It must be the convincing them that it is their interest to submit." That passage years and their events brought wisdom to the old fellow is indicated by the following under date of October 31, 1779: "As to our granting independence I hope the hour will never arrive that this country can be so fallen in sentiment as to admit of it. At least, I will never put my hand to a measure that cannot fail of reducing this island to its own narrow limits." Far from a wise man was George III, and the history of a century and a third demonstrates that it was a good thing for this country and for the world that he was not.

Sixty-two Cents a Week and Up.

The British parliamentary committee which has been investigating labor conditions in England has discovered some facts which will no doubt cause its honorable members to stand aghast, particularly when pay under the "sweating" system is considered. Such facts as these, for instance: The average wage of women workers for sweatshops is not much more than \$1.75 a week. In order to make this average fortunate workers who receive as high as \$3.75 a week, and in some instances more, are included, but some of these victims of the sweatshops earn only 62 cents a week; say, 10 cents a day. How these latter unfortunates live God knows, but the rest of us cannot guess. Nor, the committee found, is it short hours of labor that account for starvation wages. On the contrary, the women work many hours in the day, many of them receiving no more than a cent to a cent and a half for each hour's labor. This is the condition that the parliamentary committee found. What it will do about it remains to be seen. The question it presents must be answered in some way, for when human beings receive less than the wage that enables them to live there is danger in delay.

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "grat" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a plan of honesty, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

DIVIDEND NOTICES OF THE ASSOCIATED Savings Banks of San Francisco

THE GERMAN SAVINGS AND LOAN SOCIETY, 526 California St., Mission Branch, 2572 Mission St., near 22nd, Richmond Branch, 432 Clement St., bet. Fifth and Sixth Aves. For the half year ending June 30, 1909, a dividend has been declared at the rate of four (4) per cent. per annum on all deposits, free of taxes, payable on and after Thursday, July 1, 1909. Dividends not called for are added to and bear the same rate of interest as the principal from July 1, 1909.

GEORGE TOURNEY, Secretary.

THE SAVINGS AND LOAN SOCIETY, 101 Montgomery St., corner Sutter St. For the half year ending June 30, 1909, a dividend has been declared at the rate of four (4) per cent. per annum on all deposits, free of taxes, payable on and after Thursday, July 1, 1909. Dividends not drawn become part of deposit accounts, and earn dividends at the same rate, from July 1st. Money deposited on or before July 10th will earn interest from July 1st.

WM. A. BOSTON, Cashier.

SAN FRANCISCO SAVINGS UNION, N. W. cor. California and Montgomery Sts. For the half year ending June 30, 1909, dividends have been declared at the rates per annum of four and one-eighth (4 1/8) per cent. on term deposits, and four (4) per cent. on ordinary deposits, free of taxes, payable on and after Thursday, July 1, 1909. A dividend not drawn will be added to the deposit account, becomes a part thereof and earns dividend from July 1st. Money deposited on or before the 10th day of July will receive dividend from July 1st.

R. M. WELCH, Cashier.

"We Hold Thee Safe"



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WITH BOOKS AND WRITERS

GOSSIP OF CURRENT LITERATURE AND REPRINTS OF OLD FAVORITES.

THE WAR SONG OF TERENCE MULVANEY.

(Written for The California Weekly.)

Old Ireland was Ireland
When England was a pup;
Old Ireland'll be Ireland
When England's all dried up.
And if you British tars,
Don't like me Irish song,
Why, here's an Irish fist and feet
If ye're feeling good and strong.
For Irishmen are Irishmen,
And Englishmen aren't much
But a warmed-up jaw of floating trash
Of French and Jew and Dutch,
And if ye've ever needed a man,
A man to plan or scrap,
Why, then ye've sent for an Irishman,
Or ye wouldn't be on the map.

SWINBURNE ON AMERICAN POETS.

Some interesting letters from Algernon Charles Swinburne to Edmund Clarence Stedman, now in the possession of the latter's granddaughter, were recently printed in the Times. They contain some comments on American poetry that are valuable as criticisms from one of the most melodious of all English poets. One says:

"Your rebuke on the subject of American poetry is doubtless as well deserved as it is kindly and gently expressed. Yet I must say that while I appreciate, I hope, the respective excellence of Mr. Bryant's 'Thanatopsis,' and Mr. Lowell's 'Commemoration Ode,' I cannot say that either of them leaves in my ear the echo of a single note of song. It is excellent and good speech, but if given us as song it is first and last duty to us to sing."

"The one is not august meditation and the other is a noble expression of deep and grave patriotic feeling on a supreme national occasion. But the thing more necessary, though it may be less noble than these, is the pulse, the fire, the passion of music, the quality of a singer, not of a solitary philosopher or patriotic orator."

"Now, when Whitman is not speaking but prose he sings, and when he sings at all he sings well. Mr. Longfellow has a pretty little pipe of his own, but surely it is very thin and ready. Again, whatever may be Mr. Emerson's merits, to talk of his poetry seems to me to be like talking of the scholarship of a child who has not yet learned its letters."

"Even Browning's verse always goes to a recognizable tune. I say not to a good one. But in the name of all happies, what is the tune of Emerson's? Now it is a poor thing to have nothing but melody and be unable to rise above it into harmony. But one or other, the less if not the greater, you must have. Imagine a man full of great thoughts and emotions resolved to express them in a painting who has absolutely no power upon form or color. Wainwright, the murderer, who never had thought or emotion above those of a pig or butcher, will be a better man for us than he."

In another letter Swinburne says:

"I read your former letter very carefully and have since reread a good deal of Emerson's first volume of poems, therein mentioned, which certainly contains noble verses and passages well worth remembering. I hope no personal feeling or consideration will ever prevent or impair my recognition of any man's higher qualities."

"In Whittier power, pathos, righteousness (to use a great old word) that should not be left to the publishers) of noble emotion, would be more enjoyable and admirable if he were not so deplorably ready to put up with the first word, good or bad, that comes to hand and to run on long after he is out of breath."

"Mr. Lowell's verse, so great out of the Bigelow costume, I never could bring myself to care for at all. You know my theory, that nothing which can as well be said in prose ought ever to be said in verse."

AN APPRECIATED CORRECTION.

The Editor, The California Weekly:

In your issue of June 4th, you gave space to the poem "The Next That Dies." You ascribed it correctly to Bartholomew Dowling, but are incorrect in calling him an officer of the English army in India. It is unfortunate, but an example of the lack of honor given the poet in his own country, that Bartholomew Dowling, the old-time editor of the Monitor, who did his best work, and died in our city, should not receive due credit from his fellow craftsmen. Stedman, in his Victorian Anthology, places the authorship correctly. I enclose a copy from a manuscript of Dowling, which may interest you. Possibly this poem may have appeared in the late issues in the Monitor, but I have no access to old files of the paper.

Very truly yours,

J. K. MOFFITT.

San Francisco, June 17, 1909.

THE DEATH SONG OF THE VIKING.

By Bartholomew Dowling.

[There is a Scandinavian legend that Siegfried the Viking, feeling himself at the point of death, caused himself to be conveyed on board his ship, the vessel was then set on fire, and in this manner he drifted out to sea alone and finished his career.]

My race is run, my errand done, the pulse of life beats low.

My heart is chill, and the conquering will has lost its fiery glow.

Launch once again on the Northern Main, my battleship of old,

I would die on the deck, 'mid storm and wreck, as befits a Viking hold.

I know no fears, but the mist of years that has gathered round my track

For a moment clears, and my youth's compeers again to my side come back;

And the tall ships reel, o'er their iron keels, as we sweep down on the foe,

Like a giant's form, amid the storm, where the mighty tempests blow.

Again I gaze on the leaping blaze o'er a conquered city rise,

As in those days, when the skald's wild lays, sang the dance of our rich compies.

When our ships went forth from the stormy north with the Scandinavian bands.

Who backward bore, to the Baltic shore, the spoil of the southern lands.

But my race is run, my errand done, so hear me to my ship,

Place my battle braid in this dying hand and sing the winnow to my lip.

Then loose each sail to the rising gale and lash the helm a-lee,

Alone—alone on my drifting throne, I would view my realm, the Sea.

My realm and grave, the Northern Wave, where the tempest's voice shall sing

My death song loud, where flame shall shroud the Ocean's Warrior King;

Whilst proudly wait, at Valhalla's gate, to hero-welcome me,

For my race is run, my errand done, receive thy Chief, oh, Sea!

PUCCINI ON FUTURE MUSIC.

Puccini, who is now in London, has been interviewed on the music of the future, says the Sun, of New York. He pins his faith to melody.

"In the operas of twenty years hence," he says, "melody will reign supreme, as it has always done—and melody is essentially Italian. You can almost say that it was born in our country."

"I know and appreciate fully the efforts of the composers of the so-called new school. I am interested in Richard Strauss's work, and I admire Debussy's 'Pelléas and Mélisande' for its intense originality, but atmosphere, weird combinations of sound and endless recitatives are not everything in music."

"Perhaps many of Wagner's great works will cease to please, though I feel that the 'Meistersinger' and 'Parsifal' are gems that are not likely to be discarded. At any rate melody will always hold its own."

"Music must be popular, it must appeal to the masses. It will have nothing to do with intricate problems of musical mathematics,

with mixtures of noisy and uncanny sounds, which by their weird complexity are bound to bore the most enduring music lover. Music must appeal to the heart; move, thrill, elevate it; and it must be simple and direct enough in its beauty to be understood by all."

FRANK NORRIS' "THIRD CIRCLE."

San Francisco life before the earthquake of 1906, with its terrible conditions in the Chinese quarter, and the countless incidents that made thinking men and women thrill with excitement and horror, form the subject of the late Frank Norris' "Third Circle," to be published shortly by John Lane company. The book contains an introduction by Will Irwin, Mr. Norris' intimate friend and associate on the San Francisco Wave. In this introduction Mr. Irwin tells how he and Mr. Gelett Burgess stole into the Wave office by night, after the paper had died a natural death, and took away one of the old files containing the work of Mr. Norris. Mr. Irwin shows how eminently fitted, both by natural talent and newspaper training, Mr. Norris was to write of the life depicted in the "Third Circle."

RIISING VALUE OF THE "ANGELUS."

Millet's "Angelus" was originally painted for an American and the price was to be \$300. The American thought better of his bargain and refused the picture. Millet then sold it to M. Papelec for \$200; a little later it became the property of M. Paul Tesse, who sold it to M. Gavet for \$300. Durand-Ruel acquired it next for \$2,400. M. J. Wilson bought it for \$7,600. At the Wilson sale in 1881 Georges Petit, the dealer, ventured \$32,000 on it. Eight years later, in 1889, at the Secrean sale a group of collectors got an option on it for \$110,600, but as the state could not see its way to finding any of the purchase money the "Angelus" departed to America, whence it returned, thanks to M. Chateaubert, at a cost to him of \$150,000.

PROSPICE.

By Robert Browning.

[Written after Elizabeth Barrett Browning's death, when old age, sorrow approaching end, and the memory of his supreme sorrow weighed heavily upon Robert Browning.]

Fear death?—to feel the fog in my throat,
The mist in my face,

When the snows begin and the blasts denote
I am nearing the place,

The power of the night, the press of the storm,
The post of the foe;

Where he stands, the Arch Fear in a visible form,
Yet the strong man must go:

For the journey is done and the summit at-

And the barriers fall,
Though a battle's to fight ere the gerdon be gained,

The reward of it all.
I was ever a fighter, so—one fight more,

The best and the last!
I would hate that death handaged my eyes,

And forbore,
And bade me creep past.

No! Let me taste the whole of it, fare like my peers,
The heroes of old,

Bear the brunt, in a minute pay glad life's arrears
Of pain, darkness, and cold.

For sudden the worst turns the best to the brow,
The black minute's at end,

And the elements' rage, the fiend-voices that rave,
Shall dwindle, shall blend,

Shall change, shall become first a peace out of pain,
Then a light, then thy breast,

O thou soul of my soul! I shall clasp thee again,
And with God be at rest!

MAKING LOCAL POLITICS LOCAL

A PRACTICAL WAY TO DIVORCE CITY AND NATIONAL ISSUES.

On January 11th and 12th, 1906, a meeting was held at Chicago, under the name of the United Cities Conference, at which delegates were present from the good government organizations of Baltimore, Buffalo, Chicago, Cincinnati, Denver, Detroit, Grand Rapids, Indianapolis, Kansas City, Louisville, Milwaukee, Minneapolis, New York, Philadelphia, Pittsburg, and Yale University. Every member of the conference was a seasoned fighter against corrupt municipal politicians and against grasping public service corporations. As one delegate has phrased it, "There wasn't a man there who hadn't either been slugged or sued for libel by the grafters."

This conference was called together at the instance of the Municipal Voters' League of Chicago to consider the question of "the extent to which municipal elections should be separated from national party politics and the control of the national political parties, and the best means by which such separation as may be deemed advisable can be brought about." After a full discussion, the following resolutions were unanimously adopted; and they are here printed as a peculiarly valuable guide to the good government forces in our California cities:

The Resolutions.

Whereas, The vast growth of American cities has brought with it a series of problems peculiar to congested population, and most of which have no possible connection with the general policies of the nation; and

Whereas, These problems, moral, social and economic, can only be solved by the intelligent, unhampered, direct attention of the communities interested; and

Whereas, Prior to the accomplishment of the great tasks set before the cities there is need that all unnecessary obstacles be removed and all steps be taken that may lead to simplification of elections;

Now, therefore, We, the delegates representing militant non-partisan organizations working for the improvement of city government in America by practical participation in municipal politics, assembled in conference at Chicago, January 11 and 12, 1906, in the name of the United Cities of America, declare the following:

We hold that the lines of cleavage in municipal politics have no relation to the lines of cleavage in national politics.

We hold that the intrusion of national politics in municipal government brings with it issues absolutely foreign to the proper functions and reasonable aspirations of the national parties, and others which are alien to the interests of the municipalities, thereby tending to degrade the national parties and seriously injure city government.

We further hold that more efficient means should be provided whereby the will of the majority of the people deliberately formulated and expressed should control municipal politics.

We further hold that there is urgent need of fixing direct responsibility of municipal officials to the people and of reducing to the lowest practicable number the city offices filled by election.

We further hold that the merit system of appointment has demonstrated, wherever honestly applied, that it tends to result in the election and retention in office of a higher grade of men than are obtained by other means; that it opens the public service as an honorable career, free from the distractions of politics, and that it tends to relieve the citizens from the possibility of tyranny by officeholders.

Holding the propositions advanced to be self-evident in theory and amply demonstrated in practice, we, therefore, now urge in the interest of better municipal conditions:

First—That cities should be granted the largest possible measure of home rule, subject only to such general statutory safeguards and restrictions as may be necessary to protect the

general interests of the state as distinguished from the local interests of the municipality.

Second—That the party column on the ballot should be abolished; that the names of candidates for a single office should be printed on the ballot under the designation of that office, and that it should be made impossible to vote a straight party ticket by a single mark or cross.

Third—That municipal nominations and elections should be completely separated from state and national nominations and elections and should occur at different times, and that nominations for all municipal offices be made by petition or by an efficient method of direct primaries.

Fourth—That the number of elective municipal officers should be reduced as far as practicable, always preserving the right to elect members of the municipal legislative body or city council.

Fifth—That the merit principle should be applied to all departments of city administration under practical and efficient civil service laws.

In conclusion, this conference, realizing the vital importance of the successful solution of the municipal problems now confronting us, earnestly hopes that consideration and discussion of them may continue, and to that end urges the formation of more organizations devoted to local issues which shall co-operate in all practical ways to secure the enactment of laws embodying the principles outlined.

Resolved, That this conference do, and it hereby does, heartily endorse the proposal of the Yale City Government Club to encourage the establishment of similar clubs in other colleges and universities, to the end that knowledge of and interest in municipal civics may be increased by such action.

MR. PEAVY REPLIES.

Editor The California Weekly:

From Mr. Lull's letter in your issue of June 18 it appears that he thinks I did not make myself clear on all points in my final article on "Eucalypts in California."

Just a word concerning the figures to which the State Forester objects. They were as my final article states, taken from Circular 2, published by the State. The data for the figures in this circular were collected by Forest Service men and were compiled by those in the service best qualified for the work. The results are unquestionably the most reliable to be had at the present time. The figures include many situations, representing the best as well as the poorest sites. From this data I calculated averages for diameter and height, growth, and yield per acre, covering a series of years from 6 to 20.

Obviously a commercial plantation, established and maintained under correct conditions of soil, moisture and temperature, would produce results in excess of these average figures. This is the particular matter Mr. Lull fears I did not make sufficiently plain and I am very glad indeed that he has further emphasized it.

The whole matter could thus be disposed of if it were true that all the commercial companies had established their plantations where ideal conditions of soil, moisture, and temperature exist or could be maintained. Unfortunately, some have not been so established and it is very sure that results not far above the average figures quoted by me will follow.

If, in this brief series of articles on the Eucalypts in California information has been placed in the possession of the prospective planter or investor which will enable him to exercise proper discrimination before reaching a decision, their purpose has been accomplished. The more these matters are publicly discussed the more likely it is that the people will take pains to become fully informed concerning not only site requirement for planting, but the representations, personnel and respon-

sibility of Eucalyptus companies as well. The Forest Service will, as in the past, continue to correct as far as possible misstatements and false impressions regarding the Eucalypts and will gladly welcome any further assistance from the State Forester to that end.

Very truly yours,

GEO. W. PEAVY,
United States Forest Service.

June 22, 1909.

The Real Sunshine.

The kind of sunshine, brother, that will make the world more bright
Is not the shine that glimmers o'er a world that's robed in light.

It is not the beams that glimmer 'gainst the sky's cerulean scroll,
But it is, and is forever, just the sunshine of the soul.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Proof of the Man.

Praise for the splendid winner, salves of cheers for him!
But what of the fellow who lagged behind,
yet strove with a purpose grim?
Laurels to crown the victor, blossoms his way
to strew;
But what of the runner who did his best, yet
lost with the goal in view?
Shall the earnest-hearted effort count not in
the world's acclaim?
Is there never a prize for him who lost, yet
steadfastly played the game?
Why, here is the law God-given for all of His
earthly clan.
To win may be solely the proof of chance; to
strive is proof of the Man.

"The last shall be first" it was written—but
not in the praise of men;
The stone rejected the corner shall be—but
God will have spoken then.
We know not that we may be winners of
trophies applauded by man,
But one thing we know, and we know it well:
We may do the best that we can;
Ay, distanced by all about us, and hopelessly
counted out,
We still may press on and forward, fearing no
final rout,
For this has been truth, my brother, since ever
God's reign began:
To win may be solely the proof of chance; to
strive is proof of the Man.

Thoughtful Man on Automobiles.

"I am looking forward with palpitating
hope," said the Thoughtful Man, "to the time
when aeroplanes, like aeroplaning and
dirigibles will be dirigitating across the
skissed heavens."

"Why do you hope for that time?" I in-
quired.
"Because," he replied, "I'd rather be killed
without forewarning by a bag of ballast
dropped on my head than to be scared to
death by an automobile that doesn't touch me,
and I trust that when aeroplanes come in auto-
mobiles—at least, the kind that are run by
idiots—will go out. 'Tis my prayerful trust
that the speed idiots will shift their operations
to the sky."

"You want to cross a street in the city, and
after a look up and down for street-cars,
trucks, express wagons, busses, hacks, private
vehicles and a few million other things that
make life in the city one grand, sweet song,
you conclude it is safe to butt through. You
are proceeding blithely enough, when, out of
the corner of your eye, you perceive an auto-
mobile bearing down on you. It is the merest
glimpse you have, but to you it seems that
the chug-wagon is as big as a locomotive
and is traveling about 300 miles an hour."

"What do you do under these circum-
stances? You know, for we all do the same
thing. You jump straight up in the air and
begin to sidestep and claw for safety. If you
are a woman you also scream, but, regardless
of sex, you jump and claw. After this exhibi-
tion you devote some time to bitter recog-
nition of the fact that you have made a fool
of yourself, for a second anguished glance
reveals the fact that the automobile is all but
standing still and that at no time have you
been in danger. Right behind you is a woman
who is smiling, and you wish she didn't look
so happy, and beside you are several men
whom you would like to slaughter, for they,
too, are smiling. You haster to get away, and
you blush whenever you recall what a public
display you have made of yourself."

"But your humiliation is unnecessary. There
is not a man or woman of us all who has not
made a similar spectacle of himself, or her-
self, at some time or other. The fact is that
we all involuntarily expect to be run down by
an automobile some day, and we stand ready
to jump and claw whenever we have a frac-
tion of an opportunity. This is why I shall
welcome the aeroplanes. I should sooner be
dropped on than to be scared to death when

it is entirely unnecessary. Don't you think
so?"

"Think what?" said I.

The Opinions of Rufus.

"Twan't the pig that rushed first to the
trough that got the most to eat; 'twas the
one that stayed the longest and hardest.
They's more'n one man in prison for crime,
when his pa'n'ma, as the ones most to blame,
orto be there in his place."

This world is full of people that are goin'
to be good just es soon es they have looked
after a few matters of the other kind that
are pressin' fer immojit attention.

I'm so honest that if I should pick up a
million dollars on the sidewalk I'd hate to
advertise the fact—fer fear I'd tempt some-
body else to put in a dishonest claim for it.

Even if John D. Rockefeller does go to
heaven es straight es he calculates I shoudn't
wonder if he'd be considible disappointed. I
understand that the gold streets are nailed
down middlin' solid.

Oh, my brethern an' sisters, how much hap-
pier an' better off this world would be if they
want'n't any 'cept the kind we don't care
'bout practicin'.

I ain't praisin' Napoleon, but I notice he fit
in the wars he started; an', gen'ally speakin',
the fellers that git up wars prove their cause
is right by sendin' somebody else to git shot.

Es long as I b'lieve we can afford to take
our chances on bein' just, I ain't goin' to
object to women votin' if they want to. At
the same time, I ain't lookin' fer the garden
of Eden to be opened again to fallen man on
the day they first cast their ballots.

'Vit must have a razor-edge, but the idee
that it also should be used to cut throats,
which is ruther prevalent out here, proves
nothin' but the folly an' cruelty of the people
that hold it.

A Heart to Heart Talk.

"It is for the people of San Francisco to
decide whether criminals shall control the of-
fice of district attorney and the administration
of their law be dragged through the mire of
corruption."—From Patrick Calhoun's proclama-
tion.

No doubt, dear Patrick, you are right:

With them it lies

The Right to aid, the Wrong to blight.

Though your just dice

You yearn for Justice dealt in chunks,

Or much like that—

But meantime how about those plunks?

Who paid them, Pat?

'Tis shameful 'bout this Heney's style,

And starve he should!

If Spreckels, child of sinful guile,

But let him wail;

But I've heard somewhere, somehow,

Though you forget,

A bribe was paid—two hundred thou—

Who paid it, pet?

This wicked prosecuting gang,

Lest Justice die,

Pay for her life—they all should hang

As Haman high.

But 'bout those little bribing acts

Which some folk pain,

Since you're cognizant of the facts,

Why not explain?

Your hated Spreckels took the stand,

And Phelan, too,

And freely bared each scheme they'd planned—

Then why not you?

"Mire of corruption" we should wack—

You're good at that—

But how about that golden stack?

Oh, talk up, Pat.

The Evidence Against Him.

"Do I understand you to claim that he is
not an intelligent man?"

"Oh, no, I wouldn't say that exactly, but he
was accepted as a juror in an important trial."

A Talk With Epaminondas.

You now, my Epaminondas, have secured
your diploma, and it is your fond desire to
build a monument to yourself in the journal-
istic field, as you expressed it. I know that
this is the case, for but last week you asked
me if I knew of any managing-editorships that
were vacant on metropolitan newspapers. It
is your present conviction that the "journal-
istic field" is your oyster, and far be it from
me to suggest that the oyster may not open
to your masterful knife.

Nevertheless, if I were in your place, dear
boy, I should not tie my faith too closely to
that managing-editorship, for sometimes even
a diploma will not attain that. As I have
observed the game, it is far more likely to
secure you a position as cub reporter, and the
cub reporter is the one who is sent out when
no other reporter can be found. He "makes
good" if it is in him to do so, but I greatly
fear that the diploma doesn't count in the
operation.

And now, Epaminondas, to the cruelest blow
of all. I believe there is not a place in life
where it counts for much. It is, indeed, pre-
sumed to indicate that you have a certain
amount of book-lore, but men of experience
have met so many educated fools that they
are likely to consider the diploma poor evi-
dence of even that sort of lore. On the whole,
Epaminondas, it is up to you to prove your
own worth; the diploma doesn't do it.

Put away the dear diploma.

You won't need it any more.

For it's up to you to hustle

For the place for you in store.

By the Seashore.

My little one who plays upon the sand,
Building herself creations wierd as wee,
Shrills out to me: "Tum twick, my papa, and
The booful fins 'at I have made here see."
Her work is naught; the straggling shapes at-
test.

The tiny, awkward hands yet lack all art,
But, just because she did her baby best,
I straightaway say, "'Tis very fine, sweet-
heart."

Sometimes when she has toiled with pygmy
zeal
Through quite an hour a structure queer to
build

A breaker comes, the walls and turrets reel,
And far adown the beach her house is
spilled.

Then grief doth storm and hold the baby
heart;
The eyes of blue with tears are all ashine,
And then is mine the fond consoler's art:

"We need not cry; we'll build one far more
fine."

All comforted, to baby work she goes—
Ah, I have built upon this earthly strand
The structures frail the tide of years o'erflows.

I meant so well, but, oh, they would not
stand.
Then, as my baby turns in grief to me,
I, too, would turn to One who heedeth
where

My castles fall, would hear Him whisper me:
"Still build. There 'waits thy hand a struc-
ture fair."

Still Looking For Evidence.

Sojourner in Town—Is she a beautiful girl?
Native—Well, I should say so! She re-
ceived the prize in a beauty contest.

"Yes, so I heard, but I have a special reason
for wishing to know whether or not she is a
beautiful girl."

Be All You Can.

"If you cannot on the ocean sail among the
twisted
With the fellow in the rowboat you may hap-
pily compete.

If your lot seems rather humble, buckle in
and show your grit;

If you cannot be the whole thing, be a little
bit of it.

THE OTHER VIEW.

(From the San Bernardino Sun.)

That a jury of honest and level-headed San Franciscans would convict Patrick Calhoun of the crime of bribery, out of the case that has been developed by the five months' trial of the president of the United Railroads, we have not at any time believed. But in view of the amount of dust kicked up by a portion of the San Francisco press, and the unexampled lengths to which the prosecution went to establish its case, that the result should have been so near an acquittal, was not to be expected.

We take it to mean this: that the jury did not believe in convicting Calhoun of bribery, when he was simply held up. It is useless to argue the fact that the United Railroads paid \$200,000 for the franchise that was voted them. There is little question about it. But they paid it under compulsion, paid it for something which, under the circumstances, the company ought to have had for nothing and which was to be of as great and immediate advantage to the city as to the company. For San Francisco could not have been rebuilt in three years without street cars, and the granting of the trolley franchise made it both possible and certain.

There is no reasonable doubt but that the United Railroads asked for the franchise in order to rehabilitate their own property, as well as the city. There is no doubt but that Ruef and Schmitz and their grafting board of supervisors saw a chance to make a killing, for the two former were shrewd enough to recognize the necessities of the franchise, both to the street car company and to the city.

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There is no doubt but that they demanded \$200,000 as the price of the concession, and there is no doubt but that the money was paid by Calhoun or his representatives, on the theory that the end justified the means.

That may not furnish the basis for any fine distinction in morals or ethics, but it justified a jury in refusing to convict Patrick Calhoun, who, to save the property of the company he served, and to make possible the rebuilding of the wrecked and stricken city, submitted to perhaps the most colossal example of municipal blackmail that American cities have furnished.

This being the undoubted and almost unquestioned truth, why the prosecution should have bent such tremendous energies to convict Calhoun as the star "higher up," when the crew of swashbuckling supervisors were enjoying their illgotten spoils and free air as well, has been a puzzle to fair minded people of California.

As for side lights and incidentals, Heney entered the case with the reputation of being a fearless and successful prosecutor of wrong doing in high places. It ends with him in the attitude of a strutting popinjay, parading his own personality as the main issue of the case, and placing upon his own brow a self-woven halo, whose might is amply attested by the result.

[We give space in our columns to the foregoing as being quite the frankest and most typical expression of the apologists' view of the Calhoun case that has appeared in print. It expresses what thousands feel and have not been able so well to put in print; but it is as false and injurious a view to take of the issue as it could have been made had it been penned by the Father of Lies himself in an atmosphere hotter than that of San Bernardino.]

The only compulsion there was about paying the \$200,000 to Ruef was that Calhoun might not have been able to get what he wanted—a thing that was worth not less than \$10,000,000 to his enterprise—without paying it, so he paid it, although it is by no means sure that he could not have got it without paying for it. It is generally believed that, had he gone to the people with the truth, the franchise would have been voted him and Ruef might have been hanged to a lamp post without costing Calhoun a dollar.

It would have been as easy, and as cheap, to rehabilitate the cable system as it was to establish a trolley system and San Francisco would have been rebuilt just the same. The rehabilitation of other cable roads has proven this to be true.

Whoever submits to municipal or other form of blackmail is a coward and only less culpable than one who levies blackmail and, so long as blackmail is submitted to, it will be employed.

The hold-ups had a first chance to join in punishing the hold-ups and not a man of them would lend a hand. It was not until the hold-ups had refused to "come through" that the hold-ups were entrapped and forced to make a clean breast of the whole miserable business. Immunity to them was an indispensable prerequisite to the attainment of this end.

Mr. Heney's want of success in convicting a member of the most colossal band of financial pirates that ever got together to loot a city and subjugate a commonwealth, of course, reduces him to a "popinjay parading his own personality as a main issue of the case." It follows, too, as all of Calhoun's apologists assert, that "Heney is no lawyer," but it may be noted as a mitigating circumstance that Mr. Calhoun has surrounded himself with seven of the most cunning lawyers his millions could command to withstand this novice at the bar.

The view of the case taken by the San Bernardino Sun has a certain plausibility. An argument in defense of the most subtle and dangerous rascality can be based on that



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(Concluded on facing page.)

POLITICAL TABLE TALK

By THE WATCHMAN.

Being Non-Political Governor Gillett should receive praise when he has earned it as honestly as he has earned it in the appointment of a successor to Dr. N. K. Foster as secretary of the state board of health. The secretary of that board is a great deal more than secretary; he is, in executive officer, travels to all parts of the state to enforce the board's orders, and does practically all of its work of every kind. That is to say, Doctor Foster has been and done all of this; before his time the state board of health was more a name than a reality. Well, Doctor Foster resigned to accept a position which he liked better, and Governor Gillett had the chance to appoint his successor. Instead of looking around for a political doctor, by whose appointment some election debt could be cancelled, the Governor asked the members of the board who would be the most efficient man to take up Foster's work, and they said Doctor Snow of Stanford University, whereupon it was announced that he would be appointed. This was an appointment made on merit, without political significance, as the saying is, and yet it was as good politics as the Governor ever did.

Constitutional John Another recent appointment by the Governor has attracted less attention than it deserved. By act of the late legislature the state commission on revenue and taxation, which heretofore has consisted of five members, was reduced to a single-headed commission, and John B. Curtin, Democratic State Senator from Tuolumne county, has been appointed the commissioner. It was the proper thing to do, because not only had Curtin served four years in the old commission, but he had proved himself the ablest all-around member and the most zealous advocate of the plan of taxation which the commission has recommended. In the legislature, where he has served many years, he is known as "Constitutional John," from his fondness for disputation concerning constitutional law, and he is the one Democrat whom Republican Senators accept as being almost as good as themselves. He is one of the men of power who have shaped legislation in California in recent years.

Ryan Has Resigned When it was announced, But Not Retired a short time since, that E. Black Ryan, who has been the Southern Pacific's tax agent for forty years or so, had resigned, it was further announced that Jere T. Burke, one of the company's active political men, had been appointed to succeed him. Latest information from the Flood building is that Ryan is still on the job; in other words, he has resigned but not retired. Being tax agent for a corporation so vast as the Southern Pacific, an engrossing occupation of much detail, and the idea that Jere Burke or any other busy man could take it on as one more duty to be performed is not seriously considered by those who know. When Ryan's real successor is appointed there will be not mere a shake-up, but a regular overturn, in the department, and it will be reorganized on lines more business-like and less political. It has come to pass that every big corporation which has property scattered through one state, or many states, must have its tax agent; in fact, it has become a regular profession and is legitimate enough if legitimately pursued.

Was the Whole Thing: The tax agent's department of a big railroad company when organized on modern lines—say, for example, the tax department of the Santa Fe railroad—is conducted very systematically and keeps the company informed all the time of what is being done by a multitude of state, county, city and district taxing authorities. But Black Ryan has for forty years been about all there was of the Southern Pacific's tax de-

partment, and it has really not been organized at all. There has been less need of system, because the general political influence of the corporation has been great enough to hold down state boards of equalization and county and city assessors. Ryan, though an able man, has never been an organizer; he has worked by rule of thumb and has depended on his mother wit, of which he has a great deal. But no amount of this quality will make up for systematic accounting, and in consequence the Southern Pacific, when it came down to questions of detail, has frequently been unable to say where it was at in matters of taxation. This is something which is not generally known, and the statement may be met with incredulity, but it is true, nevertheless. Another thing which is of considerable importance to the corporation just now is that Ryan has been the whole thing and has trained up no assistant who can be his successor; therefore, whoever may be named to succeed him will start under serious disadvantages.

A Fair Assessment Personally, E. Blackford Ryan (to give him his correct name) is a humorous, choleric and yet essentially good natured old fellow who has a way of gaining the liking of everybody who comes to know him well. Of course he regards anything like a fair assessment of the company's property as being a great outrage, and when it occurs he swears like the army in flanders. And then he can cool off and become very diplomatic and persuasive. He had an easy time of it during the many years when Southern Pacific political pull was irresistible—when, for illustration, the State Board of Equalization for thirteen or sixteen years assessed the Central Pacific railroad for just \$13,000,000, ignoring increased mileage and the growth of business. But there was a great change when the State Board of Equalization adopted a method of ascertaining values which had been suggested by the Commission on Revenue and Taxation—the method of taking 4 per cent. of the gross earnings as the measure of the tax to be collected. That was practically automatic, and railroad taxes have since then been increasing as traffic grew, while politics have had less chance. Since then, too, there has brooded over the soul of Black Ryan a black melancholy, only occasionally illuminated by flashes of profanity and humor.

Is San Francisco Paying Her Poll Tax? The News, a Los Angeles daily paper, publishes the surprising information that in San Francisco it is not seriously expected that anyone, except Chinese and Japanese, will pay poll taxes. In Los Angeles, on the contrary, every man is expected to pay poll tax, and most of them are required to do so. These statements are backed up with a story of the way in which Thomas T. Williams, when managing editor of a San Francisco newspaper, met a demand for taxes from the employes by the writer's reply: "There are no Chinamen employed on the Post." It is sufficient reply to the southern journalist to say that whatever he may have done in the past, Assessor Dodge is really collecting poll taxes this year, and few will escape paying. The spirit of local journalism must have changed, too, for only the other day the Call printed an editorial admonishing everybody to pay his poll taxes. Incidentally, last year there were collected in San Francisco about \$35,000 poll taxes, instead of only \$13,000, as the News alleged.

What Will the Supreme Court Do to the Primary? Political activity in San Francisco has practically come to a standstill until next week, pending the decision by the Supreme Court in response to a case to test the constitutionality of the direct primary law. This decision is expected before Sunday, and persistent rumors are to the

effect that the court will knock out the interpretation of the local election commission permitting nominations on more than one ticket. Another rumor, equally strong, declares that the court intends to throw out the whole law. No one really knows, of course, what the court will do, but these rumors have made it impossible to consider seriously the idea of any man accepting a nomination from the Municipal League of Independent Republican Clubs, for example, when the court may undo the League's work utterly by throwing the choice of candidates back into the convention.

Is There a "Bug" in the Primary Law? Friends of the direct primary idea have all along feared that Grove L. Johnson, Eddie Wolfe, and Leroy Wright had carefully secreted a "bug" in the measure when it was passed for the express purpose of permitting the courts to kill the law if it promised to have any efficacy.

Good Government League Growing The Good Government League is to be one of the best-organized elements in the coming campaign. Its membership is rapidly increasing, its prestige is growing, and it is being organized into a compact fighting machine that promises to be one of the decisive factors in the election. By virtue of having kept out of affiliation with any other organization and by not putting up a ticket, waiting to pass upon the candidates of the other parties, it has retained a strategic position of great strength.

"Burying the Hatchet" At a meeting of the Building Trades Council some nights ago, Michael Casey referred in a speech to his reconciliation with his old enemy, P. H. McCarthy (for the purposes of the present campaign, at least), saying: "Me and McCarty's have buried the hatchet friver—I hope." Later in the evening "P. H." spoke. "As my friend, Casey, has said, we have buried the hatchet, deep." A plasterer in the audience inquired, in disconcerting tones, "An' how deep, McCarty, did you and Casey bury the hatchet—in each other?"

("The Other View"—Concluded.)

foundation, but whoever so sounds such an argument writes himself down either as a smatterer who cannot see beneath the most superficial scumming, as being in sympathy with successful rascality and a toady to the predatory interests or as a boughten apologist for exposed villainy, in which class rank many as able papers as the San Bernardino Sun.—The Staff.]

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WHAT A WOMAN CAN DO

THE INSPIRING EXAMPLE OF MRS. ANNE M. CUSHING.

"Not alone, but a friend."

Mrs. Anne M. Cushing has waged a many-year long campaign to make effective that principle of dispensing charity. In doing so, she has become a most admirable example of the power for good that rests in a woman who, without the ballot and without any organized plan of action, persistently uses the everyday resources of persuasion by personal interview or by correspondence to influence men in authority to better conditions. She has favored woman suffrage, but her active work has been chiefly directed toward helping to solve the problems of dependent childhood.

Mrs. Cushing was born in Ireland, but came to New York City in the early '50s, and in 1853 showed her mettle by coming to California by way of Cape Horn, accompanied only by a sister. Since that time she has lived continuously in California, and was for over twenty-five years a resident of Oakland.

Her first public service was to raise a family—two sons and a daughter.

When the children were grown, Mrs. Cushing employed her time in furthering her chosen work. She was the pioneer of the playgrounds movement in California, at a time when playgrounds were unknown and were ridiculed when mentioned. To her persistent advocacy of their establishment is due much of the progress that has recently taken shape in Oakland in a far-reaching plan to issue bonds for a chain of public grounds for children all through the city. She aroused much interest in the subject in Palo Alto, where she lived for a time after the San Francisco fire, bringing the idea to public attention by bringing the secretary of the National Playground Association to the town to discuss it publicly.

After the national conference of charities and corrections was held in San Francisco, in 1889, Mrs. Cushing agitated the passage of a bill by the state legislature to create a state board of charities and corrections. Her method of attack was here the same she always used: she wrote letters to legislators, to the governor, to politicians, to charitable organizations; she saw personally as many people of influence she could, and by argument and persuasion organized sentiment to bring about the needed reform. The bill, largely as a result of her efforts, was passed in 1903.

Her greatest interest has been the care of orphans and abandoned children. Recognizing the fallacy of the method of raising orphans in public institutions, where they develop mechanically and miss the inspiration and love of a home, Mrs. Cushing has used every means at her command to abolish orphan asylums and to substitute the finding of homes for the children. She has advocated that the legislature stop the demoralizing practice of giving state funds to orphan asylums (\$100 a year for each full orphan and \$75 for each half-orphan), pointing out that 75 per cent. of the inmates of these institutions have one parent living, who should see that the children are placed in proper homes to be raised as human beings instead of as semi-prisoners.

It is impossible to say specifically what her influence has been in this regard. The law has not yet been changed, but no one can doubt that her hundreds of interviews and letters, with their personal touch of persuasion, have made an impression that sooner or later will affect the laws and help bring about their reform. Fourteen years elapsed between the inception of the idea of a board of charities and corrections and the creation of the board—but the thing was done at last.

In the same way, Mrs. Cushing advocated the passage of the juvenile court law, and of the laws admitting both juvenile and adult offenders to probation. Since these laws have been in operation she has devoted much time to their practical operation, interesting judges in cases that she believed could properly be handled by probation officers.

Three things have characterized her work: an amazing range of information upon all subjects related to philanthropic and remedial legislation; a sound judgment that has kept her from permitting her instinctive sympathy for the victims of injustice to become confused by sentimentality; and a persistency in fighting for a reform in which she believes that knows no limit of patience and work nor any admission of defeat.

And, withal, she has not sought, nor suffered, any notoriety. She has kept her womanliness, with all its appeal of quiet, earnest sincerity. She has done nothing that any other woman could not do after she has reared her children and is free to devote her time to being useful to humanity in another field than the home. She has simply worked toward her ends with more energy, consistency and persistency than most women do; hence she has accomplished more.

All her methods have been the methods of a true woman: persuasion, appeal to the best instincts of men. "Of men"—that is an important point. She has never belonged to a woman's club. She has looked to men, who have the power and who do things, and through them she has achieved results of far-reaching importance. Her work is thus an example and an inspiration to that larger share of womenkind whose ambition is to serve humanity but who shrink from notoriety or from the charge of masculinity. She has shown what can be done without fear of either. So, while her name does not appropriately belong in The California Weekly's gallery of "Men Who Do Things," it does deserve place in the not less important list of "Women Who Influence with Men Who Do Things Has Gotten Things Done."

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A NEW ERA IN STATE BUILDING

By E. FRENCH STROTHER.

The purpose of this article is to give the readers of The California Weekly a comprehensive idea in connection of the great lines along which the development of California is progressing. California used to be "The Land of Gold," and now it is "The Land of Sunshine." It is still a huge unexplored space. What is it now? What are its main tendencies shaping its future? What will it be in 25 years hence?

On the observation platform at the rear of the Salt Lake Route's limited train were three men—a little old fellow with sunburned skin and eyes squinted almost shut, an eastern tourist, and an observer who doesn't matter. The train was in the desert, where the eye lost itself across the dazzling spaces into the palpitating air. The tourist spoke:

"Well, sir, that fellow hit it right when he called this 'The Land That God Forgot.' Lord! What a barren waste!"

The little bronzed man grunted.

"Humph! Tenderfoot. I judge."

The insult went home, and the tourist winced. The little man swung on his stool and faced him:

"Young man, I suppose if you were pitched off this train right here that you'd be dead in three days. But let me tell you; if you throw me off here, naked, I'd have a suit of clothes in three days and be making money to boot. Same with anybody else that knows the desert 'barren waste.' Kot! it's a pot of treasure. Look out there. What do you see? A desert. Look out there. What do I see? Indications of borax, that has made men millionaires right around here; that supplies the essential element of the enamel that is used in manufacturing all the bath-tubs and wash stands in the country. I see tungsten, that is an essential element of armor plate. I see huge deposits of gypsum, that is one of the best fertilizers there is. I see salt deposits, gold, silver, copper, rubies, diamonds, yes, sir, diamonds. And away off yonder I see a place where the government is going to put in a dam and a reservoir and turn this richest soil on earth into a garden of 200,000 acres. 'Barren waste.' Bah! Go get a pair of eyes."

The desert, in short, is coming into its own. The Federal government, spurred by the success of the Imperial Valley, has gone further up the Colorado river and is at work reclaiming nearly a quarter million acres in the desert about midway between lines drawn east and west through Needles and Yuma. And the mineral riches of this region that was even recently believed to be a hopeless waste of God's efforts and man's opportunity, are contributing to the wealth of men and the needs of the industries.

Reclamation by Wholesale Methods.

But the deeply significant part of the utilization of the desert is the new method of reclaiming it. When Fresno, for example, first undertook to water the dry land, the job had to be done by individual farmers, far from the financial resources to back such a great enterprise. At Tulare, the pioneers had to fight for water, against cattlemen whose pastures their diversion dams would ruin. They had to fight out the law of riparian water rights, and adjust the claim of planter miners. They had to solve the problem of organized community interest in a common necessity—one man's claim to his share against another man's claim that he was being cheated.

The new method has changed all this. Today, the Federal government supplies expert engineers to make the survey; the government gets adjudicated the questions of ownership of the water before the work begins; the government lends its credit to finance the whole undertaking at once; the government parcels out the water evenly; and the government collects each man's pro rata of the cost in instalments to reimburse itself. Where it took years to get the work done it now takes months; where endless litigation grew out of every ditch there is now certainty of rights, and peace. The result is an enormous saving of time, of waste motion, and of money; and

the land is being reclaimed upon a stupendous scale.

Another kind of reclamation is under way—the reclamation of lands in the Sacramento valley that are subject to overflow in seasons of abundant rainfall. As this subject has been explained at length on this page in previous issues of The California Weekly it need not be discussed now, but it is important to note that this movement is well under way, that the Federal government will here also aid in the development of the state, and that this reclamation will add to the permanent assets of California a body of land similar to and as fertile as the valley of the Nile.

The New Idea in "Promotion."

This land must be peopled. This has always been, and still is, the chief problem of California. If only the people were here they might be trusted to solve the other problems. How shall we get them to come? Here is another change in methods. We used to try to attract them by advertising "The Land of Flowers," "The Land of Sunshine," "Sea Bathing in January," and the like. Read the literature that the chambers of commerce issue today. Little about flowers and sunshine and climate; lots about the net profit per acre per year in growing sweet potatoes in Tullock. Few glittering generalities; many careful balance sheets of cost of land, cost of raising a crop, character of soil, cost of marketing, value of crop, net returns per acre in money. In other words, we are now advertising California as a business proposition to attract farmers who want to make money, instead of advertising it as a sentimental proposition or as a pleasure ground in which to drop money. The result is a change in the volume of immigration and especially in the kind of immigrants, the latter being most noticeable in Southern California, where the tourists used to be (and are not now) the principal crop.

The Adaptability of Soils.

Presuming the land to be reclaimed and peopled, the problem of what to raise on it looms up. The last generation said, "Kot," and old Doctor Glenn nearly realized his ambition one year to put the better part of Glam county into it, and Clovis Cole had ten thousand acres at a time in wheat. Wheat dwindled, and everyone said "fruit." Oranges for Southern California, grapes for the San Joaquin valley, prunes for Santa Clara, and apples for Pajaro.

That stage is passing. The significant development is the study of soil adaptability and the consequent diversification of crops. Oranges, we find, will grow as well, and ripen six weeks earlier, at Porterville and Mt. Campbell, on the eastern edge of the central San Joaquin valley as in Riverside. Berries are sweeter and ripen earlier in Fresno than they will further south on the coast. Southern California learns that beans are as profitable as oranges. Everybody learns the profit of alfalfa and dairy herds. The land is cultivated more rationally and more nearly to its full capacity for profit. There are more attractions to the eastward who may be afraid he can't raise oranges but knows beans like a book.

Transportation by Electric Power.

Presuming the land to be reclaimed, peopled, and productive, the transportation problem is still a problem. But it is on the eve of solution. In the Sierra Nevada are water powers capable of developing electrical energy sufficient to run all the trains in California. It is not guesswork to say that these power sites have all been surveyed, that enough of them are filed upon by the transportation companies to meet all their needs, and that before many years, through trains from Los Angeles to San Francisco will be run, over a route already surveyed, propelled by electrical power generated in the Sierra. The state will be networked with feeding lines radiating from the trunk line steam roads and trunk

line trolley, to bring in the freights and passengers from the country on either side.

Another important addition to the transportation facilities of the state is the new Western Pacific road. Few people seem to realize that the tracks of this last link in a new transcontinental system are already down, with construction trains operating over them, from the Oakland water-front to the high Sierra Nevada.

Fuel and Manufactures.

The last great problem of the material development of California is the fuel problem. The lack of fuel has vastly retarded the development of manufactures in this state. That problem has well-nigh been solved by the increased production of crude petroleum. This year California will raise the states of the union in the bulk of petroleum produced, and new resources of oil production are daily being discovered by the extension of the developed fields. With the invention of engines to use crude oil as fuel, and with the perfection of processes such as the making of steel with oil instead of coke as fuel, this fact means that California is upon the eve of a vast expansion of its manufactures. This is not a visionary "booster" dream; it is an industrial certainty that is being discounted before the event by men of millions who are investing their money upon their vision of the certainty of its realization.

A New Era of Gold.

Another significant development is the rise of the gold production of California. When the placers played out gold mining was believed to be dead. But if you ride to-day on the Yosemite valley railroad from Merced up the gorge of the Merced river, you will see that above the old deserted placer washings are shafts that pierce the mountain sides, reaching after the hidden veins of quartz. The processes of reducing low grade ores as poor as \$5 to the ton in gold have sent new life into Merced canyon, into the once deserted Mariposa camp, and into dozens of other parts of the Sierra, so that the production of gold has risen steadily since 1887 and is now well along toward its high mark of placer days.

Space forbids further participation of the new broad tendencies in state development. But if this skeleton outline of some of the most striking changes that mark the path of a new era in state building gives the reader a wider outlook upon the forces that are making for the growth and enrichment of California, it will have served its purpose.

A NEAR VIEW OF SARDOU.

In a forthcoming book, "The Bancrofts: Recollections of Sixty Years," Sir Squire Bancroft, an actor and manager famous in England, describes the late Victorien Sardou, whom he visited at Marly-le-Roi in September, 1878. His description, as paraphrased by the New York Sun's reviewer, is as follows:

"A small, nervous, lean and wiry man, shabbily dressed, wearing an old smoking cap, his throat enveloped in a white silk muffler. His head in those days struck Bancroft as a mixture of familiar points in pictures of Napoleon, Voltaire and a typical Jesuit father, while his smile was almost as telling as Henry Irving's. He talked with nervous speed, and then with a charming manner would check himself politely for his visitor's foreign ear. He deeply regretted knowing no English, but said that his children, to whom he pointed as they played under the shade of the big trees, were learning that language. Bancroft says that 'even in a single visit it was easy to feel that he had read and studied much. He was lively, rather a mania for building and reconstructing. He was a hard worker, a great reader, and loved to be surrounded by beautiful things.' The visitor found that, like the great majority of his countrymen, the French dramatist had never left his native land."

THE GRAFT CASES.

The race to attain such even-handed and impartial justice for Patrick Calhoun, charged with bribery, as would be meted out to a moneyless man, has been run—although the run was made at a snail's pace—and justice is as far from attainment as ever. Francis J. Heney concluded his address to the jury in the forenoon of last Saturday, Judge Lawlor's charge was delivered, and the jury retired just before noon of that day. About noon of the next day it returned, and reported itself hopelessly divided, whereupon it was dismissed.

The jury's fifth and final ballot stood ten for acquittal and two for conviction, Binner and Hildebrecht being the two jurors who stood for conviction throughout the voting.

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On the first ballot McGuire and Anthes also favored conviction, but McGuire dropped out after the first ballot, and Anthes after the second. The jurors who throughout the balloting were convinced that Calhoun was innocent were Dixon, Suydam, Blender, Cashman, Gillespie, Symington, Granville and Mackroth.

In a published statement Mr. Calhoun expressed gratification with the result, but not overwhelming gratification. That this gratification was somewhat tempered by a wish that matters were other than they are may be inferred from the fact that he is bitterly opposing the prosecution's desire to try him again immediately on the indictment charging him with offering a bribe to former-Supervisor John J. Fury. Judge Lawlor has set this case for next Monday, but it will not go to trial then if the ingenuity of the lawyers for the defense can prevent it.

In attempting to secure this postponement enough has been done to make it clear that the main attack of the defense will be based upon the alleged fact that Judge Lawlor is prejudiced, although the defense-declared unfitness of Francis J. Heney to prosecute also, it is understood, will be made an issue. Mr. Heney has established a nation-wide reputation as a prosecutor, but the defense is convinced that he has done so by false pretenses. A gist of affidavits to establish these allegations will be ground out in Judge Lawlor's mill next Monday, and after that—but the only way one may know what will come after that will be to await the event.

The actions brought to prevent the payment of salaries of Assistant District Attorney Harrison and of Detective Burns and his assistants have been dismissed by Judge Sturtevant.

SOME CALIFORNIA STORIES.

"Dana of the New York Sun."

Many years ago Charles A. Dana of New York visited San Francisco and was interviewed at his hotel by a well-known newspaper man named Sutherland. The great man was cynical and supercilious and refused to say the complimentary things about California which are always expected of a visitor. "I suppose you will go out to the Cliff House to take a look at the Pacific ocean," said the interviewer, after other attempts to awaken the enthusiasm of the celebrity had failed. "No, I don't care to see the Pacific ocean," was the indifferent reply. This gave Sutherland his opportunity, and he was prompt to improve it. "Well, don't you think, Mr. Dana," he said, "that the Pacific ocean might want to see you?"

"Grove L.'s" Wit.

A session of the legislature does not usually pass without producing a few jet d'esprit worthy of reporting, but the late session was singularly devoid of such enlivening incidents. One of the few good things is credited to Grove L. Johnson, chairman of the judiciary committee of the Assembly. When the session was well advanced the local option bill came up for consideration in the committee, and Irwin Johnson, a member from Kern county, became too vociferous to suit the other Johnson. "The gentleman from Kern," he said, "has slumbered along here like a god, till somebody threw a brick through his saloon window, when he suddenly waked up!"

The Sunny Southland Songsters.

Another funny incident occurred in the Senate while Henry M. Willis of San Bernardino was making a speech on the meadow lark bill. Willis is nothing if not rhetorical, and, as his speech in defense of the California songster approached its climax, he exclaimed, "Mr. President, I was reared in a country home in the sunny southland, where every morning I was wakened by the sweet songs of the meadow larks and the sounds of the blossoming orange boughs brushing the window panes!" Thereupon arose Lewis, the bawky Senator from San Joaquin county, who said drawlingly, "Mis'ter President, I'd like to ask whether at the time the Sen-ator speaks of he was considered a pretty-bright-h-o-o-y?"

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BECAUSE her hold upon life is at best slight, and if she were to know what you know she would pass away directly, and there are duties for her yet to do. Besides, she has not the vital strength to undergo what one must in order to master the potentialities of the putting on and putting off our fleshly vesture. It requires a physical battery of no small power to sustain me as I am now for several days at a time and still retain the body in a habitable condition for the home-coming. It was I who prompted her to confide her secret to you. As she is a protestant, she must sometimes tell her secret to another than to God, or her heart would break. Can you conceive of a heavier cross for one of her organism than to live as wife to one who, despite his selfish love and putting off our fleshly vesture, admires her for her founded chiefly upon admiration for her beauty of face and form, and his blundering attempts to be kind, is repulsive to her? She is my complement."

"Do you mean affinity?" I asked.

"Affinity denotes that which is disagreeable," he replied, "it does not express the true idea. Soul is as sexless as light. Sex is a mere incident of the flesh, yet human souls are not single, but dual. As in biology we find that life of a new creature begins with a bisecting of the primal germ and multiplying indefinitely by that process, so God thinks the souls of beings into life by pairs, each the complement of the other, that they may go on multiplying and replenishing the earth with life. But, because of countless interfering agencies born of imperfect conditions of physical life, social environments and conventions (a meddlesome and ambitious matchmaker in this instance) these dual beings often fail of union in this earth life, yet they cannot become perfected beings separately."

"If misalliances are made here, and divorces and remarriages are morally not possible, how are such errors to be rectified?" I asked.

"Eternity will furnish time enough and the universe is sufficiently extensive to furnish opportunity," he replied, sweeping his hand across the heavens. "You have doubtless noticed that the Bible nowhere speaks of an angel appearing in the form of a woman, but always in the form of a man. The perfected male physique is much more beautiful than that of the perfected female. The office of maternity requires departure from the image of the maker that entail sacrifices much to be regretted. If the facts seem otherwise in human eyes, if Venus de Milo seems more beautiful than Apollo Belvedere, it is because of suggestion born of the flesh and marks a human limitation from the ideal. Once out of this world we shall all of us, male and female, possess the form of the perfected male."

"Nor is that all that I have discovered in my exploration along the borderland betwixt earth and heaven," the Professor went on to say. "Christ came to us embodied in complete humanhood. He had within him the dual natures of man and woman. That is why he is at once the ideal of man and woman. The loftiest concept of a woman is to be like Christ, who was a man in form. And the loftiest concept of a man is to be like Christ, who, nevertheless, was as sexless as the angels. He was not a stranger to any true philosophy of life and had sympathy for those whom sex led astray, but not even the Evil One sought to tempt him in that relation, for Satan knew that it was not his nature to be more than a man. He was Man. He was the twin made one flesh, one rounded full-orbed soul."

"You saw me eating heartily at the table, but nothing like digestion goes on in this body. That which is consumed is assimilated directly or, more properly, it returns to essential elements, as this body will presently and instantaneously. Christ could at all times leave his fleshly body, as I have left mine, and go whither he willed. In this manner, I, like our Savior, fasted forty days in the wilderness, that he escaped from the tomb, himself rolling away the stone and taking his fleshly body and burying it that it might undergo corruption, that he appeared on the

THE MYSTERIOUS EXPERIENCES OF A MATTER-OF-FACT MAN

(Being the Sixth Galoot Club Romance.)

By TOBIAS BLACK

way to Emmaus, in the mountain of Galilee, to the eleven when they sat at meat and was finally seen to ascend into heaven.

"As for myself," he continued, "I am greatly restricted. I am only a novice in the world of spirit, feeling my way along from discovery to discovery, from power to power, for I am not in the spirit world, but only on the border, as the seat of my power is still the intensely active brain in that body lying as if dead under the vines. If that heart should cease to beat and the brain substance should cease to act I should instantly go into the realm of spirit, to return no more. As it is, I wander among the unseen things of this world, becoming momentarily into contact with mysteries I cannot solve, yet learning many things that were mysterious beyond the power of imagination to explain, so long as I was strictly confined within the fleshly walls under the vines."

"I promised to show you something of how I obtain the inner knowledge of human life and the state of the human heart, that has so interested you. If you can trust me completely I can take you through St. Augustine as you never went through another city in your life. Can you do so?"

"I assured him that he had my fullest confidence and that I would trust myself unreservedly to his charge. 'Very well, then,' he said. 'Now take my hand and do not strive to let go for an instant.' I did as I was bidden."

"Up to this moment, gentlemen, I know that I was myself, that I was fully conscious every instant, and in my own proper mind and person; but, now comes the deeper mystery, mysterious beyond comprehension, even to myself, and I hesitate to tell you what followed, and yet my narrative will be in no wise complete without what subsequently transpired."

"For love of Moses, Judge," broke in the newspaperman. "If you are going to take another twist on it I'll be a raving maniac. I am checker-block already."

"Your mental solvency may have to be inquired into later on, Judge," declared Banker Appleby, "but drafts will still be honored without protest."

"I will thank you, gentlemen, to refrain from remarks, invitations, or otherwise," observed the Principal of the High School, with quiet earnestness. "As for myself, the Judge's narrative is nothing less than a revelation."

"It is with great reluctance," resumed the Judge, "that I put my credibility to this test, even among those with whom I have been on terms of intimacy for a century of a century, but having gone so far I may as well proceed to the denouement."

"We had now reached a settee under the shadow of a low-hanging magnolia, intensely dark, and had been sitting a moment or two when, without my being conscious of a change of position, we were in the midst of the city. It was past midnight and, but for the ball at the Alcazar and a few place of revelry, the people were asleep. We passed through the walls of houses, as though they were films of mist. Hand in hand, we went without apparent effort from house to house of rich and poor, white and black, and saw how they lived. Where there were groups talking we heard what they said, but no one paid the smallest attention to us, or to what we were

doing or saying, though we did take the precaution to speak in undertones, when in the apartments of the sleeping, or, at any rate, I did."

"But this is not all we saw, for I am now about to recount the most extraordinary experiences of that memorable and marvelous night. When we came upon people sitting quietly thinking, or lying in their beds dreaming, their bodies became transparent to us, and we saw through them, as through pellucid waters. We saw the pulsations of the heart, the coursings of the blood through the arteries, the suffusions of the crimson fluid through the capillaries and the cellular tissues of the lungs and its flowings throughout the venous circulation."

"We saw the processes of digestion and nutrition, the waste particles of the cellular structure taken down and carried away and replaced by living particles from out the crimson stream, saw the activities going forward in the cerebral centers and, more marvelous yet, when my companion took from his breast pocket what seemed to be a reading glass with large magnifying power, I beheld iridescent, fluid particles speeding with infinite rapidity from cerebral and other organs, along myriad nerve fibers, inducing surpassing activities at their termini. They kept the body glowing with a fluorescent radiance and the whole system teeming with life. 'Ultra violet rays,' was the only explanation of the phenomena of visibility offered by my guide, adding that against these rays nothing is opaque."

"Occasionally the Professor whispered pleasant suggestion into the ears of the sleeping, or those sitting in a state of semi-consciousness, and instantly the subject responded with smiles and a lighting up of the countenance that proclaimed intelligent cerebration or, if disagreeable suggestions were whispered, there followed frownings or mutterings and looks as of thunder clouds upon the brow."

"Taking me to the roof of the hotel, where a network of telegraph wires passed overhead within easy reach, the Professor bade me look at them through the glass, and, behold! fitting along those wires in infinite succession were the same iridescent, fluid particles that I had seen in the brains and bodies of the sleeping."

"Are we batteries, then?" I asked. 'Precisely so,' the Professor replied, 'but as the battery is not the creator, but only the generator of electric fluid, so the fluid you have seen is not life, as many believe, but the agent of life. The universe is charged with it. No man, living or dead, hath seen life. Life is God. No man hath seen God at any time, nor will ever see him, yet the humblest may know him and walk with him. It is a vast mystery which I am told the angels of heaven have not solved.'"

"We went through portions of the city where the law is broken, and viewed the lives lived by the unfaithful. Thence back to the Ponce de Leon, and, through sequestered apartments, where I found many others, the gentleman from Detroit engaged in a game at cards with large stakes involved. From there we went to the apartments of his wife, whom we found sleeping lightly with traces of tears and a troubled countenance. Bending over her, the Professor whispered the one word, 'Genoa,' and immediately her face was wreathed in smiles and, clapping her hands like a pleased child, she spoke aloud and said: 'I thought you would come to me. You have come in many times before, and always I am so much stronger and happier afterward. You must be he, you must be he; but, dear, dear, I can not understand it all.'"

"In another instant we were back at the settee, under the magnolia and the Professor was shaking me by the arm and shoulder, saying, 'Wake up. We must hasten. Something extraordinary is taking place.'"

"Half running, half walking, he dragged me through by-paths and short-cuts to the Alcazar, which we reached just in time to see two officers, carrying a board on a stretcher into the half-lighted veranda, followed by two or three curious persons and a physician, who was about to administer to the seemingly dead body a hypodermic potion of great potency."

"Crying, in a loud voice, 'The man has only

PERSONALIA

Louisa May Alcott's "Little Women" still ranks as the most popular child's book in America.

Crane of Massachusetts and Knox of Pennsylvania are inseparable chums. They were known in the Senate as the "Senate Twins."

Anna Held's father was a poor glove maker in France, and she herself curled ostrich feathers in a milliner's shop for a living when a girl.

Joseph M. Drew, who had charge of repairing the railroads in the wake of Sherman's march to the sea, died recently in Springfield, Mass., at the age of 84 years.

Senator Henry Cabot Lodge has undertaken, as a relaxation from revising the tariff, to edit a series of volumes of essays to be called "The Best of the World's Classics."

The editor of Lippincott's Magazine is Joseph Berg Esenwein, ex-college president and author of various songs and hymns, of which he wrote both music and words.

Former Secretary of the Treasury Lyman J. Gage, whose conversion to theosophy was exploited some time ago, is preparing to build a residence in the Mission style at Point Loma, the home of the cult.

Queen Wilhelmina, following royal custom, had to propose to her husband. She sent him a sprig of white heather and a note requesting him to look for its meaning in a book of flowers and their meanings.

Arkansas is derived from "Arkansa," the name of an Indian tribe; hence "the land of the Arkansas." Pronounce it Arkansaw. Kansas is derived from "kanza," meaning "wind" or "swift." Pronounce it Kansas.

The first-founded post of the Grand Army of the Republic was organized at Decatur, Illinois, April 6, 1866, by Maj. B. F. Stephenson. The sole survivor of the twelve charter members is C. R. Shesha, who now lives in Bloomington.

A fourteen-year-old girl, Dorothy Kincl, of Letcher, S. D., earns enough money as a jockey to pay her winter expenses at school. Her mother chaperones her at all the races, and has only had to scold her once, when she found her shooting dice for candy with another jockey.

Policeman Whitman, of New York, after rescuing a fainting painter from a dizzy height on a flagpole on the new Queensboro bridge, saving his own life by the barest margin in the successful rescue, reported merely that "An accident to a decorator caused a ten-minute block of traffic on the Queensboro bridge."

The most salient impression of Rider Haggard that the New York reporters received upon his last visit to the United States was that he was able to cross his legs double; i. e., after crossing his knees, to further slip his feet behind his cord of Achilles. Perhaps such attributes of greatness are as important as any other concrete evidences of personality.

Women in several states, notably New York and Massachusetts, have organized an Association Opposed to Woman Suffrage. Miss Agnes Irwin, late dean of Radcliffe College, is active in the Massachusetts association, and Mrs. Otto Kiliani, a daughter of Bayard Taylor, has sailed to England to represent the New York association at the general meeting of the English Anti Suffrage Association.

E. Phillips Oppenheim writes two novels a year besides short stories. In his first novel, written at the age of sixteen, he killed off so many characters in the first half that he had to create a new set to finish the book. Mr. Oppenheim lives in Sheringham, on the coast of England, and keeps a suite of rooms at the Savoy in London, besides being an intimate acquaintance of the United States, the native land of his wife.

("Mysterious Experiences"—Concluded.)

fainted and requires none of your remedies," the Professor forcefully thrust the by-standers out into the darkness. I then saw that it was his own proper body that they had upon the stretcher. During the moment of confusion succeeding his imperative onslaught I saw the Professor throw himself upon the body, as if to breathe the breath of life into its nostrils, and instantly, as it were, melted into the body like a passing shadow and disappear from view. Immediately Rev. Oliver Langworthy rose from the stretcher, rubbed his eyes, yawned and said: "I think I must have fainted." Thanking the bewildered bystanders for their kindly assistance, and assuring them that he was completely himself again, he greeted me, took by the arm and led me into the open air. "That was decidedly the closest call I ever had," he said, as we made our way to the front entrance. "Had that physician tampered with me the most serious consequences must have resulted."

"We saw, glancing at the clock, that there was yet opportunity for two hours' rest before his train was to start, and so he bade me good night and good-bye, pressing my hand and saying at parting: 'You must come and see me when you next visit Chicago. Our experiences of this night will bear talking over at a subsequent time.' He stepped into the elevator and disappeared from my view forever. Though we corresponded regularly until his unfortunate demise, I have seen him since only as Genoa saw him—in my dreams. "The manner of the death of Oliver Langworthy," continued the Judge, "must be sufficiently obvious to you who have listened to this narrative, provided, of course, that you accord me that degree of credibility I have been accustomed to enjoy at your hands. While absent from his physical body at a greater distance and for a longer period of time than ever before, perhaps, through lack of nutrition or some other purely natural cause, the mechanism broke down and death resulted. I entertain the hope that the police department of Chicago will confess itself baffled and let the mystery drop with that, but if suspicion of foul play should seem to rest upon any one I shall deem it my duty to lay the whole extraordinary experience before the chief of police of that city, as I have laid it before you gentlemen here tonight, but how to do it in such a way as to convince him of that degree of reality of which I am myself so conscious is a matter which gives me the profoundest concern."

"That knocks me clear off the perch," declared the newspaper man to the Doctor a few minutes later when the belated members

of the Galoot Club had separated at the foot of the stairs.

"As for myself," interrupted the Principal of the High School, "knowing as we all do the Judge to be the soul of honor and the most matter-of-fact of men I must, as I said a while ago, regard this narrative in the light of a revelation."

"His wife tells me," said the Doctor, "that the Judge can dream a three volume novel in the course of an after-dinner nap and that the habit of telling his dreams grows on him as he gets older. I tell him that he eats too much and exercises too little. Good night gentlemen."

"You don't mean to tell me," exclaimed the Professor, "that the Judge has been entertaining us with one of his dreams?"

"Search me," was the reply. "I have told you the little I know about it. Good night gentlemen."

"Good night Doctor."

But it was not until the town clock struck midnight that the Professor and the Editor ceased to discuss the possibilities, probabilities and disabilities of the "Mysterious Experiences of a Matter-of-Fact Man."

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SHEAR WIT

"I hear you are giving a bargain matinee today." "Yes, madam." "May I see one act as a sample?"—Washington Herald.

As Alexander Dumas had dined with a state minister somebody asked him if he had enjoyed himself. He replied: "If it had not been for me I would have been bored."—Kansas City Star.

Bobbie's brother Ben had hidden his ball that day, so the usual appeal for a blessing on him in Bobbie's prayers was revised that night with the compromise: "And, God, do as you like about Ben."—Chicago Record-Herald.

"What's the matter, dear?" queried the mother of five-year-old Helen. "I w-want s-something," sobbed Helen. "What do you want?" "I've forgot what I w-want," answered the little miss. "Th-that's what m-makes me c-ery."—Youkers Statesman.

"That's a handsome dog you keep," said a wayfarer in the proprietor of a Highland inn, where he was lately sojourning, observes an English paper. "Aye, aye," was the appreciative reply, "an' he will be a useful dog as well. I haven't washed a plate since I got him, whatever."—Pathfinder.

A policeman arrested, the other night, an elderly gentleman who was parading the street in a white nightgown. "Good gracious, officer!" said the old gentleman, giving a great start. "It's all right, let me go. I'm a somnambulist." But the policeman tightened his grip on the old fellow's arm. "It don't make no odds what your religion is," he said, "you come along with me."—Ex.

An Englishman, fond of boasting of his ancestry, took a coin from his pocket, and, pointing to the head engraved on it, said: "My great-great-grandfather was made a lord by the king whose picture you see on this shilling." "What a coincidence!" said his Yankee companion, who at once produced another coin. "My great-great-grandfather was made an angel by the Indian whose picture you see on this cent."—Christian Endeavor World.

"Do you like Omar Khayyam?" thoughtlessly asked a gentleman who was entertaining two brothers whose acquaintance in commercial matters was considerably in advance of their literary knowledge. "Pretty well," replied the elder of the two guests, "but I prefer Chianti." Nothing more was said till the brothers were on their way home. "James," said the younger bitterly, "why can't you leave things you don't understand to me? Omar Khayyam ain't a wine, it's a cheese!"—Philadelphia Inquirer.

"But Mary," exclaimed her mistress, "there is no such thing as rheumatism. Your father only thinks he is ill." "Yes, mum," agreed Mary. Several days later Mary again failed to put in an appearance. The following morning she took up her duties as usual, but gave no excuse. As an opening to a reprimand, her mistress said, "I suppose it was your father again, Mary. Does he still think he is ill?" "Oh, no, mum," said Mary, wearily, "he thinks now he's dead—we're goin' to bury him tomorrow."—Ex.

Husband—Many people at church yesterday morning, dear? Wife—Yes, a large number. Husband—What was the text? Wife—It was—well, really, I have forgotten. Husband—Humph! Was Mrs. Latestile there? Wife—She was. Husband—What had she on? Wife—Well, she wore a stunning gown in which the shades of violet were so delightfully blended that my heart went pit-a-pat. The material was of the softest messaline satin, empire model, with a panel back and front. Scattered here and there were exquisite embroidered violets, ranging from the deep, deep violet, seen in most sequestered woodland nooks, to the lighter shade growing more in the open. Clusters of violets were scattered here and there upon the skirt. The Dutch neck was finished with a collar of priceless lace. And she— "Milwaukee Journal.

UP AND DOWN THE STATE.

Presumably alarmed by the general tendency to restrict or outlaw saloons, the saloonists of Marysville have adopted a plan of self-regulation which now is being tried. Under their plan all saloons will be, or should be, closed between 1 and 6 o'clock a. m. The operation of the scheme will be closely observed, and, if it is not successful, it is understood that another plan of regulation will be tried.

The Modesto Interurban Company has applied for a franchise on certain streets of that city for a motor line which eventually is to be extended as far as Oakdale. It is expected that by next September the road will be in operation to Empire.

While a well was being sunk at Princeton, Colusa county, a nugget of gold about the size of a pea was taken from earth which came from a depth of 106 feet below the surface of the ground.

The phenomenon (in California) of June showers was experienced in various parts of the Sacramento and San Joaquin valleys during the latter part of last week. In no instance were they heavy enough to damage crops.

Ventura "points with pride" to the fact that a prominent Georgia contractor is inspecting the petroliolite street pavements of that city with a view to using the same process on the streets of various Georgia cities.

Visalia reports that the first watermelons of the season are beginning to be seen in the markets down there. The Delta claims that the very "first of the season" was brought to its office from Venice Cove, where it was grown.

The Sacramento city wharf is being greatly enlarged in order to accommodate river traffic, which is rapidly increasing.

Early plums, peaches and apricots are being shipped to market from a number of localities in the Sacramento and San Joaquin valleys, the first white carload having gone east from Marysville.

Gold ore now being taken from the Sixteen-to-One mine at Allegheny is said to run \$50 a pound in value. Other mines also are yielding great values.

The people of Willows congratulate them selves that two telephone companies now are at war there, the result being superior service at reasonable rates.

The streets of Georgetown, El Dorado county, are so rich in gold that the dust therefrom pans out from 10 cents to \$1.10 a pan.

Walter Wellman is to do another turn in starting for the pole on August 1. Walter is in a class by himself as a starter, but he seems to be a stranger to every form of terminal facilities.—Houston Post.

"So your daughter has gone to Europe after all?" "Ya-as," drawled Farmer Hayseed; "she's been daffy 't' go ever-sence she left skule. Her maw an' me never could calc'late why she was so set 't' go 't' Yurrupe. She don't know a soul thar."—Lippincott's.

The Newman (Ga.) News prints this unique want "ad": Wanted—Young man in jail wants out; suggestions solicited that might result in immediate release; wants poet's address who wrote "Stone Walls Do Not a Prison Make, Nor Iron Bars a Cage." Address John L. Silber.—Atlanta Constitution. "I want you to draw me a picture of a drunken man." "Without a model?" "I'll go out on the street and find you a model in no time." "Well-er, I ain't quite ready to go to work yet, but you go out and get me the goods and I'll use it on the man I select for a model when I'm ready."—Houston Post.

Somebody rushed into the store where a young shopgirl was employed and shouted out: "Mamma! Mamma! Your little boy has just been run over!" The shop girl dropped her work and ran to the door; but at the sidewalk she stopped, threw her head back and exclaimed: "What a fool I am! I haven't any little boy. I'm not even married."—Boston Herald.

Jacob H. Schiff of New York has presented to the New York public library the famous Tissot collection of Old Testament paintings. There are 370 of these, for which Mr. Schiff paid about \$37,000.

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Representation in the House.

Representatives shall be appointed among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed.

But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

So reads section 2 of the Fourteenth Amendment to the Constitution of the United States. It is important as a source of friction between the North and the South and as confirming the oft-repeated declaration throughout these lessons in citizenship that it is not the written constitution that constitutes our government, but rather the constitution that exists in the minds, hearts and customs of the American people. This constitutional provision has been violated every day since it was adopted, and with especial effrontery during the last ten or twelve years, and the American people seem well content with it until it shall be made a dead letter until the end of time.

It will be remembered that the ratio of representation in the lower house of Congress was a vexed problem at the time of making the constitution on account of the black men held in slavery. Northern men generally insisted that, inasmuch as they were held as property, they were no more entitled to representation in government than the horses and mules which were also held as property. Men of the South responded that, although property, the negroes were none the less human beings and entitled to some care and protection through power of government and, if they could not be allowed to represent themselves in government, their masters should be allowed representation on their behalf. As it was impossible for either side to convince the other a compromise was entered into that had no basis of reason to sustain it, but did have a basis of necessity, and necessity is sometimes a very perfect justification. Therefore representation for the slaves was allowed on the basis of allowing each slave to be rated as three-fifths of a free person, and that stood until the Civil War freed the slaves.

It was easily foreseen that the liberation and enfranchisement of the slaves would not be looked upon with satisfaction by the white people of the South, and it was anticipated that they would be seeking out some means whereby they could limit the participation of the freed man in the affairs of government. To restrain them from doing this, as far as possible, this section was inserted in the Fourteenth Amendment. It has not produced the anticipated result. It has not prevented the exclusion of negroes by tens of thousands from participation in the franchise and it has not reduced the representation of any state in the lower house in Congress.

There are two pronounced types of mind: that of the legalist and that of the practicalist. The legalist finds in the disregard of this constitutional provision abundant cause for offense. His sense of justice is outraged every time he thinks of it. The practicalist counts the probable cost of undertaking to enforce that section and declares that the attempt would cost a hundred times more than its enforcement would profit the country.

For, deep down in the inner consciousness of the nation—the real constitution of the nation—it is recognized that the black man who was freed from slavery was wholly unfit to be given the right of suffrage, unfit to be made a full citizen, and that it was a mistake to confer full citizenship upon him the way it was done when it was done.

It is recognized, too, that the South has an enormous and troublesome race problem on its hands and the North is willing to trust the South to work that problem out so long as it remains fairly evident that an effort is being made to work it out in good faith

When the North loses faith in the ultimate good intentions of the South toward the black man, merely because he is black, then an effort to penalize the South by reducing its representation in the House of Representatives, to correspond to the reduction of the representation of the black man in the voting constituency, will be more popular than it has been so far.

While what is known as the "grandfather clause" in the constitutions of many southern states has saved from disfranchisement many white men no more fit to vote than the most unfit of colored men, yet those clauses in time will work out their own inequality and prevent the voting of white persons whose illiteracy is as serious as that of black men likewise prohibited from voting. Per contra, these limiting amendments to state constitutions do permit negroes who are fit to vote the privilege of voting. So it seems likely that, despite the contentions of the legalists, the second section to the Fourteenth Amendment will continue to be the dead letter it has been ever since the horror of carpetbag government created a revulsion of northern feeling on behalf of the rebellious states.

Yet it is true that it requires only a fraction of the number of votes to elect a congressman from a southern state that it does to elect one from a northern state where there are no restrictions upon suffrage.

And, too, it should not be overlooked that a curtailment of the suffrage on the ground of illiteracy or other unfitness, except criminality, would reduce the representation of a state in the House of Representatives. The effect of the section in consideration is to penalize any effort to raise the standards of citizenship. California itself would be a sufferer if this section were strictly applied, for it has a qualification requiring voters to be able to read the constitution when printed in the English language and to write one's name, and some states have a small property qualification.

The idea is gaining ground that those only should vote who are fit to vote and to penalize efforts to restrict the suffrage to those fit to discharge the duties of citizenship, as this section would do, would be to retard human progress rather than to establish human rights. All things considered, therefore, this action would seem to be better dead than alive. Its only office so far has been now and again to reopen old wounds, the permanent healing of which is vitally important to our national unity and welfare.

The chief engraver of the United States mint is Charles E. Barber, whose father, William Barber, was chief engraver before him.

Wouldn't You?

If "gall" were innocence, my friend,
And "nerve" a heav'n-sent boon
To prove its virtue sanctified,
I'd bet on Pat Calhoun.

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A First Lesson in British Justice.

Persons interested in the reformation of our criminal procedure should not fail of carefully reading our article upon "England's Better Criminal Procedure," to be found elsewhere in this paper. It lays the foundation for a most interesting and enlightening series.

The first difference noted between the administration of British and American justice is that in England no court has the power to declare an act of Parliament unconstitutional. This difference is fundamental and not to be overcome, but it is not a difference that makes seriously for delay or uncertainty in administering justice in criminal cases.

A marked difference, as will be noted, between the practice in England and in this country, is that in England an indictment is not invalidated by a technical inaccuracy in the wording, and if such an inaccuracy be discovered it is then and there corrected. In our graft cases weeks have been expended in wrangling over the sufficiency of indictments whereas, in England, if an error or uncertainty were found, it would be corrected then and there. This is just good, British sense. It is American sense, too, but not legal sense.

It will be remembered that an effort was made to induce the last legislature to modify the procedure regarding grand juries, but without success. The issue must be taken to the people so that, by the time the next legislature meets, public sentiment will demand that such procedure be reformed. The English system points the way very clearly. The American laity has seen it as clearly all along. It only remains to force the common sense way upon erudition to work that remedy.

The Bradbury Reversal.

The case of the People vs. Bradbury has become celebrated, not because Bradbury, as poor an old millionaire as ever gained dollars at the expense of all in life that is worth while, has been convicted and finally sentenced to prison, but because of the decision of the First District Court of Appeals to the effect that, inasmuch as a bank cannot be "told" anything, Bradbury was not guilty when he swore that he had not "told" a bank not to lend money to a debtor of his, when he had told the executive officer of the bank that very thing. This decision made the nation laugh so heartily that our own Supreme Court saw the humor of it and reversed the decision of the court below. Thrice lately has our Supreme Court scored: It granted a rehearing in the Glass case, vindicated the direct primary law, and has now decided that a bank can be "told." Good for the Supreme Court.

The Fourth.

Those who want a perfectly sane Fourth of July celebration have forgotten their childhood, have forgotten how they scrimped their pennies for weeks and weeks, and counted the days, too, that they might turn themselves loose for an insanity of joy on that day. To watch others discharge fireworks is akin to watching others eating ice cream on a hot day, not soul-satisfying to a boy. Watch the

THIS NUMBER CONTAINS

England's Better Criminal Procedure

BY

An English Attorney

Readers of The California Weekly will, in due time, find every important public issue explained by some person whose special knowledge gives him a right to be heard.

children, guard them, be ready to bind up their wounds with first aid to the injured, but let your children have their childhood as you had yours, including what appears to one with gray hairs, stiffened joints and a bad memory, a perfectly insane and senseless Fourth of July celebration. There was a time when it did not seem so even to them.

How Simple the Remedy.

If Mr. Calhoun, being innocent of wrong doing, desired to reinstate himself in the confidence of the people, and to free his reputation from a tarnish and a taint that will not otherwise come off while memory lasts, how much simpler would it be for him to take the witness stand and tell plainly whether or not he paid, ordered paid, or consented to the payment to Abe Ruef of \$200,000, or any other sum, to be employed in securing a trolley franchise—how much more simple would this remedy be than that of trying the grand jury for bias, the public prosecutor for illegal tenure of his office, the trial judge for prejudice and the public in general for imbecility? If actions speak louder than words how like a trumpet blast blown from the walls of heaven does this man's taking all the by-ways that ingenuity can invent, instead of the plain, open highway to justice, proclaim his guilt! In nothing else but the law would any person be permitted to take so circuitous a route to a perfectly definite goal and not have his sanity inquired into. Our laws are simple and effective enough where one falsely accused wants justice, but where the purpose is to defeat justice the tracings of an earthquake as recorded by a seismograph, are a straight-edge by comparison.

Exit Slot Machines.

In the direction of moral reform San Francisco has never done a better thing than to abolish the slot machines. It is a thing that will be copied until those devices of iniquity are driven out of the state. They are the best kindergartens of the gambling spirit ever devised and, as such, every one of them main-

tained places one or more persons in moral jeopardy. Having the law the next thing is to have that law enforced. This is a duty San Franciscans owe to themselves and to humanity. The law will not enforce itself for more than the ensuing two weeks. After that eternal vigilance of police and citizenry will be requisite for its enforcement. Stand by the ordinance and see to it that others stand by it, too.

That Tariff Commission.

It is not improbable that the pending tariff bill may provide for a permanent tariff commission, as a sop to the President and the people rather than as an arm of government to be employed with serious purpose. It is too much to expect that a schedule almost wholly the result of logrolling will be permitted to be jeopardized in any one of its parts by the mere ascertainment of the truth that more protection has been accorded than was needed. In one way only can such a commission be made worth its keep and that is by giving publicity to the information it gathers. If that information is reserved for tariff committees only it will be boxed up and stored or carted to the crematory as fast as it is gathered. Nevertheless, the commission plan is the right one for making tariff schedules. Germany has demonstrated this. Its existing tariff, as certainly if not as excessively protective as our own, is the product of five years of labor by a staff of thirty-two specialists reinforced by the entire treasury department of the empire with the co-operation of 2,000 trade specialists scattered through the empire and the added efforts of the entire German consular service. Moreover this entire force, or the greater part of it, is steadily engaged in keeping tab upon changing conditions in production and distribution of German products and the commerce of the world. The establishment of a tariff commission of any sort will be a step in advance, but we must not be surprised, or unduly pained, if senatorial Bourbonism does not permit that step to assume the proportions of a stride.

Still Guessing.

The press of the East is still guessing at the purpose of the President's recent message to Congress, concerning the corporation tax issue. Some papers affect to believe that the President has fallen under the baneful influence of Aldrich and his band of brigands. Others hold that a bargain has been made with senatorial hold-up men that will insure the enactment of drastic corporation control legislation at the regular session, as a recompense for allowing an upward revision of the tariff to be made. Believing, as The California Weekly does, in the earnest independence and sagacity of William Howard Taft it declines to hold to any opinion in relation to the matter inconsistent with such belief. It believes that the President, and not Aldrich, is doing whatever is being done, that it is a strategic move and that the future will prove its sagacity and significance.

THE PRIMARY LAW DECISION.

The decision of the Supreme Court, sustaining the direct primary law, will give satisfaction throughout the state. There has been a feeling of apprehensiveness regarding that law difficult to shake off. It was known that many who had a hand in enacting it were not sincerely in favor of such a law, and that political powers behind them could not look upon it with satisfaction, except they knew that there were "bugs" in it. Nor was it certain in what atmosphere the Supreme Court might find itself sitting when it came to consider the law. That atmosphere appears to have been salubrious, for which let the gods be praised.

This is not saying that the law itself is perfect. It is not. The district system of expressing popular preference for senatorial candidates is bad and must give place to a state-wide expression of party opinion, but it is tremendously important to have the principle of an advisory vote as to the election of a United States Senator affirmed by the highest court in our state. It may yet have to be affirmed by the highest court in the United States, but it appears to be pretty well established, the more especially since Senator Chamberlain of Oregon was allowed to take his seat in the Senate without questioning his right to that seat.

In affirming the principle that a primary is a party, and not a general, election another important step was taken, and yet right, justice, sound sense and immemorial custom are with Judge Angellotti in his dissenting opinion, to the effect that parties should have the privilege of nominating a member of some other party as their candidate if they desire so to do. It may be that the legislature had the power to so curtail a free expression of popular will (and it certainly does have it now that the Supreme Court has confirmed that power), but it is a power that should not have been exercised or confirmed. The fight for a full and free expression of party opinion should be taken to the next legislature. Fusion is generally a bad thing, but the right to fuse is a good thing and Men of California should demand the fullest and freest exercise of that right. Judge Angellotti was right, and the court was wrong, save that Judge Angellotti mistakenly held this to be a "very minor and unsubstantial part," which it is not. No invasion of suffrage rights is ever "minor and unsubstantial."

It is indispensable that in voting at a primary election, voters keep on their own side of the party fence, but it often happens that the transcendent issues are not party issues at all. It is so in San Francisco now. The transcendent issue before the people—the pivot upon which the election will inevitably turn, is: "Shall the graft prosecutions go on or shall they be dropped?" Mr. Heney represents the desire to go on with them. Whether he is a Republican, a Democrat, or what, he does not figure in that issue and the voters of any party should be free to put his name on their ticket if they wish the graft prosecutions to go on. The same is equally true with his opponent. This decision deprives free men of making free choice of party candidates and to that extent it is bad in policy whatever it may be in law.

We are not warranted in looking upon our direct primary law, judicially sanctioned though it is, as a finished product. It may or may not be "the best direct primary law on the statute books in any state in the union," but it is not as good a law as it must finally be made, and it is not as good a law as it should have been made by the legislature that enacted it. It should have provided for a non-partisan judiciary, which it refused to do. The prohibition of a candidate, defeated at a primary election, being otherwise

THE STAFF

A. J. PILLSBURY.....Editor and Manager
CHESTER H. ROWELL.....Associate
A. J. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
C. BLACK.....Business Manager

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nominated for the same office at the same election, constitutes another invasion of the franchise in the interests of machine politics. It is customary to abide by the results of a convention and it seldom happens that one who fails to so abide, and makes his appeal to the people, secures an election; but the writer of this has in mind a candidate for Congress who made such an appeal, after having been "jobbed" in his convention, with the result that he was elected by a clear majority over all candidates of all parties in the field against him, including the "regular" nominee of his own party.

The right of appeal to the whole people is fundamental and it is disappointing that the Supreme Court did not affirm that right instead of sidestepping the issue. It will be as possible to "job" a worthy candidate in a primary as in a convention and the right of appeal to the whole people may become important.

While the decision of the Supreme Court will be received with satisfaction the spirit of that decision is the spirit of the practical politician rather than that of the citizen who holds country above party and a free suffrage as more important than party success. But this is also true of the law itself. As it finally passed the legislature, not as it entered it, was the handiwork of politicians, not of statesmen.

THE RIGHT TO MAKE A MISTAKE.

The right to make a tactical error is inherent in every political or other organization among men. The Good Government League has made one. Let the fact be admitted with a due and proper humility but not in sackcloth or ashes.

The Good Government League stands for popular government. In common with other organizations, cliques, coteries and persons it recognizes that the direct primary affords, within itself, inadequate means of bringing before the public candidates to be voted for for nomination for public office. Other organizations, cliques, coteries and persons have undertaken, by methods which seemed to them good, to bring forward candidates for the consideration of the people on primary election day. These methods did not commend themselves to the Good Government League. Accordingly, at great expense and labor, this league undertook to obtain from the people such a direct expression of popular sentiment as would make possible the selection of an acceptable primary ticket or otherwise prevent a sowing of primary election votes so broadcast as to do no one good.

The committee in charge urged voters to sign their names to their ballots openly, but did not insist upon it, and then added this clause: "But if for any personal or business reasons you do not desire to give your names it will not be necessary to sign the ballot."

The circular did not go on to state why it would not be necessary to sign the ballot, that steps had been taken to identify the ballot whether signed or not (by placing under the stamp of the return card the voter's number on the precinct register and the first letter of his surname) thus leaving the anonymous voter under the impression that his identity was effectually concealed. There was just a taint of bad faith in the employment of this device and for this reason, and none other, it was a mistake to employ it, doubtless the result of some one overzealous person's eagerness to get at the facts.

But what of it? Here is an organization of sincere, public-spirited persons, not one of whom is actuated by self-seeking motives. They are working only for the public good through an organization that has accomplished great good for the public, and shall a single error, made by a single committee taking care of a single department of the work of that organization, negative all the good efforts of the Good Government League?

Whose sense of honor is it that has been most seriously outraged by this mishap? That of a newspaper the prostitution of whose editorial columns to the requirements of predatory interests is notorious and whose news columns may be cut on the bias to suit any interest at so much per line? Other persons whose plans are likely to be "queered" by a full and frank expression of public sentiment? These are they whose indignation knows no bounds. The rest of us are merely sorry.

Suffer not this untoward event, of itself not crucially consequential, to deter the Good Government League from pressing forward. It has done good work in the past. It can do good work in the future. There is good work for it to do. If its active members learn from this incident that not the smallest departure from the most perfect good faith toward the public can be tolerated the lesson will be worth the price. But the moral indignation of the Chronicle is jocose.

AN INCOME TAX AND THE STATES.

We know without being told that the interests which Nelson W. Aldrich represents in the inner chamber of the United States Senate do not want an income tax and that Aldrich cannot, in good faith, be favoring the submission to the states of a constitutional amendment legalizing such a tax.

There are now forty-six states in the Union. Three-fourths of forty-six is to all intents thirty-five, the number of states necessary to vote affirmatively in order to carry the amendment. Twelve states voting against the amendment can defeat it. What states can be counted on so to vote? Manifestly the states controlled by the predatory interests and the states in which investment interests dominate.

Throughout the West and South the investment idea does not much obtain nor does it on the Pacific Coast. The investment states form a little group by themselves and they are up in the northeast corner of the Union. Maine is not so much an investment state, but it is under the political domination of men who represent the "interests." New Hampshire is dominated and would be against the income tax. Vermont is conservative to a degree and essentially an investment state. Rhode Island is Mr. Aldrich's pocket borough and Connecticut is purchasable. Delaware is another pocket borough and, in a crucial contest, New Jersey could be controlled by capitalism. Florida is a winter resort for Standard Oil and may be counted on accordingly. The people of Pennsylvania would want the income tax, but that state has not had a representative legislature in more than fifty years and would be against it. West Virginia is in

the same predicament. If Idaho, Utah and Montana were to have straight legislatures, incapable of being influenced against the common weal, the inhabitants thereof would be dumbfounded. This would give the opponents of the measure one state more than needed in order to defeat an income tax amendment and still leave a fighting chance in New York and Massachusetts, where the investment interests are powerful. The people of these states are, however, still able to dispute the supremacy of monetary interests.

Since the unfortunate five-to-four decision against the income tax idea in 1895, Justices Peckham, McKenna, Day, Moody and Holmes have taken places on the supreme bench. Providence will probably enable the President to fill one or two more places on that bench during his term of office and two of the four who were on the bench when that decision was rendered stood for the legality of the tax. Inasmuch as the establishment of its illegality in the Pollock case required the overturning of precedents long established the chances for legalizing an income tax seem to be better with the United States Supreme Court than with the states of the Union.

Was It Nothing to Them?

On Thursday of last week the Men of San Francisco had presented to them for their approval or rejection an issue that touched every home in the city, every man who rides to and from his business or work, every child that rides to and from school, nearly every woman who goes shopping or calling.

And yet only one voter in three took the trouble to express a preference one way or the other. It is this inertia of the voting constituency that hangs like a dead body chained to a living about the life of a free government. Unless it can somehow be overcome, unless men can somehow be made to perform their civic duties as in continental Europe, with their arms, men do perform their military duties, free government will be written down a failure and will pass from the stage of action. That consummation is as inevitable as that the arm that is not used will, by and by, become incapable of use.

Compulsory voting is coming. It has got to come. The salvation of free institutions depends upon it. It is as essential as that the privilege of volunteering for military duty be supplemented with the power to employ conscription if volunteering does not fill the ranks. If men must vote they will take the trouble to find out how to vote. If they will not vote then let them be disfranchised once and for all and suffer some other form of government to take the place of a democracy that the inertia of a people has prevented making good.

A Celebrated False Alarm.

Collier's has taken a fall out of the Supreme Court of California because of its decision abrogating the state constitution in the noted Fresno rate case. That case was, in its inception, prosecution, and termination a false alarm. Its principal effect was to show how little an obnoxious constitutional provision stands in the way when "between friends," as Big Tim Sullivan, of New York, expressed it. The forcing of that issue upon the Supreme Court of California, with its attendant humiliation to the state, was gratuitous. The constitutional inhibition upon railroads raising rates, when once they had been reduced to meet competition, was specifically made provisional, the proviso being that such increase of rates must not be made, "without the consent of the governmental authority in which shall be vested the power to regulate fares and freights." That governmental authority" is the State Railroad Commission, which has

never at any time proven disobedient to the requirements of the Southern Pacific Company, and if that company wanted to restore the former rate between San Francisco and Fresno it would only have been necessary for it to make the needful request. In doing so, it would not have been made to cool its heels in the anteroom of the commission's office awaiting a favorable opportunity to be heard. The courts of California should have been spared that jam.

Get Together, Gentlemen.

The felicitations in which the organized villainies of San Francisco are just now indulging can hardly fall short of being ecstatic. Things are coming their way in great shape. The forces of municipal decay are in each other's periwigs scratching like Satan in a gravel pit. Whoever has watched Mr. Herrin's political career knows that his strategy consists invariably in dividing the opposition and then making common cause with one of the divisions against the other. Is this wily antagonist of free government at the bottom of the existing reform state of mind? And if so how did he get there? In which camp is he operating? The situation appears made to his hand whether he made it or not. The weakness of Scotland was never in the want of brave and hardy men able to do and to dare, but in the Scottish chiefs stopping to fight each other in the face of their English enemy. Have the political leaders of the cohorts of civic righteousness in San Francisco an excess of Scotch blood in their veins? It begins to look like it. Get together, gentlemen. Civic decency does not so pervade San Francisco that it can venture to confront the powers of rapacity self-divided and raging in an internecine conflict.

Amend the Way of Amending.

Twenty-seven states have memorialized Congress to take steps to have the national constitution so amended as to permit United States Senators to be elected by direct vote of the people. Four more states can make action on the subject constitutionally obligatory upon Congress. If such a proposed amendment could be submitted to a direct vote of the people it would carry in a hurry, but the Constitution of the United States involves no means for having any proposed amendment submitted to a direct vote. It needs to be so amended as to make its amendment possible in no other way. Had this been done not one southern state would have seceded from the Union. As the procedure now stands two-thirds of the members of both houses may join in submitting amendments to the state, or two-thirds of the states may unite in demanding that Congress cause such amendments to be submitted but, in either case, the legislatures, or state conventions (in three-fourths of the states) must ratify the proposed amendment or it will fall of adoption. This is representative government, the form of government that the makers of the constitution had faith in while they had little or no faith in direct legislation in any form. The experience of a century and a quarter, nearly, has shown us that the chief characteristic of representative government is its failure to represent public sentiment, save in exceptional cases where public sentiment is goaded to near the point of revolution. Even then it will be "euchred" if, by gaining time, government-by-corporation can gain the courage to "euchre" it. While on the subject of constitutional amendment why not amend the method of amending the constitution? In no other particular is our immortal document so faulty as in that it may be twisted, bent, doctored, cut short or pulled to great length, but can scarcely be amended without a civil war.

The Deeper Significance : : : : of Living : : : :

In pleading with Death that the life of Alcestis may be spared Euripides makes Phocbus Apollo hold out the inducement that, "if she die old she will be sumptuously entombed," to which Death replies, "Thou layest down the law, Phocbus, in favor of the rich." Phocbus responds with surprise, "Why, how sayest thou this?" to which Death replies that, "Those who have means would purchase to die old."

Death, at least, has been fairly impartial between the poor and the rich. At any rate the rich have not been able "to purchase to die old." Where poverty has been discriminated against, in paying the final debt of nature, it has been more on account of ignorance and stupidity than of poverty and, except ignorance and stupidity be kept rich by entailment of estates, the twain are generally steeped in poverty.

If the rich die old it is generally through having lived as though they had not been rich, and if the poor die young, except of ignorance, it is frequently because they have sought to live as though they had been rich. They have indulged their appetites and passions to the fullest measure and, in excess, have laid the foundations of disorder.

If, indeed, we could "purchase to die old" it would not be the rich alone who would strive to drive a sharp bargain for added years. If death would condescend to dicker with us we would most of us give all we have and our note for the balance. In fact we would give anything except the one thing that Death exacts as a condition precedent to dying old. That one thing is a prudent, well ordered life.

Our orphanages are seldom model places, and yet the poorest of them will put to shame, on a mortality percentage basis, the richest suburbs of the richest cities, the select homes of those so rich that they can afford nurses, care takers, physicians, without limit. These orphanages are mainly indebted to their poverty for the low mortality among their charges, plainness of diet, regularity of eating, sleeping and playing, everything going with clock-like precision with nobody pampered or spoiled. Institutional life is proverbially healthful and yet institutional life is mainly a life of poverty and dependence. Where it is longevity does not lengthen under it.

It is only when we come to the founding hospital that institutional life is unhealthy. There poverty slays with the greed of a Moloch, but even then it is more the result of stupidity than of poverty. If, as Death declared to Apollo, "When the young die I earn the greater glory," what glory must he gather from those hospitals where unwelcome infants are taken in and done for!

What the writer is trying to get at is the truth that men may seldom "purchase to die old." Age is a thing to be earned if it is to be had and the poorest hardly need envy the richest his possession. But at what cost can it be earned? The cost of abstaining from that which is evil, a charge heavy enough to bear, with the added charge of doing affirmatively the things needful, not for eternal but for temporal life.

It is related of one of the "Royal Family" who once lived on "Nob Hill" in San Francisco, that he sent to consult his physician as to the state of his health, and demanded to know what to do or take, to gain length of days. His physician told him that he demanded to know how much such length could be reasonably expected to be given if he obeyed the rather drastic instructions to the letter. "About two years," was the reply. "The game is not worth the candle," he affirmed and so he lived as he had lived until he presently died of excess in living. Though several times a millionaire he would not "purchase to die old" at the price. Had his checkbook been able to liquidate the obligation he would have outlived Methuselah. Even the checkbook has its limitations.

WHAT THE WORLD IS DOING

Converting Iron Into Steel.

If the recently discovered process of converting iron into steel will do such wonderful things as Martin S. Kalmon, who controls the process, claims for it, the world is standing on the verge of a revolution in its steel and iron industry. Kalmon is soon to give a demonstration of his process in London. In the meantime, while he claims is that by treating iron with certain chemicals, at the same time subjecting it to heat, he immediately converts it into steel nearly four times as hard as the best now in use. In his demonstration, he says, he will take a heavy iron chain, give it a coating of steel as thin as an eggshell at one end, a coating a half-inch thick at the other, and convert the center of the chain to solid steel. He will take an iron razor blade and speedily make of it the finest steel. The best steel now is tempered to 63 points; Kalmon asserts that by his process it can be tempered to 243 points. His method, he claims, will do away with great furnaces and much of the other paraphernalia of steel manufacture. The fact that some of the greatest steel manufacturers, including Vickers & Son and Maxin, are said to be negotiating for rights to the process appears to indicate that Kalmon's claims may be substantial.

The Confederate Constitution.

After many vicissitudes and much wandering the original engrossed "permanent Constitution of the Confederate States of America" now is on exhibition in the United States congressional library. The constitution was adopted by the Confederate congress, March 11, 1861, at Montgomery, Alabama, and was signed by representatives of that state, South Carolina, Georgia, Florida, Mississippi and Texas. It was taken to Richmond when that city was selected as the capitol of the Confederacy, and remained there until the close of the war, when, with other governmental papers, it was removed. It next appeared at Chester, S. C., where it was seized by one of a band of marauders, but was rescued from him by F. G. DeFontaine. Mr. DeFontaine retained it in his possession till 1883, when it passed into the keeping of Mrs. G. W. J. DeRenne, whose son, W. J. DeRenne, of Savannah, now owns it. Mr. DeRenne retains its ownership, but has lent it to the librarian of congress.

Reducing the Death Rate at Panama.

Never, perhaps, has the benefit derived from the adoption of wise sanitary methods been more strikingly demonstrated than at Panama. Long years ago, when the French were vainly endeavoring to construct the great canal, the isthmus became known as a black hole of malaria and resulting death for all whose color was lighter than that of chocolate. It retained this invidious distinction up to the time when the federal government began operations there, but it maintains it no longer. The difference between then and now is due solely to correct sanitary treatment. Our government recognized the fact that the spread of malaria is due to the female mosquito, and proceeded to obliterate it, with abundant success. Let comparative malarial and death rates indicate the effectiveness of this action. In 1906 the malarial rate was 831 to the thousand; in 1908, two years later, it was 282 to the thousand. During the same time the malarial death rate dropped from 7.45 to 1.34 to the thousand. The general death rate dropped from 65.41 to the thousand in 1905 to 24.88 to the thousand in 1908. Among government employees the reduction has been from 41.37 in 1906 to 13.01 in 1908, or more than two-thirds. The death rate among American men in 1908 was 7.69 to the thousand, and among American women and children it was 9.72 to the thousand, which is not in excess of the death rate in the United States. So much for the annihilation of mosquitoes. It seems a little thing, but it has scored big in results.

Lovely Woman and the Staphylococcus.

The poet has remarked that lovely woman sometimes stoops to folly, and reports from London indicate that she is engaged in performing the old stooping act at the present time. So true is this that when you see a fair Londoner with a choice complexion you cannot be sure whether it is complexion or mixed staphylococci and acne bacilli that fascinates you to stare at. Having made this trifling announcement, it becomes our immediate duty, in order to allay unnecessary excitement and alarm, to explain that staphylococci and acne bacilli are disease germs, which the feminine woosers of beauty have injected beneath their skins, as they have discovered that the bacilli give them a "perfectly lovely complexion." The ordinary dose thus injected consists of about 125,000,000 staphylococci and 5,000,000 acne bacilli. It thus will be seen that it would require fully a week of daily treatments to provide a billion bugs to hold mass conventions and pink tea throughout the frail but busy system of the complexion-hunter. What will be the subsequent effect, after the complexion has worn off, remains to be seen, for the fad still is young. We are painfully aware that there is a fishy sound to this story, but its essential facts are given on the authority of the London correspondent of the New York Sun, and perhaps those who have watched lovely woman and her complexion the most will doubt the least.

English Most Spoken Language.

A century ago French was the most extensively spoken of all European languages. It is so no longer, being surpassed in this respect by three other languages. This fact has not just been recognized, but it was a Frenchman of note who most recently called attention to it. It was at the celebration of the twenty-fifth anniversary of the Alliance Francaise, in Paris. M. Loubet presided, and M. Deschanel delivered the principal address. It was in the course of this address that he regretfully commented on the fact that the French language had declined from the first to the last place in the use of the world's peoples in but 100 years. He also gave the numbers of persons speaking the principal languages as follows: English is spoken by 116,000,000, Russian by 85,000,000, German by 80,000,000, and French by 58,000,000. That is to say, there are two persons who speak English to each one who speaks French. Just by way, however, of reducing any tendency to swelled chest on the part of those who speak English, it may be well to call attention to the fact that they still number but about 7 per cent. of mankind; 93 per cent. yet would fail to understand our grammarless tongue.

Baths for Spanish School Children.

The wheel of progress, in its forward revolution, shows signs of reaching and disturbing dreaming Spain. For example, the public-school children of Bilbao are to have baths provided for them, to prevent consumption, however, was not attained without bitter struggle on the part of such fine old Spanish grandees as do not believe in baths. It was a young woman teacher who stirred up the trouble, saying that she felt baths would be good for children and that she was convinced that many of those in the public schools went to their graves without knowing the feeling of one. She preached this insidious and revolutionary doctrine so long and so eloquently that at last she prevailed on a socialist member of the municipal council to introduce an ordinance in accordance with its terms. Then the war was on, and the socialist member was denounced as waving aloft (by such an ordinance) the red rag of anarchical revolution. Vice-Burgomaster Esguezabal, a particularly fine old Spanish grandee, was especially happy in his opposition. "Never in my life," he solemnly declared, "have I taken a bath, and I

am sure that the majority of this honorable board are in the same happy position." His declaration was disputed by some of the honorable members, but he valiantly held to it. And the ordinance finally was passed! Never again suggest that the wheel of progress is not moving right along.

Some British Statistics.

The London board of trade has just issued a Blue Book which contains most interesting statistics relating to Great Britain. Here are some of them: In 1851 the total population of England, Scotland, Wales and Ireland was, in round numbers, 30,000,000. In 1908 it had increased to 44,539,593, or nearly 50 per cent. Now note the distribution of this increase: In England it amounted to 98 per cent., in Wales to 87 per cent., in Scotland to 67 per cent.; while in Ireland—poor old Ireland—there was a decrease of 33 per cent. If these comparative figures would not serve as a text for a sermon on the past government of Ireland, it is because they suffice in themselves for the entire sermon. When the inhabitants of a country desert it, they do so either because its soil is barren or because it is badly governed—and the soil of Ireland is rich. In 1851 approximately 50 per cent. of the population of England and Wales resided in the cities; fifty years later, in 1901, 77 per cent. of the population was urban, and the "rush to the cities" still is increasing. That the conditions surrounding child life there have been greatly improved is indicated by the death rate per thousand in 1857 and again in 1907. In the former year the death rate among children up to five years of age was 67.8, in 1907 it was 40.9. From 5 to 10 years it was 7.8 in 1857, 3.4 in 1907; from 10 to 15 it was 4.7 in the former year, 2.0 in the latter. A child's chance for life nearly doubled during the half-century.

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "grat" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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A NEW BOOK BY JAMES LANE ALLEN.

Writing in *Pittsburg Gazette-Times*, George Seibel discusses the announcement that a new novel by James Allen is forthcoming. He says:

"The most important literary announcement for some time has just been made—that a new novel by James Lane Allen is to be published next month. It is important not only because all of Mr. Allen's work is of a quality commanding the highest respect, but also because of Mr. Allen's personal qualities. He is not only one of our artists of the first rank, but also the true aristocrat of American letters. Mr. Allen has no press agents. We never hear what fountain pen he uses, what breakfast food he eats, what color he prefers in neckties, nor how he expects to be a novelist instead of a truck driver. He is never interviewed upon the subjects of race suicide, the boll weevil or the duty on paper pulp. He has never run for governor nor denounced the Standard Oil company. He buys no palazzos in Italy and never circumnavigated the globe in a towboat. You do not hear that he is spending the summer at Oshkosh, working on a new masterpiece. James Lane Allen was in *Pittsburg* for a week, a year or two ago, and no one knew it. His name on the hotel register was signed simply 'J. L. Allen,' and those who saw it little suspected that a great novelist, perhaps the greatest of living novelists in America, was in the city. He exhibits the same dignified reserve everywhere. He doesn't talk shop, doesn't have his picture taken in seventeen different poses, doesn't roar and shake his mane at convocations of women's clubs. He is content to let his work speak for him.

"And it speaks in no uncertain tones. 'A Kentucky Cardinal and Aftermath' are already classics; their rich humor and pathos and poetry enshrine them securely among the books that will live. 'Flute and Violin' contains some of the best short stories ever written. 'The Choir Invisible' is one of the noblest of books. 'The Mettle of the Pasture' is one of the most dramatic. 'The Reign of Law' and 'Summer in Arcady' are full of truth and tenderness. And these, with the exception of a volume on 'The Blue Grass Region of Kentucky,' represent all the writings of Mr. Allen. He does not produce a new novel or two every year. It is, in fact, six years since 'The Mettle of the Pasture' was published. During that time, by way of comparison, we have had nine books from David Graham Phillips, eight from Robert W. Chambers and twelve from Jack London. 'When Mr. Allen's new book is published, we will know that six years of mature thought, of loving literary labor, of lofty artistic purpose have gone into its making. And we know it will be worth while.

A PERSIAN LITTERATEUR.

By Arthur Inkersley.

A most interesting visitor of the past week at Del Monte was Mirza Ali Kuli Khan, the Imperial Persian consul at Washington, D. C. This distinguished young man, who speaks English almost wholly without accent and has a far wider acquaintance with its best literature and thought than the vast majority of English speaking people. Under the patronage of Mrs. Francis J. Carolan, Mrs. Phoebe Hearst and other ladies, Mirza Ali Kuli recently gave a course of lectures on Persian literature, which failed to attract many listeners on account of the paucity of persons capable of appreciating them rather than because of their lack of interest.

Mirza Ali Kuli came down to Del Monte on a house-hunting expedition and looked at various furnished residences in Pacific Grove, Monterey Heights and Carmel-by-the-Sea. He was much pleased with Carmel, admiring its splendid beach and grand view of the

ocean greatly. It is probable that he will select Monterey or Pacific Grove, however, on account of its greater accessibility.

The consul married a Bostonian lady and has one child. He is a brilliant, enthusiastic conversationalist and may be described as a lover rather than an admirer of Americans, their ways, manners and institutions. While at Del Monte he met an Englishman whose nephew, formerly a major in the British army, has been an official in Persia for several years and has written one of the best and most accurate English books on that country, with the people and language of which he is thoroughly conversant. Mirza Ali Kuli is familiar with the name of Major Sykes, and promises himself the pleasure of reading his books and those of Major Sykes' sister (who has also written on Persia) at an early opportunity.

MARKING THE SANTA FE TRAIL.

A source of much inspiration in American literature is the Santa Fe trail, and it is, therefore, of more than passing interest to note that there has just been completed a system of markers to perpetuate the knowledge of its true course in the old adventurous days. The following account, from the *Chicago Record-Herald*, of the erection of the last monument marking the trail is of deep interest to the lover of American letters.

The last of the 100 monuments and markers along the old Santa Fe trail from Kansas City, Mo., to Trinidad, Colo., was recently unveiled at Trinidad. The descendants of Kit Carson, a name that will always be associated with this once great highway of the plains, assisted in unveiling the latter monument. Granite markers are now placed at intervals of not less than five miles along the historic trail, through the states of Kansas and Colorado, and all that remains to finish the work is similar action on the part of the state of Missouri and the territory of New Mexico. Within a few years the marking of the trail will have been completed from its beginning at Independence, Mo., to its end at the historic plaza at Santa Fe.

The Kansas branch of the Daughters of the American Revolution began the movement to mark the old trail several years ago. The legislature appropriated \$1,000 for the purpose, but as this was not sufficient to buy the monuments at the quarry in Oklahoma it was suggested that a penny collection be taken up in all the schools of Kansas on January 29, 1906—the state's anniversary. This collection amounted to about \$500.

The enterprise was received in every county with interest and enthusiasm, and generally the boards of county commissioners and citizens along the 500 miles of the old trail through Kansas assumed the expense of setting the monuments, thus making the money at hand furnish eighty-nine markers between the Missouri border and the Colorado line. In addition to these there are at different points on the trail six special markers paid for by individual chapters of Daughters or other local interests, making a total of ninety-five markers from the east to the west line of the state.

The unveiling of the markers at Trinidad and El Moro, N. M., was an occasion of more than ordinary interest. Both unveilings were made in one day, El Moro being five miles from Trinidad. The unveiling of the Trinidad monument, which stands near the Santa Fe railroad station, where all travelers to the Pacific Coast may view it, was a notable affair owing to the fact that it took place at the edge of Kit Carson park, a tract of land given to the city by Mayor Taylor, who was one of Kit Carson's nearest intimate friends in his days. The descendants of Carson who attended the unveiling were Kit Carson, Jr., Charles Carson and a daughter of Thomas Woods (granddaughter of the scout), all living near La Junta, Colo., and Mrs. Terquina

Allen of Raton, N. M., a daughter of the trail maker.

Carson's home was at Taos, N. M., and he supervised the work of nearly 100 trappers, all of whom were expert shots and intrepid Indian fighters. The trapping season lasted from early fall till late spring. After their furs were disposed of Carson and his men would organize into detachments and "hire out" as guards on the Santa Fe trail, which was then the only highway of commerce and travel to the Southwest.

A "CENSUS OF CAXTON."

Seymour De Ricci has at last published his eagerly awaited "Census of Caxton," which will now supersede Blade's long book, which has been the guide of the collector for fifty years. There is a careful index of all the past and present owners of Caxtons, as complete as it could possibly be made. The British Museum now contains 122 examples, from seventy-six different works, which leaves only thirty-five known books unrepresented. J. F. Morgan has the largest private collection, which includes those he bought recently from Lord Amherst. He now has sixty-four.

HUGO—VOLTAIRE—ROUSSEAU.

It seems more than probable that the body of Victor Hugo will be raised from the crypt of the Pantheon at Paris and placed under the dome, together with the dust of Voltaire and Rousseau, now also in the crypt. This will allow the Rodin statue of Hugo, now nearly completed, to be placed over the sarcophagus, as well as that of Voltaire, which Segoffin did, and the one of Rousseau that Bartholme is at work upon, to be grouped near. This will make the Pantheon still more impressive, and drive still deeper home the inscription over its door, "Aux grands hommes la Patrie Reconnaissante."

OZYMANDIAS.

By Percy Bysshe Shelley.

I met a traveler from an antique land
Who said: Two vast and trunkless legs of stone
Stand in the desert. Near them, on the sand,
Half sunk, a shattered visage lies, whose
frown
And wrinkled lip, and sneer of cold command,
Tell that its sculptor well those passions read
Which yet survive, stamped on these lifeless
things,

The hand that mocked them, and the heart that
fed.

And on the pedestal these words appear:
"My name is Ozymandias, king of kings:
Look on my works, ye Mighty, and despair!"
Nothing beside remains. Round the decay
Of that colossal wreck, boundless and bare,
The lone and level sands stretch far away.

Supreme Strife.

The day after a traveling company of theatrical stars had played "Hedda Gabler" in Sacramento, two leading physicians met on the street in the capital city, and after each had ascertained that the other had been present at the performance, the elder of the two asked the other what he thought of it. "Oh, fine! beautiful!" was the reply. "It was almost as good as an autopsy!"

Old College Days.

"Do you remember the night when we put a cow in the Greek professor's room?" "Yes. And when we lamplighted the bust of Aeneas?" "Sure. And the cold winter evening we turned the bell upside down and filled it with water?" "Ah, those were great days! How's your boy going along? Do you think the students of to-day are as studious and progressive as we used to be?" Then the gray-haired gentlemen began to discuss the moral influence of modern college life.—Philadelphia Ledger.

CITIES AND THINGS

I.

By WILLIAM KENT.

[The following is the first half of an address delivered before the City Club of Los Angeles on May 22nd by Mr. William Kent, of San Francisco, whose twenty five years of active participation in the political regeneration and civic uplift of Chicago lends extra significance to his thoughtful analysis of the problems of the cities, "the hope of democracy." The remainder of the address will appear next week.—The Editor.]

In spite of the cracker box philosophy of the Country Cross Roads, in spite of the squeaking pipes of bucolic poets from Virgil down, in spite of the tragedy that often dogs the steps of the city-fearing rustic, the cities grow at the expense of the country and the country is ever striving for urban privileges.

However vigorously we may condemn the cities as destructive of individual and national life, the cities keep on growing. We may praise the gentle arts of husking corn and milking cows with frosted fingers, but men prefer to collect carriages and women to sell as well as to buy dry goods.

For the time being, the trend toward the cities is an irresistible tide, therefore instead of cursing the cities we had better study them, and instead of neglecting them, we had better aid in developing them, as the highest and most necessary social service that we can perform in our day and generation.

Our American cities have given more reason for the contempt in which they have been held than have the older cities of older nations. They have been worse than cities have been wont to be when held to comparison with average civic morals. They have furnished more evil and less good to their inhabitants because they have been more neglected and less understood than the cities of Europe.

City the Real National Entity.

But if we look back through history we find that the city was usually the real national entity; that it was the most coherent and most powerful community in human society; that its dignity was recognized; and that it was the inspiration of a large part of the patriotism of the world.

Physically and economically speaking, the city is the closest knit political entity. Its problems of health and public service are vital and no less vital are its social problems. Economically speaking, no one can deny that the mere aggregation of human beings creates a vast labor saving device. For where ten men or a thousand men or ten thousand men are needed for a given task, the waste of time in collecting them from a sparsely settled neighborhood is a real economic waste. The department store, as a distributing medium, has proven the economy of dealing with vast numbers of people. Great banking systems, newspapers and many other necessary adjuncts of present day civilization, are only made possible by such concentration. Factories demand a centralized working force as an element of cheap production, and were it not for waste and for an unjust and inadequate system of distribution of product, the city would be more obviously than it now is, a source of great economic beneficence not only to its own dwellers, but to the world at large.

Centre of Social Opportunity.

Considering the human side, we realize that man is a social animal, and can only reach his best development in close contact with his fellows. The more man can know of other men under rational and decent conditions, the more respect he will have for humanity and the more kindly will be his outlook upon the world, and accordingly, the more pleasant will be his life. In this sense the city is the highest social opportunity. There are many reasons why people migrate to the cities, that are better reasons than the "moth and candle" analogy of the bucolic bards. Before taking up the present day problems of American cities, it would be well for us to go into the realms of theory and to consider what a city is and what are its functions.

As a political entity, first of all, it is neces-

sary that the city should furnish to its citizens law and order so that they may go and come about their respective businesses free from danger or molestation by others. This carries with it the necessity of grasping the idea of co-operation and of realizing the old principle of the old common law "that a man may not use his property to the injury of another," a dictum more sweeping and radical than almost any propounded by the most orthodox apostles of socialism, a principle permitting unlimited restraint exercised in the public interest.

Next after this demand for law and for order comes that for healthful conditions of life. Next to provide for the education and enlightenment of its people.

Supplying Education and Enlightenment.

Under this head of education and enlightenment comes, as a necessary part, the furnishing of parks and playgrounds for both old and young—for recreation and education are next of kin—and the development as a social need, of an opportunity to appreciate the arts. It is now being recognized that the people of a community are, furthermore, of right entitled to correct information concerning their affairs. This function of furnishing information has heretofore been left to the newspapers, oftentimes to the betrayal of public interests, and the destruction of the truth. If private initiative cannot correct this abuse, there is no doubt but that newspaper publication will before long be considered a municipal function, and published truth one of the highest necessities. It is doubtful if the boodling board of San Francisco supervisors under the management of Messrs. Ruef and Schmitz, as editors-in-chief, could have provided a more untruthful and malevolent organ of public opinion than has been furnished by some of the privately owned daily and weekly publications of San Francisco. It may also be said that under municipal operation of the printing press the publications reflecting the morals of the city government would change their attitude with the reformation of that city government, whereas the manners and morals of most of the San Francisco press aforesaid, have continually grown worse, although the city government has become respectable.

The economic needs that a city should supply as affecting the public health, are, first, water and second, drainage. Running along with these, of equal importance, is the necessity for adequate ground space for decent housing, which housing demands abundance of light and air. Further needs which should be supplied by the city are transportation and artificial light.

Responsibility for Public Utilities.

Comparatively few people in our country have started their reasoning at the right point and therefore few realize that the city is responsible to its people for an adequate and cheap supply of these necessities. Many are rather disposed to believe that the city has no legitimate functions at all, and that those things which it has furnished to its people, it shall continue to furnish to them to the end of the chapter, and to the exclusion of all else. But it is no more a legitimate function of an American city to furnish police jobs, slums, contagious diseases, boodling officials, bribing promoters, malicious newspapers, unearned fortunes, dirt, lawlessness and a "four hundred," than it is the function of a setter dog to support an abundant crop of woodticks.

Penalty of Haphazard Growth.

The growth of American cities has been haphazard and accidental. The development of these cities has been lopsided and anti-social. One of the greatest actresses of our time was wont to allude to her son as "her little accident." If this were a joke it was one of the most cheaply cynical jokes recorded in history. If all growing human beings were considered and treated as acci-

dents the race would have a worse future ahead of it than is now promised. It is exactly this "accident" theory of cities that is to blame for most of the cities' troubles.

We find that the first requisite, that of obtaining law and order in our cities, has usually been given over to a political police system, aided and abetted in many cases by police courts of the lowest type. We that are more privileged ask of the average man that he should respect the law, and the average man, coming in contact with this police system and little else in the way of law, obtains an idea that law is not justice and finds it hard to yield respect to what is not respectable. In certain sections of our country this contempt for law seems justified as regards more ambitious courts, but the city has suffered worst of all.

(Concluded on Page 504.)

Announcement

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Mabel's to Be the Goddess.

Mabel's to be the Goddess soon, an' pa an' ma an' me
Is filled with patriotic pride that's beautiful to see.
An' pa remarked this afternoon: "At no expense I'll kick.
I mean that Mabel's style shall make the 'riginal Goddess sick;"
An' so our souls is filled with zeal, our house is filled with sticks.
Of dumsy things that goddesses must wear upon their backs,
And also on the rest of them Says pa: "Why, dern expense!
We'll make the 'riginal Goddess look erbout like thirty cents."

Mabel's to be the Goddess soon The Pison Valley Post
Has rounded up a herd of votes, an' pa he bought the most,
The object bein', as the Post was good enough to say.

To prove which was "the sweetest girl in all our fair bokay,"
A year's subscription to this sheet, all Pison Valley's boast,
Is credited a million votes. Be patriots," said the Post.

So pa got out an' hustled some, an' so did Jabez Earll,
Who calls on Mabel every night, an' she's the "sweetest girl."

Mabel's to be the Goddess soon I reckon she will show
The folks that Girl of '76, though neat, is now de trop,
For Jabez Earll he hustled round, an' pa was hard to beat.
An' both their waches is in pawn to prove that Mabel's sweet.
A billion an' ten million votes they gathered in their pound,
An' stricken would-be goddesses was gaspin' all around;
An' pa an' ma an' me is proud, with patriotic zeal awhirl,
For Mabel will be Goddess 'cause she is the "sweetest girl."

The Opinions of Rufus.

Oh, how I have yearned an' yearned to be "held up," so that I, too, could make a million dollars an' be a honored citizen.
I object to definin' a hobo as a man that won't work. We orto be more careful of the feelin's of the sons of deceased pa that saved money.

If some people that claims heaven is their home is right, I don't feel as many objections to livin' in the other place as I did.

God made Justice as a guide fer men; then man made Law as a snare fer her feet. Under these circumstances I ain't goin' to lose confidence in the poor old girl even if she does git considerably tangled up sometimes.

If women would consider how few engagements has been announced this spring an' summer I reckon they'd think twice fore they put on their new hats agaln.

It pleases me to announce that the doctors' operation on Jabe Spooner was highly successful an' gratifyin'. Yes, poor Jabe's dead.

I know lots o' fellows that argue like this: Takin' it fer granted for the moment that my first proposition is right, it generally follows that my second proposition is sound, my third proposition is logically based on the second, which clearly justifies the fourth, an' the fourth mathematically demonstrates the first. After that, it's proved.

Theys' another class, that allers proves they're right by offerin' to bet on it, an' if you don't take their bet you're no logician an' you're dead wrong.

Squeeze the Almighty Dollar out o' some men's souls, an' I'd be willin' to speculate suthin' you couldn't find what's left with a microscope.

An Actor in Many Roles.

I have had my share in advancing the work of the Almighty of earth, and I have been in places where the Father of Evil himself might hesitate to follow me.

I have brought the sunshine of gladness to eyes that had wept, and I have added somewhat to the scorching flame of man-made hell.

The parson's wife has been glad to receive me, and yet I have been welcomed in the halls of a shame unutterable.

I have ministered to the wants and pleasure of innocent childhood, and have served as the agent of the lust of earth's doubly-damned.

I have assisted in the uplifting of man, and have aided in fastening the chains of degradation upon him.

I am—what think you that I am?
I am the dollar which you purchase, shall hold in your hand before this week is over, with no thought of whence I have come and what I have done, or where I shall go and what I shall do.

Yet, when you pause to think of it, is there anything useful in man's social economy which is more wonderful than I?

Sixty-two Cents a Week!

A British parliamentary committee found women workers for sweatshops, in London, who received but sixty-two cents a week for long hours of daily labor. This was the smallest wage the committee discovered, but the average payment of such workers hardly exceeded \$1.75 a week.

Sixty-two cents a week, my lords!

Pray, have you given thought
To these, who are least of the nation's wards,
For less than a pittance bought?
Rotting, not living, the while you nod,
Starving by slow degrees;
Children no less of the one just God—
What will you do with these?

Millions for Dreadnaughts to sweep the seas,
Since war is a patriot's crime!

Ay, but, my lords, what think you of these
Who sink in your mire of slime?
The Derby is run, and the Derby is won,
As madly your pleasure you seek,
But what of the women of lives undone,
Sixty-two cents a week?

These are your sisters, most potent lords,
Your sisters of pallid cheek,
Bound to this life by the fragile cords
Of sixty-two cents a week!

Sixty-two cents! 'Twere a lunch for you,
If bound by economy's submers.
These are the ones of the submerged crew—
What will you do to bless?

In the great High Court that is held above,
Where the Judge of us all we meet,
I have heard somewhere that a deed of love
Counts more than a Dreadnaught fleet.
Then, mighty my lords, what answer, I pray,
When the Judge who is just shall speak:
'What did ye for these of the tear-wet way
And sixty-two cents a week?'

You Can—

Put up the motto, "God Bless Our Home," but you will have to do more than that if there is any noticeable effect;

Cry over spilled milk, but you will weep quite a while before you will recall anybody who recovered milk in that way;

Draw aside your skirts when you meet a sinner, but if all people did the same his skirts would brush you;

Wear an elegant hat on your head, but it will not change the quality of the stuff under it.

Notice This, Willie.

Put away the nimble nickels
That you once placed in the slot.
In no hole can fools now drop them,
Just to win a house and lot.

The Thoughtful Man on Heney.

"If we do not look out," said the Thoughtful Man, "if we do not greatly beware, the bright sun of our Western civilization will set in the black night of Heney. Blind is he who does not see the signs of our impending doom, if we don't shy off from the evil machinations of Heney. Oh, my country, my loved and contributing country, 'twas a dark day for you when you butted up against Heney!"

"You noticed, did you not, that the misled and misguided people now are talking of running the malicious Heney for district attorney. The woe of it! The shame of it! They might better run me. To be sure, I am not a lawyer, but I could be relied upon to do less injury than he to my friends if they had to consent to be held up for thousands in order to make millions. And neither is Heney a lawyer. Have you not heard it? Listen to that low moan from the Oregon penitentiary: "Heney is no lawyer," is its everlasting plaint. Hark to that bitter wail from the San Francisco jail, repeating over and over that Heney is no lawyer. There is not one of his persecuted victims, whether in penitentiary, in jail, or out on bail but painfully apprehending what the next trial may do to him, who is not willing to make his affidavit that Heney is no lawyer."

"Shall the testimony of these men be disregarded? Shall we maintain our fallible judgment against theirs, when there is not a stone cell or a warped bail bond which does not mutely give evidence that they know what they are talking about? Forbid it, Almighty Dollar! Shall we not heed the testimony of the seven gifted lawyers who have just devoted their high ability to demonstrating that Heney is no lawyer? Any one of them might have demonstrated it just as well, but it was deemed a patriotic duty to demonstrate it hard, and so the seven of them were retained. Shall we set our lay judgment against that of their trained legal minds? Oh, come off! The thought wears me."

"Sir, the great, misguided people must be led aright." They must discard Heney, and revive his victims who droop in the Oregon bastille. They must reject Heney, and let the sunlight of hope shine once more in the San Francisco jail. They must turn Heney down, and receive the glad and grateful thanks of those who are out on bail but would sooner be out otherwise. Let the battle rage, and let its battery be, "No bas Heney!" Darn him, he interferes with business. It is getting so that it is unpleasant to be either briber or bribed in this city now. Will you mention my views?"

"I will," said I.

Glory Lan'.

Ah, boun' ter lib in Glory Lan',
Ah don' know whah it lies,
Dough some dey say sh' fah frum Ingh,
Out yandah in de skie.
Der medlahs dey am callin' me,
Dey's blossoms fah an' meah.
Ah's boun' ter lib in Glory Lan',
An' reckon lib it's heal.

"You know Dryllor, who wrote that profound essay on White Blackbirds, do you not?"

"Yes."
"He is going to write a sequel to it, and already has selected his subject."

"What is it?"
"Taciturn women."

As We Were Made.
He made me livin' and I am.
Of good and ill combined,
Inclined sometimes to paths that damn.
Sometimes to good inclined.
He made us all 'bout as we are,
Nor asked us what we'd choose,
So if sometin' we've wandered far,
I trust that He'll excuse.

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("Cities and Things"—Concluded.)

When we consider the next item, that the cities should furnish healthful surroundings, we find that sewer systems and drainage have usually been at first neglected in planning, and later let out as political spoils, or left to the selfish initiative of shortsighted and greedy land owners. The task of cleaning the stables is before almost every one of our cities. If we grant that by tax levies and bond issues these troubles may be corrected, what shall we say of the kindred problems of congested housing and inadequate light and air?

Cause of Congested Centres.

There is a vicious circle here which works ceaselessly against the poor. The aggregation of population increases the values of land in private ownership. The poor must have abiding places. They can either pay transportation charges, waste much time in travel and live far from their work, on cheaper land, or they can occupy less and less space in the city's center. The wealth created by their coming together and by their enhanced efficiency is the direct cause of their deprivation of the necessities of healthful life. Thus, the more they crowd the more rents must advance and the less space they can have.

We are so unused to considering the question of crowding in this broad and half-settled country of ours that we seldom sit down calmly to consider the injustice that comes from the speculative valuation of privately owned land. If a subdivision is being laid out for wealthy people, all sorts of restrictions are enforced as to what proportion of the lot shall be occupied by the building, and probably a common park is established. But in the construction of tenements and especially in the development of tenement house property out of residences once occupied by the well-to-do, the demands of rent are insistent. But inasmuch as average people can afford to pay but little rent per capita or per family, they must therefore be herded close to give interest returns on high-quoted values. Thus the haphazard growth of our cities is responsible for the lack of breathing space.

Duty to Provide Air and Space.

Our cities are very proud of establishing great acreages of parks on their outskirts. This is a fine idea and with the growth of the cities will prove to be even more serviceable than at present, for the cities in their growth will surround these parks and instead of being objects of excursions into the country they will be close at hand to many city dwellers. These great parks are being established in the outskirts of cities and not close to the centers, for the very obvious reason that land values are there comparatively low. But our greatest cities have realized that these large parks, necessitating transportation expense to reach them, are not enough. Playgrounds and breathing spots must be established in all congested neighborhoods. Chicago, with its collapse of real estate values, has been peculiarly fortunate in being able to provide many such spaces. And Chicago people look forward to the time when children will not be criticized for playing upon the streets, because, having better places to play, they will not be on the streets.

It is recognized among all students of human nature, that the only cure for social evils lies in the creation of social opportunities. It would, perhaps, be fairer to human nature to say that suppression of wholesome opportunities is the cause of most of the evils of society.

(To be Concluded Next Week.)

A Centre Shot.

Members of the state board of equalization have spent a portion of their time this year riding around in automobiles, looking at country properties. In a little hamlet in San Diego county the party drew up in front of the office of the local justice of the peace, while that official, a venerable countryman of the chin-whisker type, stood upon the steps. Just at that moment one of the tires of the automobile exploded with a loud report. "Wall, I hope you fellows hit what you shot at," said the chin-whisker jurist. A moment later he added: "By gosh, that's the first time I ever heard one of them things blow up."



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POLITICAL TABLE TALK

By THE WATCHMAN.

Jack Stafford for Secretary of State. It is on the cards that if Charles F. Curry definitely enters the race for governor of California (it is unthinkable that he should be elected) Jack Stafford, professional sergeant-at-arms of the assembly, is to be entered in the race for secretary of state. In fact he is already doing that job. He would rather have it than be the sergeant-at-arms again. It affords more of the same kind of stuff that Jack likes so well and fats up on so quickly. But what is to become of Lou Martin, who, for many years, has turned over his run on the Southern Pacific for a shorter run, for the same company, up and down the aisles of the state Senate? In fixing up a straight whistle-blowing ticket for state offices it is inconceivable that Mr. Herrin's men should leave Lou Martin off and keep Curry and Jack Stafford on their slate.

A Short Bit of History. The days when Henry T. Gage was governor of California and James D. Phelan was mayor of San Francisco, were strenuous. There was something doing most of the time and all of the time while the teamsters were on strike. What with sympathetic abandonment of jobs, and the earth just then happening to be passing through an atmospheric zone of flying bricksbats, the commerce of San Francisco was brought to a standstill and a Moses was in demand to lead the people out of the wilderness. Mayor Phelan gave head and heart to the matter in hand and preserved order the best he could. Consultation, conciliation, compromise, concession, were all tried, but the employers stood firm and they had the men on strike so generally on the run that about the only thing they were looking for was an opportunity to lie down under conditions that would preserve their dignity while yielding to the employers substantial fruits of victory. Mr. Phelan arranged the affair for them, and after the details had all been perfected, Henry T. Gage was called in. He looked over the situation, perceived the feasibility of the Phelan plan of settlement of the strike, adopted it, recommended it to the strikers with his benediction, and when it was accepted by them, generously claimed all the credit for the settlement of the strike, which credit, The Examiner, hating Phelan heartily for lack of subservience to that sheet, heaped upon Gage with a liberality that knew no bounds. Gage made his campaign for renomination for governor on the strength of being "labor's friend" while, to this day, James D. Phelan, who really effected that compromise, is commonly accounted labor's enemy. It is not in the flesh that men get their due. Some other fellow gets it.

Mr. Phelan. Mr. James D. Phelan made one of the best mayors San Francisco ever had, and repeated the performance a second and a third time, a thing unprecedented except that Mr. Eugene Schmitz made one of the worst mayors San Francisco ever had and repeated that performance. To be sure, Mr. Phelan had his limitations. For instance, he did not permit the Examiner crowd to run the city, and he did not turn the spoils of office over to the "boys." He had ideas of his own which he insisted upon with a displeasing self-confidence. He enforced the laws to the displeasure of labor leaders who did not desire to have the particular laws enforced just at that particular time. He made himself unpopular with bad people of all classes and was too much of a reformer to suit negative righteousness. The unco guid began to fear that he, like Caesar, cherished ambitions and they made haste to sit down on him.

Mediocre Availability. The practical politician always distrusts the strength of a strong man. To his way of thinking mediocre availability offers the kind of strength that counts. He measures the powers

of a prospective candidate by the number and character of his enemies rather than by the number and character of his friends, and he places the value of winning a fight above that of having won something worth winning when a fight has been made. The following of such a policy as meets the approbation of the practical politician has put a good many relatively weak men into the presidential office to the vast injury of the nation. It has given California a number of governors who went through the gubernatorial motions and did little else. If the practical politicians can have their way about it the same policy will give San Francisco one or more candidates for mayor for or against whom nothing can be said. This may be good politics, but it can not be good business for San Francisco.

Mayor White's Bombshell. Sacramento city politicians have been thrown into sudden agitation and confusion through the announcement made by Mayor White that under no circumstances will he consent to be a candidate for re-election. This is more of a disappointment than of a surprise, because it was well known that the city's highly esteemed mayor was in the aversion, if not with dread, upon the prospect of undergoing another two years' ordeal in the office; but so many citizens had urged him to run again that it was hoped he would yield to their wishes. But it seems the mayor, who on the former occasion was nominated in his absence and did not desire the office even then, believes he has fulfilled his duty in occupying it during two years, especially since that occupancy involved almost entire neglect of his private professional business.

Glee of Sacramento Machine Republicans. With no one clearly indicated by public opinion as a candidate, the situation in the capital city is that in which the Republican politicians feel that the game is theirs to play as they will. They will naturally proceed to pick out a candidate and nominate him at the primaries if they can, which they are likely to succeed in doing not because they are popular with the mass of Republican voters—for the reverse is the case—but because there is not apt to be any effective concentration of forces against them. With the backing of the State Printing Office, and with some assistance from the Southern Pacific company, the machine is still quite a power in Sacramento. There is talk of the Union Republican Club turning itself into an advisory nominating convention to put up a ticket.

Effects of the Primary Decision. The decision of the Supreme Court sustaining the primary law entire has cleared the political situation in San Francisco considerably, though it still leaves a fair with splintered tickets to do it. The first effect was to knock the Union Labor ticket to flinders. The effort of "P. H." to placate every party by having Republicans, Democrats, and what-not on his ticket has resulted disastrously, and his slate will have to be rewritten. Incidentally, it puts Frank Sullivan out of municipal politics this year, as he cannot beat McCarthy at the primaries.

Henry to Run. In the Republican ranks, the independently decided had the effect of precipitating the nomination of a ticket by the Municipal League of Independent Republican Clubs, without Francis J. Henry on it for district attorney, the reason being that, under the law, such a nomination would limit him to the support of the Republican ticket and would expose him to defeat at the primaries by the organization push, who could possibly end his chances there. Under the law a defeat at the primaries precludes the candidate from running independ-

ently. At Henry's own request, therefore, he will not be nominated by any party, but will make an independent campaign throughout. He was, however, heartily endorsed by the League.

Byron Mauzy Leads. Byron Mauzy is the League's candidate for mayor. Mr. Center, in view of the unexpected opposition to his candidacy, based upon his supervisorial record (which, The California Weekly believes, is an unpopular rather than a damaging record) withdrew his permission to use his name—a permission granted in the first place only upon the urgent plea of necessity made by the League. Mr. Mauzy, who now heads the ticket, has long been noted for his enthusiastic interest in political reform. He is an able man of independent fortune, and with high ideals. He is popular in his party, and should win both at the primaries and in the fall election. The rest of the ticket, when this is written, is only partly complete, but the nominations are of a high order.

The Call and the Good Government League. The Call has rather confused the friends of good government by its course in the last week. In its zeal to protect the primary law in the form for which the Call takes credit to itself for its passage, the paper has resented every attempt of even the best-meaning other friends of good government to bring before the public worthy candidates for office. It has repeatedly slammed the Municipal League, though the League is about as representative of reform forces as any body of citizens could be, because the League has ventured to prepare a ticket at all. It has seized upon the straw ballot of the Good Government League, in which the warm friends of that League believe the League made a mistake of judgment that is more than condoned by its honesty of intention, as a pretext for a hearty roasting, the real reason being, apparently, that the Call does not want the Good Government League to "interfere" with the free operation of the primary law by trying to sound public sentiment toward possible candidates. What further obscures the situation is the fact that the Call has not made clear how it expects the direct primary to be of any effective use in furthering good government if the friends of good government sit with their hands folded while the machine politicians actively continue to prepare programmes for the public to swallow at the primary. To The California Weekly, the Call's course seems fatuous, and to have resulted in confusing the cause of good government instead of solidifying it. This, too, without question of the Call's sincerity but only of its judgment.

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A GOOD GOVERNMENT FUND

A PERMANENT MONEY SUPPLY FOR REFORM.

The forces which stand for good government in Los Angeles, and have stood for it ever since good government was urged to be hoped for, recognize that the conflict is irremediable. It will not end so long as the cohesive power of graft can unite two persons in a combined effort to procure a soft job or an inside position with reference to a public contract. Therefore these forces which made for civic righteousness recognize that they have got to settle down to something like the Siege of Troy and stay with the job until they can pass it on to a new generation reared to go into the trenches and keep up the contest. To do less would be to surrender to tendencies that would make urban property owning unprofitable and urban life unbearable.

Eliminating Sporadic Appeals.

"The most serious matter in connection with reform movements, and movements for good government, is the financing of them," explains one who has been in the forefront of the fight for better things at Los Angeles. "There are many good citizens of ability who are willing to devote a good deal of their time to good government work, and to contribute liberally to campaign funds besides, who balk when it comes to going hat in hand begging for funds which are doled out grudgingly by men who do practically none of the work, yet who are, by reason of their large interests, the principal beneficiaries of it. So it happens that citizens who are able and do give generously to financing good government movements are called upon on every occasion."

As it is in Los Angeles so it is in San Francisco and every other considerable city. But Los Angeles, alone of all the cities of California so far heard from, has set about

remedying the difficulty. It has founded a good government fund, and placed it in the custody of a board of nine trustees, all tried and true citizens, men not disposed to fritter the fund away in useless endeavor, but who can be counted on to use the means for furthering movements best worth the effort and expense.

How the Fund is Collected.

In order to create this fund subscription blanks are passed around to prospective contributors who are asked to pledge a definite sum per year for a term of years, unless modified or changed by agreement thereafter, this pledge to be in lieu, if the subscriber so desires to have it, of all other giving for good government purposes. By this means Los Angeles now has a pledged good government fund in the neighborhood of \$20,000, perhaps, which will be automatically renewed annually and made instantly available for good government work.

How the Money is Used.

The expenditures are made out of this fund for the enterprises that are best worth while. The first money contributed was toward maintaining the People's Lobby at Sacramento during the session of the last legislature. Another appropriation went to financing the recall of Mayor Harper. Other appropriations were made for circulating petitions for submitting charter amendments to the people. Some have been used in secret service work in gathering evidence in aid of the public prosecutor where some law or ordinance is being openly, flagrantly and continuously violated. Some will doubtless be used in making effective the direct primary when Los Angeles confronts her next city election.

Municipal research is another form of activity that may call for a considerable expenditure and will save, to the city, over and over what it will cost this fund. The calls upon the fund are, of course, many, and not all good enterprises can be financed from it, but only those best worth while, those promising greatest good and that are most pressing, and yet provision may readily be made for indispensable enterprises, a thing often impossible before the creation of this fund.

It is worthy of note that the trustees of this fund seldom have anything to do with the actual expenditure of appropriations made from it. They satisfy themselves that the work being undertaken is in competent hands, make the appropriation and confine their own activities to keeping the fund replenished.

To be sure this system of financing good government efforts is new even to Los Angeles, having been inaugurated in February of this year, but it has given great satisfaction so far and other cities and friends to good government are interesting themselves in the experiment.

Possibly a National Example.

The California Weekly learns, through the Secretary of the Board of Trustees of the Los Angeles Good Government Fund, Mr. M. Lissner, that the Secretary of the National Municipal League has become much interested in it and it is not impossible that it may become a national movement so far as its scope is concerned. At all events the cities and towns of California would do well to take up the subject at an early date. Mr. Lissner would be glad to furnish all needful information upon application to him. With all the larger cities so financed it would be only one step more for the cities to unite helpfully on behalf of state movements for the common benefit of all the cities. The possibilities of such a movement as Los Angeles has started might easily become far reaching.

The Red Cross stamps that everybody bought last Christmas realized \$138,244.51 for the fund to be used in fighting tuberculosis. Nearly 15 million stamps were sold.

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Did you ever notice that when you get a box of Lehnhardt's candy there are never any pieces left?

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ENGLAND'S BETTER CRIMINAL PROCEDURE

I. CONTRASTED WITH AMERICAN PRACTICE.

Written for The California Weekly by An English Attorney.

[This article is the first of a series to be published in The California Weekly, contrasting the procedure in the criminal courts of England with the California procedure and showing why the English system results in a more rapid and economical justice without expensiveness delays. America adopted the English method of administering justice shortly before England decided that method for a better one. America has completed a cumbersome system while England has simplified a better system. The reform of criminal procedure in California is the most urgent problem of the day, and this article, together with those to follow, will be illuminating to all readers. They have been prepared for The California Weekly by an eminent member of the English bar who now resides in San Francisco, and may be relied upon as an authoritative statement of the facts. The Editor.]

Some time ago the Hon. Melville Bigelow, addressing the New York State Bar Association, used the following language: "All right-minded lawyers would be glad to find some feasible way of shortening the long course of criminal trials. They seem to do these things better in England than we do." And Mr. Justice Brewer of the United States supreme court, speaking before the American Bar Association, said, "You may trust a jury to do justice to the accused with more safety than you can an appeals court to secure protection to the public by the speedy punishment of the criminal."

President Taft, our prominent judge and lawyers, in common with all other intelligent citizens, are anxious to discover some method of procedure by which the present scandalous delays, expense and uncertainty in the administration of our criminal laws can be remedied. President Taft, when secretary of war, addressed the graduating class of the Yale law school, in 1905, saying: "If a provision of the law could be enacted by which no judgment of the court below could be reversed except for an error which the court, after reading the entire evidence, can affirmatively say would have led to a different verdict, ninety-nine reversals out of one hundred under the present system would be abolished."

There is no doubt that trials are more speedily conducted in Great Britain and that there the criminal law is a greater terror to evildoers than it is here. It has been the boast of Great Britain that the jurists of all civilized nations regard with admiration the certainty, the expedition, and above all the justice of her criminal procedure.

It may be useful to outline the procedure in England, to see wherein it differs from our own and to trace if possible the results of such differences.

No "Unconstitutional" Laws.

The British parliament, which is equivalent to our Congress and to our state legislature, is "omnipotent"; no written constitution limits its power and it is therefore free to amend, repeal any act and change the succession to the throne, change any part of the law, or exercise the powers of a criminal court. No British judge or court can declare any statute to be unconstitutional and void. All that a court or judge could do is to interpret and apply the statute, and although he may err in his interpretation, other judges follow in his footsteps until parliament speaks again. To quote a forcible example, in the case of the asexualization law enacted by our legislature at its last session, and sentenced to imprisonment for life may be mutilated, no question of its constitutionality could be raised before an English court—the judges would simply have to determine the meaning of the statute and to apply it.

In the United States even the humblest court has the right and it is its duty, to declare void any act which contravenes the provisions of the constitution of the United States or of the state. This causes much uncertainty and delay which in England is avoided.

Nearly all of the crimes in the Penal Code of our state agree with the definitions of the same crimes in England and the penalties affixed to such crimes are more or less the same, the tendency in California being, however, to lighten penalties.

English Courts Enumerated.

In England the "House of Lords" is the court of last resort, and when sitting as such the lord chancellor and at least three lords of appeal must be present. It has no original jurisdiction. The highest court in England after the lords is the "Supreme Court of Judicature." It is divided into two permanent divisions: (1) the "High Court of Justice," exercising original jurisdiction; (2) the "Court of Appeals," which exercises appellate jurisdiction. The high court of justice is divided into five divisions and has twenty-six judges. The divisions are king's bench, common pleas, chancery, exchequer and probate. In 1907 the "Court of Criminal Appeals" composed of the lord chief justice and eight judges of the king's bench division of the high court, was added. There are many minor courts which correspond very closely with our police and other courts. "Assizes" are held two or three times a year in the different counties by judges appointed by special commission. "Quarter Sessions" and weekly "Petty Sessions" are also held. The latter are composed of justices of the peace. There is in England an officer known as the "Director of Public Prosecutions" who has several assistants and whose duty it is to institute and carry on criminal proceedings, to advise chiefs of police, clerks of magistrates and other persons concerned in criminal proceedings. There is also a "Clerk of the Peace," whose duty it is at quarter sessions to read indictments, record the proceedings and draw processes. Another, known as the "Clerk of Assize," records all judicial acts done by judges of circuits. These are somewhat similar to our clerks of court.

Having enumerated the courts, we come next to the mode of criminal procedure for the punishment of offenses against the public in England.

Criminal Procedure. The Arrest.

In criminal cases every person is liable to arrest without distinction, but the justice may in the first place issue a summons to the person accused and, if the summons be disobeyed, then issue a warrant of arrest. It lies, however, entirely in the discretion of the magistrate whether he issue the warrant at once or not. This provision obviates in many cases the inconvenience and humiliation of a public arrest. The summons directs the accused person to appear before the magistrate at a certain time and answer the charge made against him, and is served by a constable or police officer, either personally, or by leaving it at the accused's residence. A warrant, however, in California, is a command to apprehend the accused and bring him before the justice issuing the warrant or some other magistrate, and may be directed to a constable, or to any other person by name. If the person is not found in the jurisdiction, the warrant is endorsed to be executed in any other county. However, a warrant from any justice of the king's bench extends all over the kingdom and is dated "England."

Certain officers, as a justice of the peace, sheriff, coroner, or constable, may arrest without a warrant and even a private person present when a felony is committed is bound under pain of fine and imprisonment to arrest a felon. An arrest by warrant may be made on any day, at any time of the day or night, for treason, felony or a breach of the peace.

Preliminary Examination.

When an offender is arrested, the justice before whom he is brought is bound immediately to inquire into the circumstances of the alleged crime and to take the examination of the prisoner and the evidence of those who accuse him in writing; if the charge appear groundless the prisoner is discharged; if otherwise he is charged, or given bail for his appearance to answer the accusation at the next sessions or assizes; and the prosecuting witness or the person injured by the crime charged is also bound over to

prosecute. A remand by a magistrate into the custody of an officer, or to a jail, must not exceed eight days and bail may sometimes consist of the accused's own recognizance without surety. If a witness refuses to testify before the magistrate he may be committed to jail. The accused may make any statement he likes, having first been cautioned that it may be used against him on his trial and any statement so made without promise or threat, is evidence.

Bail.

To refuse or to delay to bail any person is an offense against the common law and the statute. Formerly all felonies were bailable by a justice of the peace but now treason, murder, arson, or manslaughter if the prisoner is clearly guilty and not barely suspected to be so, are not bailable and even in cases of other felonies committed by persons of bad character or by notorious thieves, the justices may bail or not at their discretion.

The court of king's bench or any judge thereof in time of vacation, may admit to bail for any crime, but no one can claim this benefit as a matter of right. The house of lords may even bail a peer committed on an indictment for murder. If a party cannot obtain bail, he is committed to the county jail or house of correction by a warrant called a mittimus stating the cause of his committal. No person can be bailed for a felony by less than two sureties and the amount of the bail must depend upon the nature of the offense and the station in life of the accused.

Constitution of Grand Jury.

The next step toward the punishment of the accused is the presenting of an indictment or written accusation against him to the Grand Jury. The Grand Jury is an assembly of men consisting of not fewer than twelve nor more than twenty-three of the principal persons of the county who are summoned by the sheriff and are bound by an oath to the faithful discharge of their duty and to inquire into the alleged facts of the accusation.

For the purpose of selecting jurors, Churchwardens and Overseers of the Poor are required to make out an alphabetical list, before the first day of September in each year, of all men residing in their respective parishes and townships qualified to serve on juries, setting forth the christian and surnames, the place of abode, profession or business, and the nature and qualification of each individual; each juror must be over twenty-one years of age, under sixty, residing in England and a British subject or an alien of ten years' domicile, a householder, or the occupier of a store, warehouse, counting house, or other public place of the purpose of trade or commerce, and have lands, tenements, or personal estate of the value of One Hundred Pounds (Five Hundred Dollars). Any man having in his own name an income of ten Pounds (Fifty Dollars) annually arising from lands or tenements or twenty Pounds annual income from lands held by lease for twenty-one years or upwards, also is qualified.

The lists having been made out, copies thereof are affixed on the door of every church, chapel and other public place of religious worship with a notice subjoined that the lists will be revised at the Petty Sessions to be held within the last seven days in September of each year for the purpose of striking out those jurors who are not qualified, or who are infirm or convicts or outlaws or otherwise incompetent.

These lists are then, after revision, delivered to the High Constable and by him to the Court where they are copied into the "Jurors' Book" by the Clerk of the Peace and this book is then delivered to the sheriff to be used for one year commencing on the first day of January, and from it the sheriffs, coroners and others are to summon the jurors.

(Continued on Page 510.)

THE GRAFT CASES.

Stanley Moore, acting as the attorney and mouthpiece of Patrick Calhoun, last Monday issued, in Judge Lawlor's court, the twofold announcement which follows:

DIVIDEND NOTICES OF THE ASSOCIATED Savings Banks of San Francisco

THE GERMAN SAVINGS AND LOAN SOCIETY. 526 California St., Mission Branch, 2572 Mission St., near 22nd, Richmond Branch, 432 Clement St., bet. Fifth and Sixth Aves. For the half year ending June 30, 1909, a dividend has been declared at the rate of four (4) per cent. per annum on all deposits, free of taxes, payable on and after Thursday, July 1, 1909. Dividends not called for are added to and bear the same rate of interest as the principal from July 1, 1909.

GEORGE TOURNEY, Secretary.

THE SAVINGS AND LOAN SOCIETY. 101 Montgomery St., corner Sutter St. For the half year ending June 30, 1909, a dividend has been declared at the rate of four (4) per cent. per annum on all deposits, free of taxes, payable on and after Thursday, July 1, 1909. Dividends not drawn become part of deposit accounts, and earn dividends at the same rate, from July 1st. Money deposited on or before July 10th will earn interest from July 1st.

WM. A. BOSTON, Cashier.

SAN FRANCISCO SAVINGS UNION. N. W. cor. California and Montgomery Sts. For the half year ending June 30, 1909, dividends have been declared at the rates per annum of four and one-eighth (4 1/8) per cent. on term deposits, and four (4) per cent. on ordinary deposits, free of taxes, payable on and after Thursday, July 1, 1909. A dividend not drawn will be added to the deposit account, becomes a part thereof and earns dividend from July 1st. Money deposited on or before the 10th day of July will receive dividend from July 1st.

R. M. WELCH, Cashier.

MUTUAL SAVINGS BANK OF SAN FRANCISCO. 706 Market St., opposite Third—For the half year ending June 30, 1909, a dividend has been declared at the rate of four (4) per cent. per annum on all deposits, free of taxes, payable on and after Thursday, July 1, 1909. Dividends not called for are added to and bear the same rate of interest as the principal from July 1, 1909. Money deposited on or before July 10th will draw interest from July 1, 1909.

JAMES D. PHELAN, President.

GEORGE A. STORY, Cashier.

Bank of Germany

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Capital paid up.....\$105,983.76
Reserve and surplus.....\$2,896.88
Undivided profits.....\$9,287.27
Deposits.....338,566.69

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JOHN S. WICK.....Vice-President
GEO. E. BODOLIA.....Attorney
R. E. CRIST.....Cashier

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RESOURCES, \$18,000,000.00

Broadway and Twelfth St., Oakland.

Announcement 1—"We do not propose to allow the prosecution to pledge this community to the harassment of another trial, which would be a travesty, inasmuch as it is known in advance that there is no case and can be no case against this defendant."

Announcement 2—"If the prosecution is ready to go forward with another trial, this defendant will be willing to go forward as well."

In pursuance of this mixed purpose not to "allow the prosecution to pledge this community to the harassment of another trial," and also to "go forward with another trial," the defense introduced a motion asking permission for the defendant to withdraw his plea of not guilty, under the indictment charging him with bribing former-Supervisor Furey, and to substitute in its place a motion to have all the indictments against Calhoun set aside. As a basis for this motion the allegation was made that Francis J. Heney was in the employ of the United States government, and receiving its pay, both when he appeared, as assistant district attorney, before the grand jury and ever since.

At the session of his court held last Wednesday Judge Lawlor denied the foregoing motion, and the defense at once filed another motion asking for an order transferring the remaining cases against Calhoun to some other department of the superior court. This motion was based on the allegation that Judge Lawlor entertains bias and prejudice against Calhoun. It was supported by the affidavits of Calhoun, himself, and his attorneys, Rogers, King, Barrett and Byington, and by the further affidavits of Alexander M. Bergevin, Charles W. Nelson and H. W. McLean. According to Bergevin's affidavit, Judge Lawlor on several occasions has inquired for Fremont Older at the Fairmont hotel, and has been friendly with the said Older. McLean and Nelson swore that Heney sometimes remained in Carpenter's Hall (the courtroom) after the crowd had left and while Judge Lawlor still remained.

Calhoun and his attorneys swore that Judge Lawlor consulted with Heney about the conduct of the prosecution and rattled papers in order to disconcert defendant's counsel. These affidavits were duly filed, and further consideration of the motion was postponed until next Thursday in order to give the prosecution time to prepare counter affidavits.

Judge Murasky has handed down a decision in which he holds that members of the district attorney's force were not in contempt of court when they continued to recover the papers stolen from Detective Burns, from United Railroads officials after a restraining order had been served. The decision was based on the fact that the restraining order had not been filed at the time of the alleged contempt.

A CONVENTION HALL FOR SAN FRANCISCO.

A movement is actively launched to provide by private enterprise backed by popular subscription of the necessary stock, an auditorium, or convention hall, for San Francisco, large enough to accommodate the biggest national conventions. The movement is organized by men of unquestioned integrity and large business experience, with the following board of directors: Joseph F. Forrester, president; Forrester Cornice Works; Will L. Greenbaum, impresario and theatrical director; A. J. Carmany, manager Title Insurance and Guaranty Co.; Frank P. Sheldon (Mark Sheldon Co.), capitalist; John D. Wilson, proprietor Hotel El Drisco; Samuel F. Weeks, president Weeks Howe-Emerson Co.; Chas. E. Naylor, attorney-at-law.

The California Weekly takes pleasure in calling to the attention of its readers the following excerpts from the statements published by San Francisco Auditorium Association, and commending investment in its stock as a matter of local patriotism entirely justifiable for anyone who is willing to sacrifice, if need be, the amount of money he subscribes to such patriotism—an investment which, though unapt to show any direct re-

(Concluded on Page 512.)

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Attorneys—J. C. McKinstry and D. C. Murphy, Geo. A. Story, Cashier; C. B. Hobson, Assistant Cashier; A. E. Curtis, Assistant Cashier.

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Deposits Dec. 31, 1908.....35,079,498.53
Total Assets.....37,661,816.70
Officers—President, N. Ohlman; First Vice-President, Daniel Meyer; Second Vice-President, Emil Rothe; Cashier, A. H. R. Schmidt; Assistant Cashier, William Hermann; Secretary, George Tournay; Assistant Secretary, A. H. Muller; Goddellow & Bells, General Attorneys.
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Mission Branch, 2572 Mission Street, between 21st and 22d Streets. For receipt and payment of deposits only. C. W. HEYER, Manager.
Richmond District Branch, 432 Clement Street, between Fifth and Sixth Avenues. For receipt and payment of deposits only. W. C. HEYER, Manager.

WILSON leaned back in his chair and blew smoke rings at the gaudy chandelier of the hanging oil lamp, while the dealer shuffled the cards and little Maddox borrowed ten red chips from his pile. Wilson never was good at poker and often wondered, rather aimlessly, why he should play; but Maddox, who was unluckier still, paused for no doubts, but "sat in" every night with a savage desire to buck fortune until he made her smile. He was slight and short and red-headed and freckled; and those who did not call him Red Maddox, from the fire of his hair, had seen him play poker and called him Mad Maddox.

Wilson, per contra, was calm. His eyes and his hair were black, and his thin, shadowy face was gravely handsome. One could not imagine Maddox making a bluff successfully, and he did not try. It was Wilson's one art in the game. He had a good "poker face," and as poker judgment goes his judgment was good; but luck seemed to balk at giving him cards. "Red" and "Bill" were friends.

Tonight's game was no worse than the usual run, but somehow it palled upon Wilson, and he tossed his cigar to the floor and spoke to the dealer.

"By me on this deal, Mart. Credit Red with my chips and I'll go out for a stroll. Hot, ain't it? Well, good night, boys."

"Hot?" rasped Martin, the dealer, as the swinging doors of the "Commercial" had let Wilson out into the night. "What does a buckaroo expect of a greaser town of the name o' Caliente, meannin' hot?"

"Mebbe he was a referin' to the landscape to his left about where Mr. Maddox is a-settin'," drawled a Tennessean across the table. "No reflections, suh, upon yuh admirable charactah, suh, other than the natural perfection of yoh col'd hyahr upon ouh friendly faces, suh."

"Four cards," was Red's sole response, his eyes following the deftly thrown pieces of pasteboard intently as they fell before him.

"I have said worse looking objects than Nevada, jest the same, and hotter, too," remarked the bartender, who was watching the game.

"Air you a Presbyterian?" asked the other member of the group about the table, who came from Missouri.

"The gentleman's anything but a Baptist, suh; he can't no watah, suh, but —" and so the dialogue ran on as the cards flashed and the chips changed from pile to pile.

Outside, Wilson pulled off his sombrero and carried it in his hand as he sauntered down the one street of Caliente, "meannin' hot." The street was only a couple of blocks long, paralleling the railroad track a few rods away. There were two stores, a barber shop, and ten saloons on Front street. Only the saloons and barber shop were lighted; business was dull in all but the Commercial; the barber was drunk, and asleep in his solitary chair. On the hillside back of town a few scattered lights winked brightly from residences; and in the station a dull lamp cast rays of light on the green grass at the end of the switch. An engine in the roundhouse sneezed and puffed, softly. The overland was nearly due.

Wilson dropped his eyes from the mercifully moonlit hills and walked toward the station through the black shadow of the row of cottonwood trees that are the pride of the town. His pony whinnied to him as he passed, and he stepped over to her for a moment to pat her nose and loosen the cinch a little more. Red's horse sniffed at him familiarly from the next tree.

At the ticket window he dropped his hat on the ledge and rested his elbows beside it, smiling broadly at the agent's daughter, who sat by her father near the telegraph key. "Evenin', Miss Lucy. Howdy, Birch. Train on time?"

"Nup. Hou'n a half late—as usual."

"Unusual, you mean. Two hours'n a half's usual, ain't it?"

"Jest as you say. Lord knows, I ain't responsible for train time," and Birch turned again to his key.

"Take a ride, Miss Lucy? It's cooler'n sittin' in there. I'll lend you Red's horse."

UNLUCKY AT CARDS

BY

E. FRENCH STROTHER

"Don't care if I do. Dad, I'll be back by the time No. 2 gets in."

"Look sharp ye do, now."

Lucy came out smiling and walked with Wilson to the horses, deftly cinched Red's saddle and swung lightly astride, refusing all proffered assistance. They rode together out into the white moonlight, and struck an easy lope to the west.

"Where's Red?" inquired Lucy.

"Holdin' a business confab with some friends at the Commercial," was Wilson's reply.

"Holdin' a bob-tail flush 'gainst a full house, more likely," Lucy retorted, and then laughed aloud.

"Nope, that was me. That's the reason I quit."

"Well, I like that, now. That's the reason you wanted my company for a ride, is it? I'm goin' home."

Lucy wheeled her horse in his tracks, but Wilson's mare neatly blocked the back path. Lucy swung her quirt sharply and headed Red's pony into the open, Wilson hot in pursuit, shouting warnings of chuck holes and Lucy laughing joyously as they sped down a hillside toward a dark canyon. The chase became a game of tag as Wilson drove the girl's horse up the narrowing hollow, until, fairly cornered in the end of the canyon, Lucy drew rein and Wilson quieted his plunging mustang beside her, both laughing like children.

"Git back on the road, chile," ordered Wilson, and the ponies toiled back up the hillside. On the road again they walked slowly westward.

"What were we talkin' about when your pony went loco?" Lucy innocently asked him.

"Poker, I'm thinkin', and my luck at it."

"Taint as bad as Red's, is it?"

"Well, I reckon ain't nobody quite's unlucky as Red is. But I'm a mighty close second. Mebbe if I was as everlastingly bound and determined to see how unlucky I could be I could be worse."

"He plays the limit, don't he?"

"All he c'n beg, borrow, or steal."

"Same as he plays everything else, ain't it?"

"You bet! 'All same bluff pup,' as ole Ling says. Red 'n me've been partners ten years in the Circle T outfit and he's fought her through drought and cloudbursts and fever and every other fool thing when I jest wanted to throw up the sponge and let the thing slide. He's thorough, you bet. 'P he's goin' to win he wants to win solid, and if it's bust he's bound he'll bust flat. He's goin' to the bottom of anything that he tackles. I reckon he's bound for the top in his business, all right, but he's shorely unlucky at cards."

"Unlucky at cards, lucky in love," they do say," said Lucy to the stars.

Wilson drew his horse close to her and leaned towards her.

"That's what I've heard, and I wanted to know if it's true; if it wasn't a sign I could follow. It struck me tonight when I drew to a flush and caught a deuce pair that mebbe love was a waitin' out here on the mesa with you. That's what I meant when I said that my luck sent me out here. You said it yourself, Lucy: 'unlucky at cards, lucky at love.' My hand's on the table: what's your cards—dear?"

Lucy swung her quirt idly.

"I was thinkin' of Red when I said it," she answered.

"Red? Red! You don't mean it, Lucy. Him? Why he'd ride a five mile to dodge any woman on earth. He don't want you."

"Who said that he did?" Lucy hotly retorted. "Who'd have him if he did?" But, she added, more softly, "he's unluckier at cards than you are, you said. And if he did want anybody, wouldn't he want 'em a heap harder than you do, and fight harder to get 'em and play the game to the limit? Ain't you as good as said that? I can't do it, anyway, Bill. And I'm sorry; but let's talk about cattle. What's that?"

Clearly across the desert the long whistle of the overland.

"She's makin' up time. We'll have to get back," cried Lucy. "I'll race you."

The ponies wheeled and stretched low as their hoof beats struck a staccato rhythm. Wilson rode by her in silence as they sped down the canyon. As they turned toward the station, into the homestretch, Lucy whirled her quirt and broke into the Indian racing cry. Wilson, silent, unsmiling. Back to the cottonwood shadows, drawing rein sharply, the horses plowed the dirt with braided haunches, and a cloud of dust rose to the moonlight.

"Beat you!" cried Lucy, dismounting and handing the reins to Wilson. "Thanks for the ride."

"What you said about cards ain't a show-down, is it, Lucy?"

"Please don't let's talk any more about that. Only let's understand each other: it wasn't a lie. I am awfully sorry, Bill, but that's honest."

When Wilson reentered the Commercial the air was hotter and closer and heavy with smoke. The group he had left still sat at the table, but no one was looting as when he had left them. Each man gripped his hand tightly, stared at it intently and swore as five drew cards or tossed chips. The limit was off and the pots were big ones. At the edge of his chair sat Mad Maddox, earning his nickname, his red hair and red freckles in vivid contrast with his skin's pallor. He was winning at last, and as he had lost, so useful of battle. Wilson spoke directly to him:

"C'n I sit in again?"

"Give him chips," Red called to the dealer. "Credit him double he left me. It's our killin', Bill. Sure in."

"Cross yoh luck, yoh mean, yoh red-headed limb o' Satan," growled the Tennessean.

"Never mind, Johnny. Pards is pards, and I'll chance it."

"Raise you ten," added Wilson, as he picked up his draw.

"And ten," said Missouri.

"Twenty better," growled Martin, the dealer.

Red's face went livid with anger.

"Bible stakes, you! It's lust or a killin'! Show 'em down!"

Wilson had nothing—a bluff that failed: Tennessee a four flush; Missouri a pair of aces; Martin a straight, king high; Maddox, four kings. Wilson's gun flashed to the table, his face graver and whiter, but his voice was deliberate.

"Something's rotten here, Martin," Red, turn his king over I thought, red back in a blue deck. Swipe 'em in, Maddox. Easy there, you—"

The room was in darkness, the lamp shot to splinters. Wilson reached for little Maddox and hurled him through the door to the street outside and turned to the darkness where red spouts of flame leaped from the other's guns, and opened fire, Maddox, without, madly trying to get back to his side and Wilson blocking his return with his back to the door. Suddenly he was thrown to the floor as the door was hurled open, the Circle T outfit, with Maddox in front, crashing in. In a moment there was silence and Red struck a light. Martin was dead, by the table, and Wilson lay prone near the door. The others were gone.

Red bent his ear to Wilson's lips where the slightest breath fluttered.

"Missouri and Tenn weren't to blame, Red. And let Lucy I played the game."

PERSONALIA

Mary E. Waller's "Wood Carver of 'Lym-psu'" is now in its twenty-third edition.

Miss Jessie Shirley and her company established a record at the Auditorium Theater, Spokane, where they recently completed an engagement of 210 consecutive weeks.

The new copyright law which has just gone into effect extends the protection on books fourteen years, making the period fifty-six years instead of forty-two as heretofore.

H. C. Thurston of Mount Vernon, Tex., is the tallest Confederate veteran living. He is seven feet seven inches in height, weighs 223 pounds and is seventy-seven years of age.

Harry Leon Wilson and Booth Tarkington, authors of the very successful "The Man From Home," are busy putting the finishing touches to four plays, one for Mabel Taliaferro, another for Madge Carr Cook, the third for Ottis Skinner, and "Foreign Exchange," which the Lieblers will produce.

The Siamese twins, of famous museum memory, married Virginia women and their children have remained in the South. All have prospered, though nearly all of them were born deaf. The youngest son of twin Chang was recently killed by lightning in North Carolina, at the age of forty-eight years.

The Countess of Aberdeen, now in America to preside over the quinquennial of the international council of women at Toronto, had to leave her husband, the earl, at home. It is unwritten law that a former governor-general of Canada shall never return, as he would have to take an inferior rank to that which belonged to his office.

The man who originated the "remnant sale" and the idea of giving toy balloons to the children of his customers was Alfred Chauchano, who died, a multi-millionaire merchant, in Paris a few weeks ago. He began life as a clerk at \$5 a month. He spent nearly \$2,000,000 on oil paintings. His superstitious weakness led him to carry a horse chestnut and two potatoes in his pockets all his life.

Little Ting C. Chen, one of the two Chinese boys who graduated from West Point last month, has the honor of being not only one of the "five immortals" of the class of 1909, but "the goat." In other words he graduated at the foot of the class. A number of famous soldiers set him the example. Gen. Custer, who stood at the foot of his class, said that "it was a sight harder to graduate at that end than at the other."

("English Procedure"—Continued.)

Peers, judges, practicing lawyers, clergymen, teachers, doctors, officers of the army and navy in active service, customs officers, pilots, and Court officials are exempt.

Duties and Powers of Grand Jury.

When the Grand Jury has been summoned by the sheriff it is instructed on the subject of its inquiries by a charge from the bench; they then withdraw and hold sessions to receive the indictments which are preferred to them. They only hear evidence on behalf of the prosecution. In common cases of felony and misdemeanor an officer known as the "Clerk of Indictments" prepares the proper indictments from the depositions that have been returned to the Court by the committing magistrate; sometimes the indictment is framed by a barrister or Crown-draftsman, in which case the Clerk of Indictments only passes upon them, receiving his fee as if he had drawn it. Under Lord Chief Justice Campbell a useful measure of criminal reform was introduced in England of which the main scope is to abate the strictness of legal forms and phraseology; it abolishes the technical descriptions necessary in indictments for murder, forgery, etc., and gives power to the Court to amend variances not material to the merits of the issue or fair trial of the accused.

On the back of the indictment the names of the witnesses for the prosecution are written, and the persons attending before the Grand Jury to give evidence may be sworn and examined, the foreman writing his initials opposite the name of each witness so sworn and whose name is endorsed on the bill of indictment.

When the Grand Jury have heard the evidence for the prosecution, if they think the accusation groundless, they write on the back of the bill "Not found" or "Not a true bill" and then the prisoner is discharged. A new indictment, however, may afterwards be preferred to a subsequent Grand Jury.

If the Grand Jury be satisfied of the truth of the accusation they endorse upon it "A true bill" and the party stands indicted. The indictment is then to be found; but to find a bill at least twelve of the jury must concur.

To prevent vexatious indictments no bill for perjury, or several other offenses, can be presented to a Grand Jury unless the person presenting the same or making the accusation charges that the offense has been committed in England, that the accused is in custody or has been bound over to appear and answer, or unless such indictment be preferred by the direction, or with the consent in writing, of a judge of one of the Superior Courts or of the Attorney General or by the Public Prosecutor.

Prosecution Upon "Information."

There is another mode of carrying on a criminal process without the intervention of the Grand Jury: namely, by "Information" in the name of the King or jointly at the suit of the King and of the prosecuting witness. The latter is usually upon penal statute and is a sort of "qui tam" action; that is, an action prosecuted on a penal statute for the recovery of a penalty (part of which usually goes to the informer) and which is carried on only by a criminal instead of a civil process. In such cases the customs and excise officers or other authority, under the direction and control of the commissioners, supply their own forms of information, summons, warrants, etc., for which of course they are responsible.

The Attorney General can also file informations ex-officio against such offenders as disturb the Government in any case where delay in convicting and punishing might be dangerous.

Safeguards Against Delay.

In prosecutions by the Crown for misdemeanor, whether by "Information" or "Indictment," a copy of the Information or Indictment must be delivered to the defendant, and if the Attorney General do not bring the issue to trial within one year after the plea

of not guilty, the Court may, on defendant's application, on twenty days' notice, bring the case to trial.

No indictment or information is altered by any dilatory plea of misnomer or wrong addition if the Court be satisfied of the truth of the plea; in such case the Court immediately orders the indictment to be amended and calls upon the accused to plead as if no such dilatory plea had been made.

The Arraignment.

To continue the process: Whether the procedure be by the finding of the Grand Jury or by Information the next step in the prosecution is the "arraignment" of the accused; that is, the calling him to the Bar of the Court to answer the charge against him. Unless there be danger of an escape, he must be brought to the Bar without letters or bonds and the Clerk of Arraigns calls upon him, by name, to hold up his hand. By holding up his hand he admits himself to be of the name by which he is called. The indictment is then read to him and the Clerk asks "Are you guilty of this felony of which you stand indicted, or not guilty?"

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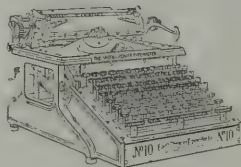
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SAN FRANCISCO

CALIFORNIA

SHEAR WIT

Motorist: What advantage has the airship over the motor car? Aeronaut: Well, for one thing, you can always be sure of making good time on the return trip.—Illustrated Bits.

Excited Lady (who has been annoyed by drunken gentleman next to her): Conductor, are drunken people allowed in here? Conductor: 'Sh! That's all right, mum. Sit down quietly. Nobody'll notice yer.—The Tatler.

It was a spectacular put-out and bleachers and grand stand cheered vociferously. The young lady signified her approval by clapping her hands. "You begin to see the fine points, eh?" said the man. "Yes; it was splendid. But why didn't they repeat the number? Don't they respond to encores?"—Kansas City Journal.

A regiment of soldiers were at camp and a young Scottish recruit was put on sentry outside the general's tent. In the morning the general rose, looked out of his tent and said to the young man in a stern and loud voice: "Who are you?" The young man turned around smartly and said: "Fine; hoo's yerself?"—Tit-Bits.

Mrs. Von Cerius was discovered at three A. M. sitting up in bed reading the encyclopedia. "What in the world are you doing, Emma?" cried Mr. Von Cerius. "Why, I couldn't sleep very well, and an article I saw the other day said much learning could be acquired at odd times. This is the oddest time I could think of."—Harper's Bazar.

One of the wittiest instances of spontaneous parliamentary repartee was furnished a few years since by Swift MacNeill. A former member for Islington had asserted, in the course of a debate, that he represented the densest constituency in the whole of London. A natural selection exclaimed the member for South Donegal.—London Chronicle.

My next book is contracted for. The publisher has just forwarded a check on account. I am to receive 20 per cent. royalties besides. It is already being advertised. The newspaper reviews are in type, too. I sit at my desk in my \$30,000 country house. A stenographer is at my elbow. Everything is ready. I wonder what I shall write about.—Life.

When the train stopped at the little Southern station the northern tourist sauntered out on the platform. Under a scrub oak stood a lean animal with scraggy bristles. The tourist was interested. "What do you call that?" he queried of a lanky native. "Razorback hawg." "Well, what is he doing rubbing against that tree?" "He's stropping himself, jest stropping himself."—Success.

"Bill had charge of the animal team," said Mr. Ringling, "and among his pets was a leopard. This leopard gave Bill more trouble than all the rest of the menagerie put together. One day when I had left the show on some advance business, a telegram was handed to me. It was from Bill and read: 'The leopard has escaped. What shall I do?' That was just like Bill. He didn't want to make a mistake. I immediately wired back to Bill: 'Shoot him on the spot.' Two hours later I received another telegram from conscientious, careful Bill: 'Which spot?'—Success.

One of the young architects who delivered a lecture on modern architecture in the series of free public school lectures in New York had just shown his audience the beauties of the Cologne cathedral the other night, when he thought of an experience he once had on a similar occasion. "It was at the conclusion of my lecture," he told his audience, "that a woman came to me, explained that she, too, was a student of architecture, and thanked me for enlightening her on one point that she had never been able to understand before. 'I have always wondered,' she said to me, 'where the colonial style of architecture came from. Now, of course, I see that it comes from Cologne.'"—New York Sun.

UP AND DOWN THE STATE.

Automobilists constituted a large part of the attendance at the good roads convention which was held at Del Monte on June 26th. The convention was addressed by Marsden Manson, E. M. Chadbourn, Supervisor Miller of Santa Cruz and Supervisor Linscott of Watsonville.

A Salinas jury recently scored a phenomenal success in the line of finding an "impossible" verdict. It found the defendant, who was charged with grand larceny, not guilty, and then recommended him to the mercy of the court.

The Western Pacific has let a contract for a \$12,000 depot at Marysville. The building will be constructed in the Mission style of architecture.

The California state library is attempting to collect relics and memorabilia of early days in this state. For this purpose it desires old diaries, letters, manuscript narratives, account books, ballots; in short, anything that may be a vivid reminder of pioneer times and customs.

A. C. Claudians, of Oroville, father of Peter Claudians, who is now in prison for dynamiting the Gallagher residence, has been sent to the Napa asylum for the insane. His mind first was affected about the time his sons were arrested for the dynamite outrage.

Mayor White of Sacramento has called a convention of 130 delegates from various parts of the Sacramento valley to meet in the Capital City, on July 21, for the purpose of discussing dredge mining.

Track-laying on the Western Pacific between Oroville and Quincy will be completed early in September. It is reported further that the line between Salt Lake and Oakland will be completed by October 1, and that the road will be opened for passenger traffic not far from January 1, 1910.

The Visalia Delta has completed fifty years of existence. During a considerable number of those years it was the freak of California journalism, but under its present management it is normal, neat and newswy.

From a quartz mine near Hurlston, Butte county, a nugget worth over \$1,100 recently was taken. It was the largest nugget found in California in many years.

Yuba City's first street-car line soon will be in operation over several streets of that city.

A Commendation That Counts.

The California Weekly,
26 Montgomery Street,
San Francisco, Cal.

Gentlemen: Enclosed please find my check for \$10, for which send your magazine, one copy to me, S. D. Thatcher, and one copy to the Boyd Club, both at Groves, Northhoff, and both for three years. I am anxious to make this slight contribution to so excellent an offering. You are offering me the California the novel experience of reading news and comment that they may rely upon as truthful, honest, and high minded. For the first time in twenty years I feel that it is possible for me to take an intelligent interest in California politics, for I have never before felt that I could find out any facts about them.

Yours very truly,

SHERMAN D. THACHER.

Northhoff, Cal., June 17, 1909.

The foregoing is a kind of commendation that counts. The Staff appreciates it. This paper was started on the assumption that there are ten thousand heads of families in California who, if they can be found and The California Weekly can be brought to their favorable notice, will feel toward it as Mr. Thacher does. We have not found them yet. Any help that can be extended us toward finding them will be thankfully appreciated. Perhaps as affective a way as any would be to enclose us twenty-five cents with an address for a five-weeks' trial subscription or, better still, fifty cents for a thirteen weeks' trial subscription, by which time the recipient would be almost certain to so enter into the spirit of the paper and repose in it confidence as to wish to become a permanent patron of it. If one can help in no other way, we send us a list of persons with addresses whom he thinks might, could, would or should be inter-

ested in the paper that we may take the subject up with him. This paper aims to be dependent upon its friends, and not upon any man's millions, for its success.

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How Civil Rights May Be Lost.

No person shall be a senator or representative in Congress, or a member of the President or Vice-President, or hold any office civil or military, under the United States or any state, who having previously taken an oath as a member of Congress or as an officer of the United States, or as a senator or representative in Congress, or as a judge, executive or judicial officer of any state to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each house, remove such disability.

This, the third section of the Fourteenth Amendment to the Constitution of the United States, has little more than a retrospective and academic interest to the children of this generation, but to the men of four and forty years ago it presented a crucial issue.

There had been a great war, one of the greatest in all human history. The men who brought on that war were held to be culpable, and so they were, clear back to the time when a Dutch brig landed at Jamestown, but what was to be done with them? Those who had proven themselves "invincible in peace and invisible in war" demanded that they be punished, or, at least, deprived of civil rights while they lived. To punish so great a mass was palpably impossible. Had they proven irreconcilable the war could have been carried on, in guerilla fashion, until the present time. Therefore it occurred to some of the more far-sighted at the North that, inasmuch as the men of the South, lately in arms against their country, could not all be punished it might not be a bad idea to forgive them their iniquities and take them back into the national fold.

This was speedily done except as to the proscribed classes above enumerated, and Congress finally removed all disabilities growing out of the war, since which time the real work of restoration of the union may be said to have begun. Of all troublesome persons in any community the man without a country, the man who is governed but cannot participate in government, is likely to prove about the worst.

The greatest victory achieved by General Ulysses S. Grant was achieved at Appomattox court house when he ordered the surrendered Confederate soldiers to take home with them the horses they had ridden to enable them to put in their crops. He captured the hearts of his enemies as well as their munitions of war.

The greatest victory the North won over the South was in the removal of political disabilities from the men of the South whether or not they had previously taken an oath to support the Constitution of the United States, and the greatest humiliation the North endured was not the first battle of Bull Run, but the reconstruction period during which the spirit of politics and graceless adventure held the Southern States of the Union in the grasp of rapacity that they might be impoverished for the advantage of adventurers. While the ku-klux regime cannot be excused it was not an unnatural outgrowth of abominable conditions and as such should have been foreseen and provided against by Northern statesmanship.

Another fact the history of this amendment proved: The life of a nation, as the life of an individual, is not long enough to justify the harboring of malice.

It would have been better had the third section of the Fourteenth Amendment to the Constitution of the United States been left out of that amendment. It served no good purpose and worked much harm north and south. There should be some good way of expunging it from the record, but it is there and there to stay. The only justification for it is the truth that those were times when passion held sway over reason and when it was thought more patriotic to hate enemies than to meet them half way in an effort at reconciliation.

It will be noted from a careful reading of the section that the almost unforgivable offense, in the eyes of this amendment, was to engage in physical rebellion or to give aid and comfort to those in such physical rebellion against the government, and well may all

hope and fervently pray that the ugly monster of rebellion may never again thrust up its loathsome head in our nation; yet it may be doubted if physical, overt rebellion is the greatest crime that can be committed against a state. Whoever would debauch, degrade or usurp the power of government, in his own selfish interest, is the greater and more dangerous enemy of the two and of these the country has not been without numerous examples in recent years. If such as these could somehow be placed under political proscription and disability it might be to some purpose for they are more dangerous enemies to our institutions than those who take up arms against them.

("Convention Hall"—Concluded.)

turns, is certain to be of great benefit to the city as an advertisement. "Kansas City, Mo., has a splendid convention hall, built with the money received from the sale to its patriotic and public-spirited citizens of shares of the capital stock of a corporation formed for that purpose. There are eight thousand shareholders in that corporation, people of moderate means holding ten shares and upwards, while the merchants, brokers, bankers, and other people of means subscribed for and held from five thousand to sixteen thousand shares each.

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Our Task the Most Difficult.

In the course of his Fourth of July oration Mr. Walter Macarthur gave expression to a truth which, if it somehow reach the inner consciousness of our citizenry, would compensate the nation for all the casualties of the day, however they may terminate. It is that popular government is the most difficult of all forms of government to maintain, that there is no alchemy in its making, no innate tendency toward self-perpetuation in its higher forms. And he might have added that there is no Providence to stand betwixt a republic and the consequences of its own conduct. It reaps as it sows, every harvest after its own kind. Those who fail of participation in the functions of free government will be first ignored and finally disfranchised, and government will fall into the hands either of the few who fight the people's battles for them, or into the hands of the equally few who exercise the functions of government for their own advantage and the people's irremediable hurt. It was a hard task which our forefathers set for us, and when we come to give an account to posterity for our stewardship, what then?

The British Bench and Bar.

Those who have found the English distinction between attorneys and barristers a bit confusing, and who have not any too well understood the British bench, will be greatly helped by our second article on "England's Better Criminal Procedure," which appears in this issue. While we regret our inability to divulge the authorship of these articles we unhesitatingly pledge the faith of the paper to the fact that the writer of them knows wherever he speaks, as, indeed, the articles themselves bear evidence.

It will be noted that the salaries paid British judges, together with the continuity in office, and pensions on retirement, make the judicial position attractive to men of the finest legal powers, while the contrary is commonly true with us. There are lawyers in San Francisco who receive a single fee greater than a year's salary for a judge of the superior court.

While the British judiciary, in point of appointment, is not as non-partisan as many had supposed, yet, as the author points out, the security of position, the requirements of public sentiment and the expectations of the whole judicial and legal fraternity combine to make the judge as impartial as possible.

Finally, the British system of discipline for attorneys and barristers is far more effective than anything we know. With us one must have made his name so infamous as already to have disqualified him for getting business, in order that he shall be forbidden to do business as attorney-at-law, by which time the proceeding of disbarment is equivalent to the performance of the rites suitable only for those already dead.

Citizenship of Standard Oil.

In the United States Senate, on the fifth of July, Senator Aldrich demanded to know of Senator Culbertson if he thought that the

THIS NUMBER CONTAINS

England's Better Criminal Procedure

Second Article.

BY

An English Attorney

Readers of The California Weekly will, in due time, find every important public issue explained by some person whose special knowledge gives him a right to be heard.

Standard Oil company ought to be treated differently from other citizens. The citizenship of Standard Oil ought to be open to serious question, as to fact as well as to quality. It was never the intent of the fourteenth amendment to the Constitution of the United States to confer upon any corporation all the rights, powers and immunities enjoyed by citizens, and the decision of the Supreme Court of the United States, that the Southern Pacific Railroad company was, under that amendment, a person of color, was an absurdity. In writing that opinion of the court, Justice Stephen J. Field performed an act of harmfulness that all the good he ever did will not atone for. Some day that decision will have to be reversed and creatures of legislative creation, no matter how great, be made less in the contemplation of the law than creatures made by Almighty God, in his own image, no matter how humble.

After Nine Years.

We have not found a way of determining how a public service corporation may best be paid for its services to the public. It was recognized that if the power to fix prices for service were conferred solely on the corporation extortion would usually be practiced, and that if the consumers were to be free to pay what they were minded to pay they might not pay a reasonable recompense, so the best thing seemed to be to give the city council, or board of supervisors, power annually to fix rates subject only to judicial interference if the rates fixed should prove confiscatory. The results of this device have been surprising. The public service corporations quite generally went into politics to secure the election of governments representative of such corporations rather than of the consuming public, and graft grew. If, however, rates of compensation did prove unsatisfactory to the public service corporations an appeal was made to the courts with results satisfactory to the corporations inasmuch as decisions were seldom or never rendered. The case of Oakland vs. the Contra Costa Water company affords an

example. After nine years of litigation the Supreme Court of California has rendered a decision sustaining the action of a city council long since out of office, relative to the charges of a corporation no longer furnishing water and requiring that the case be begun all over again. Some principles have been laid down that may be of service in future cases of the kind, but as for this one the best, and only, practical thing to do is to forget it. The right kind of a proceeding should have determined that issue once for all in half a year.

If the People Would Be Fair.

Mr. C. Norman Fay, a former public service corporation manager, in Chicago, has lately completed a series of interesting articles, in the New York Outlook, giving a resume of his experiences and observations in dealing with the public, public service companies, politicians and grafters. The conclusion he reaches is that "if the People will but be fair to capital it will serve them better than they can serve themselves."

The California Weekly heartily concurs with this conclusion, with the reservation that the phrase "will serve" be stricken out and in its place be substituted either "may," "can," "might," "could" or "should" serve. There is no certainty that it "will," "must" or "would." Therein lies the difficulty of the people being fair toward capital. It is the predatory conduct of capital that affords the opportunity for agitators, grafters, sensational newspapers and the whole pack of hounds that go baying upon the track of public service corporations. It is not once in a hundred times that where capital, so invested, strives to be fair toward the people the people are unfair toward capital. But, when the people find government subverted, extortion practiced, graft employed or blackmail submitted to, they become angry and when men are angry, singly or by cities, states and nations, they are generally unfair. That private or corporate capital can serve the public better than the public can serve itself only a municipal ownership enthusiast will deny but, whether or not capital does so serve depends upon whether or not it makes service, or exploitation, its essential object. The people are not as prone to be unreasonable as associated capital is to be predatory.

Los Angeles is striving hard to annex San Pedro, notwithstanding the fact that the Southern Pacific company had annexed it long ago, converted its harbor into a bottle and all but got a stopper into the bottle. San Pedro's greatness depends upon Los Angeles' success, for it is only by having a great municipality make common cause with it that that port can be delivered out of bondage.

The recent census of Cuba shows 2,480,980 persons resident within the islands, of which 69.72 per cent. are classed as white and 30.28 as colored. It will be noted that these figures make no allowance for that twilight zone of color that contributes so much to the interest of Cuban society.

THE DESTRUCTION OF INITIATIVE.

Nothing else would lead to anarchy so speedily and certainly as socialism, and nothing else would lead to socialism so speedily and certainly as anarchy. In either case reaction would compel the antipodal result. Each would destroy itself. The same is true regarding individualism. An exaggerated individualism is anarchy, and we in America have an individualism of a pronounced if not of an exaggerated type. It is producing socialism with a rapidity that is appalling. It is causing the spirit of socialism to grow in every other breast.

But what concerns us most is the peril in which the initiative is being placed by this unfortunate tendency. The pride of American life has been its self reliance and its power of initiative. On these two related human qualities we have built our republic and have conquered a continent. In their defense we have set our faces resolutely against socialism in nearly all its forms, and yet our exaggerated individualism, our unregulated freedom for master minds to work their wills as they may, is destroying initiative and self reliance speedily and as certainly as socialism could.

Former President Roosevelt, in a recent article in the New York Outlook, has pointed this fact out more clearly, perhaps, than anyone else. Great combinations of capital have set all our workers to working for some one else. There are few, aside from farmers and small shop keepers, who are any longer self-directing. All the rest go to work when some one else rings a bell, and if no bell rings there is no work for them to go to. No other condition could be so destructive of self-reliance and initiative, and our captains of industry are furthering the tendency with a zeal worthy of a better cause.

Let it be remembered that our great combinations of capital are still mainly in the hands of the big men who organized them. When they are gone who will take their places? Unless history belies itself no one will. Their places will remain unfilled, but in those places will grow up a dead-timber bureaucracy as paralyzing as any form of socialism ever invented, as inert as red tape ever made government. An exaggerated individualism is producing an exaggerated concentration for the elimination of that competition which is at once the soul of individualism and the terror of socialism. Our great individualists are our great socialists, and they are doing what they would not do with a rapidity tenfold greater than the most sanguine socialists could hope to accomplish of themselves. They are "bringing all the means of production and all the means of distribution," to the door of state socialism, or precisely what state socialism consists in is the taking over by government of those means of production and distribution.

We have accepted our modern tendency toward concentration of commerce and industry as inevitable. Is it so? Can we not, by taking thought, recover for the benefit of our children that opportunity for developing self-reliance and initiative which made us Americans what we are? Are we fatalists that we must meet this problem with a kismet?

THE FORGOTTEN MAN.

The stupid, insane shot, the crumpling of Carolina Brasch's knees under her, her sinking to the floor in death agony, the coming forward of James Cunningham to confess his crime (because another had been arrested and charged with a crime which he himself had committed), his stolid, unfeeling, narration of the incidents of the tragedy and the train of circumstances that had led up to it—these things should not fade from the public mind like a tale that is told, like a dream that is

THE STAFF

A. J. PILLSBURY.....Editor and Manager
CHESTER H. ROWELL.....Associate
A. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
O. BLACK.....Business Manager

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forgotten before the day is half gone. At the bottom of this tragedy there is a wrong to be righted and a sociological fact of great significance to be taken into serious account.

In the ranks of unskilled labor, and especially that kind of unskilled labor that is employed in gangs, there are thousands of honest, worthy and fairly intelligent men, men who, from one cause or another, have not acquired a higher earning capacity, have not been able to found a family or to acquire a home; but there are also in these ranks the dregs of human incapacity, the criminal, the insane, the stupid, the bestial, as dangerous an element as afflicts society anywhere save at the top, where criminality is re-enforced by capacity and the wanderlust is transformed into love for hazard.

This body of humanity is unorganized and incoherent. Its wrongs are suffered in common but resisted in severity if at all. Aggressions upon it have hitherto been regarded as safe and men of low courage have been unafraid to practice it. The only knowledge the ordinary citizen has of this class of fellow mortals is that gained from seeing them doing work that he would not wish to do under conditions that would be intolerable. Being around the bottom of the industrial ladder, there is generally a crowd of such workers straggling from the employment office to the job. It is customary for employment agencies to charge \$2 for getting each job for such a man as Cunningham, and for the contractor or foreman to receive one of these dollars for making places for the job hunters, though often by the ruse of discharging employed men, without other cause, after a few days' service, if the labor market be over supplied.

As a form labor this Cunningham type is particularly exasperating. It is irresponsible to a degree, has a low efficiency and the nearest saloon is not only its club, but also its banker, its plunderer of what is left it by its employer, when it is paid, but its friend when the day laborer needs one to stand him upon his feet and steer him for another job.

This is a socially forgotten man, by all who should remember him, save when, by the commission of some atrocity, he jars the social consciousness into a knowledge of his existence. Yet he it is who can be colonized by the Ruefs of all cities in the wards where his vote can be cast to the greatest injury to the common good, and in his hands may easily rest the balance of power betwixt good and evil government. If the shot that laid Carolina Brasch low shall rouse public sentiment to take cognizance of this socially forgotten man, that we may remember that the solidarity of society includes him also, that he has wrongs to be righted and needs friends to defend him, that he may not undertake stupidly to redress his own grievances, that young life may not have been offered as a vain sacrifice for our having forgotten our brother who needs to be remembered rather more than any other.

THE TWO PIVOTAL POINTS.

In what appears to be a sincere effort to justify its recent justification of the jury which failed of convicting Mr. Calhoun, the San Bernardino Sun affirms that the two salient features, or pivotal points, upon which the case must turn are these: The determination of who was the principal villain in this municipal drama, and, the condition of San Francisco when the trolley franchise was granted.

If The California Weekly, in considering the contentions of the Sun, ventures to thresh over old straw, it is because it accepts those contentions as being sincerely advanced and recognizes the importance to San Francisco of having the interior of the state set right whenever, by mistaking an outward seeming for an essential truth, it has been set wrong.

The Sun proclaims Abe Ruef to have been the principal and original villain and the condition of San Francisco, at the time the trolley franchise was granted, as an abundant excuse for Mr. Calhoun's submitting to the extortions of the villain in the interests of the public.

Abe Ruef was and is unscrupulous, ambitious and able, and he had a money lust that seemed insatiate; but he did not hold up the gas company, telephone companies, the United Railroads or Mr. Calhoun. Mr. Calhoun's attorneys have repeatedly and vociferously disclaimed any such hold-up.

San Francisco was held up and was the only party to the entire transaction that was held up. The hold-up men were the ones who were indicted for bribery and they represented great public service corporations the flotation of whose watered stocks for the mulcting of the public required franchises and special privileges at the hands of the government of San Francisco. That these valuable franchises and privileges might be obtained the predatory representatives of these predatory corporations entered into a conspiracy with Abe Ruef to capture and hold the government of San Francisco and, to that end, made common cause with Ruef to elect and re-elect Eugene Schmitz mayor, well knowing that the Schmitz-Ruef administration would, for a gratuity, do the things these corporation promoters wanted to have done.

Patrick Calhoun and the great corporation he represented were part and parcel with the other associated villains, and Abe Ruef was not the original, designing, malevolent villain. He was and is a miserable scoundrel, but he was an accessory and not a principal, a purveyor and not a dispenser, a lieutenant and not a captain, a go-between and not a chief, a convenient tool and not a master. And he received retainers in advance of the induction into office of his boodle board. Note that!

It was not so much the condition of San Francisco at the time of the granting of the trolley franchise as its supposed condition that disposed the people to grant that franchise. It was not generally known then, as it has become known since, that the cable lines could have been easily and quickly rehabilitated, but Calhoun and his associates knew it then. They wanted the franchise because it put not less than \$10,000,000 into the value of their watered securities, and they paid the \$200,000 to Ruef because that was the way they did business. It was by that means that they had been able to create and maintain city governments. By tossing a gratuity into the political corruption fund they were able to procure a bonanza.

This corrupt system is nation-wide and more than a third of a century old. The only way to break up that system is to put the principal villains into prison. Mr. Calhoun is a principal villain. There are a dozen others. San Francisco is fighting the battle of the republic, and in fighting that battle it wants the intelligent aid, not injurious apologies, of every interior newspaper, including the San Bernardino Sun.

UP TO THE VOTERS STRAIGHT.

It is unfortunate that party politics must enter into a city campaign, but it is with us and we must make the best of it. At the election in November party will count for relatively little, but at the primaries, it will count for much. The first test of San Francisco manhood, then, will be made at the primary election. Let that test be made straight.

On the part of the Municipal League of Republican Clubs the issue has been made straight. In the person of Byron Mauzy a candidacy is offered the rank and file of the Republican Party that calls for no explanation and no apology. Mr. Mauzy ever has stood, and still stands, for a government that is both free and clean. He has fought long and hard to make the Republican party a free party and San Francisco a free city and back of him, prompting his candidacy, are a number of gentlemen like-minded with himself, men who are working hard to vindicate the reputation of San Francisco wheresoever that reputation may extend.

An opposing candidacy is being offered Republican voters of San Francisco, a perfectly legitimate and proper proceeding and, fortunately also, what this candidacy will stand for is as apparent as though avowed through trumpets. The men behind the Crocker movement are "organization" Republicans, and no one with eye teeth cut requires to be told what "organization," as applied to Republican politics, means in this state and this city. It means the Southern Pacific's Political Bureau with the facile hands of Mr. Herrin and his handy men in control. It means that the great Southern Pacific corporation, and affiliated corporations, who are in politics for the special privileges they can get and the special immunities they can enjoy, are in this campaign to remain until the end. It means the installation of a city government whose mouth-piece will be the Globe-gorged Evening Post, whose main purpose will be the discontinuance of the graft prosecutions at the first opportunity, and the letting of predatory rascals go untried, unconvicted and as nearly unblemished as a technical vindication can make them.

It is always part of such a program to mask batteries behind a pleasing and popular personality such as that of Mr. William Crocker. To do otherwise would be to court defeat, but whoever the candidates may be the issue can hardly be less clear than here stated. It is proper to put this issue up to Republicans of San Francisco. The 17th of August is as good a day as any for taking the measure of their manhood. It is good to measure manhood, to note its growth or its decadence. It is stimulating. It lets us know what manner of people we are. By making a remeasuring of Republican manhood possible the gentlemen behind the alleged "Business Men's" Republican movement have performed a meritorious public service.

The Secondary Boycott.

The Supreme Court of California has legalized and legitimized the doctrine of vicarious suffering for the bad conduct of others. It has held that, so that only legal means of inflicting punishment be employed by a labor organization, or an striking body, it shall be held lawful in California to withdraw, or threaten to withdraw, patronage from any person who patronizes another person against whom a boycott has been declared. It follows by parity of reasoning (and it was by parity of reasoning and not common sense that the original conclusion was reached) that a striking organization may boycott any person who patronizes any person who patronizes some other person who gives patronage to a person who patronizes the boycotted person, firm or corporation. The secondary

boycott may become tertiary, quadruplicate, quintuplicate, sextuplicate and so on until the doctrine of vicarious suffering for the omissions or commissions of another is lost in an inextricable maze of conflicting relationships. Somewhere the doctrine of public policy should enter in and put a stop to the application of a principle which parity of reasoning has saved from a well merited destruction. That doctrine may well affirm that those who make the quarrels shall be the only ones either to fight or to suffer such pains and penalties as may properly be visited upon persons who fail to do justice to those in their employ. President Taft was right in affirming that the secondary boycott involves duress and is oppressive and should not be employed and our supreme court is wrong in legalizing it.

In the Outer Chamber.

For the better part of a life time John A. Benson has striven to break into state prison, from which a merciful criminal procedure has hitherto forefended him, albeit at the cost of most of his ill-gotten gains. Well, he has gotten as far as the Alameda county jail, for one night anyway. No doubt John A. Benson finds in this indignity a sense of injustice. To him, no doubt, as to others who have accumulated much money by robbing the public or by corrupting public officials, his prosecution looks like persecution, for has he not done what others have done and nevertheless escaped punishment? Has not his method of defrauding the government assumed the dignity and magnitude of a system, and who was ever found guilty of wrongdoing who merely followed a system? Has it not always been held that it was the system and not the man who was to blame? Yet Benson has been forced to spend a night in jail. Hard luck, Benson! If the public withholds from him all sympathy (save that which all good men accord to those who have made the mistake of giving their lives to evil practices that wealth might be the more easily and quickly acquired) it will be because it has watched Benson's hitherto ineffectual efforts to break into prison and will rejoice that he got that far for that long. May the United States keep on wrestling with him until it gets him there for longer. The ambition of a lifetime should not be frustrated by the failure of one's government to do its part.

Driven Out of Oakland.

The example set by San Francisco in driving out the slot machines has been followed by Oakland, and October first will see the last of those kindergartens of iniquity in that city. These two achievements should encourage the forces of decency all over the state to carry on the war against these machines wherever they may be found. Subtlety never devised anything more certainly and insidiously destructive of character.

Judge Lawlor.

Judge W. P. Lawlor has filed an affidavit purging himself of all conscious bias or prejudice against defendant Patrick Calhoun. The public will take the word of his word, notwithstanding the fact that the conduct of the case of the defense was well calculated to exasperate a judge and to create in his mind a feeling that it was not justice that the defendant wanted but exonerated at the expense of justice. Not only is Judge W. P. Lawlor a remarkable judge, but he is a remarkable man. How any man made of common clay could occupy that bench week after week and month after month, umpiring the scrapping match, and submitting to the indignity of an ill-concealed contempt of court and law, without perishing of nervous prostration, is beyond comprehension, and yet he came through it all as serene as a sunflower.

The Deeper Significance
: : : : of Living : : : :

Yale University has, as one of its departments, a fine scientific school. For three years it has been giving evening courses of instruction for the benefit of the young workmen of New Haven, but these courses are to be discontinued. With rare exceptions the young men have been intellectually unable to do the prescribed work.

This announcement is infinitely pathetic. In the mind's eye one can see these stalwart young men with dazed faces striving unsuccessfully to get a mental grasp upon technical terms and mechanical principles, all new and strange, but without success. Their opportunity for advancement, for the development of a higher earning capacity, depended upon their ability to grasp what the instructors vainly sought to place within their reach, but their own efforts and the efforts of their instructors availed nothing and the evening classes are to be discontinued.

It is to be doubted if the trouble is really a lack of mentality. There are those who lack mentality, just as there are others who lack stature, and the one deficiency is no more to be remedied than the other, but the mentally incapable are below the status of skilled workmen and are not likely to have heard of the Yale Scientific School. Probability lies on the side of inadequate elementary and preparatory training in earlier life. No adequate foundation for mental functioning had been laid.

There is, however, a companion picture to that of the evening class at the Yale Scientific School, every whit as pathetic. It is made up of those educated, fumble-fingered individuals for whom the class room has done all it can and yet they are able to take hold nowhere. Yale has sent forth hundreds of graduates who never developed the earning capacity that those stupid young workmen had developed before they made application for admission to the night school. Such men are to be met with everywhere hanging on to the ragged edge of literature, art, law, medicine, the ministry—misfits wherever they are. They can learn out of books, but out of life they learn little or nothing, notwithstanding no lack of hard knocks to teach them. They never quite arrive and would consider themselves fortunate if they could earn the equivalent of the wage of a fair mechanic, only they would wish it called "salary" instead of "wage."

Where was their fault? Was it in a lack of capacity? Was it a mechanical and executive stupidity that prevented their fumbling fingers from taking hold anywhere? It may be. There are physical incapables born into the world as certainly as mental and moral, but again the preponderance of probability lies in the lack of proper training in early youth. The likelihood is that, in boyhood, these incapables never learned to play, hunt, fish, swim and make things with tools, to play Indian, dig caves, build forts, play ball, skate, fly kites, wrestle, run races and fight. Perhaps they were not turned loose on the playground with hundreds of others of all nationalities, colors, conditions, and forced to hold their own. We have outlined in this paragraph the best course of study ever invented, and any person who has gone to college without having taken it, the whole of it, not omitting the fighting, stands a good chance of coming out of college fumble-fingered and incapable of taking hold of life anywhere.

Yet this excellent school, this indispensable school for early life, can be supplemented by careful training and made better, just as the preparatory school work for the young mechanics of New Haven could have been made so much better that these young men could have sensed scientific instruction and profited by it. And one hour and a half per day, for two days in the week, from the primary grade to the end of the grammar school course, would have sufficed to make capable both classes of incapables! Manual training would have done it, unless nature left some of the wheels out of the mental machinery.

WHAT THE WORLD IS DOING

Boston to New Orleans by Canal.

Navigation in the vicinity of Cape Hatteras and Cape Cod is notoriously dangerous, and there are other points along the Atlantic coast where it is only less so. Vessels are obliged to make wide detours to avoid these storm-centers, and, while time is thus consumed, the danger is only partly avoided. Under these circumstances it has occurred to our Uncle Samuel that navigators would be greatly benefited should a canal (taking advantage of quiet waters on the way) be constructed from Boston to Beaufort, S. C., later to Key West, Florida, yet later to New Orleans, and still later, as a final possibility, to San Francisco. Evidently this is a big enterprise, but it is not so big that Uncle Sam has not been giving it serious attention, particularly, as it has the approval of large navigation interests as well as the military and naval departments of the government. Congress has appropriated \$25,000 for preliminary surveys, and already this work, in charge of Lieutenant U. S. Grant, 3rd, is in progress between Boston and Taunton, Mass. The canal as projected would first be constructed to Narragansett bay, thence through the lagoons off Rhode Island to Long Island sound, thence to New York, thence to Delaware bay, from that to Chesapeake bay, and from the bay to Beaufort. Thus far the canal will be twenty-five feet deep, or less if a lesser depth is found to be sufficient for navigation purposes. This is the most essential part of the proposed canal, as it would eliminate the dangers of both Hatteras and Cod. Congress, however, has provided for an extension of the survey to Key West, this part of the proposed canal to be twelve feet deep and the St. Johns river to be part of its course. From Florida to New Orleans the canal, as proposed, would be twenty feet deep. The New Orleans-San Francisco end of the canal has been suggested by engineers, but as yet lacks congressional indorsement. Preliminary estimates of the cost (Boston to New Orleans) places it somewhat in excess of \$150,000,000. The enterprise may come to much or little, but, at any rate, it is under way.

To Dam the Niagara River.

About a certain time in the fall of every year Lake Erie has a bad habit of lowering its waters about two feet. This lowering of the water level always has affected shipping injuriously, and, as the amount of the shipping increases, navigation is more and more menaced. For several years the International Waterways Commission has been considering the problem thus presented, and at last both the United States and Canadian commissioners have decided on a plan for bettering the condition. The plan on which they agree contemplates the damming of the Niagara river opposite Buffalo and Fort Erie, and, of course, a few miles above the falls. Engineering experts who have investigated the situation are agreed that the waters of the great lake could be maintained at a uniform level by means of such a dam, and, presuming this to be the case, the estimated cost—\$5,000,000—will be slight when considered in connection with the promised advantage to shipping.

Interesting Facts Concerning Railways.

Poor's Railroad Manual, for 1908, is an immense volume, the contents of which form no part of popular reading. Fortunately, however, some of its most interesting details may be "boiled down" for public consideration, as follows: At the end of 1908 there were in this country slightly more than 230,000 miles of railroad, and this was an increase of about 3,600 miles during the year. In these roads there is a book investment of rather more than \$19,000,000,000, against which there stands a capital stock liability of \$7,600,000,000, a bonded debt of \$8,800,000,000 and floating obligations of over \$2,000,000,000. At the close of 1908 the indebtedness of the roads ex-

ceeded their capital stock by about \$3,000,000,000. Nevertheless dividends averaging 3.5 per cent. were declared. In 1907 the dividends were 3.7 per cent., and in 1906 they were 3.6, but it is since 1903 that they have averaged as much as 3 per cent. The total traffic earnings in 1908 were \$2,407,019,810, and these were the highest ever known in 1907, when they were \$2,602,757,503. The surplus in 1908 was \$494,437,610, and in 1907 it was \$172,570,000. That the amount of American travel is increasing is indicated by the fact that the average passenger journey on all the roads of the country now is 32.5, while in 1896 it was but 24.4 miles, an increase in the twelve years of nearly 33 per cent.

British Censor of Plays Under Fire.

Prime Minister Asquith recently informed the British House of Commons that it appeared to be advisable to consider the matter of censoring plays. His action occasioned some interest, and there were various suppositions, more or less wide of the mark, concerning the cause of his attitude in the matter. Now, however, comes the explanation, which demonstrates that many of the suppositions went wrong. It appears that a play by Guitry was to be presented at the Adelphi theater. The play was "La Grèce," and it, well, perhaps not risqué, but daring, let us say. King Edward has a somewhat rollicking taste in such matters—as is indicated by the fact that, during his visit to Paris, he selected "Three Weeks" for presentation at a state performance—and he wished to see "La Grèce." Well, the censor, having an eye to public morals, prohibited its presentation, and then and there the trouble was on. King Edward is a man of considerable influence in the United Kingdom, and he brought it to bear, with the result that Mr. Asquith was obliged to allow the play. Well, finally will be done about it remains for Time, the great solver of problems, to tell.

Married Quite a While Ago.

For some time past, in the Royal Museum at Berlin, eminent scholars have been delving among the so-called "elephantine papyros," with the result that they have found some decidedly interesting "curios." Perhaps the most remarkable of these was a marriage contract which is believed to be the oldest now in existence; in fact, the parties to it now are dead. It was signed, as its text tells, "in the seventh year of the reign of Alexander, the son of Alexander, in the fourteenth year of the satrapy of Ptolemy, the son of Ptolemy, the son of Dios." This would make the date of its execution about 311 B. C., or 2,220 years ago. The parties to the contract are Herakleides and Demetria of Kos, the bride giving the groom, as her wedding dowry, clothing and jewels of the value of 1,000 drachmas, which is a comfortable sum, but not enough to buy an European title in these days; moreover, the groom is hampered by a condition to which no self-respecting modern title would submit—to return the value of the dowry and as much more in the event that he proves unfaithful to his wife. Six witnesses signed the contract, which is in a nearly perfect state of preservation.

The Population of Egypt.

With the exception of Bengal, the habitable parts of Egypt are the most densely populated of any portion of the earth's surface, yet, notwithstanding this condition, the population is still increasing more rapidly than that of any European country except Germany. The population, according to the census of 1907, was 11,189,978, and to this number should be added the nomad Arabs, of whom there are estimated to be 97,381, making a total of 11,287,359. Excluding the desert, this allows an average of 930 persons to the square mile,

while Belgium, densely packed as its inhabitants are, has but 588.7 to the square mile. The average number of residents to a house is 5.81. So much for the density of population; now as to the growth. In 1897 the population was 9,717,228, so that in ten years it increased 1,570,131, or about 16 per cent. During the same decade Cairo increased by 84,414 inhabitants, and Alexandria by 50,243. About four-fifths of the population are Mohammedans. Eighty-five per cent. of the men and 3 per cent. of the women can read and write.

Suffragettes Are Active in Egypt.

Writing of Egypt, it is of interest to note that suffragettes are making themselves heard there as well as in countries where the women are more literate. To be sure, the Egyptian women are not asking for the privilege of voting, but quite certainly what they ask is as essential to their welfare. Recently 4,000 of the leaders among them assembled at the Cairo Opera House, indulged themselves in speeches sufficiently denunciatory of the men to have been heard in England, and finally adopted resolutions demanding their Egyptian rights, which, briefly expressed, were the following: Freedom from harem life, abolition of the veil as an out-of-doors necessity for women, permission to be in the society of men other than their husbands, and the right to be courted as the women of the occidental nations are courted. The unfortunate feature of these demands is the fact that the necessity for them exists, but perhaps the same remark might be made concerning most suffragette demands wherever they are heard and however they are shrieked. That the women of Egypt have ventured to take part in such a movement, however, indicates once more that the world certainly is moving.

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not put a percentage on any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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OUR FIVE-FOOT SHELF.

Bacon's Essays.

Lord Bacon had something to say and forthrightly said it, in the stateliest, clearest prose our language boasts. He looked upon the world with the profound vision of a philosopher and with the shrewd eye of a courtier, and then translated what he saw into words so simple that the fool may read and understand. The knowing and the wise wince as they read the essays for, outside of Shakespeare, you shall not find such frankness, so unabashed recital of the truth of life that lies beneath the shams. And yet he did not undertake to write a satire: he merely wrote the truth, and the effect is much the same as one feels upon seeing a man naked—you are reminded, with a shock, of the clothes that usually hide the imperfections of his true shape and likeness.

His English style is marvelous. As clear as crystal, and as highly polished; smooth to the lips and ear; majestic, yet varied with liveliness and wit; almost parsimonious of words and yet every phrase is rounded to encompass the whole gem of the idea which it leaves brilliant, nay, dazzling, to the reader's eye. Brief as the phrases are, they stand out in the memory like ranges of massive mountain peaks, each one distinct and impressive, leaving the reader's mind to explore the intricacies of forest and canyon that their presence suggests lie at their bases.

And wonderfully human they are, so human that they are forever contemporaneous. Even the quaint speech of Elizabeth's time in which they are written does not give one a sense of reading old matter. What in them is pleasing would pass for an extra good bit in this morning's newspaper. They refuse to grow old. They are pure gold of wit, wisdom, and wording. The longest may be read in five minutes. I commend them to every reader, in a pocket edition, the size of a wallet. You can carry a purse full of less treasure than this handbook of practical lore of the world written by a most shrewd worldly old sinner and observer of life.

MASCAGNI'S AUTOBIOGRAPHY.

Signor Mascagni has written his autobiography, which will be published shortly in a book of lives of illustrious modern Italians.

He relates that once he obtained employment as a substitute leader of orchestra in an operetta company for five francs a day, which was not paid regularly. While leading "Satanello" at Naples a song was encored, but he refused to have it repeated. The audience shouted and howled; still Mascagni refused to repeat the song. Suddenly he was struck on the back by a heavy object and thrown off his chair.

"It was a cushion hurled from the gallery," Mascagni says. "I immediately repeated the song and have never received an encore since." When Mascagni was a poor boy he had a plate of macaroni every day. In 1883 while he was at Cerignola, bandmaster of the municipal band and giving piano lessons, he composed "Cavalleria," won the Sonzogno prize and became rich and famous.

SHAKESPEARE IN SYRIA.

Says The World To-day: Could a more picturesque stage setting be imagined for a Shakesperian production than a grove of stately pines on the shores of the Mediterranean with the Lebanon range, rising to a height of several thousand feet, as the distant background?

Such was the actual setting for the al fresco production of "As You Like It," given last spring on the beautiful campus of the Syrian Protestant College, Beirut, Syria, by its students. The chief interest of the performance lay perhaps in the cosmopolitan character of the cast, in the difficulties that had to be encountered by the actors and in the fact that it was the first play of the kind ever given in that ancient country.

ODDITIES OF AUTHORS.

Alexander Pope, who was the literary pontiff of his time, thought best when in bed. Whenever a thought came to him he would jot it down on a scrap of paper. His servant often found bedclothes and floor covered with white bits containing aphorisms which have now become hackneyed quotations.

Victor Hugo wrote "Les Misérables" standing up, an attitude which Hawthorne also assumed when he wrote many of his romances.

One leg thrown over the arm of a chair or sitting on the arm of his secretary's chair were Napoleon's favorite positions while dictating to Bourrienne, a position which he varied now and then by patting that scribe on the head or pulling his ears.

Sir Walter Scott could, while reclining on a lounge, dictate to two amanuenses, who frequently had to stop writing, so funny the dictated passages seemed to them.

Rabzac, in a monk's robe, frequently wrote from midnight till noon, taking draughts of strong coffee when drowsiness attacked him, and thus shortening his life by many years, no doubt.

William Morris made one of his famous translations from the Greek while riding on the steam cars. Walt Whitman and Horace Traubel, original in all things, were most original in the position they took while thinking. They were wont, so Mr. Traubel says, to climb upon a pile of lumber and lie down upon their backs. In that way each found out what the other's best thoughts were.

A man more absolutely governed by pure reason than Lord Macaulay could not well be found, but in his diary he refers to an after dinner talk about the feeling which Johnson had—of thinking oneself bound to touch a particular rail or post and to tread in the path of paving stones, and he adds: "I certainly have this very strongly."

In one of his Hibbert lectures Max Muller said to the students: "Many of you, I suspect, carry a ha'penny with a hole in it for luck. I am not ashamed to own that I have done so for many years."

Charles Dickens refused to lie down unless his bed was placed due north and south. He gave notice of the rule before arriving at a friend's house or a hotel, but a compass was always handy in his baggage to make sure.

Mrs. Justin McCarthy has told how Parnell gravely checked her stirring coffee "the wrong way" and insisted that she should take another cup.

A FATHER RYAN MEMORIAL.

The Mobile Register, says the Houston Post, is to be congratulated upon the prospect that its persistent efforts to build a monument to the memory of Father Abram J. Ryan, the poet-priest of the Confederacy, are to be crowned with success. For six years or longer the Register has carried at its masthead the appeal for funds for this purpose, and at the present time the sum of \$2,000 has been contributed. It is strange that the Southern people have shown such apathy toward this movement. Father Ryan was a chaplain in the army, and the greatest poet produced by the war period. His inspiring lyrics will live as long as history records the deeds and sacrifices of the civil war.

His noble character and splendid sympathies were manifested just as bravely in the great yellow fever epidemic in 1878, when he gave his life in the effort to soothe and comfort the sufferers of that dreadful visitation, as when he served in our armies.

Of all the names of our dead that are entitled to be forever preserved in enduring form, none is more worthy than the sweet-souled priest who spent four years in our armies with the sick and wounded, invoking the sympathy of God for their sufferings and in the hush of midnight writing songs which inspired the men in the line to almost superhuman endeavor for the cause.

A POET'S PROPHECY.

By Alfred Tennyson.

(From "Locksley Hall.")

For I dight into the future, far as human eye could see,
Saw the Vision of the world, and all the wonder that would be;
Saw the heavens fill with commerce, argosies of magic sails,
Pilots of the purple twilight, dropping down with costly bales;
Heard the whistles blast with shouting, and there rained a ghastly dew
From the nations' airy navies grappling in the central blue;
Far along the world-wide whisper of the south-wind rushing warm,
With its stirred and drowsy peoples plunging thro' the thunder-storm;
Till the war-drum throbb'd no longer, and the battle-flags were fur'd
In the Parliament of man, the Federation of the world.

AN ART THEATER THAT PAYS.

Once more comes the report that the company of the noted Art Theater in Moscow is to go into the Western world next year and not merely to London and to Paris, but across the Atlantic to American cities. "So eager were the Russian players to see the new world and to be seen of it," says the Dramatic Mirror, "that when Sarah Bernhardt was playing in Moscow last December they besought her to inform them as to the details of foreign travel by a European company, and she gave them information on the business of transporting elaborate scenery and mounting different sets on successive nights."

The Mirror then adds some little-known particulars about the organization and methods of the company. It seems that a number of rich Moscow families, dissatisfied with the objective and superficial character that characterizes the repertory of the subventioned theater in Russia, set about to found an art theater, the repertory of which should be largely made up from the more modern plays of Russian authors. A company of players to be trained afresh was projected, and as a result one of the most artistic theaters in Europe has been developed. The patrons of this enterprise for the most part were and are wealthy manufacturers of Moscow.

Under such auspices, and with a definite object beyond the commercial in view, box office receipts were secondary in the scheme, or rather wholly subordinate. It is said that a hundred or more rehearsals have often preceded a performance, much being left to the individual initiative. But the class of actors recruited has been high in intelligence, as Moscow University supplies much of the personnel of both sexes. Each recruit, after leaving the university, takes a course of three years in the school maintained by the Art Theater before entering upon practical work. Gordon Craig is an artistic adviser as to settings, and pays semi-annual visits to Moscow from Florence, where he lives, to supervise the work in this department. Members of the company are engaged by the year, with an allowance of a two months' vacation. Salaries average much smaller than elsewhere, chiefly for the reason that while the public may decide to elect its favorite a star every member must play the part assigned by the directorate. The company has become so popular that, although prices are raised during the annual visits of the players to St. Petersburg, the seats for the season are usually bought up before the opening night. For several years the balance sheet has shown a large profit, part of which is divided as a bonus among the members of the company over and above their fixed salaries.

Edwin Milton Royle has written a sequel to "The Squaw Man." It is called "In the Blood," and the scene is the Indian reservation at White Rocks, Utah.

CITIES AND THINGS

II.

By WILLIAM KENT.

[The following is the second half of an address delivered before the City Club of Los Angeles on May 22nd by Mr. William Kent, of San Francisco, whose twenty-five years of active participation in the political, restoration and civic uplift of Chicago lends extra significance to his thoughtful analysis of the problems of the cities, "the hope of democracy."—The Editors.]

Returning to the question of economic necessities, it should be an inherent function of a city to furnish an adequate supply of pure water. This duty should never, under any conditions, be delegated to private initiative. It should be beyond the bounds of possibility that any reasons should ever be given for the curtailment of this vital necessity. Whatever the cost it must be had, and the people should at all times be in position to hold their representatives directly responsible for an adequate and wholesome supply. Good water should be furnished at cost, or in the event of extraordinary expenditure, even below cost, and part of the charge met out of general taxes.

Evils That Were Allowed to "Happen."

When we consider the other public necessities of the city (transportation and artificial light, telephone service and the distribution of heat and power) we find still more of the evil results of the accident theory. The city, as it grew, at first did without these things, that subsequently became necessities. Instead of being planned in advance they were left to private initiative. This private initiative considered, first of all, that in furnishing these requirements it was subject to risk and therefore should the business prove profitable the rewards should be large. With the development of our cities it became a certainty that street railways, run even by horse power in densely populated centers, were sure of enormous profits, when operating on the basis of a 5-cent fare; the cable, for dense traffic, further cut down operating expenses; the trolley, and especially the economical overhead trolley, still further reduced these expenses.

But the street railway promoters insisted upon taking to themselves all the advantages derived from this knowledge and these inventions and devices. The cheaper the operating cost, the greater the crop of the fruits of the printing press in stock and bonds. And then, when the cities began to wake up and demand more service for their nickel or more tickets for a quarter, they were met with storms of indignant protest and systems of bookkeeping beyond the abilities of Ananias.

This "assault upon vested interests" and the investments of "widows and orphans" was met by the stern resolve of the banded public utilities, led by the transportation companies, to properly govern in their interests these aggregations of "misinformed, envious, socialistic, anarchistic, and altogether undesirable" patrons of the public utilities aforesaid. Here is the direct cause of most of the municipal wickedness that has blotted the story of the American cities. Uncontrolled public utilities naturally linked themselves with other predatory classes.

Other Anti-Social Powers.

There were liquor dealers desirous of securing an adequate outlet for an unlimited output; and next came into line the purveyors of prostitution, gamblers, and "con" men, also asking their chance to live; and there was marshaled a malevolent army bent first of all upon profit, but incidentally upon the destruction of the social life and well-being of our cities.

It is not that those interested in public utilities were worse, or different at the start, from other people, but simply that they have been victims of custom and of false perspective. There are numerous examples of men of high character, who, having undertaken to protect such vested interests against public attack, have been driven to death between their sense of right and the deeds they were compelled to do at the insistence of their directors and stockholders.

A Solution of Public Utilities Problem.

Chicago, after thirteen years of struggle, has solved its traction problem in such a way as to establish a partnership between the companies and the city, and has eliminated from the situation the necessity or the possibility of the street railway people endeavoring to govern the city in their own interest. There is no reason for their doing so and they find peace and contentment and profit in giving good service to the traveling public.

Exactly the same solution is possible for the lighting concerns and the telephone service. There must be a protected monopoly practically free from any upon which reasonable earnings must be allowed upon actual, bona fide, well expended investments, together with due remuneration for good conduct and good management, if the city is to live harmoniously with these, its servants. The time must come, indeed should come, when the city should furnish these necessities at cost, and without profit, to its people. As a step in the right direction Chicago has gone far. The other cities must, sooner or later, follow its lead, preparing to take over these functions just as fast as financial ability and a recognition of business management in municipal affairs are obtainable.

"Farming" the Right to Tax.

When a city turns over to a corporation the right to furnish light or transportation, it hands over to that corporation one of its sovereign powers, the right to tax. The mere fact that water, transportation, and artificial light are necessities, carries with it the fact that the consumer must have and pay for them whether or no. That the city should farm this right to tax without placing upon it limitations in regard to cost and quality of service is as absurd and as iniquitous as the ancient practice of farming out the taxes of provinces. To exact a percentage of the gross receipts in such a farming-out system is equivalent to turning a tax collector loose on a community, only providing that he yield up to those authorizing him either a percentage of his gross collections or a fixed sum. Such practice is more malevolent than the authorization of gambling and lotteries by a municipality. It is optional whether people shall or shall not gamble; whereas, in this uncontrolled, tax-farming scheme, the municipality turns upon its own citizens those who are given the right to reap what they can out of the people's necessities.

This control and regulation is known by capitalists and promoters as "socialistic" and "anarchistic"; as being inspired by the envy and hatred of the mob, and as being fomented by pestilential demagogues. The epithets, plastered over the billboards of reform, bear more eloquent testimony to the grief of the greedy than to the intelligence of the grafters.

Extravagance and Waste.

There is another disease of American cities, allied to the troubles we have already considered, and that is the disease of waste and extravagance. It seems so easy to raise vast sums of money by bonding a community that the ordinary rules of business caution are overlooked. The bonds are sold. Who is to pay for them? The answer will be: "Nobody in this generation." So let them go. Add to this ability to raise money, an inability to spend it honestly and well, which inability has often been exemplified, and we have a complete scheme of self-destruction which must stop the growth of any city unless it continually draws new blood from without. This is the situation in New York, which long ago would have shared the fate of its trolley system if it had not been made the receptacle for the hoardings and savings of the rest of the country. I should hesitate long before settling down in any city that had been so thoroughly looted, with an expectation of reasonable taxes or rational hope of seeing it righted.

Chicago has been singularly fortunate in having had a bond limitation during the years of its misrule. The grafters were compelled to confine their stealings to what they could reach in the immediate present and to presenting themselves with franchises which, however, were also limited as to time: whereas, in prodigal New York they talk of perpetual franchises, and the charges against the city have reached figures beyond the dreams of promotion. Pay! Why, they have to pay these charges now, and the cost of living in New York is now a burden and always will be a burden, for past misgovernment and waste must all be paid.

Individualism Dying.

I would not be here talking to you if I did not feel that city questions are coming to be

(Concluded on Page 524.)

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Human Nature, Human Nature!

Human nature, human nature, you're a peach!
Always want the thing you cannot seem to reach:

Want the thing you haven't got—
Say, your neighbor's house and lot—
Want the thing that makes him glad;
Want his cash, and want his lad;
Want the sunshine of his life;
Want—no, never! not his wife;
Want the thing that makes you sick,
Want to drop it mighty quick;
Want the lime-light's central spot;
Want—you really don't know what.
Oh, I tell you, all experience serves to teach,
Human nature, human nature, you're a peach.

Human nature, human nature, you're a chump!

Always scrapping for the refuse on the dump.

Baby for her rattle scraps;

Tommy biffs the other chaps

For a marble or a ball;

Susie wants Elnora's shawl;

Mama cannot rest of nights

Till her hat beats Mrs. Blythe's;

Papa's hustling like the deuce

Just to shake some fellow loose

From the dollar in his paw—

'Rah for human nature! 'Rah!

For I tell you here is wisdom in the lump:

Human nature, human nature, you're a chump.

The High-Browed Man on Poetry.

"If it were not for some natural limitations," said the high-browed man, I might have been a poet."

"I suppose you are properly grateful for your limitations," I remarked.

"Well, I don't know," he replied. "Of course, it is pleasant to have money, but, on the contrary, it must be rather gratifying to have people shy off from you on the street and say, 'Hush! Don't disturb him. He may be thinking beautiful, rhythmical thoughts.'"

"What are your limitations?" I inquired.

"The brevity of my hair and of my thoughts."

I can get either to grow long enough."

"What do you mean?"

"Well, of course, you understand about the length of hair that is essential to a real poet, and perhaps I best can make you understand what I mean by the brevity of my thoughts by illustrating. For example, take this little thing that I wrote:

"Should all my neighbors like me prove,

I think it likely that I'd—move.

"Now that rhymes, and it scans, but the trouble with it is the love finished. There is nothing more to say, and it is not long enough to be a poem. Here's another thing I wrote:

"I love the little birds that sing,

The buds, the brooks and everything.

"Can't you see that that is open to the same objection? Yes, I can love anything more when already I have loved everything? And if I don't love anything more how am I to tell about it in poetry? Oh, I tell you it is mightily discouraging to come that close to being a poet and then fall down because your thoughts are too short-winded to carry you through. So I might continue, but my emotions overcome me, and I must ask to be excused."

"You are excused," said I.

Found a Husband Necessary.

"Did you hear that Helen was married?"

"Why, no! I am surprised. I heard her say she never would marry, and I thought she meant it."

"Yes, but you know that was before these dresses that button down the back came into style."

Far From Entirely Bereft.

"Does the widow seem to be entirely inconsolable over the loss of her husband?"

"Well, I shouldn't say so. You know, she still has Fido."

The Opinions of Rufus.

It takes a wise man to tell what's right beforehand, but any dern chump 'll stand ready to prove to you that he can tell what's wrong afterward.

The doctor told the preacher that what he needed was change. Says the preacher, "I git it every Sunday on my 'lection plate, an' oh, my brother, it's mighty small change, too."

Thus you realize, my brethren, that life ain't hully a snap for the preachers.

I b'lieve that some folks are mistaken in 'pearin' to thik that the best way to help up a man that's down is to kick him up.

You kin teach your child that the Almighty Dollar ain't the best thing in life, but es long es you run further an' bow lower to a man that has wealth than you will to anybody else, 'tain't lively the kid 'll pay much 'tention to the preachin'.

The only odor some women never carry 'bout them is that of sanctity, an' they'd have that, too, if it could be bought at the same shops es the others.

Lots of us that haven't any respect for Beelzebub can't help admittin' we can we're talkin' low down 'tween ourselves, that we've had considerable fun with him.

You kin make your own choice 'tween the Prodigal Son an' his brother, but I've allers felt that I'd ruther be foolish, an' git over it, than to be low-down mean, an' not git over it.

What's needed almost more'n vacations is two weeks after every vacation in which we kin rest up an' git ready to go to work again.

I reely b'lieve that cigarettes injure the brain, but lots of fellers that smoke them ain't in any danger on that account.

It may be that you aim higher than you'll git, but it's a dead sure thing that you'll git no higher than you aim.

She Giggled.

She said that the weather was pleasant that day.

And giggled;

Remarked that her Willie was really au fait.

And giggled;

At church or at party, at funeral or rout,

Whether humor was in or humor was out,

By way of announcement that she was about.

She giggled.

She mentioned the style of the feminine hat,

And giggled.

(But I wish to remark I don't notice her for that.)

She giggled.

If people were merry, or people were sad,

She said that the conduct of Willie was bad,

That really it vexed her and made her quite mad.

And giggled.

She went to the gate that is narrow, they say,

And giggled.

When Peter said, "Pass," in his welcoming way,

She giggled;

And I'd bet you a dollar, two dollars, or four—

And I know of some people would offer you

That the first thing she did when she got through the door,

She giggled.

Above All, Henry.

Above all, Henry, look solemn and wise.

It will not fool everybody forever, but it may fool enough long enough to serve your purpose, and if you do not believe me you may ask Judge—to mention his name might be unpleasant, and so you may insert the name of the judge to whom your mind turns in this connection.

Now see, Henry, not all of us can be wise, but any of us can look so, and consequently we should play the game for all it is worth, as does Mr.—but again you may insert the name that occurs to you.

Again, look solemn and wise, Henry. Until a counterfeit is detected it does just as good service as a genuine coin.

Thoughtful Man on Reformers.

"A reformer," said the Thoughtful Man, "is a person who sees and deprecates the frailties and errors of mankind. 'It's too bad,' he remarks to anybody that is in his vicinity, 'and if it wasn't for me I fear that the world would go wrong. It now becomes my duty,' he says, 'to fasten on my armor and go out and belt Sceptered Iniquity. Come on, boys,' he says when his hearers encore him, 'let's go up to the armory and get ready for the fray.'"

"So the whole crowd adjourns, and prepares to get busy. They are good and well-meaning boys, and you can see that there's a raw and chilly day ahead for Sceptered Iniquity. Pretty soon one of them sees something suspicious."

"'Aha!' he cries, 'there's a Sceptered Iniquity,' and he hits him a belt with his battle-axe. 'Ouch!' says his victim, as he picks himself up. 'You under-headed imbecile, don't you know your own friends? I'm no Sceptered Iniquity. Take that!' he says, driving his lance into the first party's solar plexus."

"'And that!' says his friend, giving the first party another whack."

"'And you take this bouquet home to your parents!' says a friend of the first party, driving home with his broadsword at the friend of the second party."

By this time the friends of both parties have formed in battle line, and you can see that the world really does need reformation."

"What a Sceptered Iniquity doing all this time? Well, he's busy. He's standing on a convenient hillock and cheering the combatants on. 'That's it!' he says. 'Giveum!' he says. 'Don't let 'em impose on you!' he says. And there is more than one poor, fainting reformer whom he cheers to renewed exertion."

"If it wasn't for this peculiarity on the part of reformers; if it wasn't for their congenial tendency to belt a head regardless of where it sticks up or what fellow-soldier bears it, I should greatly fear for our loved country, for undoubtedly they would interfere with business and it would get so after a while that there would be neither pleasure nor profit in being held up. But, generally speaking, they can be relied upon. They start out meaning to blight Sceptered Iniquity, but they can't resist the challenge they find in the sight of a brother's head."

"In my opinion," the Thoughtful Man concluded, "this peculiar characteristic of reformers is due to an intervention of Providence in behalf of business, including those who do business—and us. Doesn't it look that way to you?"

"I left my glasses at home," said I.

Amended Definitions.

A Creed—Man-authorized schedule of limitations its creator sets upon the Almighty. True Creed—The one you indorse.

False Creed—The one you don't indorse.

War—A sublime spectacle of slaughter manipulated and overseen by monarchs and others in authority—from a safe distance.

Warriors (sometimes termed heroes)—Those who are thus manipulated and overseen.

Universal Brotherly Love—A heavenly vision seen by none save the best and noblest of dreamers.

Bribe—Small sum paid by a poor man for illegal assistance. (A black crime.)

Hold-up—A large sum paid by a wealthy man for illegal assistance. (An unfortunate but excusable necessity.)

Brief Ode to the Knocker.

He is knocker in the summer, and he's knocker in the spring.

And he's knocker in the winter, and he's knocker most everything.

Yes, he knocks in every season, and he doesn't cease to knock

"When the frost is on the punkin and the corn is in the shock."

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UP AND DOWN THE STATE.

The Sacramento Valley Development Association has undertaken to raise a fund of \$50,000, which is to be used in advertising the great valley throughout the East and elsewhere.

In an old mining tunnel at Table mountain, near Bodie, a vein of gold ore running from \$40 to \$100 to the ton recently was struck.

By a plurality of fifty-eight, the voters of Long Beach decided in favor of the adoption of an ordinance permitting householders to keep liquor on their premises for family use. This is a reversal of Long Beach's former attitude which will result in the sale of liquor for hotel dining-rooms.

The first carload of watermelons from the San Joaquin valley was shipped from Dinuba on June 28th.

A number of San Francisco capitalists have purchased 2,200 acres of land in Fresno county. They will plant it to oranges, and place it on the market in the East.

It is reported that peaches for fall delivery are selling in the interior valleys of California for \$26 a ton.

The California Transportation Company's steamer Isleton, which was used on the run between San Francisco and Stockton, was burned at its wharf in the latter city last week. The loss is estimated at \$100,000.

The Home Alliance, of Woodland, is eighteen years of age, and is perhaps the oldest strictly local paper in the state which has made the fighting of the saloons the principal object of its existence. It is almost unnecessary to add that its editor is a woman.

The Healdsburg Tribune has been sold by the Tribune Publishing Company to Alexander Crossman. As the latter says that "Healdsburg appeals to me as the one beauty spot selected by the Ruler of the Universe to receive his divine gifts," it would appear that he should not be lacking in incentive to make a success of his editorial labors.

But a few years ago the Imperial valley was a desert. To-day, with water upon it, it is yielding fruitage in abundance, and its excellent little paper, the Daily Standard, has attained the age of five years. All of which is mentioned as another evidence of the fact that time—and water—produce wonders.

Ralph A. Sage, formerly with the Suisun Republican, has purchased an interest in the Benicia New Era, and hereafter will be identified with the interests of the latter newspaper.

The Congress of Reform of the California Woman's Christian Temperance Union will be held in Berkeley from July 17th to July 23d, inclusive.

HOPE.

I must run and play
Where the sun
Shines brightest till the day
Is done.
Swifter than the light, I go
As the waters flow,
As the rivers run,
To the sea, to the snow,
Peak to level,
Good or evil,
On I run.
Water is not fluent
More than I;
I must be a truant
Till I die.
Wind and wave I follow,
Heaven hears my hollow—
To the sky,
In the sea-trough's wallow,
At the noon,
Neath the moon—
Hears my cry.
Hearthstone have I nowhere
On the earth;
I was seen by none there
Since my birth.
I am only coming,
I am less than dreaming,
I am worth
Much or little, jot or tittle,
As I'm won,
As I'm gone
From the earth.

—E. F. S.



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POLITICAL TABLE TALK

By THE WATCHMAN.

Shall San Pedro Harbor be Down in Los Public or Private Property?

Los Angeles some political excitement has been caused by the act of the trustees of San Pedro in granting a lease for fifty years of valuable harbor privileges. Los Angeles city expected to annex San Pedro soon, and control of the harbor is the object sought; to anticipate this by granting away the remaining public water frontage previous to annexation strikes a blow at the Los Angeles plans in a vital part. There is the usual mystery enwrapping the "harbor steal," as it is called; the lease is to F. E. Shaw, at a nominal rental of \$50 a year, and speculation is rife as to whom he represents, though it is believed some heavy interest is concerned in the attempted grab. Resort has been had to the courts to prevent the consummation of the job, and meantime the Attorney-General of the State is maintaining a suit which, if it succeeds, will strip of their possessions all the private claimants of harbor lands, whose titles are based on doubtful tide land sales by the State of California. The great prospective importance of San Pedro harbor makes the struggle of state-wide interest.

More Good Follows The California Weekly After a Good Job

The California Weekly has already noted the advent of Mr. Jack Stafford as a candidate for Secretary of State, and now come two other candidates for the same office who are almost as meritorious as Stafford. One is Frank C. Jordan, late Clerk of the Supreme Court, and the other is Lewis G. Hilborn, Secretary of the State Senate. So here are three candidates, any one of whom is capable of making the wildest enthusiasm among the politicians, all after the office of Secretary of State before there is any certainty that Charles F. Curry will not want it any longer. But what is the Secretary of State, and what kind of man is needed to perform the duties? Before going further it might be well for somebody to ask and answer that question.

It is a more important office than most persons are aware. It has double the number of deputies and clerks found in any other office in the state capital. Among the duties are the collection of about \$600,000 a year in the corporation license taxes, and more than \$200,000 a year is taken in as fees. All of the automobile licenses are issued from this office. One of the most important duties of the Secretary of State is to canvass the votes cast at general elections. He is also the State Sealer of Weights and Measures. He is the superintendent of the Capitol Building and the general purchasing agent, spending large sums for furniture, ballot paper and general office supplies. He is ex-officio one of the three members of the State Board of Examiners, which is the most important of all the state commissions, of the State Board of Forestry, of the Capitol Commission and of many special boards and commissions. That is a brief statement of the duties and powers of the Secretary of State. It may enable the people to judge whether they want the office filled by a "good fellow" who is one of the "boys."

Dust Germs State Senator McCartney of Thrown In Los Angeles, who has been

enforcement of pure food legislation, was in San Francisco a few days since, and he expressed his surprise at seeing fruit exposed for sale at the fruit stands without being protected from the dust of the atmosphere. Since the last legislature passed an act requiring that fruit and other articles of food shall be covered when offered for sale, the dealers in Los Angeles and other southern cities show all of their products under glass. In San Francisco and other northern cities few persons have yet found out that the law

requires this, but it is to be hoped the law will, some day, be discovered in the statute books and when found will be enforced in the interest of the public health.

The State Fair

To be on Wheels of the legislature which authorized this new departure, and appropriated \$10,000 to carry it out, the State Board of Agriculture is now arranging for the holding of a fair in Oakland, to follow immediately after the regular state fair in Sacramento. Only this branch state fair was authorized last winter, but it is safe to assume that another session will not pass without requests from a number of cities to share in the favor granted to Oakland, and it will be something strange if hereafter the state fair is not repeated at four or five different places. Secretary Filcher, of the State Board of Agriculture, admits that such will be the tendency, and he rejoices in it because he believes the effect will be to restore the fair to their former vogue. With a circuit of fairs in, say, Los Angeles, Fresno, Oakland and Sacramento, he believes that it will be easy to find exhibitors, while few are willing to go to the expense of preparing exhibits for a single fair. In the East, where several state fairs can be combined in a circuit, exhibitors machinery exhibits at last year the agricultural twenty acres of ground, and fifteen hundred hogs and twelve hundred horses were shown. At recent California state fairs the machinery and live stock exhibits have been very limited.

Troubles

At Patton The unfortunate Southern California state hospital, lately at Patton, near San Bernardino, has been again undergoing investigation this week, on account of charges of neglect and cruelty by attendants. This has been the most unlucky of the state hospitals, and although it has always had men of reputed ability and character at its head, its history has been marked by embezzlement, suicide, epidemic diseases and repeated charges of misconduct toward patients. Investigations have usually revealed conditions to be remedied, although the most sensational charges have been disproved. What is at the bottom of all these often-recurring troubles has never been made plain.

From Chief To Mayor

In Sacramento, as in San Francisco, the political situation, at least so far as the nomination for mayor is concerned, gives signs of settling itself. Following the declination of Mayor White, all was confusion for a week or more, and at least a score of leading citizens who were imported to be candidates, refused the honor. But a willing candidate has at last been found in the person of John E. Sullivan, present chief of police. He has made an acceptable head of the police department, and it is a strong point in his favor that Mayor White is promoting his candidacy. On the Democratic side M. R. Beard is as good as nominated for mayor.

Is Going to be Good Governor Gillett, to The Rest of the Term

use an expression to which many are addicted, is still keeping the politicians guessing. He will not say whether or not he will be a candidate for re-election, and this reticence or indecision, whichever it may be, the polities are half disposed to resent, because until they know something definite they cannot very well make plans. They do not concede that the nomination would be his for the asking, but the cards must be played one way if he is in the game and another way if he is out of it. The latest report is that the governor has said to somebody that he intends to go ahead for a year, making as good a governor as he can without any reference to next year's election, and allow his ultimate decision to de-

pend entirely upon what the situation shall be at the end of that time. This, if the story is true, is rather showed upon the part of Mr. Gillett, but it will put a hard strain upon the nerves of Charles F. Curry and some other aspirants.

An Unnecessary Institution Judged by his Being Given a Bad Start

most recent appointments, the governor is bringing forth mixed results in his endeavor to be the best governor possible. Some of the good appointments were noted in The California Weekly a week or two since, and to this list have since been added the names of Dr. Thomas Addison, and C. C. Chapman as trustees of the San Jose Normal School, besides others. But he has also appointed W. H. Metson and W. L. Crooks as trustees of the new California State Trades and Training School. It has been seriously doubted whether the institution, which is intended to take the graduates of state-aided orphanages, ought ever to have been established; but, since the legislature made provision for it, it ought to be started right, if at all, and Metson and Crooks are not the men to do it. The former is a San Francisco attorney who has a natural affinity for the pro-gram side of the local controversy, and who years ago served on the Yosemite Commission without covering himself with glory. As for Crooks, he is the staidest politician whom Solano county has to offer, and the one who has oftenest helped to manipulate local conventions in the interest of the Southern Pacific.

Politics in San Francisco

The only political events of this week in San Francisco were the revision of the Union Labor ticket, made necessary by the Supreme Court decision that the primary law limits candidates to their own party nomination, and the formation of a so-called Business Men's League of machine Republicans to further the candidacy of William H. Crocker. The Union Labor candidates are now all of that party, in striking contrast to the original complexion of the ticket, which was made up of Republicans and Democrats of various factional affiliations as well as straight-grained labor unionists. The Business Men's League is ostensibly a representative body of 150 Republican business men, but a careful perusal of the list reveals the fact that three-fourths of them are distinctly men of past machine affiliations. This organization professes to be formed for the purpose of securing a safe and sane business administration of the city's officers, but its membership leads conservative thinkers to suspect that it is in reality a new manifestation of the fine Italian hand of Mr. Hiram.

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THE NEW PLAYWRIGHTS

A REVIEW OF THE LAST DRAMATIC SEASON.

Under this heading the Christian Science Monitor, of Boston, gives the following lucid and interesting resume of the rise of the new dramatists as indicated by the New York theatrical season just ended.

This season has been notable for the number of new playwrights who have come forward, and for the young playwrights who have established themselves.

William J. Hurlburt's success is very interesting in view of the performance of two of his first plays by prominent women stars. "The Fighting Hope" was played 240 times in New York and afterward taken on tour by Miss Blanche Bates. "The Writing on the Wall" served Miss Olga Nethersole the entire season on the road and in New York.

Thompson Buchanan wrote "A Woman's Way," and Miss Grace George played it all the season on the road and over 100 times in New York. This is Mr. Buchanan's second play. Last year he had "The Intruder," which was shelved after a trial performance. This play has been revised and is to be produced next season.

Elmer B. Harris failed to attract much attention early in the season with "The Offenders," but later collaborated with Miss Geraldine Bonner in "Sham," which proved a successful vehicle for Miss Henrietta Crosman.

Edward J. Locke is another new author this season. His play, "The Climax," requires a cast of only four characters and has proved one of the interesting offerings of the New York season.

Harry Leon Wilson and Booth Tarkington scored another success after their comedy of an Indiana man in Italy, "The Man from Home," which has been the success of two seasons in Chicago and New York. Their new

comedy is "Cameo Kirby," which Dustin Farnum played several weeks in Chicago.

Robert H. Davis has had a rather remarkable success in the West with his first drama, "The Family." The play ran several weeks in Chicago, and is to be produced in New York the first of next season.

Harrison Rhodes has been moderately successful as a playwright in England, but this year he has with Thomas Wise, the comedian, written one of the two longest-lived plays of the New York season, "A Gentleman from Mississippi," which was produced September 29th, last, and is still running.

Edward Carpenter wrote an interesting play of old Louisiana days called "The Barber of New Orleans," his first important play. It was produced by William Faversham, who also put on "The World and His Wife," an adaptation of a classic Spanish play made by Charles Frederick Nirdlinger—his first play.

Miss Mary Johnston, the novelist, had her first drama produced by Miss Julia Marlowe. "The Goddess of Reason" proved an interesting and moderately successful play, made of familiar materials, that gave Miss Marlowe a striking character.

J. Hartley Manners this year has established himself, after several years of moderate success, by "Ganton & Co." and "The House Next Door." The first is a dramatization of a novel, and enjoyed long runs in Chicago and New York. The second play is an adaptation from the German, and sets forth the subject of racial antipathy between Jew and Gentile. The play ends happily. It proved so interesting that it enjoyed a long New York run, which has just closed, and which will be resumed in August.

Cleveland Moffett achieved his first stage success with his socialist drama, "The Battle," played all the season on the road and for over 150 performances in New York by Wilton Lackaye.

Percy Mackaye has yet to make a popular success. To his "Jeanne d'Arc" and "Sappho and Phaen" he has added "Mater," which was played twenty-seven times at the Savoy early in the season. The latter, Mr. Mackaye's first play in modern prose, received high praise on all sides for its delicacy and wit. His "The Canterbury Pilgrims" has proved well adapted to open-air performances, and has been so played at various colleges throughout the East by the Coburn players of New York, always to large and pleased audiences. It is to be played on a spectacular scale at Gloucester, Mass., August 4th, and will be witnessed by an audience of notables, including President Taft.

Edgar Selwyn, an excellent actor, made a moderately successful play out of one of Gilbert Parker's novels, called "Pierre of the Plains." Last year Mr. Selwyn produced an interesting farce, "It's All Your Fault."

Edward Sheldon, a young man just out of Harvard, wrote "Salvation Nell," a realistic play of the New York East Side, which lasted Mrs. Fiske all the season and is to be played by her next year.

If James Forbes needed a second success to prove that "The Chorus Lady" was not an accident he certainly produced it in the clever comedy of life on "the road," "The Traveling Salesman." The play was given almost the entire season in New York and has been played simultaneously in Chicago and Boston for three months.

Austin Strong wrote the libretto of "The Pied Piper," a musical play that was quaintly interesting through its genuine representation of child character.

Miss Anne Warner has produced no new play since "The Rejuvenation of Aunt Mary," a rather boisterous farce.

Miss Margaret Mayo has added to her success as an adapter of "Divorçons" and "The

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(Concluded on Page 526.)

ENGLAND'S BETTER CRIMINAL PROCEDURE

II. THE ENGLISH BENCH, BAR, AND ATTORNEYS.

Written for The California Weekly by An English Attorney.

[This article is the second of a series to be published in The California Weekly, contrasting the procedure in the criminal courts of England with the California procedure and showing why the English system results in a nearer approach to even-handed justice without expensiveness, delay, or the abuse of the English method of administering justice shortly before England has completed a cumbersome system while England has simplified a better system. The reform of criminal procedure in California is the most urgent problem of the day, and this article, together with those to follow, will be illuminating to all readers. They have been prepared for The California Weekly by an eminent member of the English bar who now resides in San Francisco, and may be relied upon as an authoritative statement of the facts. The Editor.]

The accused having been brought to the bar of the court and having been called upon to plead guilty or not guilty, may at once plead guilty and upon such simple and plain confession of guilt the court has nothing to do but to award judgment. It is, however, generally backward in receiving and recording such confession and it usually counsels the prisoner to retract it and plead to the indictment.

When the prisoner pleads not guilty he is deemed to have put himself on his country for trial and the court may order a jury accordingly.

Instead of pleading, however, the prisoner may stand mute, in which case in former times he was subjected to "peine forte et dure"; that is, he was conducted to the jail, stretched upon his back on the ground and covered with a plank upon which increasing weights were daily added, food and water being given him on alternate days only, until he either pleaded or died. To-day, of course, such barbarities are no longer practiced and if he stands mute the court may direct the proper officer to enter a plea of not guilty on his behalf, which has the same effect as if he had actually pleaded.

High Salaries of Judges.

So far, the accused has not been represented by counsel, and a few words may now be out of place concerning the bench, the bar, and the attorneys in England, as they all differ somewhat from the judiciary and bar of this state. All English judges are appointed for life, or during good behavior, and cannot be removed from office except by impeachment. They are all in receipt of ample salaries; the Lord Chancellor receives \$50,000 annually, the justices of the Supreme Court from \$25,000 to \$30,000, those of minor courts from \$10,000 to \$12,000 a year. The Justices of the Peace in the country are unpaid; they are chosen as a rule from the most substantial and trustworthy men; usually have private fortunes and in case of want of ability can be removed at pleasure; they are not lawyers but when sitting in petty sessions or in quarter sessions they are aided by the so-called "Clerks to the Magistrates," who is always a lawyer. All other justices or judges must be barristers at law (not attorneys-at-law) of from ten to fifteen years' standing at the bar and they are appointed on account of their ability and prominence in the profession. It is true that each political party, when in power, usually chooses its appointees from among the members of its own party but the salaries being large and the dignity of the office great, appointments to the bench are eagerly sought, even by the most eminent members of the bar, which gives the government the choice of the very best men. In addition to the salaries, adequate pensions are granted to retiring judges and titles of nobility are frequently conferred upon them while in office. In several cases the chief carrier of the bar is the of "Baron," and a seat in the House of Lords.

Judges Appointed for Life.

Being appointed for life and handsomely salaried, English judges are fearless and independent, not subject to political influence or open to corruption. The public have therefore the fullest confidence in their integrity and impartiality. Able and conscientious judges being among the most honored digni-

taries of the nation, are respected by both people and bar.

Ranks in Legal Profession.

In England, attorneys-at-law, and counselors (that is, to say, barristers-at-law) are separate branches of the legal profession. The attorney is of a lower social and professional status than the barrister (or counselor). Attorneys and solicitors are persons admitted into the King's Court where they act as the agents and representatives of their clients, but except in the lowest courts do not plead. They are considered officers of the court and enjoy certain privileges on account of their admission, wherefore they are peculiarly subject to the control of the judges, who exercise summary jurisdiction over them, not merely in cases where they are employed in the conduct of suits or other matter purely professional, but wherever the employment is so connected with their professional character as to afford a presumption that it formed the ground of their employment. Any person having taken the degree of Bachelor of Laws or of Arts or any higher university degree at certain universities, and who after having taken such degree has served as an articled clerk to a practicing attorney for three years may be admitted without examination as an attorney or solicitor. The conduct of the examination is regulated by the judges and vested in the Incorporated Law Society; there are three examinations, preliminary, intermediate and final. And other persons, who have not taken a degree, are admitted by examination and service in the office of some practicing attorney or solicitor for a longer term.

An Attorney's Duties.

An attorney is permitted to receive certain fees which are established by statute. He does not conduct trials in the superior courts; his duties are of a humbler but perhaps more onerous nature; he interviews clients and witnesses, collects evidence and prepares the case for trial, attending to all minor details; he also writes a summary of the client's case for the instruction of counsel where necessary, and usually briefly but is often lengthily stated. This summary in English practice is called a "brief." The other duties of an attorney are preparing and serving papers, transfers of property, and the usual practice of an attorney at law here.

Privileges and Duties of Barristers.

To barristers-at-law is reserved the right of practicing as counsel and of pleading in court. They take upon themselves the advising and the defense of clients. Barristers are called to the bar by one of the four Inns of Court, in London, Lincoln's Inn, Inner Temple, Middle Temple, or Gray's Inn, which are a species of unincorporated Law Schools, independent of the state and not under the jurisdiction of any court. A barrister, therefore, is not an officer of the court as an attorney is. The courts, however, recognize the degree of barrister-at-law as necessary to practice. After a certain number of years of study and attending lectures, the student is called to the bar by the senior members of the society, who are called benchers. The call is made by the whole body of benchers and as the degree of barrister can only be conferred by the benchers so it can only be taken away by them; therefore the position of a barrister and the right to plead in court is held by him, at the will of the benchers and they exercise disciplinary jurisdiction over the whole bar. A student, barrister, or benchman who is expelled from one inn is expelled from all and when the inns disbar a barrister or a benchman cannot practice in any court. Every barrister must continue to be a member of an inn as long as he practices and he will be disbarred for any conduct unbecoming to his profession. The business of a barrister is—beside pleading in court or advocacy—conveyancing, advising

on questions of law, signing pleadings and drawing documents, etc. If a barrister in court be guilty of contempt, such as prolix, frivolous, scandalous, or tricky pleading, vexatious proceedings, etc., the court may punish him for contempt by fine or imprisonment but he cannot be disbarred by the court. In case of misconduct the judges report to the benchers of the inns of which he is a member and they withdraw from him the right to practice if the offense be sufficiently serious, or they otherwise discipline him.

How Barristers Are Employed.

Barristers undertake no business except through solicitors and never or seldom come into personal contact with the client or the witnesses. They are not permitted to sue for their fees, which must, therefore, be paid in advance by the solicitor, as there is no legal obligation to pay a barrister, whose remuneration is supposed to be a gratuity; and he cannot contract with a client, or make an agreement for a percentage of the proceeds of the suit. When the so-called brief is handed to him by a solicitor the amount of the fee is endorsed upon it and is, if satisfactory, signed or initialed by the barrister. In court the junior counsel (there are usually at least two counsel on each side) opens the pleadings, the leader opens the case and closes. There are two degrees of barristers in modern practice (serjeants at law having been abolished), to-wit, king's counsel and barristers. The ablest, oldest and most experienced barristers are selected for king's counsel and it is usual from them to select the attorney general, solicitor general and other officials of the crown.

The general rules of qualification to entitle a person to be called to the bar in the inns of court are: he must be twenty-one years of age, and have been for five years at least a member of the society. He must be a bachelor or bachelor of arts of either of the English universities or of the Dublin University, in which case the time is three years.

Guarding the Profession's Ethics.

In forensic pleadings a barrister has the privilege to enforce anything communicated to him in his professional capacity, but it must be strictly relevant to the matter in issue, and if not relevant he will not be excused. There is a general council of the bar composed of attorneys general, solicitors general, and about seventy-five practicing barristers nominated by the inns of court or elected by the whole bar, which regulates the ethics and practice of the profession. This council is recognized both by the parliament and by the courts. Any barrister of ten years' standing is qualified to be appointed a judge or a justice of the high court and the lord chief justice of the exchequer. A qualified person he selects to other judgements.

In criminal trials, if no counsel appears for the prisoner, it is not necessary for the counsel for the prosecution to make an opening speech to the jury; however, when the prisoner is defended by counsel, the prosecution must always open the case, stating all that is proposed to be proved, so that the jury may see what the theory of the prosecution is. Counsel for the prosecution can only sum up the evidence for the prosecution when the prisoner is defended by counsel.

Neither at the opening nor at any stage of the trial may counsel give his own personal opinion of the case or state facts which require proof or which are not relevant to the issue. If more than one counsel appear on one side they generally divide between them the examination of witnesses and it is the duty of the junior counsel, when not engaged in examining witnesses, to take notes of the evidence.

King's counsel wear gowns of silk; other barristers gowns of stuff; all of them wear wigs and robes; and no one is allowed to address the court unless properly robed.

(To be Continued.)

("Cities and Things"—Continued.)

recognized at their real importance and that the recognition is leading to a wonderful change in the government of the cities. There is a municipal spirit, a new growth of public opinion in this country. The old, heedless anarchy of unrestrained individualism, which grew up in pioneer times, is rapidly giving way. It had, in its day and generation, the backing, if it wished to look for any backing, of the *laissez faire* school of sociology and

economy. The *laissez faire* theory has gone to the scrap heap and the necessity of curbing the heedlessness of unrestrained individualism is everywhere felt.

The growing social sense that is accomplishing this result has had its rise in the growing consciousness of the cities. Step by step, beginning with the attempts to secure civil service laws, then into the limitations of the terms of franchises, in the militant fight for honest officials, the struggle for small parks and playgrounds, and later along, in the insistent demand for decent housing conditions, the cities have shown the growth of municipal self-respect.

The Growth of Civic Consciousness.

The clearing away of the machinery between the people and their representative may well be compared to the Reformation where the main contention was to get the people nearer to their God. The direct primaries, the initiative and referendum and recall; the elimination of city issues from national parties; a ballot reform; reforms of the elections laws; these are all means toward the great end. They come late but not too late. Any time is better than no time at all.

Every one knows the cost and worry of building without plans. The penalty for the creation of our cities under old conditions must be paid over and over, and extravagantly paid; and every step toward improvement is vastly more expensive than far-sighted provision would have been at the start.

This vision must be broader than most of us realize. The artificial towns that have been made to order as was the case with Pullman, in the past, and with the town of Gary, now building, may provide against some few of the mistakes of our accidental cities, but just as long as the land is turned over to private individuals for speculation with the certainty of unearned values being reaped without adequate service, just so long such cities are bound to be burdened with injustice which will rest heavy on those least able to bear it.

To realize how a city ought to be constituted, we should have a vision of one constructed solely for the benefit of its people and all its people, and then we could by no possibility provide for exploited public utilities, or the absorption of land values into the pockets of a few, which values were produced by all. In such a city it would seem absurd that politicians should, by the nature of their occupation, have the licensed right to pillage. Provisions certainly would not be made for paying the legitimate expenses of city government out of slot machines or the sale of liquor. Every citizen would be granted, at the cheapest possible price, a license to live and to enjoy himself during good behavior, and no one would be given any sort of a license to steal or to debauch the community under any guise whatever.

Cities Are "The Hope of Democracy."

My last word is that democracy is the question at the bottom of it all; that every man should know that he has an interest in his city; every man must feel that he has a fair chance in his city; every man must realize what the city can do for him and his children and for other people and their children, and then with a realizing sense of what may be and what ought to be, he can doubtless be brought to work for the regeneration of his community. Our republic is going to be saved and not wrecked by our great cities. Urban life is not going to be displaced by the old-time, slow-thinking, unsocial life of the country. On the other hand, rural communities are more and more to enjoy such social opportunities as the cities furnish.

The future of our country and the future of democracy are bright to the man who knows the city and who sees its dawning consciousness, and who is working to promote its welfare. Democracy is ultimate and sure; and he who is working to further democracy is working with a beneficent current which will bear its flood of blessings to the average man. The man favored of fortune, who is fortunate, living to give time and effort to the spread of the good things of the world to those less favored, knows nothing of social life and is more than half dead.

NOTICE OF STOCKHOLDERS' MEETING.

Notice is hereby given that pursuant to a resolution and order of the Board of Directors a meeting of the stockholders of the **MARTINEZ WINERY** is hereby called to be held at its principal place of business, viz.: No. 180 Townsend St., in the City and County of San Francisco, State of California, in the Directors' room in said building, which is the building where said Board of Directors usually meet, on Wednesday, the 15th day of September, 1909, at 2 o'clock P. M.; that the object of said meeting is to enable said stockholders to then and there vote upon a proposition to increase the present capital stock of said **MARTINEZ WINERY** from Fifty Thousand Dollars (\$50,000.00) to Seventy-five Thousand Dollars (\$75,000.00) to be divided into Seven Hundred and Fifty (750) shares each of the par value of One Hundred Dollars (\$100.00).

MARTINEZ WINERY.

By W. Hanson, Secretary.

Dated July 7, 1909

DIVIDEND NOTICES OF THE ASSOCIATED Savings Banks of San Francisco

MUTUAL SAVINGS BANK OF SAN FRANCISCO, 706 Market Street, opposite Third—For the half year ending June 30, 1909, a dividend has been declared at the rate of four (4) per cent. per annum on all deposits, free of taxes, payable on and after Thursday, July 1, 1909. Dividends not called for are added to and bear the same rate of interest as the principal from July 1, 1909. Money deposited on or before July 10th will draw interest from July 1, 1909.

JAMES D. PHELAN, President.

GEORGE A. STORY, Cashier.

Bank of Germany

1225 BROADWAY, OAKLAND, CAL.

Capital paid up	\$105,982.76
Reserve and surplus	\$2,296.88
Undivided profits	\$9,497.27
Deposits	\$36,666.69

OFFICERS:

THEO. GIER	President
A. JONAS	Vice-President
GEO. E. HOLLIA	Attorney
R. F. CRIST	Cashier

FOUR PER CENT INTEREST PAID ON TIME DEPOSITS

Foreign and domestic exchange bought and sold. All legitimate banking business promptly and safely transacted.

The Oakland Bank of Savings

Established 1867

CAPITAL AND SURPLUS, \$1,500,000.00

Transacts a General Banking Business, Sells Drafts and Issues Letters of Credit and pays Interest on Savings Accounts.

Has exceptional facilities for handling the accounts of Banks, Corporations, Firms and Individuals.

RESOURCES, \$18,000,000.00

Broadway and Twelfth St., Oakland.

The German Savings and Loan Society

(Member of the Associated Savings Banks of San Francisco, Cal.)
526 CALIFORNIA ST.

Guaranteed Capital	\$1,200,000.00
Capital actually paid up in cash	1,000,000.00
Reserve and Contingent Funds	1,304,498.68
Deposits June 30, 1909	36,793,234.04
Total Assets	39,435,681.38

Remittance may be made by Draft, Post Office or Wells, Fargo & Co.'s Money Orders, or coin by Express.
Office Hours: On Week Days, 9 A. M. to 3 o'clock P. M., except Saturdays to 12 o'clock P. M., and Saturdays, evenings from 7 o'clock P. M. to 8 o'clock P. M. for receipt of deposits only.

OFFICERS: President, N. O. Olandt; First Vice-President, Daniel Meyer; Second Vice-President, Emil Rohrer; Cashier, A. H. R. Schmitt; Assistant Cashier, William Hermann; Secretary, George Taunay; Assistant Secretary, A. H. Muller; Goodfellow & Fells, General Managers.

BOARD OF DIRECTORS: N. Olandt, Daniel Meyer, Emil Rohrer, Ign. Steinhilber, I. M. Walter, J. W. Van Bergen, E. Tillmann, Jr., E. T. Kruse and W. S. Goodfellow.
MISSION BRANCH: 552 Mission Street, between 2nd and 3rd Streets. For receipt and payment of Deposits only. C. W. Hayes, Manager.
RICHMOND DISTRICT BRANCH: 142 Commercial Street, between 8th and 9th Avenues. For receipt and payment of Deposits only. W. C. Meyer, Manager.

THE FIRST National Bank

CAPITAL AND SURPLUS
\$4,500,000

Post and Montgomery

First Federal Trust Co.

(Associated with the
First National Bank)

Capital - \$1,500,000

Post and Montgomery

Mutual Savings Bank

706 MARKET STREET, opposite THIRD

The Cross Roads of the City

Capital Guaranteed	\$1,000,000.00
Paid-up Capital	300,000.00
Surplus and Undivided Profits	435,000.00

Pays interest on all deposits and does a savings business exclusively.

DIRECTORS: James D. Phelan, President; John A. Hooper, Vice-President; J. K. Moffitt, Vice-President; Charles Holbrook, Rudolph Sprockels, J. C. McKinstry, Rolla V. Watt, R. D. McElroy, H. O. Beatty.
Attorneys: J. C. McKinstry and D. C. Murphy.
George A. Story, Cashier; C. B. Holman, Assistant Cashier; A. E. Curtis, Assistant Cashier.

THE teacher that day had whipped Chuffy, known to his elders as Charles, for attempting to vary the monotony of life in school by throwing a paper wad which, owing to bad marksmanship, struck the pedagogue in the face, damaging his countenance little but injuring his feelings much. As the blows fell on the back of her unfortunate companion Mary had wept, and the teacher had chided her for what he considered undue sympathy. It is hard to be whipped in school at any time or under any circumstances, but it is particularly trying when the flogging is administered in the presence of one who admires the victim would like to shine as a hero, as some who long ago forgot how to be boys may remember.

And the worst of it was that Chuffy vaguely felt it was difficult for him to look like a hero, anyway. He knew what the books of romance demanded of such an individual, for he had read all on which he could lay his grimy hands, and he sadly realized that he fell far short of "filling the bill." The books insisted that the hero must be tall; Chuffy could barely attain four feet eleven inches by standing at his straightness, as the mark on the kitchen wall at home demonstrated. The books said he must be handsome; Chuffy undoubtedly was snub-nosed and freckle-faced. They demanded a "princely costume," or something of that sort; Chuffy's costume consisted of a calico waist and a pair of trousers which, having descended from his father, still were better adapted to his form than to that of his son, and the rag which perennially bound the worst of his stubbed toes, at the same time rapidly assuming the color of the ground, did not add to the charm and distinction of his appearance. And then, on top of these keenly-felt natural disadvantages, to be publicly whipped in the presence of the one girl whom he desired to believe in him wholly—even Mary's evident sympathy could only reduce, and not entirely remove, the sting of it.

But the faith of even a germinal woman in her hero is not easily shattered, and the mantle of her loving sympathy will cover ignominy, as Chuffy learned before long. That very evening an urchin of eleven years and a "little maid of nine sat beneath the spreading branches of an oak and consulted darkly, as did the Israelites of old, concerning how they should escape from the house of their bondage.

"Our pas an' our mas say we mus' go to school," said Chuffy, while the look of one injured settled more darkly upon his caked-seemingly countenance, "an' we jus' can't go to school w'ile the tetter acts the way he does; an' so I guess 'bout all we can do is to elope."

"What's to elope?" Mary asked, with the show of deep interest that the occasion appeared to warrant.

"Shucks! Don't you know what that means?" Chuffy replied. "Why, it means when a feller an' a girl love each other they—Oh, I forgot!"

Greatly to the little girl's surprise, and somewhat to her perturbation, Chuffy suddenly threw himself upon his knees before her, lifted his hands imploringly, and cried:

"Mary, sweet Mary, I love thee. Say, oh, say that thou wilt be mine."

Mary started, for in her small way she began to fear that her hero's whipping had affected his mind.

"Git up, Chuffy Hoppin! What ails you?" she cried.

The boy rose from his knees with an injured air.

"You're awful discouragin', Mary Tapler," he said. "That's the way they say it in all the books, an' if you're goin' to 'lope with me what you want to do is to throw your head on my manly bosom an' say, 'Oh, Charles, my own Charles, at last I am thine!' Say it that way, can't you?"

But Mary was obdurate. She said perhaps she would—anyway, she might—elope, but she wasn't going to make a fool of herself. Just because the books said so. And at last Chuffy, notwithstanding the books, was compelled to compromise on her terms; it was to be an elopement without any frills on it.

CHUFFY'S ELOPEMENT

BY

B. R. TENAFLY

The arrangements for the elopement were quickly perfected. The children were to meet on their way to school, each with a well-filled lunch-pail. In addition to this, Chuffy was to carry a bow and arrows in order to secure the spoils of the chase for a permanent food supply, and Mary was to take a doll, not because it was essential, but because, with feminine obduracy or incipient maternal love, she insisted upon it.

In those days—more than fifty years ago—the forest, broken here or there by the clearings made by settlers, stretched away on every side of the little Wisconsin village. The two babes had but to step within the border of the woods, and the civilized world was lost to them. And, oh, these great woods! Do you know how their shadows seem to reach out and enfold you as if they would hold you forever? And how the sun sinks at you only occasionally, and then hastens away as if it were afraid of what it saw there in the gray gloom? And how the imagination pictures some lurking danger lurking behind every sheltering tree? Unless you know the great forests you do not understand these things; but we who walked in them in our childhood, we know.

But the eloping children were very brave, or they bravely pretended that they were. Even the soul of the woman-child did its tiny best to make this pretense, and it occasionally she drew nearer to her companion at some mysterious noise, she faintly laughed with him at her fears and said they were absurd.

Lost Lake, which in those days hid among the woods and deserved its designation, was their destination. They wandered on in the cool shade of the trees until the robust appetite of youth asserted itself, and then they sat down by a little tinkling brooklet and ate until the stock of provisions in their pails was very low. But this would not matter, they agreed, when they had reached Lost Lake, where the spoils of the chase would prove the prowess of the hero. For of such fragile stuff is formed the faith of childhood; a faith nevertheless, which rarely goes entirely astray, for will He not surely care for those of whom He has said, "Of such is the kingdom of God?"

The sun slid down the western heaven, the shadows grew denser and darker, the birds in the trees began to twitter their good nights to one another, and still there was no Lost Lake, or if there were, it was doubly lost. A suspicion of the dreadful truth began to dawn upon the little girl, and she asked Chuffy if he knew where they were. He courageously did his best to reassure her, but doubt and uncertainty were in his own small heart, and do what he might, they would speak their message in his voice. The little girl was no heroine except as confidence in her hero might make her so, and her companion soon discovered that she was softly crying.

"My dolly is so tired!" she explained, wishing to be brave to the last. "I don't b'lieve she ought to have 'loped, too."

On the whole, I do believe that Chuffy really was a hero; a misguided one, perhaps, but not the less a hero on that account. He was but a very small boy, the heart in his wee calico breast was not so entirely courageous as he would have had Mary suppose, and the tears had welled upward until they stood surprisingly close to the outer surface of his eyes, but he winked them back very manfully

indeed, carried the doll with the expressed hope that the change would prove beneficial to it, and did his best to comfort his weary little companion.

Before long twilight was almost upon the two wanderers. Outside of the woods the world still lay hushed in twilight, but within them there was little better than complete darkness. The four small feet all but completely refused to go any farther.

"I guess," said Chuffy then, "that we'd better build a fire for company, an' then eat what we've got. To-morrow we'll go on to Lost Lake, an' after that we'll be mighty glad we've 'loped."

Strategic Chuffy! He realized that neither of them was feeling "mighty glad" at that moment, and so he cunningly appealed to that hope which "springs eternal in the human breast." And, again, strategic Chuffy! He had been reared on the frontier and knew that wolves were a thing to be feared in Wisconsin in that day, and that, although they were the dreadful in summer than in winter, still a fire would be a good thing to keep them away. This, in no slight degree, was why they were to have a fire "for company," and honor to Chuffy, I say, that he kept his own large fears in his own small chest.

The fire, easily made of sticks and leaves, really was company. They gathered a pile of brush, very large for such small hands to accumulate, to feed it during the night, and, ah, how it sparkled and crackled and shed a genial warmth all about them! Hungry as they were, their slight supper had left them, it really was great fun for an hour or so, but after that they began to hear the weird voices and mysterious noises of the great forest, and then it was not so pleasant. There were footsteps that pattered and pattered, although nothing was in sight, creakings and groanings which were perfectly unaccountable, vague whispers which they almost, but not quite, could understand, and yet it seemed that the whispers were meant for them—whispers of warning or of warning, perhaps. These sounds really were very dreadful, and as the children sat close together listened to them, the icy hand of a terrible fear reached out and clutched their hearts. Mary again cried, but the heroic Chuffy assured her that there was nothing to dread, although his own little heart was beating like a trip-hammer, and so she was partly comforted.

But there is something which weighs even more with childhood than the eerie noises which wake in the night in the depths of a somber forest, and this is the need of sleep. Mary, being the younger of the two, was the first to respond to it. Even while the whispers and the pattering footsteps still were about her, her eyelids crept closer and closer, and at last her head drooped to the ground. She and her dolly were asleep together.

"That's right," said Chuffy to himself, very sagely; "she needs the sleep, but I'll set up to-night an' tend the fire an' keep the wolves away."

Chuffy had been sitting there alone but a very short time, though the minutes seemed extremely long, when he saw two small balls of fire very close together beyond the circle of light about him. The small heart in his small breast beat tumultuously at the sight.

"My!" he gasped, "it's a mighty good thing I've set up to keep the fire goin'! I almost know that's a wolf."

Then he threw some branches on the fire. The two balls of fire disappeared, but after a time they were replaced by four balls which glimmered in pairs, and a little later, although Chuffy kept the fire at its brightest, he saw eight balls at one time, all in pairs. He seriously thought of waking Mary then, but he concluded that a real hero would not do so, and so he did not; but he attended to the fire very carefully.

At last there was a yelping howl in the distance, the two balls disappeared, and then a thing took place which you would not believe possible if you never had been a child yourself. Chuffy's eyelids grew heavier and heavier; from time to time he determinedly opened them, but only to find they might draw together again, the light of the fire about him grew strangely hazy and dim; the woods retreated to an immeasurable distance, and then

—then, prone upon the ground, with his arm for a pillow, Chuffy was sound asleep. With those glimmering balls not so far away, and with his fire sinking lower and lower, he slept the dreamless sleep of childhood. What if the wolves were about? What if dangers accumulated? The two children slept, and they were in the hands of One who heeds even the sparrow that falleth.

A little later in the night, when the fire of small boughs had died down to glowing embers, a four-footed beast, seeming strangely large in the semi-darkness about them, came where the children were lying and snuggled first at the one and then at the other. Apparently satisfied with this investigation, the creature lay down near them and set two faintly glimmering balls of fire against such other balls as might appear beyond the fading circle of light. Once before the morning broke, although the sleeping children knew nothing about it, this unrecognized visitor sprang to his feet and darted after a ghostly gray something that lurked beneath a neighboring bush. There was a patter of running footsteps, a succession of yelping cries, and after a little time the visitor came back with blood upon his jaws, and again laid himself down by the children.

The sun already was up, and, shining through the leaves, was weaving shifting, fantastic patterns upon the ground, when Chuffy awoke with a start. His eyes first fell upon Mary, and he devoted a little time to vaguely wondering how she came there. The events of the previous day were beginning to come back to him when his shifting glance fell upon the visitor who had remained by his side throughout the latter part of the night.

"Carlo!" he cried in the utmost surprise, for Carlo was his dog, and he had decided that it would be as well not to make him a part of the elopement. "How did you get here?"

But as Carlo had been denied the power of speech, he did not verbally answer, merely wagging his tail by way of assurance that all was well. Nor did the great dog vouchsafe any information concerning the gaunt, gray, mangled form which lay in the wood not far from them, although he knew all about how it got there. Perhaps in the canine heart of him he felt that his services in tracking and protecting the children were entitled to grateful recognition, but if so he said nothing about it unless his enthusiastically wagging tail was striving to say it for him.

And now it was up and on to Lost Lake, wherever that might be, with stomachs that complained of an increasing emptiness, but with a resolution so immense that it might have filled the breast of the largest man. Alas for the weakness of human nature! Exactly as the gnawing pain in their stomachs increased, the resolution diminished, until at last the former was so big that it left no room at all for the latter.

Heartsick, hungry and wearied by their long tramp of the previous day, they finally sat down beneath a mighty oak, with Carlo still by their side, and for the first time Chuffy admitted his timidity and discouragement. He still tried to be brave, but it was impossible to conceal the tears which would break all barriers and stream down his cheeks, and at sight of them Mary did the most dreadful thing which one of womankind can do, lost confidence in her hero, and, throwing herself prone upon the leaf-strewn ground, wept as if her baby heart would break. The sight of her grief was too much for Chuffy; he prostrated himself by her side, and the two children wept together.

And now, if it be true that sympathetic robins once found lost babes in a wood and covered them with warm, rustling leaves, it would seem that the time surely had come for the red-breasted missionaries to engage in such another labor of love.

To Chuffy, thus sobbing in immeasurable grief, there came an inspiration, and he immediately proceeded to put it into effect.

"Mary," he said, "don't you s'pose you'd better pray for help, an' I'll say amen." For Chuffy had an indefinable conviction, for which there may be some warrant, that feminine prayers reach higher and farther than the masculine article.

Then Mary, being thus urged, prayed.

"Dear God," she whispered, "we're lost an' we can't find ourselves. Won't you please send someone to do it, an' we'll be much obliged."

And Chuffy, as in honor and duty bound, said, "Amen!"

Greatly reassured, they now waited for their rescuer to find them, but if their childish faith had been less firmly fixed than it was, it certainly would have been shaken by the very first thing that took place after the simple play had been tremulously whispered unto the unseen Presence and recorded in the great book where such petitions are registered. Carlo, who had been lying by their side and only occasionally wagging his tail, as if he thought there might be some small reassurance in the action, suddenly pricked up his ears, started, and before they fairly realized it was gone. They were without their one protector, and although they called and called, he did not come back. And now, indeed, it required all their faith in prayer to give them even some small comfort; and yet they held to that faith, for it was all that was left to them.

But how now, ye skeptics? What will you say of those distant shouts ringing through the wood? What will you say of Carlo, barking and leaping in the van of a party of rescuers who had been out all night with lanterns and torches? What of this boy, trying hard to conceal his tears while he endeavors to explain the situation to a father too happy to heed the stammering words? What of the little girl who cries and laughs by turns, safely clasped within her father's protecting arms and against his loving breast? Perhaps that baby prater had nothing to do with all this, but then, again, are you quite sure that there is no heeding One beyond the mists that may not be mists at all to a vision clearer than ours?

("The New Playwrights"—Concluded.)

Marriage of William Ashe," the play of life in a girl's college, "Commencement Days," in the writing of which she collaborated with Miss Virginia Frame. "Polly of the Circus," Miss Mayo's original comedy, has enjoyed a successful second season, being played this year by two companies. It is to go on tour again next year.

Miss Marian Fairfax provided Miss Maxine Elliott with a slight but interesting comedy called "The Chaperon." This author is certainly to be reckoned with. Her first play, "The Builders," proved interesting when played in New York last season, but for some reason has not been revived.

One of the successes of the season has been

achieved by another woman, Miss Edith Ellis, who has been writing plays for years, but until this fall has not had a popular success. This was achieved in "Mary Jane's Pa," a rural play which was played for a long time in New York and Chicago by Henry Dixey. Lee Wilson Doods, a young man just out of Yale, wrote "The Return of Eve" for Miss Bertha Galland. The play was a moderate success, and proved that the author is original and witty. His next play will be watched for with interest.

Miss Gladys Unger, a young American girl now living in Paris, made an excellent adaptation of a French comedy called in English "Love Watches," which served as a delightful vehicle for the stellar debut of Miss Billie Burke. Miss Unger with this play has established herself. Her earlier plays, "Mr. Sheridan," and the one-act piece "The Lemonade Boy," have been played to interested audiences in this country and in England.

A number of new American authors are not included in the above list. Their plays prove unimportant, although they promise interesting work in the future.

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SHEAR WIT

Better to laugh alone than quarrel with friends.—Old Maxim.

The three young men had just emerged from the fiery furnace. "They are the boys to make a name," cried the people. Then their political careers were begun.—New York Sun.

"The climate is considered very healthy here, I believe," remarked the tourist in Arizona. "Yes, if you mind your own business," replied the native.—Philadelphia Record.

John W. Gates says, "heaven knows what is to be done with the tariff." Has Mr. Aldrich favored heaven with copy for release at a certain time?—Chicago Record-Herald.

Judge—You are a freeholder? Talesman—Yes, sir; I am. "Married or single?" "Married three years last June." "Have you formed or expressed any opinion?" "Not for three years, your honor."—Success Magazine.

"Now, Tommy," said the teacher, "you may give me an example of a coincidence." "Why, er," said Tommy, with some hesitation—"Why, er, why—me fadder and me mudder was both married on de same day."—Harper's Weekly.

A little girl who had a live bantam presented to her was disappointed at the small first egg laid by the bird. Her ideal egg was that of the ostrich, a specimen of which was on a table in the drawing-room. One day the ostrich's egg was missing from its accustomed place. It was found near the spot where the bantam nested, and on it was stuck a piece of paper with the words: "Something like this, please. Keep on trying."—Yonkers Statesman.

Mark Twain tells the story of the convivial man who reached home at three in the morning, staggered up the steps, desperately jabbed at the keyhole, lurching in the door, drew a bead on the door and made a running start up. He lost momentum as he mounted, swayed, grabbed for the banister, slid helplessly down, caught the newel post at the bottom in a desperate embrace, and sighed mournfully, "God help the poor mariners at sea on a night like this!"

"At the dessert the traveling man waxed irritable and sarcastic. 'Look here,' he said. 'This pudding is on the bill of fare as 'ice cream pudding,' and there isn't any ice, nor is there any cream in it.' The waiter, in a tone of great patience, replied: 'That's all right, sir. There's nothing in names. If we serve you with Washington pie, it's no sign there's a picture of the Capitol on every piece, and when we bring you college fritters there isn't a term's tuition in advance thrown in. Any cheese with your pie, sir?'—Columbus Dispatch.

"Good morning, madam!" voiced the cheery salesman. "Good morning!" echoed the quizzical matron. "Have you something very choice in Irish lace?" "Well—er—no; but here's something just as good at seventy-five cents a yard." "Just as good?" doubtfully. "Yes, yes; in fact, confidentially, superior to the real article. How much do you wish, please?" "Just a yard," sweetly. "Here's your money." "But, madam!" in confusion, "you've made a mistake—this isn't money." "No?" agreeably. "Why, no! It's a matinee ticket." "So it is!" sweetly. "But it represents seventy-five cents, and while it isn't actual money, it's just as good. Adios." The clerk faints.—Ex.

The whole Southland never claimed a sweeter, more lovable and gentle woman, but she could never be persuaded to use a 'phone. Lately the entire household was down with the gripe and there was no one else able to call a physician in the night. After ringing up "Central" this dear little woman became panic-stricken and could not think of the word the household used when they wanted "Exchange." Hurriedly she put the receiver up and whispered into the astonished ear of the telephone girl the word: "Hurrah!"—Lippincott's.

PERSONALIA

The champion long distance woman swimmer is Miss Lillian Smith, of London.

Governor Folk's recent lecture tour carried him 230,000 miles and is said to have earned him \$20,000.

Maude Adams's mother is acting in a stock company at Salt Lake City. Her name is Mrs. Annie Adams.

Z. K. Graham, of Los Angeles, recently won the Call d'Aspin mountain climb in the Pyrenees, France, a distance of nearly sixty miles, against seven competitors.

Mrs. Jesse L. Pickering has been appointed head probation officer of Philadelphia, at a salary of \$85 a month. She will have twenty deputies at her command.

The pope has an auto, presented by an anonymous American friend. He admires the machine greatly, but regrets that the confines of the Vatican gardens give him no room for extensive touring.

Clyde Fitch's newest play is named "The City," and will be first produced in New York on October 4th. He has worked two years on this play which, it is said, treats a phase of New York life in much the manner of his earlier play, "The Climbers."

The oldest customs inspector in active service last month, but now retired, was Jacob R. Riley, of New York, aged eighty-five. He bitterly resents his automatic retirement and has the word of a physician that he will probably be active till he is between ninety and 100 years old.

"Little Joe" Brown, successor to Gov. Hoke Smith of Georgia, was inaugurated June 26th in a suit of brown jeans, made of wool clipped from Georgia sheep and manufactured into cloth by a factory at Marietta, where Brown lives. Brown owes his election to the governor whom he succeeds, for Smith's action in discharging him from the railroad commission opened the way to his success at the polls.

Harison Grey Fiske has obtained the dramatic rights of W. J. Locke's novel "Septimus," which is to be dramatized by Philip Littell and produced early next season, with George Arliss in the title role. The actor has been resting in England since the close of his tour in "The Devil." Mr. Fiske announces that he also has obtained for Arliss a new play by Ramsay Morris, in which the star will have dual characters to impersonate.

Brutal Criminal Laws.

"The English criminal laws must be fairly brutal."
"What makes you think so?"
"Why, I am informed that every once in a while they send a wealthy criminal to jail."

CALIFORNIA POETS' CORNER.

[The following poem, written by Mr. Bruce Porter, the San Francisco artist, was published twelve years ago (Nov. 1897) as a love poem. "The Lord," a famous literary product of Old San Francisco. It has been republished scores of times in all parts of the world, it was set to music by A. M. Wakefield, an English composer; it was sung regularly as a chorus by one of the United States officers' messes in the Philippines during the occupation of 1897-8; and it has been chanted by a group of students in a Parisian Order of the works of Californian poets will follow. The Editor.]

THE CREED OF DESIRE.

By Bruce Porter.

Still to be sure of the dawn,
Still to be glad for the sea,
Still to know fire of the blood:—
God keep these gifts in me!

Then I shall cleave the dark,
Then I shall breast the redoubt,
Then I shall glory the Lord—
And go down to the grave

With a shout!

Beginning August 1st, the Russian telegraph system will use the 24 hour clock, the numerals after noon being 13 to 23.

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The Nation's Guarantee of Good Faith.

The validity of the public debts of the United States, authorized by law, and the debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States, nor any state, shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slaves; but all such debts, obligations and claims shall be held illegal and void.

So reads Section 4 of the Fourteenth Amendment to the Constitution of the United States. It was a proper and necessary amendment, not because the constitution especially needed strengthening on that point, but because the people needed to have the idea of repudiation, compromise or compounding put beyond temptation. There was, too, a danger that the states, lately in rebellion might (through feelings of that state patriotism that had carried them as nearly out of the union as they could get) so load themselves down with debts and obligations assumed by the confederacy as to cripple them and burden the rising generation. Besides, much money was owing by the Confederacy to foreign creditors and the adoption into the national constitution of this section saved the states themselves from pressure to assume any part of this debt due in foreign countries. Our government wisely took the view that whoever lent money to the confederacy did it knowing that the money would be lost if the cause was lost and it was right that it should be so.

The question of the inviolability of a national debt has always been a perplexing one. It was a great embarrassment to the makers of the constitution and to the young government at starting. The old confederation, that had fought the Revolutionary War, had created as big a debt as possible and the colonies had very generally pledged their faith for about all they were able. For these evidences of credit relatively little of value had been received, for the paper representing those evidences had greatly depreciated. Furthermore, when the war had closed these evidences had been bought up for little by speculators, and our great grandfathers were much inclined to scale these claims to the lowest terms if not to repudiate them altogether, claiming that the persons who had furnished the merchandise or services would not be the ones to receive the payment, that having parted with the promises to pay, they would go unrequited to their graves.

There was much feeling to this effect at the close of the Civil War. Whatever the government had borrowed it had to pay a high, even a usurious rate of interest for, and its paper money and its bonds had depreciated to such an extent as practically to double the cost of the war, or what would have been its cost had our country had gold enough to make payment in gold. There were those who wished our government to force what they regarded as an equitable compromise of these claims or to pay such claims in paper money rather than in gold.

There was a certain sense of equity in this claim. Speculators who had bought our evidences of debt at low prices, and had held them for their full redemption, made great fortunes, but a promise to pay involves the faith of the giver of that promise no matter who holds it and the American people wisely ordained the redemption in gold, at full face value, of every such promise and every such has long ago been redeemed.

As a consequence of this our government has since been able to borrow money at a lower rate than any other nation on earth. Its resources are known to be great and its faith as great as its resources and so, if ever war should come again, and need should arise for borrowing vast sums of money with which to carry it on, the presence in the constitution of the nation of this definite pledging of the national faith will be of inestimable value to the nation.

Twice since the Civil War has the nation refused to slave, or in any way depreciate, the

value of its own promises. In 1874, 1876 and 1878, it continuously refused to pay obligations in a depreciated paper, and in 1896 it refused to pay its debts in a silver coinage that was not intrinsically worth more than half its face value. Whenever the issue has arisen, from the Revolutionary War until the present day, the United States has kept its financial faith untarnished with the happy result that it is now unquestioned. And so may it ever be!

TYPES OF BUSINESS GENIUS.

Since the death of Henry Rogers a great deal has been written about the genius for business organization which was possessed by him and his associates. One of the best illustrations of it can be found directly across the bay from San Francisco, at Point Richmond, in the great manufacturing plant of the Standard Oil company. That plant is probably worth more than \$5,000,000; the best evidence of that is that the county assessor has been able to find \$3,000,000 worth of property belonging to the company.

On the day Rogers was buried a flag was flying at half-mast over the office, and the workmen were given a half-day of rest. A visitor asked how many times Rogers had come to Richmond to see the vast establishment and was told he had never seen it; neither had John D. Rockefeller, Wm. Rockefeller, John D. Archbold, H. M. Flagler, or any of the men whose names are famous as managers and owners of Standard oil.

This constituted the proof of the immense organizing and executive ability of this group of men; they had their business so organized that they could safely locate a new establishment and put millions into it, without once seeing it, while the ordinary man cannot keep his business running smoothly even when he goes to view the scene of operation every day.

But, then, different captains of industry have different ways of winning success: Henry Miller, the great cattleman and landowner, for example, spends his time in riding from ranch to ranch to look after the details of business, while a Rogers or a Rockefeller makes more money by building up a perfect organization and hiring other men to attend to details thousands of miles away.

One on Judge Gray.

It is said that when Judge Wheaton A. Gray, one of the first appellate court judges of this state, was on the superior court bench in Tulare county he was called to Fresno to try a criminal case. The day was warm and some of the jurors fell asleep while the arguments were proceeding. Towards four o'clock in the afternoon Judge Gray roused the slumbers by saying in a loud tone: "Gentlemen of the jury, the district attorney has finished his argument. Now wake up and hear the charge of the court."

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The Human Quality.

It is the boast of jurists that "Ours is a government of laws, not of men." That sounds as though laws were immutable and that their application is an inflexible ordeal leaving no margin of variation for the human quality.

The chemist has to do with laws, not men, and so has the astronomer, the mathematician, the electrician and, in a sense, the physician. They are all struggling to find out what the law is because it is, but human laws are what humans make them, the human quality cannot be taken out of them and any attempt to apply them as natural law must be futile because founded in fallacy.

A fault with our laws and their administration is that an effort has been made to read out of them the human quality and to take out of the hands of judges the power to administer justice rather than law. Somebody must be trusted, and that somebody must be human. The justice he will administer must fall short of abstract justice, as men contemplate it when unrelated to any particular human being; but we shall do best to take our chances with the justice to be meted out by the man on the ground, the man who has both heard the evidence and seen the witnesses when they gave their evidence—the trial judge.

Our is, in fact, a government of men, not of laws. We may bind the hands of these men with laws as best we may, but as our government under Taft will be a different government from that under Roosevelt, even under the same laws, so will it ever be with the administration of the law. It will make all the difference in the world who names the judges and what judges are named. The great corporations have long understood this and acted accordingly. Why should not the people understand it and act accordingly?

Occasion, Not Cause.

There is danger lest the public mind go astray in fixing the responsibility for the killing of Carolina Bransch by that stupid imbecile, if not insane, Cunningham. The worst that can be said of the pay check system employed by Gray Brothers is that it was the occasion, not the cause, of the murder. The cause was the bloodthirsty vindictiveness of Cunningham, a degenerate subject to homicidal mania. The Gray Brothers are guilty of injustice, of predatory practices, of grinding hard those little able to resist their aggressions, but not of murder. They are not participants in that murder either in law or ethics. Cunningham is a brutal, sullen, atrocious murderer of helpless innocence and as such should either suffer the extreme penalty of the law, as a being unfit to live, or be imprisoned at hard labor, alone, in silence until he dies. The other wrong needs to be remedied and the inflictors of it condemned for that wrong, not Cunningham's. There are evidences that the public mind has suffered the lesser offense to assume the proportions of the greater. A confused public sense of

THIS NUMBER CONTAINS

England's Better Criminal Procedure

Third Article.

BY

An English Attorney

Readers of The California Weekly will, in due time, find every important public issue explained by some person whose special knowledge gives him a right to be heard.

justice is always calamitous, but not much to be wondered at in San Francisco, at this time

A Set-back for Non-Partisanship.

Not until the text of the decision comes to hand can it certainly be known upon precisely what grounds the supreme court of Nebraska set aside the statute providing for a non-partisanly elected judiciary, but the press dispatch warrants the presumption that it was a partisan bench that nullified the non-partisan act of legislation. It is conceivable that many gentlemen on the bench may be satisfied with the present system of judicial selection. It is much easier to have some mutual friend arrange with a corporation political boss for a party nomination than to have to go before all the people on one's record, afoot and alone as it were, with no party hurrah behind one to make one's election sure; but every man who loves justice, be he Jew or Gentile, bond or free, knows that the non-partisan principle of judicial selection is not only right but necessary to an impartial administration of justice. It will prevail even though judges array themselves against it.

Tide-water and Interior.

The contest over the interior rate issue is not settled and it should not be settled until it is settled right. It has pleased providence to establish the greatest cities on the banks of the most considerable rivers or bays, not as a whim, but for the greater convenience of trade. Under normal conditions no city so established has to ask for special privileges at the cost of any city not so situated. If conditions are so abnormal that, being located on a river or a bay counts for little or nothing on behalf of a city, the interior should not be mulcted for the abnormality. There is no reason in the nature of things why merchandise manufactured at Chicago should be shipped to San Francisco at a less cost than to Reno, and will not be any such reason until the Chicago drainage canal shall have been made a deep waterway to the gulf and the Panama Canal shall have been completed,

but there is every reason why freight rates on goods manufactured in Europe, Asia, Africa, Australia, our northern coast or our southern, should be much less from San Francisco to Ogden than from Chicago, New York or Boston. The greatness of San Francisco depends upon development of sea power, not in handicapping interior cities ambitious to become jobbing centers. The development of San Francisco's sea power unhappily involves the rehabilitation of the American merchant marine, for which San Francisco should be doing more than it is. That it may do more, and do it intelligently, The California Weekly has arranged for a series of articles upon the subject written by the one, among all our citizens, best able to speak and therefore having the best right to be heard. These articles should be watched for with anticipation and read with interest.

A Man with a Purpose.

The writer of this paragraph never met James H. Barry, but he can hardly remember when he has not felt that he knew and admired him. He is a man with a purpose, a purpose not centered in self, and the chief jewel in his crown of glory (and it is presumable that, unless bald headed, he by now wears such a crown) is his sincerity. His head gets off wrong now and again and he is not devoid of hobbies, but his heart is in the right place and he has an unflinching will to do and dare worthy of any cause. His Star is now twenty-five years old and, while it has not developed into a great newspaper "property" such as might cause some man of millions to wish to add it to his conquests, it is to be doubted if San Francisco has a paper that has proven a better lever in lifting the city into a higher and better life. And this not only because of the ability and sincerity and good Irish pugnacity of the writer of the Star's editorials, but because what the paper said has seldom or never been discounted by its ownership. Editor, owner, sincerity and Barry have been one and inseparable. Here is to another quarter of a century of the same!

The Trouble With Our Hospitals.

Last week mention was made in this paper of the recent renewal of scandals at the Southern California State Hospital. That particular institution should gain an unenviable reputation while others escape is to be accounted for more as a run of ill-luck than as due to a specific cause applying to that institution alone. There are three principal causes for trouble in all these institutions: Political pressure, divided responsibility and the policy of having few attendants at relatively high wages rather than, as in the East, many attendants at relatively low wages with permanency of occupation. We may not look for better things until we abolish local boards of politicians and establish a centralized Department of State Hospitals with a superintendent at the head responsible to the Governor and the Governor to the people. The Lunacy Commission is a joke.

WHAT DID THE BASTILLE MEAN?

It is a hundred and twenty years since a Parisian mob assaulted the Bastille, then in the custody of a few old inviolated soldiers, broke down the gates and turned loose such prisoners as chanced to be incarcerated therein. Of itself the incident was unimportant. The French Revolution saw thousands of incidents more sanguinary, where greater courage was displayed and greater sacrifice made. Then why has this incident overshadowed all others in French history, ancient or modern? Why has it become a landmark in the world's progress? Why has it taken its place among the few supreme events in human affairs?

The answer is, Because it marked one of the few occasions in human history where the common people rediscovered themselves and asserted themselves to be factors in government, factors to be reckoned with. That's why.

Bourbonism had dominated France for a century and a half, growing daily more arrogant, grasping, unfeeling, cruel, autocratic. Bourbonism is a constant quality in human nature. It is spawned of the possession of irresponsible power. No possessor of such power but will find the spirit of Bourbonism springing up within him and striving for the mastery. The Bastille was the symbol of that spirit, and its overthrow meant the downfall of that spirit and the assertion of the spirit of liberty going forth to seek justice and political equality.

The spirit of liberty is still seeking justice if haply it may find it. Since the fall of that Bastille a hundred other Bastilles have fallen and there are hundreds yet to be felled. They are fighting to fell one right now in far Persia. Another fell a little while ago in Turkey. A few valiant men of the Middle West are storming the gates of another within the capitol of this Great Republic where Bourbonism has entrenched itself in special privilege and is fighting to mule the multitude for the advantage of the few favored ones. That is always the purpose of Bourbonism.

We are fighting the same battle here in San Francisco where the commonality, represented by a few persons who place loyalty to country and community above adherence to a caste, is striving to establish justice, equal justice between man and man without reference to dollars. That was the fight which the French fought, and the overthrow of the Bastille was the first victory gained in a conquest waged for equality.

The Lincoln-Roosevelt League is fighting the same battle in and for the state of California, where an impudent and arrogant Bourbonism has usurped the functions of popular government and caused them to be exercised by its own hirelings for its own advantage. Bourbonism is not dead. It cannot be killed. It is as imperishable as greed, as undying as love of power. Over against it stands Liberty with a light in her hand seeking Justice, and wherever that light shines Bourbonism flees into some lurking place to abide its time and its opportunity to come forth again. It is because the Fall of the Bastille exemplifies a never-ending human conflict that the civilized world has accepted it as typifying a great and notable victory of humanity-at-large over a depraved and malignant human spirit, common in some measure to us all, companion to our lusts and greeds and predatory instincts.

Let not this fact escape the thoughtful reader: There were as many of the French nobility in the ranks of those who stormed the Bastille as in the ranks of those who defended it. All through the French Revolution this continued to be true, else that revolution could not have been even measurably successful. The most hopeful aspect of the struggle here

THE STAFF

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CHESTER H. ROWELL, Associate
A. J. WATERHOUSE, Assistant
E. FRANK STROTHER, Assistant
O. BLACK, Business Manager

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in San Francisco, here in California, in the capitol at Washington, is the truth that the power-holding (moneyed) class is as certainly divided on the issue as was royalty and aristocracy in France.

If we see clearly what the conflict is all about, what the issues are in their fundamental spirit, we shall know where we individually belong and what our duty is to city, state and country. Whatever the form the issue may take the human conflict is always between liberty striving for justice, on the one hand, and Bourbonism striving for privilege and power, on the other. Liberty wants justice for the amelioration of the race. Bourbonism wants power for the perpetuation of the many for the aggrandizement of the few. Liberty is enlightened, but wavering. Bourbonism is stupid but steadfast.

Under which banner does the reader of this propose taking his stand? And what does he propose to do about it when he has taken it?

WHY GO ON WITH THE CASE?

Why go on with the case against Patrick Calhoun? It is manifest that a jury perfectly representative of San Francisco public sentiment will disagree on a verdict because San Francisco public sentiment is in disagreement as to what the verdict should be. The two without a man of sound mind, on the jury or off it, daring to affirm that Patrick Calhoun did not authorize the payment to Abe Ruef of that \$200,000, in part for the purpose of bribing the boodle board of supervisors, and in part for enriching Schmitz and Ruef for their perfidy.

In order to secure a conviction it would be necessary for the prosecution to secure a jury without a Calhoun sympathizer on it, an achievement, under the rules of the game, beyond the bounds of probability. In order for the defense to secure an acquittal it would be necessary to secure a jury composed of nothing but Calhoun sympathizers, an achievement nearly as difficult. Then why go on with the case?

There are two principal reasons why. There are others, but these will serve. The first is that these issues should be fought until all the world comes to know why it is, if it be so, that our American judicial system cannot convict a rich man of a crime which neither he himself nor any of his partisans deny that he committed. If, under our alleged free government, there has grown up a system of monetary immunity from punishment more efficacious than anything that the privileges of royalty can afford, the world needs to know the truth that it may govern itself accordingly. The highest interests of humanity demand that this truth be made plain.

Having demonstrated the capacity or incapacity of our system of criminal jurisprudence to establish justice without respect to

dollars we need to know if the system, still capable under extreme pressure of doing justice, may be so reformed or amended as to make fortunate results attainable without extreme pressure, but as of course as in other cases. Or, if the incapacity of the system be proved, then we need to know whether or not that incapacity is inherent in the system in our form of government, and if the system or the form of government, one or both, must be made to give place to another. For, as this republic could not endure half slave and half free, so it cannot endure with our growing millionaire class, evolving into an incorporated plutocracy, superior to the system of laws to which other men are held accountable.

These issues need to be fought to a finality. They have not been yet. Mr. Calhoun is rich enough, and has the needful physical and mental stamina to fight them out. San Francisco can afford to do its part. Marshallled on the side of Calhoun are all the incorporated and associated infamies of this coast. On the side of the people are all the powers of civic and moral righteousness supporting an American commonality. It should be determined which of these holds the ultimate mastery under our civilization else we shall not know whether we are bond or free until too late, if bond, to achieve our freedom. Therefore, and to these ends, let the prosecution go on until one side or the other is whipped and that right soundly.

THE MISTAKES OF JUDGE LAWLOR.

Mr. Calhoun's publicity bureau is not inactive. Its presses are not idle and its patronage of the postoffice, in the purchase of stamps, is well calculated to reduce the annual deficiency in the conduct of that department of government. It is an ill wind that blows nobody good, and the "blowing" of Calhoun coin admittedly advantages Uncle Sam's post-office.

The burden of the Calhoun publicity bureau has lately been the mistakes of Judge Lawlor. With seven men of great cunning employed to work error into the record at every crevice it would be remarkable if error were not made, but Judge W. P. Lawlor has made as few errors as any judge could.

But the Judge has made one error to which Mr. Calhoun's literary bureau probably has not called attention. The California Weekly makes bold to correct the oversight and to suggest that, in the forthcoming trial of Mr. Calhoun, he avoid that error at all cost.

The error referred to is that of permitting Mr. Calhoun's attorneys to bait, badger, prod, pinch, prick and nettle Francis J. Heney with the view of keeping him in a constant state of wrathful ebullition to the injury of the cause of justice. He should send them to jail in relays and if Mr. Heney, without proper justification, persistently oversteps the bounds of decorum he should be sent to the tanks, too, to cool off. Temperamentally Mr. Heney has much to contend with and the policy of persistently provoking disorder in the court is one that should not be tolerated for one hour. Days and nights in jail, to think it over, would prove wonderfully restraining and the public would back Judge Lawlor up in exercising the authority that in him vests for the preservation of order in his court. It might happen also that if there were fewer sensational "scraps" between counsel for the newspaper men to "play up" they would give fuller and fairer reports of what really does take place at the trial.

Taft and Tarriff In Conference.

The tariff bill will be in conference committee for another week. So will the President. His opportunity has come at last and

he appears to be taking full advantage of it. If he had his ear to the ground he has heard from the public before this. It has spoken unmistakably. Only Bourbonism in Senate and House has been too deaf to hear and Bourbonism has ever been an adder. Scarcely a public journal of character, in or out of any political party, has failed of denouncing the Aldrich bill and the Aldrich method of constructing it. The people look to the President to apply all the pressure his office affords him in the interests of a tariff so modified as to decrease the cost of living to the people and prevent international combinations practicing extortion. Nothing less than this will satisfy expectations from President or party. We are all protectionists without all being extortionists. A tariff expert affirms that the Aldrich bill reduces the Dingley schedule by an average of 2 per cent. The President should insist that it be made 20 per cent. instead of two. A Yankee guess stands as good a chance of being right as the result of four months of logrolling.

The House That Hellman Built.

This is the Corkins Swindleate.

This is the loan that financed the operations of the Corkins Swindleate.

These are the carpet rags that were accepted as security for the loan that financed the operations of the Corkins Swindleate.

This is the trust company that accepted the carpet rags that were taken as security for the loan that financed the operations of the Corkins Swindleate.

This is the I. W. Hellman that heads the trust company that accepted the carpet rags as security for the loan that financed the operations of the Corkins Swindleate.

This is the son of the Senior Hellman who heads the trust company that accepted the carpet rags as security for the loan that financed the operations of the Corkins Swindleate.

This is the group of "business men" rounded up by the son of the Senior Hellman that heads the trust company that accepted the carpet rags as security for the loan that financed the operations of the Corkins Swindleate.

This is the committee of twenty-five selected by the group of business men rounded up by the son of the Senior Hellman who heads the trust company that accepted the carpet rags as security for the loan that financed the operations of the Corkins Swindleate.

This is the sub-committee of the committee of twenty-five that was named by the group of business men rounded up by the son of the Senior Hellman who heads the trust company that accepted the carpet rags as security for the loan that financed the operations of the Corkins Swindleate.

This is the city ticket submitted to the Republican primary election by the sub-committee of the committee of twenty-five named by the bunch of business men rounded up by the son of the Senior Hellman who heads the trust company that accepted the carpet rags as security for the loan of \$174,000 that financed the operations of the Corkins Swindleate.

If the voter will take the trouble to trace this carefully, step by step, the animus and genealogy of this "business men's primary ticket" back to the Corkins Swindleate, and then remember that that swindleate undertook to educate public sentiment in the interests of Calhoun and his indicted associates for a price, and labored assiduously at the task until it became so disreputable that it had to be kicked to pieces, he will plainly see what policy, purpose and personnel that ticket stands committed to. If there are men on that ticket who do not know what use is being

made of them it is because they are incapable of putting two and two together in any way to make anything but twenty-two.

British Criminal Procedure.

Our third article on British Criminal Procedure comes near to explaining why the British system of administering justice is efficient while ours is not. The reader will note that if defects appear in the form of the indictment they do not invalidate proceedings unless grossly defective, and, if defects are found, they are corrected in a common sense way then and there and the trial proceeds.

It is to be noted, too, that the demurrer is not much used for, if used, it is understood to admit the truth of that which is not demurred to and the whole case hinges on the demurrer which cannot be employed, as with us, for the purpose of securing delay. This expedites the trial on its merits.

But it is with reference to the selection of the jury that this article will prove of greatest interest. Excuses for not serving on juries are seldom accepted, whereas Judge Lawlor excused several hundred veniremen for reasons which, in this country, are uniformly accepted as sufficient. The men excused would have been most likely to make good jurors.

Nor are jurors, over there, permitted to fib themselves off the panel by confessing a bias they do not feel. These two differences are, perhaps, sufficient to account for the greater efficiency of the British jury system as compared with our own.

The method of challenging and trying challenges is novel. It should be impartial and, inasmuch as the jurors are only onlookers, it ought to prove expeditious. There are peremptory challenges enough left to save the rights of Englishmen without reducing the whole proceeding to a farce as in our country. We might do likewise with good profit.

Where Adolph Sutro Erred.

Adolph Sutro meant well toward San Francisco. He meant that his wealth should do the world good—after he got through with it, not before. There is where he made his mistake. Like many another rich man he could not pry himself loose from his millions and left it to death to perform that necessary service. His daughter, Mrs. Emma L. Merritt, is a veritable Electra in wishing to do justice to her father's memory and give efficacy to his wishes. Pity it is that the other children are not all of equal nobility of mind, but if a rich man wants his wealth to do good he will do well to attend to the doing himself, as Dr. Pearson of Chicago has done. Dr. Pearson has now started to give away his last million. Having given wisely, his giving has afforded him great joy, a joy that Adolph Sutro denied himself during life and that his quarrelsome children, the lawyers and the courts, seem likely to deny him wherever he may be now that he is dead.

What If They Had Done It?

The Liquor Dealers' Protective Association of Chicago recently (quite too recently) prescribed the following rules for the government of saloons by the members of that association. They are to obey all ordinances, serve no drinks to women, stop all forms of gambling, exclude indecent pictures, drive away disorderly persons, harbor no loafers, sell no liquor to intoxicated persons or known inebriates or minors. What if all the saloon keepers had habitually obeyed all these rules and, in addition thereto, had forbidden boisterous behavior and the telling of dirty stories in their places of business? Would there be a liquor problem before the public?

The Deeper Significance : : : : of Living : : : :

Billy Sunday, the loud-mouthed, vituperative, black guardly and blasphemous alleged evangelist, received \$122.00 for a full year at Decatur, Ill.

And there was One 2000 years ago who, when the foxes of the earth had their holes and the birds of the air their nests, had not whereon to lay His head. And then the man who made two thousand dollars was Billy Sunday; the other was only Jesus Christ who, were He living to-day as He lived in the olden and the golden days of Judea, preaching to-day as He preached then, would not be permitted in any city in Christendom, and would be arrested in any city in which He appeared as a vagrant.—Sacramento Bee

At a first reading the foregoing sounds true, and that there is an element of truth in it few will deny. If any ordinary person were to attempt to save the life that Jesus lived, and to do the things that he did, it is more than likely that he would have hard luck stories to tell that would rival those of a hobo. Conventional Christianity is as certainly at variance with the religion Jesus taught as was the conventional Judaism of his day, and his criticisms of it would be hard to endure.

But Jesus was no ordinary person. His personality has been the wonder of the ages. We are indebted to mediaeval artists for our conventional concept of the Christ, and those artists were indebted to the traditional concept of the church, but the words of Jesus, as they have come down to us, and the spirit and tone of the gospels themselves, beget in the mind a concept of the Living Christ quite at variance with that of the early artists. There was a robustness of character in that personality that the artists failed to depict. There was that within him which commanded a hearing. He was an orator. Vast crowds waited upon his words. He had not where to lay his head, but he was no beggar. Every home was open to him and he lacked nothing. He had made no invitation to anyone who he could accept. He was the center of interest at every feast and when mobs of angry men surged about him he passed through the crowds unharmed, for no man durst lay hands on him. When at last he was apprehended and executed it was because he had finished his task and submitted himself to his necessary fate.

The Billy Sundays have their uses, as the Salvation Army has its place. They are voices crying such messages only as many ears are attuned to hear. Suffer them to do the work they have to do in the only way in which they can do it, and forbid them not.

Much can be said for conventional Christianity. It is not likely that the Christ would denounce it altogether or have no part or lot in it. He would shake it and fire anew the hearts of church members with zeal, but inasmuch as he would find the sick visited, the hungry fed, more than half of all the charitable work in the world done under the direction and through the instrumentalities of churches, working in His Name, it is inconceivable that his church would turn altogether from him or he from his church.

There is not today a voice preaching his gospel in simplicity and truth, with intelligence, that is lacking in hearing. If preachers are empty it is because pulpits are filled with dead timber, because those who preach lack any measure of that personality that Jesus had in such abundance as caused him to speak as never man spake. There are too many preaching whose call it was to set hens and hoo cabages. Human nature has not much changed in 2000 years and if Jesus were here now the churches would be as open to him as the synagogues were in his day, and crowds would throng to hear him as they thronged then, and never was a broader field whiter for the harvest than now.

The Bee's picture is true enough save that it left out of consideration the supreme factor of personality, the marvel of the ages. Nevertheless, the Bee's view will seem by many to be true and it was no doubt received with many hand-clappings of approval.

WHAT THE WORLD IS DOING

American Stage for American Singers.

The American grand opera stage for American singers may soon be, if not a popular cry, at least an accomplished fact, since where the Italians and other foreigners formerly reigned supreme native talent is rapidly making its way. Andreas Dippel, the impresario for the Metropolitan opera of New York, reports that twenty-one Americans have been engaged for the coming season, and that this number is about one-third of the total of principal singers. The first includes Mesdames Nordica, Farrar, Fremstad, Fornia, Homer, Wakefield, Osborne, Hannah, Wickham, Courtney, Case, Gluck, Neilsen, Pasquali, Noria, Clark, and Snelling, sopranos or mezzo-sopranos; Messrs. Hinkley, Witherspoon, and Griswold, basses, and Hall and Martin, tenors. To secure some of these it was necessary to take them away from opera houses in Europe where they were singing successfully. There is not a first-class opera in Europe to-day, Dippel states, which has not one or more Americans in its ensemble, and in many cases Americans—as in Berlin, for instance—are the leading members. It all goes to show that there was nothing in the old idea that the American voice was not so good as the voice of Europeans.

Wealth From a Heap of Refuse.

The Trenworth copper mine, at St. Ives, Cornwall, England, has been shut down since 1886, but before that year it had been worked for a long time. One of its products which greatly depreciated the value of the copper ore, and was considered valueless, was pitchblende, and, acting upon instructions, the miners threw it away, a large heap of refuse thus accumulating. Now comes Sir William Ramsay and declares that this heap of refuse probably is fully as valuable as the copper ore from which it was taken, for the reason that it contains radium; and Sir William is the highest of authorities concerning this remarkable substance. He says that every ton of the pitchblende "might be expected to yield a quarter gram of radium." Now, a quarter gram is about as much as, if it were snuff, you might inhale at a pinch, but, at the current price of radium, it is worth \$12,500. Forty tons of pitchblende thus far has been obtained from the heap, and about as much more is contained in it, or perhaps eighty tons in all. At Sir William's estimate this should yield about a million dollars' worth of radium, and, as the value of copper taken from the mine was but \$570,000, it will be recognized that "the stone that the builders rejected" easily may turn out to be of more worth than all that they saved.

Grafters Out of Luck in Japan.

Somewhat, the little brown men over in Japan appear to do things, and a look in that direction at any time may prove beneficial. To illustrate the truth of the foregoing assertion: Recently the Nipponese came face to face with their first great case of legislative grafting; which might prove that they are becoming rapidly occidentalized, but that is a side issue, the real point of this narrative being found farther on. Twenty-three members of the Diet had engaged in this grafting by voting in the interest of a sugar corporation and their own pocket-books. And now comes the point. Every one of those twenty-three grafters now is imprisoned; not an appellate court has given them the wealthiest of them a new lease of liberty; not a still higher court has tossed one of them a line—they are behind stone walls, and they are likely to stay there for some time. It really seems that wealth and "pull" do not "cut much ice" with criminals in Japan. Imagine so stern a code of justice being applied to some of our graft—But, no; there are some things which we have not been reared to comprehend, and this is all the more reason why it will do us no harm occasionally to look in the direction of Japan.

Ozone to "Age" Wines and Spirits.

A recent discovery made by Victor Dorn, which is described in a technical magazine of Berlin, will be of great importance to vintners and distillers if it proves to be well founded. It consists in a process for "aging" wines and spirits by the use of ozone. Already it was known that oxygen was useful for this purpose, but it now is demonstrated that ozone is much more efficacious. Under Dorn's process oxygen, which has been introduced into a cask of liquor, is treated by electricity, which converts the oxygen into ozone, the length of the treatment depending upon the amount of alcohol in the liquor. Wines require from twenty to ninety minutes treatment, and spirits from two to six hours. The treatment has been tested, with surprising results. For example, a sour young claret which sold for \$12 to \$15 a hectolitre (about 26½ gallons) sold after the ozone treatment for \$20, and raw brandy which had sold for \$25 to \$37.50 a hectolitre sold, after treatment, for from \$75 to \$100. As the tests appear to have been thorough, a revolution in this line of business may be impending.

Italy and Its Lottery.

Although running a lottery, as a sort of show-stopper to a governmental circus, is not generally recognized as either necessary or admirable, Italy does it, and a very neat financial plum she makes out of it. For instance, during the financial year 1907-8 she received from the gamblers in her little game \$16,681,296, and she returned to them in prizes \$8,028,738. She received 108 per cent., or 9 per cent. a month, on her investment, which was less than her average gain. This is a highly prosperous business, and, if the moral welfare of her subjects is not to be considered, Italy is entitled to congratulate herself. Who are the people who play this governmental lottery? Why, generally speaking, the Italian fools. This sounds harsh, but statistical facts justify the assertion. By far the heaviest investors are found in Sicily and Southern Italy, and the people emphatically are the most illiterate, and as one goes north the sale of tickets decreases in surprisingly accurate proportion to the increase in literacy. The average inhabitant of Naples (in the south) spends about three dollars a year on the lottery; in Palermo, farther north, he spends about two dollars; in Rome, Venice and Turin, yet farther north, he spends less than a dollar, while in the northern provinces, where the standard of education is decidedly highest, the average expenditure is less than 25 cents. Do not the facts demonstrate that Italy makes nearly \$9,000,000 by dropping a bait skillfully prepared to lure her fools?

Human Sacrifices in Religion's Name.

Out of the oppressed and ignorant masses of Russian peasantry have sprung up to be some strange and revolting monstrosities which masquerade in the name of religion. Such a monstrosity was the Doukhorob sect, which first migrated to Canada, and then, wildly believing itself to have received a "revelation from God," denuded itself of all clothing and started another migration, which naturally terminated in convenient jails. But the latest of such sects, the Krausobosniki, discovered in Russia, is the most horrible of all. For months the police of Perm have been attempting to account for the mysterious disappearance of certain young men and girls. Recently information they received caused them to investigate the Krausobosniki. They broke into one of their places of meeting, and there, in addition to wooden idols which the people were worshipping, they found a priest brandishing a long knife before an altar on which a man lay bound. Further search revealed an adjacent cave in which the bodies of several missing people were discovered. There appears to be no doubt that these were murdered by the

Krausobosniki, and there is just as little doubt that they went to their deaths voluntarily, believing that by so doing they pleased such god as they worshipped. A number of members of the sect have been arrested, and all will be prosecuted for murder.

Perhaps a Near Relative of Adam.

About a year ago the skeleton of a prehistoric man was found in a cavern in the southwestern part of France. The skeleton was considerably damaged, but since it was found scientists have succeeded in reconstructing it. They found it to be that of a young man about sixteen or eighteen years of age (at the time he passed away), with protruding jaws, receding forehead and a generally apelike appearance; in brief, possibly good, but not handsome, a fairly close approach to the "missing link." He belonged to a late interglacial epoch, and the scientists have decided that he lived on this earth about 400,000 years ago. The interesting feature of the discovery is that these are the oldest remains of a human being found since man first began to record his doings.

An Odiously Guilty Wretch.

"He was arrested for bribery, tried, found guilty, sentenced, and sent to prison."

"Do you believe that he deserved his punishment?"

"Deserved it? Well, I should say so! Why, less than a thousand dollars was involved in the transaction."

"He says that the boy is troubled with kittleptic fits. Must mean cataleptic, don't you think?"

"Well, I don't know. I understand that they are little fits and not fully developed as yet."

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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REVELATION.

By D. S. Richardson.

There was a song I loved but could not sing:
And all day long it haunted me, and in
The summer night I heard it as one hears.
The distant murmur of a whispering stream
In pathless woodlands hid, when stars look
down.

And evermore I listened, hoping still
The melody might shape itself to notes
Of golden song my ear could grasp, my lips
Could speak, my lagging senses flood with joy

But still it moved in undertones; and still
It baffled while it calmed; and evermore
Eluded my dulled sense as dreams of bliss
Elude a lover when he startled wakes
To find his dream a phantom of the dark.

And so the years went by; and then there
came

An hour of revelation when the tongues
Of field and sky and mount and wood were
loosed.

And all the stars that burned along the cliffs
Broke into strains of wondrous harmony.

And I could understand the river's voice,
And know the heartbeats of the happy trees,
And what the winds were saying, and the clouds.

Dost thou remember, love, that night our
cars

Awakened to the music of the spheres?

THROUGH THE YUKON AND ALASKA.

It is a good deal of bother and expense to travel between 8,000 and 9,000 miles through Alaska and the Yukon even in summer, and unless one is a trained observer, he will, after having made the circuit, return with a superficial knowledge of a very wonderful portion of this world's surface. Unless one has the wanderlust in his very bones, and time and money to spare, he will do better to let Mr. T. A. Rickard do his traveling for him, sit down in dressing gown and slippers, hear the report and look at the pictures offered in his new book bearing the above title.

For Mr. T. A. Rickard is a trained observer. He is not only a trained mining engineer and geologist but, what will be of even greater advantage to the non-technical reader, he is a trained journalist, a trained writer of simple English, and he has eyes trained to see things that most persons would not see at all, or would not know what the things they saw were if they did see them. Mr. Rickard sees, knows, and tells understandingly, and the California Weekly knows of no greater pleasure in store for anyone at all interested in Alaska and the Yukon than the reading of this book will afford. The illustrations are abundant and illuminating and the text is as fascinating as a new novel and many times as informing. There is not a dull page in the book.

Mr. Rickard takes his reading companions with him from Seattle to Juneau, seeing things by day and by night, in the light of 240 years' scattered historical incidents, through the Treadwell mines that have produced the world's \$22,500,000, and its owners \$10,500,000, to Skagway; over the White Pass to White Horse and down the Yukon by steamer to Dawson, seeing something every minute; through the diggings wherever there are diggings, into the lives of the people and through the workings of their government, and the development of mining methods; from Dawson to Fairbanks, down the lower Yukon to St. Michaels and to Nome and so on, by other mining districts toward home again where, inside the Golden Gate, the author contemplates San Francisco in a strain characteristic of himself which will awaken a hearty amen from many readers, and so 'tis given here:

"As the tattered veil of fog was blown southward by the morning breeze I looked at the awakening city, now radiant in the sunlight, and seemed to see the day when San Francisco should glow in the dawn of a civic regeneration and feel the bracing air of a sane patriotism before which the greed and graft, the corruption and chicanery, should be blown as a fog from the sea. Then, firmly poised on her peninsula, San Francisco shall face her destiny in proud serenity. With her back to the trails that brought her people over mountain and plain from the distant seaboard on the other side of the continent, she shall face the sunset with an earnest face. The Atlantic breakers sound faint; the surf at her feet thunders a welcome. Her eyes have caught the glow of the setting sun and in her ear is the song of the Pacific, bringing the promise of commerce with the immemorial East that has become a new West."

The foregoing is the concluding paragraph of the book. It affords a glimpse of the personality of the author, not the least attractive feature of his book, abounding in interest though all its pages are, and yet that personality, having many facets, is well glimpsed at the outset in the dedication, which we venture to quote entire, not so much to show the very human quality of the man as to give pleasure to lovers of good verse for the verses' own sake.

To John.

It was worth while to go to Nome,

To Tanana and Nuvavek,

That I might have your welcome home

And feel your arms about my neck

When you have grown to be a man

The world will seem a narrow strait.

From Singapore to Ketchikan

No shore will be inviolate.

But yours will be a nobler chance

As a voyager in realms of thought

To steer through shoals of circumstance

To isles of truth we vainly sought;

And fresh horizons you will see

Beyond the hills that shut our view,

And vistas of philosophy—

Forever old, forever new.

God give you grace and make you strong

To rise above all meaner things;

And be your life as sweet a song

As that your mother sings.

Sent \$1.50, postpaid. Address Mining and Scientific Press, 107 Howard street, San Francisco.

"THE CLIMBER."

"The Climber," by E. F. Benson, one of the brilliant sons of the late Archbishop of Canterbury, is a novel of English life. The leading character (one can hardly call her a heroine) is Lucia Grimson, a girl of great personal charm and abounding vitality, who, at the opening of the story, is visiting her intimate friend, Maud Eddis. Lucia's home is with two crochety old aunts in a little country town, the dullness of which she loathes, while Maud's must have a handsome house in London. The two girls had been fast friends at Girton College, Cambridge, but, as is so commonly the case, one took and the other gave all. Maud entertains the greatest admiration for Lucia's beauty, talent and vivacity, while Lucia accepts the homage as only her due. Just before Lucia returns to Brixham, Maud confesses the tender interest she feels in Edgar Comber, a man of good education and social standing. Soon Edgar, by the death of a relative, succeeds to the earldom of Brayton and a great future. Lucia, whose passion for rank, splendor and luxury is consuming, at once exerts herself to the utmost to attract the young peer and succeeds so well that ere long

she has him at her feet. Maud is surprised and shocked, but her nature is so gentle and her faith in Lucia so strong that she forgives her even this treachery. Lucia makes the most of her splendid position and by her cleverness and audacity soon becomes a personage in London society. Lord Brayton, whom she married to escape from her narrow life at Brixham, has a mania for intellectual improvement, to gratify which he takes his wife on long tours to Italy, Greece, Egypt and other lands, making laborious researches into their art, history and literature. Though bored almost to extinction by his minute exactness, Lucia plays her part well and humors her husband so that he never suspects how weary she is. On their return Lucia's entertainments become the talk of fashionable society, the manners and jargon of which she acquires quickly. Among the frequent visitors at Brayton (Lord Brayton's seat) are Lady Heron, a clever woman with a past, and Charlie Lindsay, the husband of Maud. For the sake of a new sensation, Lucia begins a flirtation with Charlie and draws him on until she infatuates him. Lady Heron gives Lucia some excellent advice, based on her own hard experience, but it is unheeded. Gradually suspicion enters Lord Brayton's mind and is confirmed by many circumstances. He observes his wife's movements carefully and on the eve of a yachting trip finds her and her lover in the London mansion, which had been shut up and left in charge of a caretaker. The evidence of guilt is so conclusive that Lord Brayton brings suit for divorce, and Lady Brayton, in consideration of a handsome allowance, makes no defense. Even after this convincing proof of Lucia's innate baseness, the ever-loyal Maud, as soon as she recovers a little from the cruel blow, comes to tell her that Charlie will go away for six months and then will choose between the two women. Charlie, who had been entrapped by the wiles of an unprincipled woman, rightly goes back to his wronged wife, and Lucia, who had hoped against hope that he would return to her side, kills herself devotedly.

The story is most interesting and the character drawing is excellent. Lucia, for all her beauty and intelligence, is shallow, abysmally selfish and entirely without scruple. Eager to seize the best in life, to experience every delight, climb every tree and reach every summit, she is devoid of elemental principle or rudimentary affection. She marries her dearest friend's lover to gain a secure position in society and has not even the common decency to be a faithful wife. Dishonest to every one, even to herself, she is incapable of a generous thought, yet she is so clever that she can feign honorable emotion and friendship, and can give love to her nature that, even when she becomes a mother, her child bores her. Steeped in selfishness, she yet possesses physical and mental attractions so compelling that her old Aunt Catharine, whom she has treated abominably, offers her an asylum, and Lucia goes back to the attic in the little Brixham villa, where she dreamed her girlish dreams of wealth and luxury, and whither she returned embittered, having made shipwreck of her life.

The story is written in excellent, clear English; the dialogue is clever, the style simple and the interest sustained. It need hardly be said that the picture of high life, drawn by one familiar with it from childhood, is a convincing one.

The volume is issued by Doubleday, Page & Co. of New York, and is printed in clear type on paper of satisfactory quality.

ARTHUR INKERSLEY

The censorship of the English stage against which George Bernard Shaw has recently been bitterly railing is said to have been established as the direct result of the presentation at Haymarket of "The Historical Register for the Year 1736," a political play in which Henry Fielding, the author of "Tom Jones," satirized Walpole.

MEN WHO DO THINGS

MARSHALL STIMSON.



Mr. Marshall Stimson.

The election law provides that the polls shall open at 6 a. m.

In one of the downtown lodging-houses precincts in Los Angeles on the morning of an election a few years ago, the "push" election officers had been busy since 5:30 sharp getting the election paraphernalia in order, and nothing now disturbed the usual quietude of the early morning; the most conspicuous noise was the ticking of the electric clock in the office of the Merchants' fire dispatch, which was being temporarily used as the voting place.

In various dark hallways up and down the street, bums, floaters, repeaters and others of that ilk, whom the machine precinct manager deemed it better to "vote" before the sun came up, lurked ready for orders. Perhaps the glimpses he caught of these hallway loungers at this uncanny hour caused the young fellow who was making for the polling place to hasten. He arrived there just as the election officers were on the point of permitting the first voter to cast his ballot, while several others stood in line.

The young man looked at his watch, which showed ten minutes of six, and immediately exclaimed, "See here, what are you fellows trying to do? Don't you know it's against the law to permit voting to commence before six o'clock?" Every mother's son of an election officer pulled out his watch and showed it, and every watch marked precisely five minutes after six.

"Why, you damn old fools," cried the young fellow, "Why didn't you fix the clock while you were about it?"

All turned and looked at the clock, which registered 5:50—and the voting was immediately postponed for ten minutes.

Usually fifty votes were cast in that precinct before 6:30 a. m.—that morning less than ten were cast in the first hour. Your fixed voter and your machine precinct worker don't like to take chances with the penal clause of the election laws when one of these long-haired, impractical, silk stocking, kid reformers has his eye peeled and is in on the job.

Incidentally, the wardheeler who owned that precinct, and always "delivered the goods," was eventually made superintendent of the County Farm as a reward of merit for faithful service.

A Militant Reformer.

The young man who got up before breakfast in order to see that there was a square deal in at least one precinct that day, was Marshall Stimson, militant reformer, the subject of this sketch—not one of the dilettante sort that depend wholly on a just cause and a good candidate, but one of those who realize that only by eternal vigilance and thorough practical organization can the forces of good government hope to cope with machine tactics.

Stimson is a New Englander by birth and a Southern Californian by adoption. He was born in Cambridge, Mass., and is now in his thirty-third year. He came, or was brought, to Los Angeles when he was eleven years old and was there educated in the public schools. Then he went to Harvard, where he was a student for five years, two of which were spent

at Harvard Law School. He is a lawyer by profession, but his time is pretty evenly divided between his practice, his private interests and his devotion to public affairs.

Born a Good Politician.

They say a good politician is born such and that what he learns in future years is only by way of finish. If this theory is correct, Stimson is a pretty good exemplar of it. When he attended the high school he was president of the debating club and of the school fraternity. He organized a First Voters' Club while he was still in school, during the first McKinley campaign. While he was a student at Harvard he found time enough actively to assist the good government organization in Boston by taking charge of Ward 19, a tough one, where he cut his political eye-teeth. He personally canvassed eight precincts in that campaign and organized precinct clubs in each of them. He watched, in Faneuil Hall, a recount, the result of which gave the good government forces an additional member of the school board.

Since returning to Los Angeles, in 1903, he has been pugnaciously active in every fight against the machine and for the forces of decency. He was one of the ward managers in the contest which gave Los Angeles its first non-partisan school board, ever since which time our school administration has been absolutely divorced from politics.

One of His First Fights.

He was in the thick of the fight on the Bard end of it in the Bard-Flint campaign for United States Senator, which was fought at a time when the sudden increase of Republican, and corresponding decrease of Democratic, votes at the primaries was nothing less than remarkable, and not to be accounted for except upon the theory that there were several thousand Democrats who, for some reason, had come to the conclusion that they might as well give their votes to a Republican who was a good fellow and "appreciative" as to "throw them away" by consistently voting for a Democrat who had no show.

That day the voting place in Stimson's precinct was in the City Jail building. At that time the jail building was a safer place to do a certain kind of politics than it is under our present administration. The vote was extraordinarily heavy. The precinct usually cast about fifty Democratic votes. That day only three Democratic votes were cast. It is remarkable with what chameleon-like and kaleidoscopic transformation a machine Democrat can change himself into a machine Republican, and vice versa, the slightest provocation as the occasion may require.

Some of His Enemies.

Along in the afternoon Stimson detected a particularly raw piece of fraudulent voting and, grabbing the fellow by the collar, was about to apprehend him. Just at that moment a load of the kind of cattle who pass as voters on desperate political occasions, was driven up in a "three-seater." At this crisis a scuffle was precipitated by the machine precinct manager in which the culprit was freed from the clutches of the vigilant Stimson. Shouting, "Run, you son-of-a-gun, you're pinned," the push undertrapper gave the man a shove out into the street and at the same time gave the high sign to the driver of the rig to light out with his load of "voters"; and in less than a minute the coast was clear. For this sort of work the precinct committeeman was appointed a justice of the peace by a machine board of supervisors, an office which he still graces—or disgraces.

It's a way the machine has of always taking care of its henchmen. The man whom Stimson has had to fight the hardest in his ward is a now United States marshal. Another United States district attorney, who had the hardihood actually to stand up and defend the machine in a debate with Stimson from a pub-

lic platform, and who was hissed for his pains by the intelligent audience, is now assistant attorney general of the United States in Washington, D. C. They say that United States Senators have something to do with the appointment of United States marshals, district attorneys and assistant attorney generals.

The incidents related gives an idea of the kind of work Marshall Stimson has been doing; and that it is appreciated by all lovers of good government is manifested by the high esteem in which he is held. Even the rank push politicians have to respect him because he is a fighter and knows the game. It is probably safe to say that Marshall Stimson has more friends in the machine than any other man in the reform organization in Los Angeles.

(Concluded on Page 540.)

Announcement

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Nothing, My Master.

Nothing, my Master, nothing.
My hands all empty fall.
I come from the lands where the ripe grain
stands,
With never a sheaf at all.
Nothing, my Master, nothing.
I know how the harvest cry:
"Come forth and reap till your time for sleep."
Yet never a sheaf have I.
Nothing, my Master, nothing.
There were those who reaped in pain
The harvest of gold while I idly stood;
And theirs is the harvest's gain.
Nothing, my Master, nothing.
My fields all barren lie—
Save bramble and tare are sojourners there—
And empty of hands am I.
Nothing, my Master, nothing.
My sun is sinking low,
And save love's plea is heard for me,
Ah, never a hope I know.

Optimist and Pessimist.

The Progress magazine recently defined an optimist as one who "lives under a clear sky," and a pessimist as one who "lives in a fog."
Don't you believe it, Agamemnon. Those definitions do injustice to the optimist by underestimating him and to the pessimist by overestimating. This brown-and-green old planet of ours forever rolls on through alternate shine and fog, and radiance and shadow mantle optimist and pessimist alike. The difference in these two—old it is eternity-wide in its significance—is that the optimist whenever he stands in fog says, "Well, I have seen this sort of thing before, and it always gives way to a very glory of sunlight. On the whole, it emphasizes the days of shine, and is a very good thing," but the pessimist as he stands in sunshine says, "Oh dear, oh dear! I am acquainted with such weather, and it never lasts. Any minute now we may run into the shadows, for bitter experience teaches us that that is what we must expect; therefore let us weep."
This, my Agamemnon, forever is the difference between optimist and pessimist. One came face to face with a Grisly Apparition. "Aha!" cried the Grisly Apparition in exultant tones, "I have you again, have I, old girl? Well, I'll make you sick this time. You will wish once more that you never had made my acquaintance."
Thereupon, notwithstanding the shrieks of affrighted Justice, did the Grisly Apparition fall upon her, and beat her full sorely, and pommel her with great vigor, and deal her one in the solar plexus, and knock her jaw out of shape, and give her an eye so widely black that not even the bandage could conceal it, and mop the ground with her.

Then, after the Grisly Apparition had departed, chucking, on his way, did Justice pick herself up, groaning dismally. "Alas and alas!" she moaned, "I wish that somebody would inform me so that I may know this Technicality when I meet him, for he changes his shape so frequently that I cannot be sure that it is he, and it is no joy first to be used as a planet-mop and then to sew up one's wounds in time to be ready for the next trial. I wonder where I can get a byefestick for this eye. Ah, woe is me! Woe is me!"
Moral—Justice is an unfortunate old girl, and we ought to feel sorry for her.

The Opinions of Rufus.

If I wan't for the men an' women some folks are married to I don't b'lieve they'd be any excuse for divorces.
John D. Rockefeller pulled in \$1,400,000 on his seventieth birthday, an' the price of gasoline was raised a cent on the same day. But I don't care; I'm fond of pork.
Praps the Lord in His wisdom keeps us poor 'cause He knows a lot of money would make us as mean as it does some other men that has it.
It's all right to cheer heroes, but I b'lieve some rangelomert orto be made to include a woman that stays home an' does the washin' while her husband's off hero'in'.
I know it's the style fer women to be willow, slender an' beanpoleish, but some of us kin stand consider'ble fat.
Speakin' of Charley Curry bein' a candidate fer governor of the state, what'll you take fer yours, boys?
'O course, my brethern an' sisters, this talk 'bout a Foolkiller is all nonsense. Ain't we still livin', an' feelin' middlin' healthy, too?
Rogers is dead, an' Harriman ain't feelin' well, an' after a while two ghosts'll meet an' catch each other. 'Where's that stuff you was scribbelin' after?' an' there won't be no ans'er.
Oh, if we only knowed how to skip in es easy es we know how to tell others to do it, what a gratifyin' world this would be, my b'loved hearers!

If you kin watch the rush fer the best place on a ferry-boat an' still b'lieve in altruism, I judge that your faith is likely to make you hull.
* * *

Failure? Nay, Listen.

Failure? Who says it? I know he built N' James, an' carved his name
On a granite slab 'neath a dome of gilt
In the muttable Hall of Fame;
But he loved his kind, and he loved no less
E'en him whom the world reviles,
Striving the sorrowing ones to bless;
And his epitaph's writ in smiles.
Failure? 'Tis written, and yet I know
Tears that he wiped away;
Ay, that no bus was waiting low
For him on his burial day.
Ah, low is the mound where he slumbers deep,
With never a shaft above,
But perhaps he knows, in his peaceful sleep,
It is wet by the tears of love.

Failure? God judge us more wisely than we,
Who worship the idols we build,
Whose victors may swim through the desolate

Of tears that their victims have spilled.
He lived and he loved, and his pity fell sweet
As dew from the spaces above.
Failure? Nay, listen! The angels repeat:
'He won by the might of his love.'

Thoughtful Man on the Next Mayor.

"If you ask me who should be the next mayor," said the Thoughtful Man, "I answer in unmitigable and clarion accents, 'Coroner Leland. He is the man.' If you ask me why this choice, I answer, in still more clarion accents, 'Because of his beautiful sympathy with the unfortunate and oppressed.' I, myself, am a sorrowing sympathizer with the unfortunate and oppressed, for in these bitter times of graft prosecutions they scarcely can tell from day to day whether their stocks and bonds will be above or below par. 'Tis at such time that Coroner Leland, who could be prevailed upon to be mayor, steps nobly to the front."

"There had been a little social gathering at which brave women and fair men—I mean brave men and fair women—were present, and one of the women had shot herself accidentally, or committed suicide, or been no; there might have been other suppositions if those present had been of the canaille, but

they were so well off as to be classed among the wealthy.

"Great heavens!" says the fairest of the brave men, "This is terrible! What shall I do? It is almost certain to interfere with my business, for I have an urgent call to the south."

"Alas, alas!" says the bravest of the fair men, "How shocking! And I, too, have business matters which demand my immediate attention. Madam," he says, turning to the sole surviving woman, "if you kindly will stay here and look after the late departed, we also will depart. We hate to leave you thus, but you know how insatiable are the demands of business."

"Yes, indeed, they are very insatiable," says the fair man.

"So the fair men, leaving the brave woman"—of course, I mean the brave men, leaving the fair woman alone in that house of horror, dropped in to see Coroner Leland.

"There was a little incident occurred down here this evening," says one of them, naturally adopting that tone of innate refinement which only the cultured can adopt.

"What was it?" says the coroner. "Boy, be sure that my suitcase is properly packed."

"Why," says the spokesman, "in the course of an evening of gaiety a woman shot herself, or committed suicide, or—anyway, she's dead."

"That's unfortunate," says the coroner. "Boy, is my gipsack all ready?—Was she in good society at the time? I'll have to hurry, or I'll miss my train."

"She was in the best of society," was the answer; "we ourselves were present."

"Oh, well, in the midst of life we are in death," says the coroner. "You'd better mention the circumstance to anybody who appears to be interested, if there are such. I really must hasten, or I won't get to Santa Cruz. S'long!"

"Ta ta," says the men, and departed to look after their business affairs.

"How could a person give Coroner Leland too great praise for the nobility he thus displayed? He might have made trouble for the fair men who left that brave woman alone with the dead, but, instead—and being in a hurry to get to Santa Cruz, too—he sympathized with them and did not interfere with their business. Such sympathy is needed in the mayor's chair. It is especially needed in these times of trial and other preparations for appeal. It's me for Leland. Don't you say so?"

But I explained that, having been born deaf and dumb, I could say nothing.

Better Far to Tumble Up.

Know a man that tumbles, an' if 'tumblein' was a crime
I guess he'd be in prison, for he tumbles all the time
Stubs his toes, an' meets with blows when he falls down flat,
But he gets right up an' goes ahead for all o' that.
Shins are covered o'er with scars, bruises on his knee,
But he keeps a-tumblein' on, happy as can be,
An' he keeps a-risin', too, though the gain is small—
Better far to tumble up than not get up at all.

See the moral, do you, friend? Notice that it's plain?

Though your crooked pathway leads to the stumbler's pain;
Though your shins with scars are decked—not a pretty sight—
And your latest plans are wrecked in abysmal night.

You may up and on again, though you wince with pain;
Looking backward o'er the course, you may say, "Gee, how I got here!"

Somewhat higher you have pressed, though your hill be small—
Better far to tumble up than not get up at all.

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THE JOLLY OLD PEDAGOGUE.

By George Arnold.

'Twas a jolly old pedagogue, long ago,
Tall and slender and sawly and dry;
His form was bent and his gait was slow;
His long, thin hair was as white as snow.
But a wonderful twinkle shone in his eye;
And he sang every night as he went to bed:
'Let us be happy down here below—
The living should live, though the dead be dead.'

Said the jolly old pedagogue, long ago.

He taught his scholars the rule of three,
Writing and reading and history, too;
He took the little ones on his knee,
For a kind old heart in his breast had he,
And the wants of the littlest child he knew.
'Learn while you're young,' he often said;
'There's much to enjoy down here below;
Life for the living and rest for the dead!'
Said the jolly old pedagogue, long ago.

With the stupidest boys he was kind and cool,
Speaking only in gentler tones;
The rod was hardly known in his school—
Whipping, to him, was a barbarous rule,
And too hard work for his poor old bones.
'Besides it is painful,' he sometimes said;
'We should make life pleasant down here below—
Joy for the living and peace for the dead!'
Said the jolly old pedagogue, long ago.

He lived in the house by the hawthorn lane,
With roses and woodbine over the door;
His rooms were quiet and neat and plain,
But a spirit of comfort there held reign.
And made him forget he was old and poor.
'I need so little,' he often said;
'And my friends and relatives here below
Won't litigate over me when I am dead,'
Said the jolly old pedagogue, long ago.

He smoked his pipe in the balmy air
Every night when the sun went down,
While the soft wind played in his silvery hair,
Leaving his tenderest kisses there,
On the jolly old pedagogue's jolly old crown;
And feeling the kisses, he smiled and said:
'Twas a glorious world down here below—
Why wait for happiness till we are dead?'
Said the jolly old pedagogue, long ago.

He sat at his door one midsummer night,
After the sun had sunk in the west,
And the lingering beams of golden light
Made his kindly old face look warm and
Bright,
While the odoriferous night wind whispered
'Rest!'
Gently, gently, he bowed his head—
There were angels waiting for him, I know;
He was sure of happiness, living or dead—
This jolly old pedagogue, long ago.

MEREDITH'S LETTERS.

An interesting legal and literary dispute seems certain to arise over the letters of the late George Meredith and the case is bound to attract attention. The London solicitors of the Meredith executors have issued a statement calling attention to the fact that the copyright of all letters written by Meredith is now vested in the executors. It will be recalled that there was a dispute over the ownership of the letters written by Charles Lamb, but then the courts decided that the owner of a letter was the proprietor of the paper with the words written on it and not the proprietor of the composition independent of its inscription. Yet the same court later made the decision, in another case, that the possessor of the letters written by a person now dead is not entitled to publish them, either in full or in part, without the consent of the executors. The law appears to be mixed, and the matter will doubtless be taken into the courts again, as Meredith was a volun-
tary letter writer, and there will be those who wish to make money from his correspondence.

In any event, we shall get the letters, sooner or later, which is the public's main interest. And they should prove mightily entertaining reading.



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POLITICAL TABLE TALK

By THE WATCHMAN.

One Reason Why Appropriations Grow

In the Washington correspondence of one of the dailies it is announced that Speaker Cannon has decided not to appoint Congressman Knowland of California upon the Naval Committee, although Knowland wants the place in order to be able to work more effectively for Mare Island navy yard, which is in his district. But it is Cannon's policy not to have the Naval Committee made up of members representing navy yard districts, because that would not be consistent with economy of expenditure. This watchful regard for economy, even to the point of antagonizing half the politicians in Congress, explains why Speaker Cannon is strong in spite of churches, labor unions and newspapers, and it is well worth while to compare his policy in the make-up of committees with that which prevails in the California legislature. One of our state Senators or Assemblymen has no difficulty in getting appointed on the committee which will enable him to do most effective work in getting appropriations for the state institution located in his district, and that is one reason why appropriations grow by leaps and bounds.

A Good Working Member Preferring What's Right

The same correspondent who is quoted in the foregoing adds that other California Congressmen will fail in securing committee appointments for which they had hoped; they will generally retain their old places instead of being promoted. Congressman Needham, who is on the Ways and Means Committee, is the only Californian who holds a place which is looked upon with envy. In the tariff contests of the present session Needham has used his advantage with not a little effect to protect California interests, and yet he is a representative who outside of his district is comparatively little known. A tribute which citizens ought to pay to a representative who is doing good work for them is to become interested in him to the extent of knowing something about his personality. Needham is a young man, and a rather quiet, unassuming one. At home he has been inclined to independence in politics, but in Washington he has adhered closely to the party policy as defined by the caucus. If not a shining example as a reformer, Needham is a good working congressman who has a marked preference for the right side of things.

Expert Salaries

The State Board of Prison Directors did a rather queer thing recently when they increased the salaries of the wardens of San Quentin and Folsom prison from \$3,000 to \$5,000 a year. In reality the new salary amounts to something like \$7,000 a year, because the wardens are given residences rent free, have trustees for house servants and are allowed subsistence to the extent of \$100 per month. Leaving out of consideration the question whether \$5,000 with all of these other things thrown in is not an excessive salary both absolutely and in comparison with the pay of other state officers, it is doubtful whether the new move will do anything for the permanent elevation of the service. Whenever a new governor comes into office a strong effort is made to have the prison wardens treated as spoils of war, and too often it succeeds, as in the instance of Warden Yell of Folsom, who was removed for political reasons about a year ago. With the salary so largely increased, the fight for the offices will be fiercer than ever. But the paramount consideration is this: If California is going to pay fancy salaries for prison wardens, it ought to have men of ripe experience, the best there are in the business, and as a matter of fact she has two wardens who, though they seem to be promising material, are mere novices as yet.

A Premium Placed Clío Lloyd, well known On Appropriations

as chief clerk of the legislature in session, has been made the heart of the board of directors of the new state manual training school—if that is what it is to be located in Santa Barbara. Mr. Lloyd, a resident of Santa Barbara, is an efficient political hustler, and he will see to it that the new institution, the necessity for which does not appeal to a good many persons who ought to know a little something about it, obtains all of the appropriations it can use conveniently. This is the way California does. It establishes a state institution, needed or unneeded, and puts it under government into the hands of a local board, which booms the institution as a matter of local patriotism. A big show of buildings, inmates, teachers and attendants is what the local spirit calls for, and the taxpayers—not the local tax-payers but those of the state at large—pay the bills.

Will Prove Profitable Unless Politics Gets In

The new state banking department has gone into operation under conditions which hold out a hope of good work, and there is a general feeling that Superintendent Alden Anderson will administer the law with fairness and discretion. But he has some knotty questions to solve, including the division of the capital stock of banks which propose to do both a commercial and a savings business, and which, under the terms of the law, must have a certain amount of capital behind each department. Incidentally, the new department will be considerably more expensive than the old one, which used to spend from \$30,000 to \$35,000 a year. The new department starts off with a salary of \$10,000 for the superintendent, \$4,000 for chief deputy, \$3,000 each for four examiners, and other assistants to a total cost of \$29,000 a year, and traveling, rent and general office expenses are likely to add \$12,000 to \$15,000 more. All of this money comes out of the banks, which are assessed to pay the cost of the department. Of course the national banks, not being under the jurisdiction of the department, pay no part of the cost, and at the rate at which state banks are now being nationalized, those remaining on the old basis will have quite a little burden to carry. But they can probably afford to stand the raise in view of what an efficient department will mean to them.

The Prison Brigade Being Rapidly Recruited

The State Board of Charities and Corrections has issued its July statistical report, from which it appears that on the first day of the month there were 1,314 prisoners in San Quentin and 1,029 in Folsom, or a total in both of 2,343. This is an increase in one year of 164 prisoners, a statement which standing by itself might not appear in any way alarming, but its aspect changes when you stop to think that if this rate of increase should be kept up in a little more than six years California would have another thousand prisoners to feed and care for. If comparison is made with the record of two years before, the recent growth in the number of prisoners becomes almost startling, for in that two years the total increase was only seventy-eight, or 3.9 per cent a year. What strange epidemic of crime has broken out in the last year which has so recruited the prison brigade in spite of the efforts which have been made to reduce it through probation and more liberal granting of paroles?

Department of Engineering Governor Gillett is to be the Whole Thing has opened the \$18,000,000 road bond issue by a speech at Santa Barbara, in which he talked convincingly of the benefits to be expected from the

establishment of good roads on a state-wide plan. It is an excellent idea to begin this discussion early, because the proposal is a formidable one by reason of its magnitude, and because there are quite a number of things which the people will desire to have explained. Among these is the extraordinary centralization of authority provided for in carrying out the good roads scheme. In the first section of the law it is written that there shall be a state highway system constructed or acquired "as and in the manner provided by law by the Department of Engineering of said state at a cost not to exceed \$18,000,000." This is the keynote and really constitutes a synopsis of the whole law, for the Department of Engineering is to be the whole thing.

Who Constitutes This Department? For example: "The route or routes of said highways shall be selected by the Department of Engineering." Again: "The Department of Engineering shall have full power and authority to purchase all supplies, material, machinery and to do all other things necessary or proper in the construction and maintenance of said state highway." It is to have all the power and is not to be restricted by any forms and conditions of doing the business; at least none are mentioned in the act. And who constitutes the Department of Engineering? According to the statute of 1907, it is "to consist of an advisory board composed of the governor as ex-officio member and chairman of said board, and a state engineer, who shall be the chief executive officer of the department, the general superintendent of state hospitals, and the chairman of the State Board of Harbor Commissioners of San Francisco."

Power Centralized To the Limit

The chairman of the Harbor Commission may as well be counted out, for since the law of 1907 was passed, the Harbor Commission work has been taken out of the jurisdiction of the State Engineer, and the chairman of the commission is not likely to act on the advisory board. Then the general superintendent of state hospitals, who is a medical man, cannot be expected to concern himself with or know about engineering works unless they relate to his department. So the Department of Engineering is readily reducible to the governor and the state engineer whom he appoints, and naturally the governor, who is not likely to be an engineer, and who has a thousand other things with which to busy himself, must trust to the state engineer for his information and usually for his conclusions. All of the responsibility, not only for the technical, professional work, but

(Continued on next page, first column.)

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also for the business administration of this great undertaking is thrown upon one man. If in the mutations of politics a dishonest man, or an incompetent one, should be made state engineer the opportunities for graft or for disastrous blunders would be limitless.

Let the Discussion Be Full and Free A study of the act proposing this big enterprise, and submitting it to the people of California for their approval, shows that it is peculiar in several respects besides those already mentioned. It fills five pages in the statute book, but most of the space is taken up with minute provisions with regard to the bonds or the terms of the election when the vote is to be taken, and only about forty lines are devoted to the selection of routes, the planning and construction of the system of roads and the subsequent maintenance. Practically everything is to be left to the Department of Engineering, which, as we have seen, means the state engineer. It may be said that if the people vote the \$18,000,000 of bonds, the next legislature will by legislation provide for satisfactory ways of doing everything; but here arises a novel question of law, for possibly it may not be in the power of the legislature to alter conditions established by an act which, so far as the bond issue is concerned, has been voted upon and ratified by the people. At the very least, it would be awkward to do this. Attention is called to these things by The California Weekly not for the purpose of antagonizing the undertaking but principally to expedite a discussion which is bound to come.

"Business" in Solemn Role With lumbering solemnity the so-called Business Men's Republican League of San Francisco has gone through the motions of organizing and appointing a president to appoint a committee to appoint candidates for the Republican nomination for municipal offices at

the approaching primary election. The outcome of all this solemnity is merely the endorsement of the machine candidates that have all along been in the field under the political tutelage of statesmen like Tim Sullivan. This result was universally discounted by the personnel of the Business Men's League, three-fourths of whose members have always been identified with the machine push.

Who Crocker Is, and His "Business" Backers William Crocker is the machine-plus-business candidate for the mayoralty nomination. Mr. Crocker made a handsome fortune in the planing mill business in San Francisco, from which business he retired shortly after the fire to pursue the elegant leisure of a capitalist whose principal income is now derived from the rents of extensive residence properties in the Western Addition. He is not related to "the Royal Family" of Crockers who own the Crocker National Bank nor to the Crockers of stationery fame. He is just William Crocker, retired, but not retiring, for close acquaintances believe that he has simply yielded to a desire for the limelight in his ambition to be mayor. He yielded, however, in a bad direction, for his first political sponsor was Tim Sullivan, one of the oldest of machine politicians, and his latest support is from the Business Men's League, which is engineered by I. W. Hellman, Jr. The meaning of this latter support is indicated by the editorial entitled "The House That Hellman Built," which appears on an earlier page of this paper. In addition to the sufficiently disengaging connection there shown to exist between Mr. Hellman, Jr., and the Calkins crowd, it is pertinent to point out that Mr. Hellman, Sr., is the treasurer of three street railways in Los Angeles of which railways William F. Herrin of San Francisco is vice-president, which seems to link up the Southern Pacific with the rest of Mr. Crocker's friends political.

Mauzy's Candidacy In Good Condition Byron Mauzy's candidacy is, fortunately, meeting with popular support that seems to augur well for his success against Crocker at the primary. Though Mr. Mauzy has stood consistently for the graft prosecution and for reform government, he has still a strong following among the rank and file of the regular organization, and this support is standing by him in the face of Crocker's candidacy. There are, indeed, three other candidates in the field against him: R. H. Countryman, D. J. Graumann, and Edward D. Keil; but no one seriously considers them.

Leland McNab's Mayoralty Choice It now seems certain that the McNab "regular" Democrats will be strong enough, as usual, to nominate Coroner T. B. W. Leland for mayor on the Democratic ticket. Supervisor Ralph McLeran has the support of the independent Democrats, but will probably fail to get the nomination. Former supervisor Edward R. Rock also has announced his candidacy for the Democratic nomination; but McNab's man for the place is still Leland.

The District Attorneyship The fight for district attorney seems to have simmered down to Charles M. Fickert (called "Cold Feet" Fickert at Stanford) as the representative of the "business" Republicans aforementioned. The Municipal League of Independent Republican Clubs left this place on the ticket vacant so as not to interfere with Henry's independent candidacy. Not so the "business" men. Gentlemen who own Spring Valley bonds, and who are business associates of S. P. attorneys, do not want to encourage Henry's candidacy, naturally enough. It "hurts business," they think.

"Miss Jeanette Alice Marie Evans of Topeka and Miss Katherine Catherwood Lane Jones of St. Joe are visiting Miss Louise Hyde-Brownfield Peats, at number seven hundred and thirty-four Lincoln street." The way it appears in the paper: "Misses Jennie Evans of Topeka and Kate Jones of St. Joe are visiting Miss Lou Peats."—Aitchison Globe.

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ENGLAND'S BETTER CRIMINAL PROCEDURE

III. HOW THE JURY IS SELECTED IN ENGLAND.

Written for The California Weekly by An English Attorney.

[This article is the third of a series to be published in The California Weekly, contrasting the procedure in the criminal courts of England with the Californian procedure and showing why the English system results in a nearer approach to even handed justice without the expense and delay of the American system. The method of administering justice shortly before England discarded that method for a better one. America has duplicated a cumbersome system while England has simplified a better system. The reform of criminal procedure in California is the most urgent problem of the day, and this article, together with those to follow, will be illuminating to all readers. They have been prepared for The California Weekly by an eminent member of the English bar who now resides in San Francisco, and may be relied upon as an authoritative statement of the facts.—The Editor.]

Instead of pleading the general issue, the defendant may, after the indictment has been read to him, plead that he has been "formerly acquitted" of the same crime or that he has "formerly been convicted" of the same crime. These pleas are made orally and are proved by producing a certified copy of the record of acquittal or conviction. If this plea fails the prisoner is allowed to plead over in all felonies, not however in misdemeanors.

The only other two pleas allowed are a "demurrer" to the indictment or a "motion to quash" the same. These pleas are made for all defects apparent on the face of the indictment but they are now seldom resorted to as the defect be formal or not material to the merits of the case, and not prejudicial to the defendant, the indictment may be amended at once and the trial proceeds under the Act of the 7th of August, 1851.

Sweeping Aside Technicalities.

This Act provides that as offenders frequently escaped conviction on their trials by reason of the pleadings of the defense, criminal proceedings in matters not material to the merits of the case, and as such technical strictness could safely be relaxed so as to ensure the punishment of the guilty without depriving him of any just means of defense, and as a failure of justice often takes place by reason of variances between the statement in the indictment and proof of matters not material to the merits of the case, the court may amend the indictment and proceed with the trial where a variance appears in the names of counties, or persons, or persons, or bodies politic or corporate or in any description of the person whatever, or in the description of any matter or thing described in the indictment. Nor shall any indictment be insufficient for want of the averment of any matter unnecessary to be proved nor for omitting to state the time, if time is not the essence of the offense (as in burglary), nor the value or price of an article or thing if not of the essence.

Indictments Nearly Error-Proof.

No indictment is now held insufficient for want of such averments as "against the form of the statute," "with force and arms," "against the peace," etc. An indictment must, however, contain an averment of every fact necessary to constitute the criminal charge preferred by it, but if on the trial it appear from the evidence that the defendant did not complete the offense charged, the jury can return a verdict that he is guilty of an "attempt to commit" the offense, and, further, an accessory before the fact to any felony may be indicted in all respects as if he were a principal felon. If a person is indicted for "obtaining property by false pretenses" he may not be acquitted if the facts amount to larceny.

An indictment in the words of the statute is a good indictment and all unnecessary technical verbiage is to be avoided, nevertheless it sometimes occurs that indictments are, even now, prolix and redundant.

Pleas Delay by Demurrer.

Demurrers are seldom resorted to in criminal cases for the reason that a demurrer admits all the material facts charged against the prisoner in the indictment and relies alone upon the question of law whether the facts, as stated, constitute a crime. If the demurrer

be overruled the judgment on the demurrer in misdemeanor is final, and "plea over" is allowed only by permission of the court; in felonies which are not capital (that is, punishable by death) it is doubtful whether even the court can permit the accused to plead over; in cases of capital felony, however, the accused may still plead not guilty after judgment against him on demurrer.

Where an indictment is so defective that in case of conviction no judgment could be given thereon, it may be "quashed," or the judge, upon without objection, may refuse to try an indictment which is clearly bad.

Demurrers being dangerous and amendments easy, the accused will, unless the indictment is plainly defective, usually plead not guilty. No objection to an indictment for a defect apparent on its face can be taken after the jury has been sworn.

Postponements of trials are seldom or never granted except in extreme or absolutely necessary cases.

Method of Challenging Jurors.

The judge having ordered a jury, the prisoner is informed by the officer of the court that the persons he is about to call will form the jury, and he is asked to try him, and that he is at liberty to challenge them, or any of them, as they come to be sworn and before they are sworn. Challenges may either be to the "array," that is the whole jury as it stands arrayed in the "panel," which is an oblong parchment upon which the jurors' names, addresses and occupations are written, or to the individual persons or heads in the "array." Challenges may be either peremptory or for cause.

Insuring Jury Service.

When the jury is called it has been already weeded out at petty sessions and those that are returned to the court are those who have been stricken from the panel. Not more than 144 jurors attend the assizes on their respective circuits, to serve indiscriminately in civil and criminal trials: these jurors have been divided into two sets, one of which is to attend at the beginning and the other at the end of the assizes, and the sheriff has informed each juror in his summons to which set he belongs and at what time his attendance will be required. Jurors not attending, without reasonable excuse, when summoned ten days before the trials, are fined by the court. Excuses in the courtroom on the ground of press of business, important family affairs, etc., are unknown. A copy of the panel containing the names, residences and occupations of the competent jurors is kept in the sheriff's office for the inspection of parties and their attorneys.

The names of the jurors summoned, having been written on tickets, are put into a box and, when each case is called, twelve of the persons, whose names are first drawn, are sworn on the jury unless absent, challenged or excused. A juror may be summoned by mail and the same jury may try several cases unless objected to by the judge, or by either of the parties, in which case a fresh jury is drawn from the names remaining in the box.

Challenges to the "Array" and "Poll."

A challenge to the "array" is an exception at once to the whole panel, which may be on the ground of partiality or default in the sheriff, or his deputies who arrayed the panel, such as kindred, affinity, or favor.

Challenges to the "poll" are exceptions to a particular juror and may be made on several accounts, as that he is not duly qualified according to the statute, or that he is infamous or degraded in law, etc. Challenges may be made for favor, as where the party has no direct cause of challenge but objects only on some suspicious circumstance such as intimate acquaintance, or the like.

Wherever a challenge either to the "array" or to the "poll" is made it must be decided by two "Triers" appointed by the court for that

purpose, they must be two indifferent persons and are usually chosen from the attorneys, coroners, or jurors. If no juror has yet been sworn, the triers are appointed to hear the first challenge. The opposing party may demur to the challenge and the challenging side must make proof of the matter alleged as cause of challenge, by witnesses, to the satisfaction of the triers. Both sides to the challenge address the triers and call witnesses. The judge then sums up, that is delivers a charge, to the triers who thereupon decide upon the impartiality, or otherwise, of the juror objected to. Upon a challenge to another juror, any juror who has been passed and sworn, becomes a trier, taking the place as one of the triers of the first juror, and so each juror sworn becomes in turn a trier—sometimes the first two jurors sworn try all subsequent challenges.

There are but few challenges in English trials.

"Expression of Opinion" No Disqualification.

A juror challenged may himself be examined as to his qualifications, but he cannot be asked if he has not previously expressed himself hostilely to the prisoner, in order to found a challenge. That must be proved by some other evidence, and remarks by a juror concerning the accused or concerning the case must be more than an "expression of opinion" in order to constitute a cause of challenge; they must lead directly to the conclusion that the juror is not likely after he has heard the evidence to give an impartial verdict. In challenges it is not a question of whether or not the juror has formed an opinion, or given an opinion and would not be able to give an impartial verdict, but, whether, after he has heard all the evidence, he would be likely to act impartially, in other words, he may have come to a conclusion from reading or hearing distorted versions of the case, or he may have a little or no knowledge of the facts of the case, or of the evidence to be produced, and after hearing the sworn testimony of credible witnesses, and learning the true facts from proofs offered, or testimony given, he may be entirely capable of rendering an impartial verdict. Of course personal enmity to the prisoner would no doubt disqualify him as he would, perhaps unconsciously, be influenced by his feelings.

Lastly, a juror may challenge himself on the ground of his title, office, profession, or for some other cause of exemption, but exemption is a personal privilege and does not disqualify if not claimed.

Peremptory Challenges.

In trials of treason or felony a jury may be challenged by the prisoner without assigning any cause. This is an indulgence granted the accused in tenderness to those sudden impressions and unaccountable prejudices which persons are apt to conceive on the bare looks or gestures of a stranger; but to such capricious and unexplained ground of objection, a reasonable limit must be assigned. This is settled by the common law at thirty-five, that is to say, one less than the number of three full juries, but now by statute, no person arraigned for murder or felony has more than twenty peremptory challenges; in cases of treason, however, the prisoner is still allowed thirty-five peremptory challenges. If by means of challenges, or for any other cause, a sufficient number of unexceptional jurors have not been sworn, either party may pray "tales," in which case the sheriff adds to the names on the panel such proper persons as are qualified and are first found in the courtroom or neighborhood and these persons are also subject to challenge in the same way as the principal jurors.

The prosecution has the right to challenge but the attorney general may order any juror to "stand by" and is not obliged to challenge for cause unless a sufficient number of jurors cannot be obtained without including those so standing aside, in which case their names are called over again and he may chal-

lenge any, or all of them separately, for cause.

In addition to the common jury the special juries in England which were originally introduced in trials at law when the cases were of too great a nicety for the adjudication by ordinary freeholders. Either party is entitled, upon motion, to have a special jury on the trial of any case whether civil or criminal, excepting only cases of treason or felony; the party demanding this special jury pays the extra fees and expenses unless the judge certifies on the record that the cause required a

special jury. Every man whose name is in the jury book and who is a person of the standing of merchant or banker, or similar or higher status, or who occupies a dwelling house, rated at not less than \$500 or a farm rated at not less than \$1,500, is qualified to serve on a special jury. It is possible by the mutual consent of the parties to nominate a special jury.

("Marshall Stimson"—Concluded.)

Angles. And it is equally safe to say that if office, or personal advantage, or political success, measured by current standards, was what he was after all he would have to do would be to go into the machine camp, where he would be welcomed with open arms. But he could no more do that than desert his charming young wife and children. Stimson belongs with the progressives; the fight to free our government from the grasp of a greedy plutocracy is part of his life and he would rather lose a thousand times on the side of right than succeed by the compromise of principle.

A Founder of Lincoln-Roosevelt League.

He was one of the mere handful of young fellows who organized the original non-partisan campaign for municipal offices in the fall of 1906, and who are primarily responsible for practically all that has been accomplished for reform in local and state politics in Los Angeles and Southern California.

He was one of the leading organizers of the Lincoln-Roosevelt Republican League and of the City Club of Los Angeles, and is now a director of the Los Angeles chamber of commerce and a member of the executive committee of the Los Angeles Municipal League. He has been a delegate to conventions and a member of campaign executive committees too numerous to mention.

In appearance, Stimson is of medium height, slight build, and sharp featured, with any eye like an eagle and a chin that is a protuberance of determination.

When he goes into a campaign, he works so hard and is so intense that he is as like as not to wear himself to a frazzle, but he never quits as long as he has strength to keep going. He has been laid up for a month at a time with a severe illness as the result of too strenuous unselfish political activity. Though he is still a young man he has an old head on his shoulders. He is one of the few men who have lots of ideas and yet can sit still and listen to a discussion for an hour in an executive session without opening the mouth, but when he does speak his judgment, as might be expected, is all the better for not having gone off half-cocked, and he is listened to with all the more respect.

He is not an office-seeker, but has been induced as a matter of duty to make a try for the legislature on two occasions—once for the assembly and another time for the state senate. He was defeated for assemblyman by a few votes, running as a non-partisan in a strongly Republican district, because the machine refused to give him the Republican nomination, but chose instead one of the gang from the "bloody Eighth" ward who knew how to take orders. He was defeated for nomination for state senator because—well, to make a long story short—because the machine had more votes than the Lincoln-Roosevelt. He has come out of these contests stronger than ever, and probably no man in the reform forces in Los Angeles today stands higher, or is more highly respected than Marshall Stimson—more power to his elbow!

Gang Awa!

Prior to the earthquake and fire the California supreme court held its sessions in the Parrott building, except when, twice a year, the judges made their regular trips to Los Angeles and to Sacramento. Early on forenoon after a semi-annual visit to Los Angeles, Chief Justice Beatty presented himself at the elevator in the building named, when the brisk young elevator boy saluted him with a friendly, "Well, judge, back again! Are the rest of the gang with you?"

Tommy: Met the new minister on my way home from Sunday school yesterday, and he asked me if I played marbles on Sunday. Mother: Well, what did you say? Tommy: Get thee behind me, Satan.—Sketch.

NOTICE OF STOCKHOLDERS' MEETING.

Notice is hereby given that pursuant to a resolution and order of the Board of Directors a meeting of the stockholders of the **MARTINEZ WINERY** is hereby called to be held at its principal place of business, viz.: No. 180 Townsend St., in the City and County of San Francisco, State of California, in the Directors' room in said building, which is the building where said Board of Directors usually meet, on Wednesday, the 15th day of September, 1909, at 2 o'clock P. M.; that the object of said meeting is to enable said stockholders to then and there vote upon a proposition to increase the present capital stock of said **MARTINEZ WINERY** from Fifty Thousand Dollars (\$50,000.00) to Seventy-five Thousand Dollars (\$75,000.00) to be divided into Seven Hundred and Fifty (750) shares each of the par value of One Hundred Dollars (\$100.00).

MARTINEZ WINERY,

By W. Hanson, Secretary.

Dated July 7, 1909.

DIVIDEND NOTICES OF THE ASSOCIATED Savings Banks of San Francisco

MUTUAL SAVINGS BANK OF SAN FRANCISCO, 706 Market street, opposite Third—For the half year ending June 30, 1909, a dividend has been declared at the rate of four (4) per cent. per annum on all deposits, free of taxes, payable on and after Thursday, July 1, 1909. Dividends not called for are added to and bear the same rate of interest as the principal from July 1, 1909. Money deposited on or before July 10th will draw interest from July 1, 1909.

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[We feel at liberty to publish Mr. Kent's intensely modern version of the Homeric story on our fiction page because, as Mr. Kent points out, the original is one of the finest pieces of story-writing ever done in any age, and further because, as we would point out, Mr. Kent has made the old story a genuine modern piece of adventurous fiction by the way he has retold it. The Editor.]

IN choosing a title "Some Sides of Homer," I am going to take up Homer from the standpoint of the every-day story reader. With all due appreciation of the loss he suffers who wandered into English, it is my purpose to deal with him, as we find him, in the prose translations of Lang and his conferees.

Lang's sonnet gives us a bold figure, descriptive and appreciative:

Homer, thy song men liken to the sea,
With every note of music in its tone,
With tales that wash the firm dominion
Of Hades, and light waves that laugh in glee
Around the isles enchanted: nay, to me
Thy verse seems as the River of source unknown
That glazes Egypt's temples overthrown.
In his sky-murals, and his sea-murals,
No wonder thy man men of heretofore
To find thy mystic fountains guarded fast;
Enough, thy tide, to reach our human shore.
As Nilus, Egypt, rolling down his vast,
His fertile wastes, murmuring evermore
Of gods, distressed, and empires of the Past.

Those who go down to that river with vessels fill them all, every one.

Some go down with trimbles and come back with their brimming over with "lost di gammas" that look like wigglers.

Pitchers come back laden with linguistic peculiarities and archaic forms that show the development of language.

Some there may be who, coming back, pour Homer out through the little holes of a sprinkling can, which they call scholarship. Then every traveler's yarn is an allegory, and they would rather have a drawing by some old barbarian who made his curves with a rule and his straight lines offhand, than such artistic portrayal as our best painters might give us.

Let us take down the family washbub, which we will borrow for the time. That is the way to take the family into English if we read no Greek, but undiluted, and all we can get.

We can conceive of men who, with a serene, scholastic lack of humor, laugh at Homer's one notorious pun, made to a poor, blind monster who could not see the point, argue at the same time that nothing funny in situations that are irresistible.

I trust that we may find some fun in our draught. Human old Homer would wish it. He is so true in his portrayals that if we look into our washbub with an appreciation of humor we are sure to find it there.

It is impossible to do the subject justice—most of all for a man who is no scholar. Matthew Arnold came nearest it. Read again his essay on translating Homer.

It is impossible to do the subject justice. It is a crime to do it injustice. Rather than accomplish the impossible I will commit the crime. And at the beginning and ending I apologize.

Here is a sketch of the Iliad:

There was a strong, simple brave man who had a grudge. He kept that grudge well tended and warm until a greater injury provoked a deeper enmity in which he forgot the lesser. He enters the book in a rage, he is angry all the way through, and we leave him at the end in a state of sorrow and wrath. He is what has been called an "even-tempered man—always mad."

He lived in a strong, simple time, when people were little troubled by complications of ethical codes, but much worried by a lot of dogs. Even as men are now pestered by mosquitoes.

The best man was the boldest man-slayer. There was no inherent disgrace in running away, but it was better to stay and kill. It was better to run away than to be killed. This is the cowardice of the American Indian. If people must fight, it seems like sense. If one were crafty, that too was a good thing. Man must keep faith with his comrades, be loyal to his chief, love his friends, and speak truthfully to them. He must honor his pa-

SOME SIDES OF HOMER

BY

WILLIAM KENT

rents and his wife and care for his children. Beyond these things he made no account of his enemies, the whole wide field of ethics was open to him.

It is what has been called an unmoral state, yet so nobly simple, so nobly free from cant, that we follow along in the natural flow of the tale till our barbaric blood dims our cultured vision and we forget the ruthless slaughter, and come to love those old barbarians of the dying age of bronze.

Achilles was a man of no wiles at all. His only argument (the gods not preventing) was a spear thrust through the liver or a sword stroke which permitted the gentle oozing of the spinal marrow.

The glorious mendacity of Odysseus, which has met the approval of some twenty-five centuries, was beyond him. He was not "smooth" nor "forehanded," and could not be pacified by gifts. He may have considered mercy a good enough thing in its way, but a consistent state of righteous indignation, resulting in a systematic dismembering of his opponents, whether fighting or pleading, was more to his line.

He must have been kind to Briseis, for even after he had killed her husband and taken her captive she was fond of him, though she would have been pleased with a wedding ceremony, as she frankly states.

Thetis, his goddess mother, and he hold their own through the interview, and a man who will die to avenge a friend certainly knows what friendship is.

Agamemnon, the leader of the Greeks, is an excellent fighter, jealous of his station and his popularity and prowess of Achilles, and bitterly he repents stirring up the ire of that wrathful individual before he is done with it.

Menelaos, ex-husband of Helen, is his brother, and merely fights. Ajax and Diomed and another Ajax are others of the principal chiefs who fight and kill and run away.

Hector is the great figure on the Trojan side, showing in his domestic life lovely characteristics unseen in the others. Perhaps it is a good thing to have one's wife near at hand. His wife, Andromache, and Hecuba, his mother, shine as types of womanhood. Priam, the aged king, his father, a splendid, venerable pathetic figure, is of the strongest. Paris, the eloper, is a band-box sort of creation, who prances out into the field and gets himself saved just in time by some buzzing busybody, second-rate god that happens to be on hand.

Helen, his elopee, is beautiful. Sometimes she wants him and sometimes she wants Menelaos, and probably all the time she wants ten-button gloves and a box at the opera.

Odysseus in the Iliad appears as a hard fighter, a good runner, and when a caucus was held he was always in evidence. What a pity we have no account of an election in those days, for Odysseus was best fitted for politics of any man of his time, and a Homeric primary, with Odysseus at the ballot box and Achilles instructing the vote with his various weapons, would have been worth half a lifetime to a tough district "heeler."

Of the gods, the less said the better. They are just like the people, only not so dignified and not so respected. They have ichor in place of blood, and use ambrosia and nectar in place of meat and wine. They continually

solicit bribes. They wrangle and squabble and tell tales to Father Zeus. They fight with men and with each other, and it is whispered on Olympus that the goddesses in their disturbances pull hair and scratch.

Zeus has the reputation of keeping his vows, which is his distinguishing characteristic, so that when a god appears with a label, "I keep my word," the people say "It must be Zeus."

But to take up the story: Cryses, the priest, comes to the Greek army to ransom his daughter whom Agamemnon holds captive. Not getting satisfaction, and being insulted in addition, he calls down, through the intervention of Apollo, a scourge upon the troops. The leaders decide that something is awry with the god, and force their leader to release the girl. Thereupon, being out of sorts with Achilles on account of some unpleasant personalities which had reached the press, he demands the meed of honor of Achilles, the lovely Briseis. To this Achilles objects, and would gladly fight, but the gods show him the sin of rebellion and he refrains. He then swears an oath not to fight for the Greeks, leaving the duration of the oath blank.

His goddess mother, Thetis, goes straight to Zeus, and gets a promise that not until Achilles is honored shall the Greeks succeed; and Zeus straightaway prepares troubles for them. Meanwhile Achilles sulks in his tent, at which practice he becomes more and more proficient as the days pass.

Zeus sends a bogus baneful dream to Agamemnon, promising him victory. This, however, is merely a ruse, and not a lie. The Greeks discount and copper the tip, notwithstanding its source, and debate as to going home. Odysseus, however, holds them back and gets them ready to fight some more, although they have done nothing else for nearly ten years.

It finally seems reasonable, for the first time in a decade, that Paris and Menelaos should cut their own differences; so a truce is made, and they dispute.

At the moment when Menelaos is victor, the goddess Aphrodite steps in and saves the highly perfumed life of Paris. The Greeks, very properly, claim the victory; but Athens and Hera mix in the matter, and induce the Trojan Pandaros to try a blow shot at Menelaos. He is hit, but not fatally, and the Greeks, enraged by violation of their truce, straightaway start the skirmishers, and we are told that "many Trojans that day and many Achaeans were laid side by side upon their faces in the dust."

Zeus continues to keep his word, and the Trojans press closer and closer until they drive the Greeks within a hastily constructed wall about their ships.

Then Agamemnon sends an embassy to Achilles to offer Briseis and many other inducements, if only he will take up the fight. It is all useless. An amusing feature of the interview is the relation by the aged Phoenix of an exactly parallel case, probably constructed on the spot, and the argument that it would be more honorable for Achilles to be forced into war than to be hired into it.

The Trojans keep a long lead, with the exception of a short time when Zeus is asleep; but when he wakes up he changes the odds again.

Patroclus, friend of Achilles, finally gets drawn into the fight. He puts on the expensive armor of Achilles, and spends an agreeable afternoon until he meets Hector, who extracts him from his valuable shell. After much disturbance, his body is saved by the Greeks and taken back to Achilles.

The death of his friend and the desire for vengeance cause Achilles to relent so that he accepts Briseis and sundry other women and horses and things, and goes back into the scrimmage knowing that he is to die, for he has his choice of a choice between fire and long life. His fighting qualities are terrible. As a brainsplitter, puncturer of lungs, breaver of lives and other essentials, he has no living equal. Finally he gets within hail of Hector, who runs away, but is finally induced by the tricky Athena to stand and fight. Hector is killed and dragged in triumph to the Greek camp.

Then a truce is ordered, allowing the Trojans nine days to prepare for Hector's funeral. Here ends the story.

Between this and the *Odyssey* occurred the death of Achilles by an arrow from the bow of Paris, the taking of Troy by the strategem of the wooden horse, and the departure of the ships.

These tales were embodied in a lost classic called the "Aethiopis" and are referred to in the *Odyssey*. Whether they were put in form by the same mighty author is not known. They are part of the same body of legend, and were afterwards transcribed by Homer's parody, one, Publius Vergilius Maro, of Rome, Italy.

Here are a few extracts from the *Iliad* that seem to me typical of the author, also of the translators. First, is a list of the good things of this life at a time when such things were not reduced to a common denominator of dollars; and next follows some simple philosophy according to Achilles:

"Lo now, hearken thou to me, and I will tell thee all the gifts that in his hut Agamemnon promised thee: seven tripods untouched of fire, and ten talents of gold and twenty gleaming cauldrons and twelve stalwart horses, winners in the race, that have taken prizes by their speed. No lack-will was the man, neither undowered of precious gold, whose substance was as great as the prizes Agamemnon's steeds have borne him off. And seven women will he give, skilled in excellent handiwork, Lesbians whom he chose him from the spoils the day when thou thyself tookest Lesbos, surpassing womankind in beauty. These he will give thee, and with them shall be she whom erst he took from thee, even the daughter of Briseis. . . .

"Many Achaian maidens are there throughout Hellas and Phthia, daughters of princes that ward their cities; whomsoever of these I wish I make my dear lady. Very often was my high soul moved to take me there a wedded wife, a helpmeet for me, and have joy of the possessions that the old man Peleus possesseth. Not of like worth with life hold I even all the wealth that men say was possessed by the well-peopled city of Ilios in days of peace gone by, before the sons of the Achaians came; neither all the treasure that the stone threshold of the archer Phoebeus Apollo encompassed, in rocky Pytho. For kind and goodly flocks are to be had for the harrying, and tripods and chestnut horses for the purchasing; but to bring back man's life, neither harrying nor earning availeth, when once it hath passed the barrier of his lips."

Here is a touch of childhood:

"Oea, I reared thee to this greatness, thou godlike Achilles, with my heart's love; for with none other wouldst thou go unto the feast, neither take meat in the hall, till that I had set thee upon my knees and stayed thee with the savory morsel cut first, for thee, and put the wine-cup to thy lips. Oft hast thou stained the doublet on my breast with sputtering of wine in thy sorry helplessness."

Next I will quote from Matthew Arnold's meter the scene between Hector and his wife before he goes forth to fight Achilles:

Woman, I too take thought for this; but then I but think me.
What the Trojans men and the Trojan women be
magnan.
If like a coward I skulked behind, apart from the battle.

Nor would my own heart let me; my heart, which has but me be valiant
Always, and always fighting among the first of the Trojans.
Bury for Priam's fame and my own, in spite of the future.

For that day will come, my soul is assured of its coming.

It will come, when sacred Troy shall go to destruction,
And warlike Priam too, and the people of Priam.
Nor yet art thou grief, which then will be of Trojans.
Moves me so much—nor Hecuba's grief, nor Priam's father's.

Nor my brethren's, men and brace, who then will be lying.

In the bloody dust, beneath the feet of their foemen—
As thy grief, when Priam's heart, when Priam's heart
Shall transport thee away, and the day of thy freedom be ended.

Then, perhaps, thou shalt work at the loom of another, of Menes.

Or thou shalt to the wall of Menes, or Hyperaea,
Smelt against the wall, be strong, necessity's order.

And some man, that says, as he looks and sees the tears falling:

See, the wife of Hector, that great prominent captain

Of the horsemen of Troy, in the day they fought for their city.

So some men will say; and then thy grief will redouble
At the sight of a man like me, to save thee from bondage.

But let me be dead, and the earth be moulded above me.
Ere I hear thy cries and thy captivity told of.

This rendition is much weaker than Lang's version in Biblical prose; at the same time it is so well done as to be almost alone in metrical translation.

Here is a little of the interview between Achilles and his mother, in Lang's version:

"Then answered unto him Thetis, shedding tears: 'Short-lived, I ween, must thou be then, my child, by what thou sayest, for straightway after Hector's is thy death appointed unto thee.'

"Then, mightily moved, spake unto her Achilles, fleet of foot: 'Straightway may I die, since I might not succor my comrade at his slaying. He hath fallen, afar from his country, and lacked my help in his sore need. Now, neither have I at all been succor to Patroclus, nor to my other comrades that have been slain by the noble Hector, but I sit beside my ships, a profitless burden of the earth, I, that in war am such an one as is none else of mail-clad Achaians, though in council are others better. But bygone will we let be, for all our pain, curbing the heart in our breast under necessity. Now I go forth, that I may light on the destroyer of him I loved, on Hector; then I will accept my death whensoever Zeus willeth to accomplish it.'"

(To be continued next week.)

THE GRAFT CASES.

Under Judge Lawlor's ruling, another trial of Patrick Calhoun will be begun next Monday, this time under an indictment charging him with offering a bribe of \$4,000 to former-Supervisor John J. Furey to induce him to vote for the overhead-trolley franchise.

The decision in favor of a practically immediate trial was not obtained without the strenuous opposition of the defense. In the first place, it expressed the conviction, which was bolstered by affidavits—as heretofore detailed in *The California Weekly*—that Judge Lawlor was prejudiced against Mr. Calhoun, and that therefore there should be a change of venue. This conviction was offset by the contra-affidavits of Judge Lawlor, John O'Gara and William Otts, and the motion for a change of venue was denied.

Disposition of this matter having thus been made, the defense endeavored to secure a postponement of the trial. There is to be an election about four months from now, and Mr. Calhoun and his attorneys felt that the fact might prove an embarrassment to the trial,

hence they asked for a prolonged postponement. Judge Lawlor failed to recognize the embarrassment, and, as has been said, next Monday was set for the beginning of the trial. At that time about twenty-five jurors from the last panel will be on hand, another panel probably will have been secured, and the public may expect to see another illustration of the scriptural saying that "many are called, but few are chosen."

District Attorney Langdon has filed in the supreme court a petition for a writ of mandate that Auditor Koster show cause why he should not pay the salaries of Special Agent Burns and his assistants. Koster having refused to do so. In the past the auditor has paid these salaries without protest, but for some unexplained reason his view of his right to do so has altered. The non-payment of these salaries is a great embarrassment to the prosecution, and the action herein indicated has been taken in the hope of being rid of it. It is not improbable that the supreme court may have acted on the petition by the time this paper reaches its readers.

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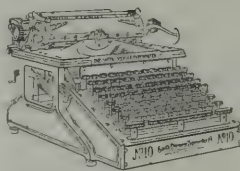
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PERSONALIA

Maude Adams' real name is Kiskadden.

Julius Stettenheim, of Berlin, is called the "German Mark Twain."

James Lane Allen's new book is "The Bride of the Mistletoe." Its scene is Kentucky.

Sir Edwin Maunde Thompson has resigned his office as director and principal librarian of the British Museum, after forty-eight years of service.

The man who invented the bill-board method of advertising that has now become a national nuisance, died the other day in Flushing, Long Island, worth a million. His name was Alfred Van Buren.

When J. K. Barrie, author of Peter Pan, was offered the honor of a British knighthood said that he led to say was, "I don't go in for that sort of thing." And then the honor was conferred on Pinero, another playwright.

Gustav Kerker, the New York composer, whose "Upper Ten Thousand" is drawing crowded houses in Berlin, was ordered expelled from Germany as an army deserter, but has been officially relieved of the charge in recognition of his talent.

A. G. Vanderbilt's new houseboat on the Thames is the finest craft of the sort which ever floated on those historic waters. It is called the Venture, and it has such luxuries as mahogany paneling, bay windows, porcelain bath-tubs and electric pianos.

France has decided to recognize Jacques de Romas as the inventor of the lightning rod, claiming that he announced his discovery two years before Benjamin Franklin put forth the same idea. But this, in any event, cannot rob Franklin of the credit of discovering the identity of lightning and electricity.

The only man who ever swam the whirlpool rapids below Niagara Falls and came out alive is John W. Gilmartin, who accomplished the feat August 18, 1903. He was at that time a writer on the New York Telegraph. He has rescued more than 100 persons from drowning, and has received a medal from Congress for heroism.

Since the death of Peter Fenelon Collier, the entire Collier publishing business falls under the management of young "Robt" Collier, his only son. Collier's Weekly has always been his property, and the phenomenal success of it augurs well for the rest of the business now under his management. Robert Collier has chosen his editors wisely.

Congressman Fowler of New Jersey, who has been the chairman of the important committee on banking, is to be turned down by Speaker Cannon in the make-up of the new House, so it is said. The trouble appears to be that Fowler is such an ardent advocate of just one kind of currency reform, which is the kind that he happens to believe in, that he can't hold the scales even.

Ambassador Hill, who was on Emperor William's racing yacht when it was badly beaten recently, said: "Your Majesty, I'm afraid I've hoodooed you by the calming influence I exercise on the wind." And the Emperor, though not usually regarded as a wit, replied neatly: "That is what American diplomacy usually does." A little later another guest remarked that he might be the Jonah of the party, whereupon William retorted: "I don't see any whales about."

Books on the Roosevelt administration cannot now be so valuable as they would be if no more Roosevelt administrations were possibilities of the future. It is reported that James R. Garfield and Gifford Pinchot, who enjoyed an exceptional intimacy with the former president through the tennis cabinet, are to collaborate on a work of this character; but they won't dare to say things or tell secrets that might have the effect of making another Roosevelt regime the less probable.

SHEAR WIT

Two darkies were engaged in a lively dispute about the purchase of a mule. "Look hea, Mistah Johnson," exclaimed one, "you once told me, 'Iree weeks ago, dat mule was a young animal. He hain't got a toof in his head, he's so old.'" Mr. Johnson thoughtfully scratched his head and then replied: "Time shua does fly in dis hea 'country.'"—Success Magazine.

Rabbi Wise, of New York, not so very long ago went to Boston and delivered a lecture to some people who took the trouble to inform him that their rabbis were Lough at Bunker Hill. "And mine date back to Sinai," said the rabbi. His hearers also told him that their forefathers helped to frame the Constitution. "And mine drew up the Ten Commandments," said the rabbi.—Baltimore Star.

Mr. and Mrs. Married Bliss were both growing very plump, and every effort to reduce weight had proved fruitless, and their discontent with their failure was pathetic. "It's too bad," said a mutual friend to a sympathetic physician. "The Blisses are so fond of each other and used to be so graceful and slender when they first married." "Ah, well!" replied the physician. "Think how much more they are to each other now."—Life.

A Mohawk Valley train was sidetracked, awaiting the arrival and passing of another train, when an Italian walked through the coach, his hands crossed on his stomach. "What's the matter, John?" some one inquired. "Oh, me sick—me sick," replied the man. "Sick? Well, what have you been eating?" "Eata de chick witta de big eyes," responded John, referring to an owl he had caught the night before.—Yonkers Statesman.

The four-year-old embryo citizen who declined to attend Sunday school any more, because he heard "the same old thing" about Adam and Eve every Sunday and he was "sick and tired to death of it" was frank before he was critical. This same child a little later at once delighted his quick-witted parents and touched a deep truth in his unexpected rendition of the hymn line written: "Love is meek and think." "No wrong," "Love is weak and things go wrong," the piping treble invariably shrilled.

The charming child classic of the little girl who, upon being told of a new member of the family, inquired forthwith: "Does mamma know?" is matched by the true anecdote of a noted club and society woman's small daughter. "Mother," inquired the child, enjoying a rare chat with the maternal parent, "on what day of the week was I born?" "Thursday, dear," "Oh, mother," little hands clasped and bright eyes wide with satisfaction, "wasn't it fortunate the doctor brought me on your day at home?"—Chicago Record-Herald.

A farmer living in a wet and late district in the east of Scotland found times and seasons so against him that he decided not to renew his lease. Meeting his landlord the other day, he said: "I can make nothing of it, wet and sour land, and I'm no' goin' on 'w'ic, or I'll be ruined." "Well, John, tae time to think o' it," said the landlord; "no doubt we'll be able to come to terms. I might let you have the farm at a reduction on the acre." "Ah, laird," replied the farmer, "your land should be let by the gallon, no' by the acre!"

"Queer things happen at fires," said Lewis K. Jordan of Cleveland. "The other day the lace curtains caught on fire in an East Side home and there was some panic while the fire lasted, you bet. Everybody called for the 'spported cook out in the kitchen to hustle in with a dish pan or two of water. But she didn't arrive on the scene until someone had pulled down the curtains and trampled out the flames. 'Why didn't you hurry?' they asked her reproachfully. 'Hurry,' she repeated. 'Wasn't I hurryin' as fast as I could. I had hot water in the dish pan when you hollered at me and I had to throw out that and get

some cold water. You didn't want me to come in and throw hot water on the fire and make it worse, did you?"—Washington Herald.

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This brings us to a consideration of the proper functions of legislation. There runs in the popular mind a notion that legislatures and congresses are all powerful, that they have but to enact their wills into statutes to order the ways of men by millions as the legislators conceive that those ways should be ordered. Nothing could be farther from the truth. Only a despotism can impose upon any people any law obnoxious to the habits, customs and convictions of such people, and the contemporary history of Russia affords us an example of effects certain to result from the attempt, even when made by a despotism. The cost is expressed in terms of blood, wickedness and misery.

Napoleon made a better constitution for the government of Switzerland than the Swiss had made up to his day, and the Swiss made use of that constitution just as long as Napoleon maintained in Switzerland 60,000 of his best disciplined soldiery, but when his soldiers were ordered elsewhere the Napoleonic constitution was hurled down the mountains after them and the Swiss people reinstated a government of their own, not nearly so enlightened, but one that fitted their notions better.

Perhaps four-fifths of the titles to all laws enacted by all the legislative bodies in the world begin by reciting the new law to be "An act to amend an Act entitled an Act," etc., or else to repeal such act. Having proven a failure the statute is amended again and again, repealed, recast and re-enacted, times without number, in the hope of finally making the enactment so fit the needs of the people that they will accept it and use it and he governed by it.

As a general proposition legislation is effective, and has power for its enforcement, only as it undertakes to facilitate and reduce to orderly and concrete expression what the people as a whole, in their inchoate way, have sought to do of themselves.

Legislation is chiefly concerned with prescribing methods whereby the people may do what they want to do. There must be ways of doing things or they cannot be done, just as there must be streets in a city and roads to town. By law we lay out these streets and roads and provide for their maintenance, but if no one wishes to pass that way they will not be used, and, if there be better and shorter ways of getting there, they will not be used anyhow. It is so with our laws. Only so many and such parts of them are used as the people have use for and the rest are dead lumber fit only to pad the statutes.

The reconstruction history of the United States, following the Civil War, is the most inglorious of all chapters of our history. Had Abraham Lincoln lived he would have done his best to avert that humiliation, but it may be doubted if he could have stemmed the tide of congressional radicalism and if his fate would not have been as melancholy as that of Andrew Johnson. Congress believed in the power of legislation. Lincoln believed in the power of reconciliation with, and rehabilitation of, the Southern states, and he was not disposed to waste time and effort upon what he termed "pernicious abstractions." He would have accepted the oaths of allegiance of the Southern white men at par value and have thrown upon them, upon honor, the future of the freedmen with recommendations for their gradual enfranchisement and education. Radi-

calism sought to compel what he would have sought by persuasion. The attempt to compel failed, and, forty years after the fourteenth amendment was adopted, the black man of the South is not in the possession of a single right or privilege, guaranteed to him by the constitution, that the consciences of the white men of the South do not approve of his possessing. There are few more important lessons in citizenship to be learned than the limitations which human nature itself imposes upon the powers of legislation.

UP AND DOWN THE STATE.

Captain R. R. Hall, the oldest man in Santa Clara county, died at his home in Gilroy, last week, at the age of 100 years, 3 months and 29 days.

The Women's Improvement Club of Woodland has demonstrated its usefulness and local patriotism by donating that city a site for a public park.

A business deal of great import to the people of the Sacramento valley has just been terminated by the closing of negotiations for the purchase of the properties of the Central County Lands company, the Central County Power company and the Yolo Consolidated Water company by eastern capitalists. It is said that from \$7,000,000 to \$10,000,000 will be expended in developing the properties.

Work on the electric line between Colfax and Bath, Placer county, will be begun in the near future.

It is reported that the Western Pacific company will expend \$700,000 in building its shops at Sacramento, and that the work soon will be begun.

The people of Placer county are to vote on a proposition to issue bonds to the amount of \$125,000 for the purpose of improving roads.

A syndicate has purchased 5,100 acres of land lying between Oroville and Biggs for \$153,000, and will plant the entire tract to eucalypts.

The doubt which has existed concerning the date of the opening of the deer season has been terminated by Attorney General Webb by a decision that July 15th is the day.

It is contended by residents of Lake county that the tree known as the "Woodridge oak," in that county, is the largest in the state. At six inches from the ground it is 36 feet, 4 inches, and at four feet from the ground 31 feet, 10 inches, in circumference.

By a vote of 306 to 99 citizens of Elmhurst, last Saturday, decided in favor of the issuance of \$75,000 worth of sewer bonds.

The citizens of Redlands, in a recent election, negatived propositions for the issuance of bonds for a city hall and for the fire department.

It is reported that laborers on the Los Angeles aqueduct from Owens valley actually fight for the privilege of working on certain parts of the line because of the chance of striking a gold pocket. Patrick McCullum, one of their number, is said to have cleaned up \$1,200 from such a pocket.



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Plaint of the Workman.

The plaint made by workmen to an increasing degree that, out of their wages, they are able to save nothing for the rainy day, and that lack of employment of the head of the family means not alone poverty but indigence, has quite too much of foundation in fact, but wage-workers are not alone in this. The condition of salaried men is only one notch farther removed from possible penury. It is and ever has been true that a great portion of humanity lives within ninety days of a possible pauperism.

If a skilled mechanic lives unduly near to the poverty line the fault, or misfortune, is his own. He could have an anchor to windward if he would, but the unskilled man with a family must consume as he earns and all that he earns. His earning capacity must be and remain too low for saving, and yet maintain a standard of living that will keep him fit for his work.

We must all of us work or suffer our families to endure either hardship or the humiliation of eating the bread of dependence, or so nearly all of us as to make the exceptions negligible. The earning power of money is now become so low that one must reckon his savings by tens of thousands if he would live on the earnings of his investments. It is good that it should be so, for we ought all of us to work who can work and, that there may be work for us to do, there must be the largest liberty for the spirit of industrial and commercial enterprise consistent with justice, drawing the line on the safe side of rapacity. There is no other way, but let not the workman feel that his dependence is greater than that of others, for others there are as dependent as himself.

Further Evidence of Innocence.

Tremendous efforts have been made to show that Mr. Francis J. Heney has received some thousands of dollars from the United States government, since taking the graft prosecutions in San Francisco, without having rendered service therefor. The contention seems to be that if this were proven against Mr. Heney it would demonstrate the innocence of Mr. Calhoun and his associates under indictment. Also if it could be shown that, at the time the indictments were found, Mr. Heney was an officer of the United States government the innocence of Calhoun et al. would receive confirmation. The relevancy of this evidence may appear questionable to practical minds, but with persons whose opinions can be hired at so much per perspicacity becomes equal to every demand upon it. It may not be irrelevant to note that the moneys received since these prosecutions began by Mr. Heney from the government he has so well served were in payment of services long before rendered and that he has not been a United States officer for several years, having been merely retained for each case separately as occasion warranted. However, there is still a way open for Mr. Calhoun to convince the public of his innocence if innocent, and that

THIS NUMBER CONTAINS

England's Better Criminal Procedure

Fourth Article.

BY

An English Attorney

Readers of The California Weekly will, in due time, find every important public issue explained by some person whose special knowledge gives him a right to be heard.

is to tell what was done with that \$200,000 and open wide the avenues for disclosing the truth. There is no other way under heaven, in the world and among men, whereby his guiltlessness may be established and, if that way will not serve, then there is no way open, and a hitherto honorable reputation must go down to posterity attained.

A Place for the Live Things.

The Board of Supervisors of Marin county have petitioned the Fish and Game commission of California for their aid in establishing a state game preserve on the slopes of Tamalpais. Where better should such a preserve be established? The wild things of this earth have not too many places of refuge and, not only does their well-being demand that they have more sanctuaries, but the humanities demand it also. We cannot be ruthless, even with them, and not suffer harm. The good offices of the Fish and Game commission should not be exercised on behalf of duck-hunters alone, but also on behalf of the hunted. By all means suffer the Tamalpais game preserve to become a fact.

A Gaiety of the Season.

Legal gentlemen may now appear in the courts of San Francisco without risk of tarnishing their wigs or gowns by brushing against the crocky personality of George D. Collins. He has been disbarred. He was not present to protest. Advantage appears to have been taken of his absence at a seaside resort, having more of notoriety than of attractiveness, where he is unavoidably detained, to push disbarment proceedings against him, for no such proceedings were instituted so long as he was present and participating. By immemorial custom it has been held in California that no person fit to remain outside of prison walls could be unfit to remain inside of a hall of justice, and the issue of fitness has been determined by whether or not such person were in prison or out. What a gaiety was this whole proceeding! The character of Collins has been an open book for years and

his unfitness to practice law has been notorious. Is it any wonder that scoundrels gain admittance to the bar that they may practice rascality as a profession? Conduct unbefitting a gentleman should be held unbefitting an officer of the court, as certainly as of an officer in army or navy. In no department of our judicial system is there more need for reform than in purging the bar of men morally unfit to practice law.

Some Fundamental Differences.

In our fourth article upon "England's Better Criminal Procedure," to be found elsewhere in this paper, three or four important facts are succinctly set forth. One is that while we have followed the direction of least resistance, and suffered all who cared to escape jury duty to get off the panel, in England the duty of jury service has been exalted and law and public sentiment have combined to keep the best men on the panel.

Where we have, in many classes of cases, permitted juries to judge of both law and fact, in England the jury is held down to pure questions of fact without having minds muddled with questions of law the jurors are incompetent to decide.

In England the issues of fact are given to the jury and not to the public for decision, whereas we, in this country, in cases at all celebrated, first try the accused by newspaper and then await a verdict from the public before empaneling a jury, and, to this end, newspapers are as certainly retained by the parties litigant as are the lawyers.

Finally, in England, the trial judge is still endowed with power to administer justice, whereas, with us, he is reduced to an umpire important to guard the public weal whether disposed to do so or not. There cannot be two opinions as to which is the better way.

Bad Bankers Make Bad Banking.

Perhaps there is no way of keeping bad men out of banking. The plunger is never so happy as when he is getting his fingers upon other people's money, and always we may expect that the stability of character of bankers will afford the best guaranty of the character of banking institutions.

But betwixt the efforts of the banking fraternity and the state at least reasonable security should be afforded those who put their trust in banks. It is too soon to hold the new state bank inspection system responsible for the collapse of the Union State and State Savings banks, and the old system never did anything but politics that amounted to anything.

It does seem, however, as though the sound banking interests of San Francisco must have known the character of these institutions, and, knowing their characters, might have taken steps to prevent harm to banking interests. Our legitimate banks cannot too soon or too well learn that they must stand "all for one and one for all" for whatever shakes public confidence in banking hurts all banks more certainly than all are hurt in any other department of business.

Taft and the Tariff.

Just what is taking place at Washington in the tariff conference the outside public does not know and conjecture is not very enlightening. The President appears to be standing for free raw materials. This raises an issue new to this tariff discussion and raises it at a late hour. There are many raw materials that deserve protection as certainly as manufactured products, and it goes without saying that if raw materials are made free the products manufactured from them should suffer a corresponding reduction of tariff protection. The President may have his way yet. He can if he will, for politicians will hesitate to push their program to the limit of putting the party organization in open hostility to the President. The organization knows that it will be whipped if it forces that issue, for the nation will stand behind the executive in forcing such a reduction in tariffs as will eventuate in a reduction in the cost of living. Another week will doubtless enlighten us further.

The Battle of the States.

The income tax amendment is going to the states. It will give us not only battles within states but between states and nothing has occurred since the civil war so likely to stir up bad blood as this conflict. Twelve states can defeat the amendment, but woe to the twelve that do defeat it! They will be reckoned with in every piece of legislation that comes before congress ever after. And yet no one of the twelve may wish to defeat the amendment. It might carry in every one of them if submitted to the people. It will be a contest of the public against the "interests," a conflict of the spirit of democracy against Bourbonism, and Bourbonism never rides but to a fall. A national public sentiment may make itself all-compelling. That is the amendment's only chance and if it is to take that chance those who favor the amendment cannot too soon get busy creating a public sentiment that may make itself all-compelling. The necessity for an income tax is one thing. The power of a great government to impose one in time of need is another. On this point there never should have been any question.

LaFollette Stood Up.

The entire California delegation in congress went into the Aldrich camp in order to make sure of adequate protection for oranges, lemons, raisins and wines. No one has called the delegation seriously to account for it, and we all of us want all of these industries to have a fair chance with foreign productions in the markets of this country. Just what would have happened to these industries had our delegation stood out and stood up no one can assuredly determine, but Senator LaFollette took his chances with certain Wisconsin industries, notably paper-making, in which there are 25,000 persons engaged. He voted to cut their protection from \$6 to \$4, and he voted on every item of the tariff schedule from the national, rather than Wisconsin, point of view, and he was the only man in the senate who did follow that policy. What will Wisconsin do to LaFollette two years hence when he comes up for re-election to the United States Senate? We know what it ought to do. It ought to send him right back to the Senate and keep him there.

Economy of Going Without.

We are twice admonished from Washington. Once that the new tariff will give us an abundant revenue, and, second, that the revenue can only be abundant if we limit governmental expenditures to the most rigid economy. Which mainly means that Uncle Sam

THE STAFF

A. J. PILLSBURY, Editor and Manager
CHESTER H. ROWELL, Associate
A. J. WATERHOUSE, Assistant
E. FRENCH STROTHER, Assistant
O. BLACK, Business Manager

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will economize by going without and by issuing bonds for the betterments he must make. That news is unwelcome and unsatisfactory. There is no need that the country should scrimp or that it should not, out of current revenues, carry forward internal improvements. The people complain of high prices, not of high taxes. They are willing enough to build the Panama canal out of current revenues, to erect public buildings at home and abroad, carry forward the reclamation service and enter upon a great system of construction of interior waterways and conservation of resources. All that the people ask is that the taxes be distributed equitably, that the whole cost be not saddled upon the consuming masses, that some part of the burden be apportioned according to ability to pay rather than upon necessity to consume, that a dollar's worth of efficiency result from each dollar of expenditure. The economy of going without ill becomes a "giant in swaddling clothes."

Centralization of Control.

That interstate commerce is destined to come under a more efficient control of the general government, or the general government under a more efficient control of interstate commerce, is seemingly inevitable. There are three principal roads to one of these goals being advocated. Mr. Bryan wanted a federal license imposed upon all corporations controlling 50 per cent of the production of any commodity in this country. Attorney General Wickersham wants all corporations engaging in interstate commerce to take out a federal license, an idea that President Roosevelt advanced tentatively, to be resorted to in the event that methods of control sought under the law as it stands failed of their purpose. President Taft's plan is the corporation tax, to become a part of the new tariff measure, which is expected to give federal control obliquely, so to speak, a main purpose sought under the guise of needful taxation. The President's plan has the merit of being on the eve of adoption, but if it leads to anything more important than raising a few millions of dollars additional revenue it will lead to the federal licensing of all interstate corporations with the view of controlling them. Then will come a mightier tug of war between corporations and people than we have ever had, the goal being the control of the government that controls the corporations. Nothing short of a popular election of United States senators will enable the people to win that contest.

The American Loan to China.

It is to be hoped that the announcement from Peking, that American financiers will be allowed to participate in the great international loan to China, will not lack confirmation. It is important that American money

should participate on terms of equality with England, France and Germany in whatever constructive enterprises China undertakes on borrowed capital. The reader will understand this better if he will take down his map and take a look at the Yang-tse-Kiang valley, one of the greatest, richest and most populous in the world. Hankow sits at the head of deep-sea navigation of that river several hundred miles above its mouth. Above that city lies an enormous territory beyond the reach of certain, safe and constant navigation. A railroad system reaching Szechuen province, and tapping its great resources, is as needful as a railroad up the Sacramento or San Joaquin valleys in this state, except that these two valleys are unimportant by comparison. It will take something like \$40,000,000 to construct this line of road, and a branch from another line reaching into Hunen, another important interior province. If America were left out of the loan America might also be left out of opportunity to trade on terms of equality with Europe in these far territories. Hence the insistence of our government upon a right of participation. Hence also the stirring up of American financiers by executive influence exerted from Washington. The Morgans, Kuhns and Loeb were manifestly asleep until awakened by the President. This is tremendously important to California and our commercial interests might well sit up and take note also. The possibilities of the Yang-tse valley are hardly second to those of the Mississippi or the Amazon and millions of consumers are already there awaiting opportunity to buy of us and sell to us. That makes business.

Telegraph to Telephone.

The trend of railroading is toward train dispatching by telephone instead of telegraph, in the interests of economy if not efficiency, and for the displacing of a thoroughly organized brotherhood of expert and generally reliable men by a disorganized and inexperienced body of employees without the intelligence and discipline that telegraphers have had to possess. This is only one more step in the direction of making a tool do the work, and take the place of a man, because the tool will be obedient and not stop to argue when somebody tells it to do something. The tool also has nothing to say about wages or hours. This movement, said to be headed by the Burlington road, is only another manifestation of a tendency inherent in human affairs and not to be worried over save as passengers on express trains may fortify their heirs with additional accident insurance in view of the possibility of a hello-girl doing the dispatching. What if she should give the wrong number?

Business Looking Up.

From every point of view business should be good and getting better. Crops are almost uniformly good the whole country over and the world's market for any surplus seems ample. The great railroads are placing big orders for new supplies and the banking centers have no end of money to lend at fair rates of interest on security reasonably sure. Our imports are increasing so rapidly as to leave no doubt of our national purchasing power and our customs dues, as they are, are cutting our treasury deficiency into shreds. Our per capita circulation is now thirty-five dollars with one cent to go on, ample for anything but a Populist, and should satisfy Mr. Bryan, if there be anything in the quantitative theory of money. Building in all the cities has enormously increased during the current year and the railroads have fewer idle cars than for more than two years. Why does not this procession start? What are we waiting for?

Of Debateable Advantage.

The Sacramento Bee has undertaken to develop the attitude of churches and church men on issues involved in the graft prosecutions in San Francisco. If the Bee is merely seeking information it may save itself trouble and expense by taking cognizance of the fact of division of sentiment within the churches without bothering to prove it. It exists. It always exists whenever a fundamental test is applied to it, and the test now being applied is fundamental. It is such a test as was applied when slavery was an issue and that issue cleft the church from top to bottom. It cut through the ministry and priesthood, through vestry and laity, through religious organizations of gentiles and Jews. Nor are those who fail to respond to a supreme test wholly without palliation for their shortcomings. Priests and pastors spend their lives in trying to save men from suffering the consequences of their own acts here and hereafter. They are a mellow fraternity, too, and easily mistake the sorrow of the sinner for his own predicament for sorrow for the sin. Besides, there is much that religion will not do for a man unless he is so saturated with it as to have become wholly forgetful of self, and not many pastors or communicants are saturated to that degree. The heart of the church in San Francisco is right, but there is an element in it that is on the wrong side. 'Twas ever thus.

Salaries of Wardens.

Inasmuch as the State Board of Prison Directors have so increased the salaries of prison wardens as to make the emoluments of these offices commensurate with the responsibilities and duties thereof it might be well for that board to go one step further and make the wardens commensurate with the salaries. It is almost as certainly out of the question for a man to go into a prison and become a good warden without previous training as to become a good lawyer, a good doctor or a good mechanic, and this, too, without conflicting with that other truth of equal validity that good wardens, like good hotel keepers, are born and not made. The material out of which to make a good warden must be there in the first place, but, being there, it must be given opportunity to learn the profession or it cannot practice it with success, and training in local politics affords inadequate preparation for the task. As well might we officer our army and navy with politicians, and hope to be successful in war, as to so officer our prisons and hope to redeem wayward men from lives of crime to good citizenship. In ninety cases out of the hundred that is the task to which the competent warden will address himself.

The Predatory in Us All.

It is a mistake to suppose that the predatory rich are essentially different from the rest of us. They are like us, we are only more so. It requires generations of good breeding to cultivate the predatory instincts out of us and the predatory rich, like the predatory poor, have had little of such breeding. Wealthy persons who would be democratic, and throw open their grounds to be enjoyed by the poor and the moderately circumstanced, are often requited shamefully. Their grounds are cluttered, their flowers snipped, the shrubs broken down and their lawns trodden over with as little heed as herds of cattle or mules would exhibit. This does not justify the predatory instinct whether exhibited by prince or pauper, by millionaire or man. It only tends to account for it wherever found on the ground of lack of good breeding, good fellowship, the softening influence of civilization, for robbers or pirates, in highways or byways, commercial or industrial,

who are well bred have been few and far between.

The Open Shop in Indiana.

The simultaneity with which news concerning the growth of the open shop principle in Indiana percolates through the press suggests that there may be somebody behind it pushing it along, but, however that may be, it does seem to be true that unionism in that state has received a backset. The tendency toward the open shop principle has resulted from the tyranny of the unions, just as unionism itself resulted from the tyranny of the employers. So the pendulum will swing back and forth until each party to the conflict comes to conceive a respect for the other and to appreciate the other's point of view. What has been done in Indiana has been done under the shibboleth of "industrial freedom," which, being interpreted, means that collective bargaining will not be tolerated and the employer shall be free to take full advantage of the necessities of the worker in fixing hours, wages and conditions of payment. This also is tyranny. Collective bargaining is indispensable to the liberty, the uplifting and well-being of wage-workers; but when, upon that claim of right, unionism assumes to shut out of employment all who will not bargain that way one form of tyranny is substituted for another and humanity gains little. The industrial situation in Indiana has merely shifted its weight from one foot to the other and no step in advance has been taken. Until the right to bargain collectively, and not to bargain collectively, have equal recognition by capital and labor, progress cannot be reported.

The Dredgers.

Sooner or later the gold-mining dredgers of the Sacramento valley will have to submit to public regulation in the public interest, and that regulation should come sooner, and not later. This is said without antipathy to that industry. It is legitimate, it is profitable, and it has the need of its product, but it is not safe to leave dredger-mining to its own devices. Love of gain is too strong to be trusted with so great a responsibility. The crushing of the cobbles for road-making has helped to solve the problem of the heaps of ruin the dredgers leave in their wake, but has not done it wholly. There are places where dredgers may not work without doing harm to the rivers, and there are other places where the value of the soil to posterity vastly exceeds any possible profit to the world, payable in gold, that can result from dredger-mining. The need is for some person or commission, acting on behalf and in the name of the State of California, to represent the public interest in the prosecution of that industry and the state should not wait before taking action until an intolerable evil develops.

The Shake-up in France.

Such a shake-up as the government of France has just sustained would, in England, prove a serious matter, but the French do not take themselves so seriously. A diversion of the kind is, with them, of little more significance than going to the opera. But the incident goes far to reconcile us to our relatively unresponsive administration to public sentiment. We know that it is not parliament that correctly represents public sentiment. We look to the executive arm of government to do that. Our congress stands between the public and the realization of its demands and gives it time to think things over. In France, and other countries having a responsible ministry, they think quickly, act promptly and repent at leisure. The deliberateness of British political life makes a responsible ministry more tolerable than on the continent of Europe, where political hair-triggers are the fashion.

The Deeper Significance : : : of Living : : :

In shooting considerable distances the mark must be overshoot in order to be hit. It is so with the drama. The truth must be exaggerated in order to be seen. "The Servant in the House," is an exaggeration. There probably never was just such a person as the Bishop of Lancaster, but there has been many a bishop whose materialities dominated his spiritualities and made of him a dangerous hypocrite without half knowing it.

There has been many a vicar spiritually keelhaired betwixt the calling of his Master to work in his vineyard, making himself of no repute, and the enticements of a larger church with a more intelligent and influential congregation hanging breathlessly upon his words of intellectual eloquence. And there has been many a vicar's wife more ambitious for her husband than for his Lord, for social pleasures than for humble service. Yet both the vicar and his wife are no doubt many times magnified in this play.

So with the Bishop of Benares! There have been bishops without number forgetful of self, self possessed, sympathetic, steadfast, quick of wit and strong of will, but few that could come into a household in the early morning and, betwixt breakfast and luncheon, expose the hypocrite and cast him out, confirm the vicar in his purpose to walk humbly and serve sincerely, bring the wife to a sense of her sin of worldly standards for a heavenly commission, awaken the latent manhood in a brute of a sewer worker at war with the world, restore a daughter to her father and father to daughter, reunite in confidence and love an estranged family and ring the curtain down on a scene of love and confidence animated by high resolve and resolute will. Yet all these seeming impossibilities are accomplished in an evening. The stage, as naturally as day passes into twilight and twilight into darkness, and that again into dawn and dawn into day, without once straining at effect. Just a quiet, self forgetting, purposeful personality, simply and wonderfully attractive and owing its power to the subtle alchemy of love ordering its steps with wisdom and tact.

"The Servant in the House" has made a great hit all over the Christian world. It appeals to something understandable in the human heart. The audience never misses the point in any phrase, scene or situation. It recognizes the counterfeiter in the Bishop of Lancaster, the soul of manhood in the sewer cleaner, who unhesitatingly braves death at the call of his duty, feeling that that is his place and that that one thing he can do. And it knows the quiet Bishop of Benares, incognito to though he is, for what he is and loves him as heartily as it hates the other.

All of which shows that a theatre-going people at bottom hates sham and loves sincerity and never comes away from a play believing the wrong moral, or an immoral instead of a moral. Such an audience must choose the worse rather than the better, but it will at least know the better from the worse and will be under no hypocritical misapprehension as to which is which.

And here is the point of the play, and of this incident, deeper significance of living: Who can measure the power of an unselfish purpose, and who can measure the potentiality of a serene, self-mastered, calm, dignified, intelligent, wise personality? Around every such person there clings, as around the earth, an atmosphere, full of tonic, vivifying, disinfesting, inspiring, healing.

How can such a personality be acquired? By not trying to acquire it, but by trying instead to walk humbly, live prudently, acquire self mastery, yet go into the world to see it, know it, serve it, never by retiring from it or shunning its burdens, by bearing them instead, without hurry, without worry, living each day to the full, with hope and resignation. That way comes the Bishop of Benares with a fame that crosses oceans yet a "Servant in the House."

WHAT THE WORLD IS DOING

Transcontinental South American Railway.

The government of Peru is about to undertake an enterprise which will be of no slight import to the people of the United States. This is the construction of a railroad from Paita, in northern Peru, to a navigable branch of the Amazon, a distance of about 400 miles. This will create a transcontinental route consisting of about 2,600 miles of water and 400 of rail, and will open up and develop a wonderfully fertile tract of country which heretofore has been all but inaccessible to the civilized world. The road will traverse one of the lowest passes in the Andes, and no unusual engineering skill will be required in its construction. But here is the point in connection with it which is of most interest to North Americans: It will reduce the time of transportation from Peru to New York from thirty to twelve days, and the time from many points of interior South America fully as much. Probably five years will be occupied in the construction of the road. It is understood that its Amazonian terminus will be at Iquitos.

A Paradise for Suffragettes.

It is announced by a French explorer who recently returned from an African expedition that he has found, among the Tuaregs, on the border of Sahara, such a paradise for suffragettes as they probably have not conceived to exist this side of the country where everything is made right. The male Tuaregs are not admirable, being brutal, treacherous and barbarous, but their women have their "rights," including some features that are not recognized as rights in this part of the world. Each one of them has a camel of her own, and her husband is not allowed to mount or dismount her without her consent. Their household duties are very few, their husbands doing most of that sort of manual labor. Each woman has a species of knight errand (other than her husband) who attends to her camel, runs her errands and, generally, makes himself useful to her, but if he shows a tendency to become too devoted, her husband is privileged to punish him. She is in no way compelled to serve the spouse who is not her "lord and master," for he is an illiterate and ignorant creature, while she can read. The latter fact, too, gives her the privilege of acting as judge when any difficult question of policy arises in connection with Tuareg affairs. So the French explorer reports, but his suggestion that suffragettes trek Saharaward has not resulted in action as yet.

Still No Remedy for Cancer.

It has been seven years since the Imperial Cancer Research Commission, of Great Britain, was organized to investigate and attempt to find a remedy for the most dread disease that afflicts humankind. The other day its annual meeting, at which the Prince of Wales presided, was held, and its report was rendered. Briefly summed, the report amounts to this: That all suggested remedies have been tested, and that none of them successfully combats the terrible disease. The number of such alleged remedies—some of them introduced with a fanfare of horns—is many, but the commission holds that the value of "cypripin" was the best of these to be tested, but with absolutely negative results. The result of these seven years of investigation, then, simply is a negation. The commission speaks hopefully of its final success, but it is difficult to comprehend on what hope is based, unless it be that large faith in man's capacity which holds that in time it may accomplish anything. Certainly the demonstration that thus far nothing has been found to cure cancer is poor basis for a belief that the remedy hereafter will be found. Nevertheless, there is none who will not hope that the commission's apparently groundless faith will be demonstrated to be based upon a firm foundation.

Progress of Public Education.

Elmer E. Brown, United States commissioner of education, has compiled some statistics relating to our public schools which are both interesting and significant. In so doing he compares the statistics of 1870 with those of 1907. In considering them it should constantly be remembered that the population of the country somewhat more than doubled during the designated time. In 1870 the number of children of school age was 12,055,443; in 1907 it had increased to 24,262,930, or just about proportionately to the increase in population. But in the former year the number of pupils enrolled was but 6,871,522, while in the latter year it was 16,890,818. That is, but 57 per cent of children of school age were enrolled in school in 1871, while 70 per cent were enrolled in 1907—a good showing, but that in relation to actual average attendance was better, for in 1870 but about 33 per cent. were in actual average attendance, while in 1907 the percentage was almost 50. In 1870 the number of male teachers employed was 77,529; in 1907 it was 104,414, an increase of less than 50 per cent, while the population was doubling. But this decrease was more than compensated by an increase of female teachers from 122,986 to 376,902, or more than 200 per cent. To sum up, while the population increased by 100 per cent, the total number of teachers increased by 140, which suggests that our school children do not appear to be neglected. It is in the value of public school property, however, that the greatest bound has been taken, or from \$130,383,200 to \$858,635,200. Our school property has increased in value nearly three times as fast as our population in number. The expenditure per capita in the earlier year was \$1.64; in the latter year \$3.90, while the expenditure per pupil was \$15.55 and \$28.25 respectively, the expenditure in the various states ranging from \$6.37 in South Carolina to \$72.15 in Nevada. California, with its \$49.25, is exceeded by only Nevada, New York, with \$51.50, and Montana, with \$49.40. From all of which it may be gathered that, whether or not we sometimes are unwise in our educational methods, we cannot be charged with negligence in relation to them.

An Arabian Nights Tale.

Not long ago a number of Arabs, after wandering for some time on the desert of Sahara, reached Cairo, and there told the following story. They were smuggling goods across Tripoli, when they were discovered by coast guards and fled for their lives. Riding southward three days into the Sahara, they were lost and had almost given up hope when, in the distance, they saw a glittering something—they knew not what. They rode in its direction, and discovered it to be a deserted city built of copper. Not a sign of life was there, but they secured water at a spring, and later found their way to Cairo. This is their story, and it sounds sufficiently "fishy" to have Sinbad the Sailor for its hero. It certainly would not have been believed were it not in a degree indorsed by the fact that the Arabs brought with them several pieces of copper of fine workmanship and antique design which they claim to have found in the remarkable city, but this fact has caused so much credence to be given to the story that an expedition, composed of Europeans, is being fitted out to attempt to find a supply of the copper city. But, while this is the case, the general attitude of savants toward the story is one of incredulity.

First Jew in British Cabinet.

For the first time in the history of England a representative of the Jewish faith is a member of the British cabinet. The first Jew of Jewish birth—Benjamin Disraeli, for instance—have been in the cabinet heretofore, but not until after they had abjured the Jewish

faith. The one thus honored is Herbert L. Samuel, who was promoted from Under Secretary of State for Home Affairs to the Chancellorship of the Duchy of Lancaster, which carries cabinet rank. Members of the Jewish community have held high place in parliament, but in Mr. Samuel the cabinet has the first representative of the faith.

A Bas the Large Intestine!

Professor Metchnikoff of the Pasteur Institute believes himself to have made a discovery which should interest not only the doctors who perform "successful operations," but also all persons who carry a lower large intestine about with them as a part of their life baggage. In the words of his assistant, Professor Metchnikoff "discovered that the intestines of the ordinary healthy man always contained a great number of varieties of bacteria. Some of these were found to be dangerous. In the lower large intestine it was found that the harmful germs greatly predominated. Professor Metchnikoff therefore concluded that if a man's large intestines were removed he would suffer less from the intestinal bacteria poisons." Having made this illuminating "discovery," Professor Metchnikoff at once proceeded to confirm it by prolonged investigations, which happily terminated in convincing him. So now, if we are not feeling well, we will know what, in all probability, ails us: It is our large intestine getting in its deadly work, and what really is needed is a "successful operation," which, as is well known, is the only kind that takes place. Thus has Science hung another star against the black firmament of our pains and aches. A bas the large lower intestine! Let it go to join the vermiform appendix!

WORTH KNOWING.

Did you ever think how important it is to have a reliable drug store put up your prescription, and dispense your remedies, and a store that will not "grat" by paying the physician a percentage of your prescription?

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GOSSIP OF CURRENT LITERATURE AND REPRINTS OF OLD FAVORITES.

A LOST POEM BY KIPLING.

The Century Magazine some time ago published an article calling attention to a quotation from Kipling's verse with which Prof. Frederick Jackson Turner, of the University of Wisconsin, prefaced his well-known essay on "The Influence of the Frontier on History." A search of Kipling's collected works failed to reveal any such poem, and, though Kipling remembered having written it, he had no copy of it nor could he recollect the unpublished part of the poem. A reader of the Century, Blake D. Miller, a real estate dealer in Seattle, possessed a copy in a scrap book, and forwarded it at once to Professor Meany, of the Washington University, who wrote the Century article. Professor Meany believes that this poem was written by Kipling during his early residence in India, and was reprinted in American papers from its original publication in an Indian newspaper. The complete poem follows:

The Foreloper.

The gull shall whistle in his wake, the blind wave break in fire,
He shall fulfil God's utmost will unknowing
His desire;
And he shall see old planets pass and alien stars arise,
And give the gale his reckless sail in shadow of new skies.
Strong lust of gear shall drive him out and hunger arm his hand
To wring his food from a desert land, his foothold from the sand,
His neighbors' smoke shall vex his eyes, their voices break his rest.
He shall go forth till south lies north, sullen and dispossessed;
And he shall desire loneliness, and his desire shall bring him
Hard on his heels a thousand wheels, a people and a king;
And he shall come back in his own track, and by his scarce, cold camp,
There he shall meet the roaring street, the derrick and the stamp;
For he must blaze the nation's ways with hatchet and with brand
Till on his last won wilderness an empire's bulwarks stand.

TOO MUCH FICTION?

There was no touch of pessimism at the national book fair—or exhibition of things literary and bookish—which has just been held in this city, says the Chicago Record-Herald. The publishers, dealers, agents and printers who were present were confident that a veritable boom was coming and that authors will share the prosperity which is returning to the country as a whole. The best sellers always take care of themselves, but in a lean and poor year much excellent, honest, artistic work goes unrewarded.

Andrew Lang has been giving some peculiar advice to would-be writers in connection with this question of remunerative authorship. He finds that the departments of history, poetry, essays, literary criticism, anthropology and economics are particularly unprofitable, and he therefore unhesitatingly counsels those who would live by their pen to devote themselves to fiction, including, of course, plays. Mr. Lang will not be thanked for this advice by the novelists and dramatists already in the field. In fact, some of these have been carrying on a remarkable propaganda in favor of a suspension of production. The public, they say, is weary of fiction and threatens a boycott. To the making of the same kinds and styles of novels there is no end, and the general readers are bored and surfeited. Moreover, the publishers are beginning to complain of the pernicious activity of novelists, many of whom think nothing of turning out two books a year, and declare that there is simply no market for such wares. One popular author is reported as saying: "A fellow doesn't demand a book from me anxiously

nowadays, and let me supply it gracefully: I must supply it without invitation and then jump on his back and cram it down his throat."

Critics, too, we are told, are striking, and their notices of new novels are becoming more and more laconic and perfunctory. They are unable to affect interest where they do not feel it, and much in plots and treatment appears flat and stale to them.

In these circumstances, say some of the more comfortable English novelists, the part of wisdom is to call a halt, cease writing and publishing fiction for a year. What a brilliant revival would follow the extraordinary suspension, and what vitality and freshness would be infused into the book trade! exclaim the advocates of the idea. It is not likely, however, that it will be tried in the near future, and certainly the news from Chicago and America will encourage the British novelists to persevere in spite of pessimism at home. Our consumptive capacity is apparently unlimited, and the demand is by no means confined to fiction.

HICHBORN'S STORY OF THE LEGISLATURE.

Generally speaking, the people will not elect their rascals to make their laws if they know that they are rascals, but rascality often wears a cloak of smiling plausibility, and so the people are betrayed. Granting that this is true, it is of far more than passing interest to obtain a book behind the scenes of the California legislature and form an accurate idea of the men who composed it. Such an opportunity is given to all in Franklin Hichborn's book, "The Story of the California Legislature of 1909," advance sheets of which we have in our hands. His writer yields no whitewash brush, nor does he dip his pen in venom. Calmly, impartially and painstakingly, he deals in facts, and facts, and yet more facts. Sometimes these facts condemn a legislator; again they laud another. Hichborn presents them without fear or favor; it is the fact that he presents, whether it bless or ban.

Taken as a whole, the book is an almost astounding revelation. There were "Honorable" legislators who voted for every vicious measure, and against every righteous measure, that was presented for their consideration; their every vote is recorded, and cries out against them. There were others who veered as the wind shifts, sometimes heeding the dictates of the "machine," again apparently wondering if it would not be policy to do as an awakened public conscience suggested; the fluctuating record is written in Hichborn's book. Yet others stood straightly for the right throughout the long struggle; the unembellished record is their wealth of laurel.

And through the entire session the "machine" was dominant. This is the sad moral of the detailed facts and figures. In but one instance—that of the anti-race track bill—was it entirely defeated, and no small share in this defeat was due to the opponents, rather than the proponents, of the measure.

All of these facts are impartially marshalled in this "Story of the Legislature of 1909," and they lead the reader to just the deeds of some law-makers or to condemn those of others. It is that which the man did that holds him up for opprobrium or applause. The whole story is told with that convincing force of which Mr. Hichborn is master, and the book (\$1.25 will be its price) should be in the library of every man who cares to know what our legislative servants have done in the recent past and whether they may be trusted still to serve the public in the future.

A LITERARY ROUND ROBIN.

The most celebrated round robin in the English language is the one signed by Burke, Gibbon, Sir Joshua Reynolds and others, and sent to Dr. Samuel Johnson, requesting him

to amend the epitaph to Oliver Goldsmith in Westminster Abbey, and suggesting that it be in English instead of Latin. Johnson accepted the round robin in good part, but told Sir Joshua Reynolds, the bearer of the note, that he would "never consent to disgrace the walls of Westminster Abbey with an English inscription."

WHAT ENGLAND THINKS OF US.

Thomas Nelson Page, who has spent all his vacations in Europe for the last twenty years, has been interviewed in London for the New York Times, and among the questions asked him was one concerning the reality of English friendship for Americans.

"I will answer that in this way," he replied. "You know, England has a great many people in it—some of the wisest and some of the most foolish; some of the most delightful and some of the dullest on earth. It is hard to generalize, but speaking generally, I think that Americans like the English better than the English like the Americans. Certainly the upper classes do. We have an idea of England created in our impressionable youth by reading the romantic stories of the past—which is our past as well as theirs. We come over by the tens of thousands to visit places hallowed to us by historical associations, and we tread softly to find that the Englishman regards us at best with a mild sort of humorous tolerance, and if we win a race, or a polo match, wonders how we did it. It appears to me that there has been a change in the sentiment of the English toward Americans since I began to come to England, twenty-odd years ago. Americans, I think, were at that time much more cordially received than they are now. For one thing, there were not so many of them. Of course there is a great deal of individual friendship between Englishmen and Americans, and no friend in the world can be a better friend than an Englishman—and he is the finest stock in the world for transplanting. But, speaking generally, I can't help feeling that the English have a much less cordial attitude toward Americans than they formerly had. The commercial classes are actually hostile. The tone of the English press is generally slurring and offensive toward America. It is a 'pin-prick' policy, perhaps, but it is a foolish one."

PERSONALIA.

Robert W. Chambers' annual fall novel will bear this year the title of "The Danger Mark."

David Graham Phillips' next novel, to be published this fall, will be called "The Hungry Heart."

An opera entitled "Poia," by the American composer, Arthur Nevin, is to be performed next season at the Berlin Opera House.

A new edition of "David Harum" has recently been published, bringing the sales of this book, since 1898, up to more than 1,000,000 copies.

George Van Haltren, who recently retired from the Oakland baseball team to private life, has been in the game for twenty-four years, which is almost a record-breaker for successful performance in the national game.

Anthony Hope has placed the manuscript of a new novel in the hands of his publishers for production this fall, but a reporter who interviewed him was so frustrated by seeing "Dolly" of the "Dialogues" when he left that he neglected to ask its name.

A short time ago, a tablet in memory of the famous English author, Pearl Mary-Teresa Craige (John Oliver Hobbes), was presented to Barnard College. The tablet, on which is a half-length portrait of Mrs. Craige and a short inscription, was presented in the name of her many friends by the Honorable Joseph H. Choate.

MEN WHO DO THINGS

MEYER LISSNER.



Mr. Meyer Lissner.

portion to the strength of work.

No more striking tribute or conclusive proof could be made of the real value of the work of Meyer Lissner in behalf of good government in Los Angeles than the bitterness with which he has been assailed by the adherents of the corrupt political machine which heretofore ruled the city. One and all, the purchasable newspapers, the vice-protected interests, the pampered office-holding favorite of the political machine, each in his own way has joined in the assault. Malicious cartoons, false statements, savage threats, and calumny of every kind have been heaped upon him. All the tricks by which it is sought to undo the influence with the people of any man who honestly tries to give them better government, have been tried. It seems ridiculous that good people will listen to such charges. No proof is ever given, but we all know how effective is the rumor started in some gossip club "that his motives are deeper than they seem," "that he wishes to make himself a boss."

In the case of Mr. Lissner it is said that he was made the object of an attack by one of the good little boys of the Southern Pacific machine (he is now a federal officeholder by grace of the junior senator from California) in the course of which this machine mouthpiece tried to influence the minds of an audience composed of alert and intelligent club women, by an appeal founded on the tears which he alleged "he had wiped from a widow's eyes." Here at least one attack failed for it is chronicled that the orator's highest flights excited only thinly veiled amusement. So it has gone on; the machine has recognized that Lissner and the reforms he has introduced in Los Angeles bid fair to come between them and the public whom they have so long enjoyed the privilege of plucking, and the word has gone out that he must be destroyed.

What Has He Done?

Meyer Lissner entered the ranks of the progressives of Los Angeles soon after they had begun the work of bettering political conditions in that city. The non-partisan school board and a non-political board of public works had been established, a beginning had been made, but if the ground gained was to be held and further advances made, the forces of good government must be organized. Lissner had been an active Republican, secretary of one of the executive committees in one of the general elections, and he understood the value of united work.

A careful study of the Republican and Democratic organizations showed him that they were absolutely controlled by one man and their complete non-partisanship—for revenue only. Lissner realized the absurdity in supporting a man for a municipal office on account

of any view he might have on the tariff. Early in the year 1906 he conceived the idea of introducing non-partisanship in the city of Los Angeles, and in conjunction with four other men he brought forth the non-partisan movement. He directed the campaign which resulted in placing nine out of sixteen elective offices on a non-partisan basis.

Immediately following, he founded the City Club which holds a meeting every Saturday noon and is a forum for the discussion of city problems. The club now has a membership of nearly 1,000 of the best citizens and leading business men. Nearly all of the men prominent in civic, educational and national affairs who visit Los Angeles address the club.

Roosevelt Leaguer and Taft Supporter.

During the years 1907-8, he was actively engaged in the formation of the Lincoln-Roosevelt Republican League, a state-wide movement against the Southern Pacific political machine which was in almost complete control of the party organization, dictating nearly all nominations from supreme court judges down to constables.

He was a strong supporter and admirer of President Taft, believing in his grand training for the office of president and in his honesty and integrity of purpose to protect the interests of the people while in that office. It was largely through his efforts that the Lincoln-Roosevelt League endorsed Taft's candidacy, the first to do so in California, and stirred up so strong a sentiment among the Republican voters that the machine was obliged to reluctantly come out in his favor.

In the spring of 1909 he organized the forces behind George Alexander, which carried him to victory in the recall election.

Founder of Good Government Fund.

The need of money to furnish the necessary publicity for good government campaigns and the difficulty of raising it, had met him in each movement, and in casting about for a remedy he evolved the idea of the "Good Government Fund." Yearly subscriptions are made to this fund, which is managed by a board of trustees of the highest standing.

In this brief sketch it is impossible to get into the details of his work, to set forth the difficulties he has successfully surmounted, the tireless patience he has put into the work, the unselfishness and good nature which he has displayed in taking positions of more importance than prominence. His friends in Los Angeles say that the test which he applies to all his work is: "Is it right? Is it really in the interests of good government?" He has great confidence in the ultimate judgment of the people and all of his campaigns have been conducted on the idea of keeping the public informed of every step of the work.

A Native Californian.

Mr. Lissner is a native Californian, born in San Francisco in 1871. He knows and understands the needs of this state and we may rest assured that he will bring to their fulfillment the most that a vigorous physique, true courage, honesty of purpose, a clear thinking brain and deep interest in the problems of popular government can give.

CALIFORNIA POETS' CORNER.

THE WILL OF GOD IS ACCOMPLISHED:
AMEN.

By Charles Warren Stoddard.

"There is a city beyond the sea,
With the gates of pearl and the pave of gold;
Out of the night of gloom are we,
Out of the mist of tears:
Captain, I leave the ship with thee,
For the holy breath of God will fold
The ripples before thee. Seek the gate
That is formed of a single pearl, and wait
The angel that beareth the golden key;

Not an evil thing shall pass with thee,
Never a thought of fears.

"You cannot miss the haven of hope,
With God at the helm, and angel's wings
Puffing the sails with their flutterings,
And a loyal soul at every rope.

"God be with you, captain and crew!"
Said the pilot kindly. Every one
Cried "Amen, pilot! God bless you!
A prosperous voyage has just begun;
I have another work to do;
God be with you!" Then like a light,
The pilot's soul went out with the night.
We were alone, but our chart was true.
On we sped with the rising sun.
Why did the pilot's guiding cease?
He had found Heaven: we had found peace.

Announcement

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Race of the Dreamers.

Race of the dreamers, one and all,
Rise from the graves where you do not sleep,
Teach us the magic that held you thrall,
Give us our share in your visions deep,
For the world has gone mad in its hungry
greed,
Ever men struggle and plot and scheme—
Race of the dreamers, to thee we plead,
Give us a part in your wondrous dream.

Shakespeare, king of the dreaming host,
Have we no power to dream with thee?
While of our dollars we prate and boast,
Aye on our souls have we turned the key?
Nay, we have wandered and blindly strayed,
Worshipping Mammon, as we confess,
Yet would we walk with thee, unafraid,
Into the vale where the visions press.

Old Sam Johnson, dreaming his dream;
Burns and Chatterton, Keats and Poe,
Drinking with gods of their nectar's stream,
Supping with poverty, ill and woe;
Little they heeded, and little they cared,
Walking in loneliness, each as a god—
We do serve Mammon, by folly ensnared,
But, oh, for the grace of the way that they
trod!

Race of the dreamers; kingly are they,
Monarchs enthroned in the Kingdom of
Thought.
All of the ages acknowledge their sway;
Out of their wisdom our knowledge is
wrought.
Ay, we are sadden and sadly unwise,
Yet, as we grasp at the things we shall rue,
Teach us, ye dreamers, how rare were the prize
Could we but share in the dreams that ye
knew.

Here's Your Chance for a Title.

Heretofore it has been the custom among a certain class of un-American Americans to secure an European title by paying munificently for it, and then throwing in a bit of rare or overdone American femininity by way of good measure. It is, therefore, to be able to announce that hereafter it may not be necessary to throw in the femininity.

The "Marquise de la Rochebryant," who claims to be the honored possessor of twenty-nine titles, all in good condition and very slightly showprow, now is in New York, and there offers for sale any or all of her titles (presumably reserving one for use about her kitchen at home) to anyone who will pay her price, which in the case of the "Countess d'Autier" title is \$1,000,000, she already having refused \$500,000 for it. The "Marquise" says: "I can see nothing dishonorable in trying to sell some of my titles. I'm twenty-nine, and I want cash for some of them."

Sure, there is nothing dishonorable about it. To take advantage of fools long has been recognized as a feature of certain business operations, and we have some over here who could jump at such a chance as the "Marquise" offers. Here is one, John K. Nurich, for instance, who feels that his life cannot move along like a grand, sweet song until he has a title in the family. Would it not be better for him to buy an unembellished one than to pay a big price for one with a cash-hunting what-is-it? attached to it? Would it not be better to buy it outright, keep his daughter at home and thus head off an international divorce? Any American citizen whose brain has passed the rudimentary stage where the acquisition of dollars is possible should answer these questions in the affirmative. The "Marquise de la Rochebryant" (whatever her name when she is at home) is opening up a bright vista of hope for a certain type of American. There is a prospect that he may be able to buy his title without paying for any dead timber.

The Opinions of Rufus.

Honesty's the best policy, but I understand that the Recordin' Angel writes the kind that's only policy on the debit side of his big book.

Oh, my brethren an' sisters, what a soothin' world to live in this would be if none but them that ain't sinners threw stones at them that are!

If the Lord 'll help me to endure the worries that don't arrive, I have an abidin' conviction that I can stand them that do. I notice it's the first kind that's wearin' me all out.

Probly you're right in claimin' all souls 'll be saved some day, but I can't help wond'rin' what there is 'bout some I've known that 'll make it wuth while.

Like es not Paul was right in sayin' women should keep silence in the churches, but they's a unerminity of theological 'pinion that they's no scripcherl injunction 'gainst their contributin' to the good of the cause.

I've heered men brag of bein' self-made, when their wives admitted the fact with humiliation.

How beautiful livin' in this world would be if tariff walls were torn down an' free trade prevaid—all capt in beams, I'm raisin' beans.

When a person gits so they's none of the look-at-me feelin' in him I don't b'lieve it's much use to hold onto hopes for his future.

A early bird ketches the worm, but 'fore you git up you'd better make sure you're the bird.

I s'posed you're the worm!
I read that man cannot serve both God an' mammon, an' it 'sprised me, but I noticed that the book was written 'fore John D. Rockefeller made sech a gratifyin' success of prayin' an' preycin', an' then, o' course, I understood.

We can't be too careful not to read books that are out o' date.

It Followed Him Still.

First that I knew him he cut some wide swath
Kind of a feller we "point with pride,"

Judgin' him likely to win renown;
Affable chap as you're apt to meet,

Smilin' on all in the hustlin' crowd,
An' the crowd smiled back in a manner neat—

An' his mother was proud.

Next thing I knew he had tried a bout
With Old John Barleycorn—Plexus blow

Was what he received, an' it knocked him out.
Same as it has some lads I know.

Worse than the Prodigal Son, I say,
For even his husks were about fourth grade;
So the crowd that had smiled, it backed away—
But his mother stayed.

His mother, she stayed. She said she knew
That her boy wasn't bad in the heart of him,

An' she prayed for him, like she used to do
'Fore her hair was gray an' her eyes were
dim;

An' she whispered hope, an' she whispered
cheer.

With tender kisses on brow and hair,
Till he murmured such promise as angels hear
To his mother there.

Last that I heard he was standin' straight,
Honored, respected in that small town;

"Prominent citizen," papers relate;
Errors of youth, he had lived 'em down;

An' some folks said 'twas his mighty will,
An' some remarked it was grace from above.

But I've always held, an' am holdin' still,
'Twas his mother's love.

We walk in the desert of doubt and sin,
When over the hills are the valleys fair;

We lose the friends whom we hoped to win,
For they follow us not to our folly's lair;

But the love of a mother, 'tis given by God
To be taken us e'er to the upward hill;
Though we wander in deserts where Shame has
trod,
It follows us still.

Thoughtful Man on Local Events.

"I regret to observe," said the Thoughtful Man, "that The California Weekly has thrown a bouquet, skillfully and effectively disguised as a brickbat, at my friend I. W. Hellman for his financial connection with the Corkins Swindlecase, more commonly but less descriptively known as the Calkins Syndicate. 'Twas an injustice to a noble and gilded man which you will appreciate if you will, with me, review the preliminary circumstances."

"There had been a saturnalia of hold-ups. Mr. Calhoun—to use his case as an illustration—was out walking one dark evening, when Abe Ruef, wearing the complete disguise of an honest look on his countenance, stopped him. "Is this a hold-up?" says my friend Calhoun.

"It is," says Abe, "but don't tremble so, man." "Joy always affects me in that way," says Ruef's victim. "I've been held up before, you know. How much is there in it for me, Abe—I mean, unknown villain?"

"Didn't our experts estimate that there would be several million dollars in it for you?" says Abe. "Then what are you hesitating about? Hand over that two hundred thou you promised."

"Here it is, villain, outlaw, assassin!" says my friend Calhoun. "Oh, if I only knew who you are, Abe, I would denounce you to the public prosecutor—that is, I would if he would divorce himself from the odious Heney."

"Thus was that noble man and patriotic citizen held up, outraged, robbed by an unknown desperado, and something had to be done about it, something to make the dear people realize the shameful and mortifying facts. Under these circumstances Calkins was hired, that being his specialty."

"Now," says the held-up patriots, "the public will learn to sympathize with us."

"The public did. The Calkins publications had not been a month in full blast before the people began to say as with one voice, 'Well, of all the congenital asses that ever made the welkin ring, I suppose that those who would pay for this kind of advertisement must be the most congenital.' As a sympathy-awakener it was a glittering success, but it was not exactly the variety of sympathy that had been foreseen. So Calkins was dropped. Anyway, the Globe, the Oakland Tribune, the Los Angeles Times and the subterranean weekly press do just as well, and their charges are even more reasonable."

"What has all this to do with Mr. Hellman, do you ask? Well, an ass must have its bray; Calkins was the bray. It must have saliva to moisten its tongue or it cannot bray; thus you see how useful Hellman was. As for the grass on which it feeds—that is, one of the dear people, of course you know all about that."

"Did Hellman lose anything by the syndicate's bankruptcy?" said I.

"Oh, you're joshing," the Thoughtful Man replied, "or perhaps you don't know Hellman; but it's different about the schoolmams and the rest of them."

Some Modern Definitions.

Easy Mark—A man who had a soul and concluded not to bury it.

Political Party—An organization originally founded on principle, and later maintained by those who worship the principle's ghost.

Society (with a capital S)—A system devised to make a place for those who are not otherwise useful.

A Fool—One in whom it is a little more noticeable than in the majority of us.

Sense of Humor—A fine gift of the gods, the possession of which lowers its owner in the minds of all "leading citizens" who possess it not.

Christianity—The principle of brotherly love—frequently maintained by "Christian nations" by building warships and shipping rum to the heathen.

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UP AND DOWN THE STATE.

Something was "doing" in the line of freak weddings up at Shasta Retreat the other day. Miss Violet Pert and W. N. Lynch, both of Oakland, waded up to their necks in the Sacramento river, were joined (at the same depth) by a Methodist clergyman, and under these circumstances were united in holy but damp matrimony. Newspaper reports of the interesting event did not mention what the participants took for their colds.

The Morning Enterprise of Riverside has changed its name to The Morning Mission, and is printed on yellowish brown paper, which might suggest either early mission days or a lack of water in the place of publication.

The organized grape-growers of California, at a recent meeting, adopted resolutions requesting county boards of supervisors to place a merely nominal license fee on the sale of wines by restaurants.

Fairfield, Solano county, which not long ago was nearly destroyed by fire, is to be rebuilt, largely with modern, fireproof buildings.

The supervisors of Shasta county have adopted an ordinance doubling the cost of liquor licenses, requiring saloons to close at midnight, prohibiting gambling, and otherwise more stringently regulating the traffic in alcoholic liquors.

Joseph Hall, a Woodland teacher, has purchased the Arbuckle Planter, and will transfer his educational energies to the field of type and white paper.

The old, thoroughly established bank of San Bernardino has ceased taking deposits and is going out of business, the manager having found himself in failing health. Depositors will be paid in full.

G. M. Francis, postmaster at Napa during the last 11 years, has resigned his position. C. R. Smith, his assistant, is a candidate to succeed him.

The work of construction of the interurban line from Stockton to Lodi and Sacramento is in progress in the latter city.

A factory for the manufacture of grape juice is to be established at St. Helena.

Notwithstanding the popular impression that times are rather quiet at present, more buildings now are being erected in Sacramento than at any time in recent years.

Alturas, the county seat, now is the only place in Modoc county where the saloon is legalized.

NOTES ON AUTHORS.

Richard Le Gallienne has completed his version of Orestes which William Faversham and Walter Damrosch in conjunction with the New York Symphony orchestra will present in New York next season. Only a few performances of Orestes will be given, and these at matinees during Mr. Faversham's season in Herod.

A new magazine called Vagabondia, edited by Everett Lloyd to be devoted exclusively to people who write and draw—authors, playwrights and illustrators—has made its appearance in Chicago.

Mark Twain continues to enjoy his seclusion in his home in the Connecticut hills, where summer is scarcely less quiet than winter, since there is no actual summer colony in that region. Here he simplifies business and social labor with the friendly services of his daughter, Miss Clara Clemens, and Albert Bigelow Paine. It is Miss Clemens who sifts her father's correspondence, which is probably as varied and amusing as that of any writer in the land, while Mr. Paine is in charge of many of the business affairs which surround the literary properties of Mr. Clemens.

Harper & Bros. are issuing a luxurious edition in seven volumes of the works of the sisters Bronte. Features of the work are: "An Introduction to Each Novel," by Mrs. Humphry Ward; "The Life of Charlotte Bronte," by Mrs. Gaskell, and "An Introduction to the Life," by Clement K. Shorter.



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POLITICAL TABLE TALK

By THE WATCHMAN.

No Political Bristow For Senator Pistle

There are sore spots in the Kansas body politic, and among the Kansas "Square Deal" Republican contingent, headed by Governor Stubbs and Senator Bristow, and for the reason that Senator Curtis appears to have the inside track on appointments in the sunflower state. Senator Bristow has stood for the things that President Taft has stood for, and the junior Kansas senator went before the people, made his campaign for the United States senate, and won out on those very issues. It is hard to understand, at this distance, why Bristow and the square dealers should have slim pickings while Curtis and his stand-pat contingent should roll in fatness unless it is that Curtis, being part Indian, is the better hustler of the two.

Nebraska Non-Partisan Decision Explained

As stated in this paper last week, the telegraphic report of the decision of the supreme court of Nebraska, invalidating the non-partisan judiciary election law, left too much to be inferred. An Omaha paper explains that the Nebraska legislature was not content with merely enabling non-partisan judicial nominations for office to be made, but forbade political parties making party nominations at all or endorsing, or condemning, any nomination either for a judicial position or for membership of the board of regents of the state university or for or against a candidate for county superintendent for schools. Some of the reasons advanced by the court for invalidating the law seem rather far fetched, and the court was much divided on some of the minor points argued pro and con. Nevertheless, the statute appears to have been more comprehensive than needful and most drastic than wise. Nebraska should try again and, at one time, devote one statute to providing for non-partisan nominations for judicial positions, leaving it to the voters to make what they will of their opportunity. They will do the rest.

Langdon No doubt members of the Good For Mayor

Government League will do all they can for Byron Mauzy at the Republican primaries. As many as are Republicans certainly should. He deserves to be nominated and, if nominated, there will be no good reason for injecting any other good man into the contest; but if the lethargy of Republican voters should unhappily permit the Hellman House-That-Jack-Built ticket to win at the preliminary election the Good Government League will do well to be ready for the emergency. A ticket headed by Langdon and Heney would have the merit of putting the issue up to the people with an unmistakable certainty as to what that issue means to San Francisco, the state and the vindication of the law. It will do no hurt to have a second string for so good a bow, although the chances are that it will not be needed. This paper is counting on the Republicans of San Francisco maintaining the city's honor at the primary election by nominating Byron Mauzy for mayor. That should settle it.

Why Bob Devlin United States Attorney Does Not Worry

Robert Devlin does not worry over the delay in confirming his reappointment to the office he so acceptably fills. He knows that the "political powers that be" in California have no cause for going back on him and are not likely to do so. He has never proven disobedient, and if he can prove convenient as a shield behind which the enemies of Heney and Burns may stand secure while applying the lash to those gentlemen, why should he be less than obliging? If the President should come to understand the true status of the case he might withdraw the appointment. That is the only risk Mr. Devlin is running, and that is not great, seeing that he has two United States senators for him and none against.

Where Does the Governor Get His Authority?

Santa Barbara speech on the \$18,000,000 road bond issue continues to be a subject of discussion, as it meet and proper, because, as The California Weekly has said more than once, all the ins and outs of that big project should be thoroughly explored. In Los Angeles county, where a large road bond issue was voted not long since, some opposition to the state bonds is developing, and this the governor sought to allay by saying, in effect, that the State would take over the Los Angeles roads and pay the county what they cost. That would seem to be a very fair arrangement, if all the details could be satisfactorily adjusted; but where does Governor Gillett find warrant of authority in the act of 1907 for doing the thing he proposes to do? There are just two sentences in the act which might be claimed to have a bearing on the point, but the Watchman is unable to see that either of them very strongly favors the governor's plan.

Not so Nominated In the Statute

The first of the two sentences reads as follows: "The moneys placed in the State highway fund, pursuant to the provisions of this section, shall be used exclusively for the acquisition of right of way for and the acquisition and construction of said system of State highways." That comes the nearest of anything in the law to what the governor proposes, but it falls a long way short of being a distinct authorization to pay back to counties the amounts they have expended in good road construction. The second provision reads: "The department of engineering shall have full power and authority to purchase all supplies, material, machinery, and to do all other things necessary or proper in the construction and maintenance of said State highway, with the exception of said public highways which have been permanently improved under county or permanent road division bond issues within three years prior to the adoption of this act; all public highways within this State lying within the right-of-way of said State highway as determined and adopted by the department of engineering, shall be and the same shall become a part of the right-of-way of said State highway, without compensation being paid therefor."

Does He Hang His Policy On Transplanting a Semicolon?

Note the punctuation of this last sentence. Divided as it is by a semicolon following the word "act," it seems to be deprived, in large part, of any intelligible meaning, or if it has one its distinction negatives what the governor proposes to do. Possibly a court, working on the theory that the legislature would not pass a law any part of which would be meaningless, might move the semicolon forward and place it after the word "highway" and immediately preceding the words "with the exception of." That would make the sentence intelligible and consistent, but even that change would not clearly authorize the State to recoup the counties for their recently made good roads, it would merely except the latter from the general decree of confiscation issued against all other county roads. Only through additional legislation the Watchman is disposed to think, could the governor's plan be carried out. In this respect, as in quite a number of other ways, the law of 1907 is incomplete or defective.

An Incident At Orange

Republicans of Orange county are free men. The party organization in that county is Herinized. Lately a supervisor concluded to resign his office. There were two aspirants for the place thus vacated. Governor Gillett early notified those interested that, in filling

the vacancy, he would be governed by the recommendation of the Republican County Central Committee. One of the aspirants started out petitions to be circulated among the residents of the district, asking the county committee to convene and, after considering the matter, to appoint aspirant No. 1. Aspirant No. 2 did not go to as that trouble. He went to the party boss in Orange county and, while aspirant No. 1 was signing up practically the whole Republican constituency of the supervisorial district directly interested, the boss got into his automobile, skurried around and signed up the members of the County Central Committee individually. The "push" declares the incident closed. The people rage and imagine a vain thing—to wit, that they govern. They will forget it. The boss knows it. The incident is closed. The people govern only when they read the riot act to the bosses and will not have things any other way. Orange county Republicans have not reached that state of mind as yet, but the sooner they reach it the better.

Interesting Situation At The State Capital

Former Mayor Beard of Sacramento desires to be mayor of that city again. In fact he would like to be mayor of it always. He hasn't any other real good job and, with one limitation, he made a good mayor. He stood for right things in the general life of the city, gave his time to his task and made good with one exception. That exception was that he turned over the police department to the political boss who made him mayor and washed his hands of that department of the city government. The boss who made Beard mayor has no conscientious scruples against other folk's gambling. That is the lookout and his chief of police made his men know that they were not to bother themselves with looking out for any of the games that might chance to be running. This made Sacramento a wide-open town and very satisfactory to gentlemen who make their living by going through other men's pockets when heavy with beer. As mayor Mr. Beard did not make that concession because he wanted to. His impulses were all against that sort of thing, but he had to pay the price or go without the office. So he paid the price. That was the issue upon which he made his campaign for re-election and he was beaten by Clinton L. White, who signalized his victory by appointing as chief of police one Sullivan, who straightway drove the gamblers over into Yolo county. Former Mayor Beard has entered the lists again with the same identical issue uppermost, save that instead of running against Clinton L. White he is running against Chief Sullivan, who drove the

(Continued on Next Page, First Column.)

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gamblers out. The issue is "lid on or lid off." It will be as the men of Sacramento say. The State should watch. The State capital will be watching.

The San Francisco Primary Sweepstakes "They're off!" in the primary election race in San Francisco.

A motley field it is. The Republican stable has a lot of entries all wearing its colors, but the jockeys and horses are what make the difference. William H. Crocker is riding "Old Regular," the organization horse, especially decorated with trimmings from the Red Room at the St. Francis, supplied through the courtesy of the Four Hundred—no, committee of Two Hundred, it is, that is to say, two hundred Business Men of the Four Hundred—bah! Jove! courtesy of Hellman, Jr., no less. Jockey Crocker's mascot is Charles M. Fickert, and for a straight tip on the race, take this: Fickert is against the prosecution of the Calhoun type of gentleman, and the Hellman type of gentleman is the Calhoun type of blood, and so Fickert—but the conclusion of the syllogism is obvious. Byron Mauzy rides "Municipal League," a pedigreed thoroughbred sired by Lincoln Roosevelt, one-year-old but a likely looker and a shade the favorite on the books. Three other jockeys, Countryman, Graumann, and Keil, are riding dark horses wearing the Republican colors, but it's likely the steeds are so dark that they will never get into the home stretch.

Other Entries "Union Labor," owner McCarthy up, has a rival "Union Laborer," owned, ridden, and backed by Frank J. O'Sullivan, formerly hostler in the Democratic stable. This race promises to show some class, but McCarthy money is going begging at long odds. "Bourbon XXX," by the way, the old Democratic favorite, isn't entered at all, though Joe Nash has passed the tip that a ringer, ridden by Leland, is fixed to come under the wire.

What is it that makes some candy taste SO good.

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leading the field by three lengths August 17th. The only Democratic horse in the field with any show (a slim one) is another breed (or brand) "Democratic Club," McLaren up, odds up in an airship.

The Strengthening of the Municipal League

The hopeful sign in the primary fight is the strength of the Municipal League of Independent Republican Clubs. The registration indicates that this is the Republican year in San Francisco. The Municipal League has nominated a clean ticket and has come out squarely for Heney and the graft prosecution and has left the district attorney nomination blank to encourage Heney's candidacy. The Crocker "regulars" are by personnel and association anti-prosecution; they have nominated a political adventurer and legal non-entity for district attorney, and they intend to use every effort to defeat Heney. Hence it is encouraging to note that the petitions for places on the primary ballot for candidates nominated by the Municipal League were signed up en bloc in less than a week, mainly by people who went to the League's headquarters without solicitation, and that these petitions were the cleanest, in respect to unchallengeable signatures, of all the petitions filed.

THE GRAFT CASES.

The trial of Patrick Calhoun on the charge of bribing former-Supervisor John J. Furey is under way, but it is a slow way and three days of it have resulted in scarcely perceptible progress, and it will be many a weary day before a jury again is given opportunity to express its opinion of the guilt or innocence of Patrick Calhoun.

There are indications that the case against Theodore V. Halsey, charged with bribing former supervisors in behalf of the Pacific States Telephone company, may be brought to trial before long. That is, it may be brought to trial if the health of Mr. Halsey will permit. The case was called in Judge Dunne's court last Saturday, and Assistant District Attorney Ward announced that the prosecution desired to have the case tried as speedily as possible. It is understood that Judge Dunne will set the case for trial tomorrow. Mr. Halsey has been in ill health for a long time, and, although it is announced that he now is better, there still may be a question whether he will be able to endure the strain of a trial.

Last Monday the case against Louis Glass was submitted to the supreme court for its decision, the appellate court having nullified Glass' conviction in Judge Lawlor's court. The appellate court held that Judge Lawlor erred in admitting evidence relating to similar franchise negotiations in Oakland, and also in not instructing the jury that no implication concerning defendant's guilt should be based on E. J. Zimmer's refusal to testify during the trial. These points were argued by Assistant District Attorneys Cook and O'Gara, for the prosecution, and by Attorneys T. C. Coogan and C. W. Cross, for the defendant. The attorneys were given ten days in which to file printed arguments, and after that the case will be with the supreme court, to do with it as it will.

SHERLOCK ON THE FARM.

The new mail carrier on the rural free delivery route glanced at the name on the letter box by the roadside, stopped his horse, and spoke to the roughly attired farmer with the old slouch hat, who was resting his sun-browned arms on the gate and looking at him. "I see," he said, "your name is Holmes." "Yes," "Beverly G?" "Yes, I'm the man that lives here." "Any relation of Sherlock Holmes?" gravely asked the carrier. "No, sir," answered the farmer, "but I'm detective enough to know that you're not a very good judge of human nature. You took me for an ignoramus because I've got my old working duds on. I'm Sherlock Holmes enough to look at a man's face and eyes before I size him up, as you say. Send me mail for me? Thanks."—Youth's Companion.

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ENGLAND'S BETTER CRIMINAL PROCEDURE

IV. THE TRIAL.

Written for The California Weekly by An English Attorney.

[This article is the fourth of a series arranged for The California Weekly, contrasting the procedure in the criminal courts of England with the Californian procedure and showing why the English system results in a nearer approach to even-handed justice without expediting delay, and why the English method of administering justice shortly before England discarded that method for a better one. The English method is a cumbersome system while England has simplified a better system. The reform of criminal procedure in California is the most urgent problem of the day, and this article, together with those to follow, will be illuminating to all readers. They have been prepared for The California Weekly by an eminent member of the English bar who now resides in San Francisco, and may be relied upon as an authoritative statement of the subject.]

The trial by jury is in England deemed one of the most ancient and salutary institutions for the preservation of the persons, property and liberties of the people. It seems the jury system came to England with the Normans and jurors were "freemen," freeholders, bound by oath faithfully to discharge their duties and to answer from the evidence of the facts laid before them whether or not the accused be guilty of the crime of which he was suspected. It is the badge of the common law and, in spite of its imperfections, is considered the best means of eliciting the truth and of dealing out due punishment to the felon.

Although serving on a jury has everywhere and always been considered a burden, it is one of the highest functions of a citizen to sit in judgment upon his neighbors. The people themselves make the laws through parliament and will not entrust to any arbitrary power the right to judge those who break them.

The Dignity of Jury Service.

To decide upon the guilt or innocence, to convict, imprison, or possibly to hang, to acquit, to acquiesce and thereby to save the lives, liberty and reputation of his fellowmen, is considered the most serious and important duty of a citizen which none should, from personal motives, refuse to exercise and which should not be delegated to the less intelligent. One educated to possibly less worthy, to the community, after first excusing and carefully eliminating the more intelligent and responsible classes. Magna Charta guarantees to every man the right to be judged by his peers, not by "viles et inopes personae," such as disturb the peace, "sleep by day, wake by night, eat and drink well and have nothing." If the solemn judicial functions of jurors, with power over life and death, are allowed to fall into the hands of the less worthy, the jury system will decay and perhaps some day we may mournfully return to the tyrannous methods of despots.

In Great Britain the jury only finds the facts, and only such facts as are in issue can be decided by them, and those facts must be decided on the evidence. The judge alone is competent to decide upon the law and they must take that from him. He also decides questions of fact arising on the trial; for example, the due service of process; he also takes cognizance of facts of which he has proof by the evidence of his senses.

Punishing Unworthy Jurors.

Formerly if the jury was corrupted, misbehaved or brought in a false verdict, a writ of attaint was granted and the first jury was tried by a second jury and if convicted the members of the first jury were declared infamous, imprisoned for one year, forfeited all their personal property, their lands were wasted and their children and wives ousted therefrom. As manners became milder this punishment was changed to fine and imprisonment and later even these were abolished, leaving the courts now without means of controlling the jury. The right of judges to set aside the verdict is asserted but still doubtful. The court may, however, direct an acquittal if there is no evidence against the prisoner, and it may also refuse to receive a verdict and order the jury to consider it, but if the jury insists upon having it recorded, that must be done.

After a juror is sworn, he must not go out of the box until the evidence is given, for any cause whatever without leave of court, but, in the discretion of the judge, jurors may be allowed, when out of court, reasonable refreshments at their own expense and the use of a fire. Formerly they were kept without food, drink, light or fire until they agreed upon a verdict.

If, after the jury have withdrawn from the box to consider their verdict, they have meat, drink, light or light without the consent of the court and before verdict, they are liable to be fined. And if they speak with either of the parties or with their agents, or if, to prevent dispute and argument, they cast lots for which side they shall find, the verdict will be set aside and the jury fined. Having left the box no new evidence can be adduced nor any witness recalled to repeat his evidence, but the jury may have a witness recalled to repeat his evidence in open court.

Power to Discharge Jury.

When a criminal trial runs to such a length that it cannot be concluded in one day, the court by its own authority may adjourn until the next morning and the jury are then kept together having no communication but with each other. In treason or felony the jury is usually permitted to retire in the custody of the sheriff and his officers, who are sworn not to speak to them on matters relating to the trial; in misdemeanors, however, the jurors may be allowed to go home upon undertaking not to speak, nor allow themselves to be spoken to, on the subject of the trial. If a jury cannot agree in a criminal case, the judge has the power to discharge it; also when a material witness is absent.

In cases where the evidence shows that a higher offense has been committed than the one of which the prisoner is charged and for which he was indicted, the court may discharge the jury, in order that the defendant may be indicted for the higher crime, and where an indictment is clearly bad on its face, the jury may be discharged.

Newspaper Comment is Contempt.

It is seldom in England that jurors are challenged for bias or prejudice and this is owing to a great extent to the stringent laws of contempt and the severity and certainty with which they are enforced. Comments on pending proceedings by writings or speeches are not permitted. Hardwick, C. J., is quoted as saying: "There can be nothing of greater consequence than to keep the streams of justice clear and pure so that parties may proceed with safety both to themselves and to their character. Nothing is of more pernicious consequence than to publish to the minds of the public for or against persons before the cause is finally determined." Newspaper comments on pending criminal proceedings, whether in editorials or in news columns, are contempt of court and punished by heavy fines or imprisonment, the question not being whether or not they interfere with the administration of justice but whether they tend to interfere therewith and are of a mischievous character. It is even contempt of court to comment on a case after the jury has disagreed and been discharged, or to publish copies of evidence and pleadings, or to attack the court itself, abuse the parties to the action, prejudice the public against the judge, lower his authority, abuse counsel on either side, misreport or misconstrue words or acts through malice, and generally denigrate or misrepresent, obstruct, obstructing or tending to obstruct the due course of justice.

It is seldom that in Great Britain newspapers expose themselves to the danger of citation for contempt and heavy penalties, by commenting on any trial which is pending, and therefore jurors go into court without bias or prejudice for or against the parties and without much knowledge of the alleged facts

of the case. This undoubtedly tends to a quicker selection of jurors, and obviates much delay in the conduct of trials. Whether it is better in the interest of justice I leave to others to decide. The publicity given by newspapers in criminal cases may tend to establish the guilt or innocence of the parties accused, may tend to the discovery of criminals and of much evidence for or in favor of the prisoner; on the other hand it keeps the criminal informed of the steps taken to discover and arrest him and aids him, perhaps, in throwing suspicion upon innocent persons.

Causes of Rapid Procedure.

When the jury is sworn, if it be a cause of any consequence, the indictment is "opened." As said before, it is not necessary in an indictment in England to set forth anything but the substance of the offense; for example, in murder it is sufficient to charge that the defendant did feloniously, wilfully and with malice aforethought kill and murder the deceased, and it is not necessary to set forth the manner in which, or the means by which, death was caused. Neither is an indictment insufficient for want of proper or perfect venue, nor is a variance between a statement in the indictment and in the proof fatal, if the defendant is not prejudiced in his defense, and the court may wherever necessary order the indictment amended to accord with the proof, and then proceed with the trial. Any document may be described by the name it is usually known by, or by the purport thereof. Bank notes, etc., may be described as money; and formal wordings omitted, or unnecessary words inserted, are not considered. There are in England now no bills of exception at the trial, and writs of error and new trials are abolished; the trial therefore proceeds rapidly.

Counsel for the prosecution opens the case to the jury, stating what he expects to prove and nothing more; even of confession he only states the substance. It would be considered as a grave offense to state in an opening anything of which it was not intended to produce some evidence. After the opening the evidence is arraigned, witnesses called, examined, cross-examined and if necessary re-examined. The direct examination is conducted strictly in accordance with the rules of evidence and counsel would earn the reprobation of the court and the contempt of his fellows if he asked incompetent questions for the purpose of bringing irrelevant facts or statements to the knowledge of the jurors.

Few objections to testimony are taken at the trial for the reason that the judge is usually an old, experienced and able lawyer and immediately interferes to control improper examination.

When the case of the prosecution is closed, the counsel for the prisoner addresses the jury and examines witnesses for the defense; the prosecuting counsel has then the right of addressing the jury in reply. The right can always be exercised by the attorney general even though no witnesses are called for the defense, but in cases of private prosecution, that is, prosecution by the person injured, which in England is permitted, the prosecuting counsel has the right of reply only if no witnesses have been called for the defense or only witnesses to the prisoner's good character, for, if the defense rests entirely on character and cross-examination of prosecutor's witnesses, the prisoner or his counsel has the last word.

Judge's Latitude in Summing Up.

The evidence on both sides being closed the judge then sums up. He is given much more latitude in English courts than here. He states the substance of the charge, he explains the law, reads evidence in support of the charge, comments on it and gives his own opinion of it. Then he states the defense, reads evidence in support thereof, comments on that and gives his own opinion of it. The

judge having summed up and having perhaps explained the test to be applied to witnesses, to-wit, (1) knowledge of the facts and means of knowledge, (2) their disinterestedness or otherwise, (3) their integrity or want of it, (4) their veracity or the opposite, and (5) their regard for the sanctity of an oath, the jury retire to deliberate on their verdict and, unless unable to agree, they cannot be discharged until a verdict is given. If they find the prisoner not guilty, he is at once liberated; if they find him guilty, two collateral circumstances immediately arise: (1) On conviction or even upon acquittal, when there was sufficient grounds to prosecute, the reasonable expenses of the prosecutor are allowed out of the county's stock, if petitioned for, and witnesses are also entitled to their expenses and a compensation for loss of time, (2) on a conviction of larceny the prosecutor has restitution of his goods, which the judge usually orders be immediately carried into effect with respect to such goods as have been brought into court.

Modern Definitions.

Direct Primary—An attempt to get rid of the professional politicians who direct primaries.

Mother Eve—The first of a long procession of women on whom man has laid the blame.

Bank of Germany

1225 BROADWAY, OAKLAND, CAL.

Capital paid up.....\$105,983.76
Reserve and surplus.....52,896.88
Undivided profits.....39,497.27
Deposits.....338,666.69

OFFICERS

THEO. GIER.....President
A. JONAS.....Vice-President
GEO. E. DEGLIA.....Attorney
H. F. CRIST.....Cashier

FOUR PER CENT INTEREST PAID ON TIME DEPOSITS

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Established 1867

CAPITAL AND SURPLUS, \$1,500,000.00

Transacts a General Banking Business, Sells Drafts and Issues Letters of Credit and pays Interest on Savings Accounts.

Has exceptional facilities for handling the accounts of Banks, Corporations, Firms and Individuals.

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Guaranteed Capital.....\$1,200,000.00
Capital actually paid up in cash.....1,000,000.00
Reserve and Contingent Funds.....1,504,498.68
Deposits June 30, 1900.....36,793,234.04
Total Assets.....39,435,681.38

Remittance may be made by Draft, Post Office, Wells, Fargo & Co.'s Money Orders, or Cash by Express.

Office Hours: 10 o'clock A. M. to 3 o'clock P. M., except Saturdays to 12 o'clock M. and Saturday evenings from 7 o'clock P. M. to 8 o'clock P. M. for receipt of deposits only.

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A COMMENT ON ENGLISH JUDICIARY.

The California Weekly.

The articles in your columns on English criminal procedure recall the Reminiscences of Sergeant Balentine. He was the most noted English criminal lawyer of the last half century. About thirty years ago he published his reminiscences.

I can only quote them from memory, for some unthoughtful villain stole my copy. He says the argument is often made to the jury: "Remember, gentlemen, your verdict is final. If you make a mistake, there is no remedy; for there is no appeal."

The Sergeant thinks juries would more often convict if the defendant had the right of appeal. He says to be sure the defendant may remove the cause from the court in which it is brought to another from which an appeal may be taken, "but the process is expensive and is open to the objection of there being one law for the poor and another for the rich."

What the Sergeant criticises is less striking than what he mentions incidentally, and treats as matters of course, not worthy of comment.

His father was a police magistrate in a Times district, where his surroundings were unwholesome and his health suffered.

In some matter he differed from the Home Secretary. Soon after a place fell vacant to which, by the ordinary rules of the service, he was entitled, and he applied for the appointment, but "was told that his services were too valuable where he was to be spared."

His health did not permit of his remaining there and he resigned. Thus he was forced from the bench for his independence, for failing to do what the appointing power wished. His son treats the thing as a matter of course, mentions it incidentally as he might name the school to which he was sent.

He had not been permitted of his remaining there and he resigned. Thus he was forced from the bench for his independence, for failing to do what the appointing power wished. His son treats the thing as a matter of course, mentions it incidentally as he might name the school to which he was sent.

The book names many of the judges and the decisions they made. Of one judge it says, "His action in this matter was displeasing to the Home Office, and it was intimated to him that he had better retire on his pension. So and so was appointed his successor." The names have escaped me.

The striking thing is that Sergeant Balentine thinks, of course, the judge would retire when the Home Office intimated he had better.

Pensions may be good, but they do not always promote independence. In the case cited one was used to get rid of an objectionable judge. But for that he would have remained a thorn in the side of the Home Office.

A California judge may be retired by the people, but his case is heard in public.

WILLIAM CROSBY.

Del Monte, July 19, 1900.

JUST FOR FUN.

A charming girl of eighteen, the daughter of a western publisher and quite a society queen in her own city, had been brought to Washington by her father, and at one of the White House receptions was presented to President Roosevelt. As her small hand disappeared within the hearty grasp of the president, the maiden looked up at him and smiling sweetly said: "I'm awfully glad to meet you, Mr. Roosevelt. I've often heard father speak of you."—Philadelphia Times.

McGregor was wearing a lustrous sparkler in his cravat. To him said Sandy McDermott: "Who gi'n ye the di'mon", McGregor? "No! 'Nob! 'Nob! 'Nob!" was the answer. "Oh, aye," ventured the questioner. "Ye've been tra'ing yersel', eh?" "No that, eyether," McGregor made reply. "But ye ken I'm excooter of the estate o' Sammie McDougal." "An' ye hae you han's in the pile the noo?" "Hush, mon," said McGregor, looking hurt. "This a' i' th' will. First, I'm aye in the lawful debts were to be paid, which was onnaisceary under law. Then it said, 'th' excooter was to set aside thirty-fi' pun' for 'th' buryin'. D'ye mind?" "Oh, aye," responded McDermott. "An' then he wished 'th' excooter to procure as handsome a stone as could be had in a' Glasgy for the mather o' seventy pun'." "Aye, 'Awce, mon!" concluded McGregor, "this is the stone!"—Cleveland Leader.

NOTICE OF STOCKHOLDERS' MEETING.

Notice is hereby given that pursuant to a resolution and order of the Board of Directors a meeting of the stockholders of the **MARTINEZ WINERY** is hereby called to be held at its principal place of business, viz: No. 180 Townsend St., in the City and County of San Francisco, State of California, in the Directors' room in said building, which is the building where said Board of Directors usually meet, on Wednesday, the 15th day of September, 1900, at 2 o'clock P. M.; that the object of said meeting is to enable said stockholders to then and there vote upon a proposition to increase the present capital stock of said **MARTINEZ WINERY** from Fifty Thousand Dollars (\$50,000.00) to Seventy-five Thousand Dollars (\$75,000.00) to be divided into Seven Hundred and Fifty (750) shares each of the par value of One Hundred Dollars (\$100.00).

MARTINEZ WINERY,
By W. Hanson, Secretary.

Dated July 7, 1900.

THE FIRST National Bank

of San Francisco, California

CAPITAL \$3,000,000.

SURPLUS AND PROFITS
\$1,945,000

INVITES ACCOUNTS

Post and Montgomery

First Federal Trust Co.

CAPITAL \$1,500,000

(Associated with the
First National Bank)

Authorized to act in
any trust capacity.

Post and Montgomery

Mutual Savings Bank

706 MARKET STREET, opposite THIRD

The Cross Roads of the City

Capital Guaranteed.....\$1,000,000.00
Paid-up Capital.....300,000.00
Surplus and Undivided Profits.....435,000.00

Pays interest on all deposits and does a savings business exclusively.

DIRECTORS: James D. Phelan, President; John A. Hooper, Vice President; H. K. Moffitt, Vice President; Charles Holbrook, Rudolph Spreckels, J. C. McKinstry, Rolla V. Watt, R. D. McMillen, H. O. Reilly.

Attorneys: J. C. McKinstry and C. D. Murphy, Geo. A. Stors, Cashier; H. Holson, Assistant Cashier; A. E. Curtis, Assistant Cashier.

NEXT let us turn to the Odyssey, that greatest of all stories:

Of all the ganey, unconquerable souls of life or literature, Odysseus of old is easily first. That the world loves a true sport is almost a platitude, but to those unfamiliar with race history, it is inspiring to find this feeling as strong three thousand years ago as it is to-day. Was Homer preaching the doctrine of the survival of the fittest? No, Homer was telling a story. The tale of a steadfast man, a stayer, though in awful luck for years, who never failed to put up his last chip and call for cards.

A tale of thrilling adventure and never flagging interest, into which are woven the finest emotions of life without ever checking the free, bold action of the theme.

A storehouse of human nature, a cyclopaedia of manners and customs, with never a hint of the didactic.

A marvellous tale in its structure, where are told the sufferings, the toils, and the adventures of ten long years in such a way that the continuity of action is never destroyed. No cheap asterisks are followed by the statement "that years have flown by, silvering the hero's hair, and still Penelope tends her knitting."

The simple device of allowing Odysseus to tell much of his own story adds force to the narrative and dispenses with stage machinery.

When the scene shifts, it has reason for shifting, and the curtain is never perceptibly down, nor is there need of orchestra or chorus.

Never was better brew than the old seasoned punch that "maketh glad the hearts of men." Never were better ingredients brought together. We do not care whether Homer raised his own lemons or collected bounty on home grown sugar. We do not ask whether the liquor paid import duty or revenue tax, or whether it was good old contraband "moonshine." Homer mixed it. Blessed be Homer!

The story opens in Heaven; that is, we will call it Heaven.

A grand, whole cloth, unverifiable hypothesis, so to designate it, will put it down as Heaven. A poetic license was the telescope through which blind old Homer saw his Heaven—a more satisfactory medium than the more recent clerical license.

Athen remarked that her client, in her opinion, had had the worst of it long enough, besides Poseidon was now away, watching the squirming boundary lines of Africa. Poseidon, be it remembered, was prejudiced against Odysseus, on account of a practical joke on Poseidon, Jr., one Polyphemus, by which he lost his only eye, and a pun which almost ruined his mind.

Her argument prevailed; and Calypso, a "strong-arm" goddess of those days, was informed that it would be well to return the clothing of Odysseus and release him from the house, seven years of steady company being adjudged sufficient.

So our hero chopped him trees and spiked together a raft, and Calypso, having provided him with food and drink, waved her kerchief from the dock as he sailed away.

Meanwhile we are told of the doings at home in rugged Ithaca, an island whose "steep lean against the sea," the smoke from whose dwellings Odysseus ever prayed to see again.

It transpires that Penelope, wife of the wanderer, was generally regarded as a widow of much substance and of peculiar eligibility. While loyal to her absent spouse, she was not slow to machine attentions. The mental process by which she reached this strange attitude is beyond the ken of all psychology. But Homer was an artist and not an anatomist, and did not worry over the inexplicable. He merely depicted a state of fact which one or two or a few hundred million women have since vindicated.

So it came about that Penelope had in her train some forty scions of the best families, who pressed their suit in a businesslike way, and made themselves entirely at home, at the expense of the Odysseus Estate.

After two or three years of steady eating at

SOME SIDES OF HOMER

(Concluded.)

BY

WILLIAM KENT

the herds of "shambling kine that trailed their feet," and after an equal length of time at the wine jars, the wise Telemachus, son and heir, began to protest. Not at all because there was an abridgment of his rights, but because his substance was being wasted. Just as if a man should object to a highwayman because he took too much! Still Penelope dangled them along.

Then tells the tale how Telemachus set sail to get news of his father. Nestor and Menelaos were visited, and many the yarns they spun of the old time, when high-walled Troy. Menelaos had news of Odysseus, which inspired new courage in his son. Helen put on her best clothes and set about to be captivating. Homer was not so blind after all; he had seen handsome women pass their youth as eager for new conquests as when they attended their first promenade.

Meanwhile the boarders at Ithaca fitted out a ship for the cheerful mission of murdering their host. Even Penelope lost her patience at this, and it is doubtful if the forty suitors ever again regained their former standing in her capacious heart. Finally she was comforted by a vision from Athens, and the tale goes back to Odysseus.

He sailed on his raft through calm and storm.

"Even though some god shall wreck me in the wine dark deep, even though I will endure with a heart within me of patient affliction. For already I have suffered full much, and much have I toiled in perils of waves and winds. Let this be added to the tale of those."

This is the kind of thing that makes a man, and it is merely a minor chord in the narrative of manly old Homer.

After enumerating his many trials, Kipling's returning soldier remarks:

The things that was, which I 'ave seen
In barrick, camp, and action, too,
Tells them over by myself,
An' sometimes wonders if they're true:
For they was odd, most awful odd,
But all the same, now they are over,
There must be 'eaps of plenty such,
An' if I want I'll see some more.

Here is another dead game sport, of modern times.

Doesn't he had a last fling at him. He had destroyed his last ship and his last companion; unable to take his life, he took his clothes. "Therewith he lashed his steeds of the flowing manes and came to Aegae, where is his lofty home." Exit Poseidon.

The marine views in this episode are grandly done. How Homer loved his ocean—"the deep-dived, the many-toned, the gray, unharvested sea."

Next follows the lovely idyll of the rescue of battered, naked Odysseus by Nausicaa. It is as complete as a sonnet in itself; it cannot be paraphrased nor extracts given from it.

The daughter of Alcinoos of Phaeacia was Homer's Portia—a perfect blending of all the charms of modest, lovely maidenhood, with strength of character and dominating sense. Read again that sixth book, telling how Odysseus came to the hospitable house of Alcinous. There are no extracts given from it, presumed to be the truth about himself and his wanderings. No common occasion could have evoked that.

Of all his adventures, the Cyclop's experience was the most serious in its immediate danger and its consequences.

A disagreeable individual this Polyphemus, with a taste for unsalted, unsmoked sailor men and the crudest views of entertainment. But Odysseus rises to the occasion, and finding the weak spot in his armor, produces a bottle. And what delicacy is used in describing this divine liquor. It was so good that Maron, who gave it to Odysseus, let no one, save his wife and one house-dame, into the secret of its existence. It would seem that the cook's friends and the customers produce for flavor puddings were as much a menace to the "best" then as they are now.

And as often as they drank of that red wine, honey sweet, he would fill one cup and pour into it twenty measures of water, and a marvellous sweet smell went up from the mingling bowl. True, truly, it was no pleasure to refrain.

No, indeed.

Polyphemus took it straight, and overdid it. Odysseus will tell you what happened next.

Therewith he sank backwards and fell with face upturned, and there he lay with his great neck bent round, and sleep, that conquers all men, overcame him. And the wine and the fragments of men's flesh issued forth, and the smoke of the hearth flew down, and the flames of the fire. Then I thrust in that stake under the deep ashes, until it should grow hot, and I spoke to my companions, comparable words, that I might have fellows to my fear. But when the bar of olive wood was just about to catch fire in the flame, green though it was, and began to glow, suddenly, even though I came near, and drew from the coals, and my fellows gathered about me, and some god leapt into a great confusion into us. For their part, they saved the bar of olive wood, that was sharpened at the point, and thrust it into his eye, while I from my place aloft turned it about, as when a man loses a shoe, and with a drill whirled his fellow's spin it with a strap, which they held at either end, and the auger runs down continually. Even so did we seize the fiery-pointed brand and whirled it round in his eye, and the blood flowed about the heated bar. And the breath of the flame singed his eyelids and brows; all about as the ball of the eye burst away, and the roots thereof cracked in the flame. And as when a smith dips an axe or a file in chill water with great hissing when he would temper it—for hereby anon comes the strength of iron—even so did his eye hiss round the stake of olive, and he raised a great and terrible cry, so that the rock rang round, and we fled away in fear, while he clucked forth from his eye the brand bedded in much blood. Then I, that I might have pain, he cast it from him with his hands, and called with a loud voice the Cyclopes, that he might have slaves about him, and the windy heights. And they heard the cry and flocked together from every side, and gathering round the cave, asked him what he had done.

"What hath so distressed thee, Polyphemus, that thou cryest thus aloud through the immortal night, and makest us sleepless? Surely no mortal hath done thee wrong, the flocks against thy will; surely none slayeth thyself by force of craft?"

And the strong Polyphemus spoke to them again from out the cave: "My friends, 'Noman' is slaying me by guile, not by force."

(Odysseus had given "Noman" as his name.)

And they answered and spoke winged words: "If then no man is violently handling thee in thy solitude, it can no wise be that thou endurest the sickness, and by mighty Zeus, Nay, pray thou to thy father, the lord Poseidon."

After an agreeable and restful year with Circe, who, with all her peculiarities, seemed to have had a warm heart, Odysseus went on a journey to Hades, to consult Teiresias, the soothsayer of Oedipus, as to the future. A vivid picture of the after life comes upon the scene. The "gibbering strengthless spirit of the dead" is the motive. To the robust materialism of Homer, life of the soul as apart from the body, benefit of sturdy time and brave digestion, could not have appeared attractive. And yet his shades preserved their individuality, they lived in memory of what they had done when they had a chance. They were hungry for news of what living men were doing. It is not for the old conventional Christian angel to hurl spectre bricks at these poor spirits. For these ancient angels are a lot of colorless synonyms, and monotonous "hallooing" is as bad as "gibbering."

This sketch of Hades is a grand chance to make bold to say that the old style of narrative, which is improved to the utmost.

Teiresias promises a "home coming" and a peaceful after-life. Then follows the final disaster to the sacrilegious crew of his last vessel off the island of Trinacria.

The seven years of pawn with Calypso completes the tale of Odysseus, his life, his death, and on the following day a swift ship bore him with great gifts to Ithaca.

So soon as rowers leaped and tossed the sea water with the oar blade, a deep sleep fell upon his eyelids, very sweet and next akin to death.

(Continued on Next Page, First Column.)

The first person seen by the awakening Odysseus was his patroness, Athena, in the guise of a herdsman. Straightway, as his custom was (for if silence he deemed golden, falsehood was diamonds), he embarked on a magnificent stream of mendacity as to his past; and here, to my mind, is the most delicious humor of the book.

So he spake, and the goddess, gray-eyed Athena, smiled and covered him with her hand; and straightway she changed to the semblance of a woman, fair and tall, and skilled in spinning and weaving, and gave him voice she said unto him winged words:

"Crafty must he be and knowish, who would outdo thee in all manner of guile, even if it were a god encounter thee. Hardly man, subtle of wit, of guile inattentive, so thou wast not even in thine own country to cease from thy slights and knavish words, which thou lovest from the bottom of thine heart. But come, no more let us tell of these things, being both of us practiced in deceptions; for that thou art of all men the first in counsel and in discourse, and I, in the company of all the gods, win renown for my wit and wiles. Yet thou knowest not me, Pallas Athena, daughter of Zeus, who am always by thee and guard thee in all adventures."

How delicately Athena points out to him that, though she feels the deepest pride in his accomplishments, he must not commit the folly of going into competition out of his class.

The next encounter is with Eumæus, the loyal swineherd, who tells of the doings of the suitors. Here the foundation is laid for the final scene of vengeance. They have consumed his property, they have seduced his servants, they have tried to murder his son, and they have coveted his wife. Really, he cannot blame him in his conclusion that they have gone too far. Telemachus, however, is saved, and Odysseus, in the guise of a beggar, goes to his home only to receive insult and abuse at the hands of his unwitting guests. Verily his patience was tried.

Now, we come to the scene that might have been written yesterday: it shows a refined athletic entertainment between our hero and the beggar Irus.

It appears that Irus maintained a monopoly of the begging privilege, and whenever a few bones or entrails were carelessly thrown toward the door, they were for Irus, if the other beggaristic animals were not quick in their motions. Odysseus mildly suggests that there are dainties enough for both, but the haughty pride of Irus will not brook opposition. Let Homer tell what followed.

Note the culmination of defiant verbiage, and compare it with the preliminaries of modern pugilism:

So now he came, and would have driven Odysseus from his own house, and began reviling him, and spake winged words:

"Get thee hence, old man, from the doorway, lest thou be even haled out soon by foot. Seest thou not that all are now giving me the wink and bidding me drag thee forth? Nevertheless, I feel shame of the tale. Nay, get thee up, lest our quarrel soon pass even to blows."

Then Odysseus of many counsels looked upon him, and spake, saying:

"Sir, neither in deed nor word do I harm thee, nor do I grudge that any should give thee, yea, though it were a good handout. But this threshold will hold us both, and thou art needed to bealous for the sake of other men's goods. Thou seemest to me to be a wanderer, even as I am, and the gods it is that are like dogs, who provoke me not over the words of a huffing, lest thou anger me, and old thought I. I define thy breast and lips with blood. Thereby should I have the greater pleasure to-morrow, for methinks that thou shalt never again come to the Hall of Odysseus, son of Laertes."

Then the beggar Irus spake unto him in anger:

"Lo, now how trippingly, and like an old cinder-wife this glutton speaks, on whom I will work my evil will, and smite him right and left, and drive all the dogs from his jaws to the ground, like the tusks of a swine from the spoils the hunter. And myself now, that these men all may know our mettle in fight. Nay, how shouldst thou do battle with a younger man than thou? Did they did they catch other's rage right merrily before the lofty doors upon the polished threshold."

When Irus, out-classed in bluffing, shows fright,

Autumnus chid him, and spake, and bailed him: "Thou braugant, better for thee that thou wert not now, nor hadst been born hadst been born. But we tell thee plainly, and I shall surely be accomplished. If this man prove thy master, I will cast thee into a black ship, and send thee to the marshes, to the king's edicts, the king's main, marking, who will cut off thy ears and ears with the pitiless steel, and draw out thy vitals and give them raw to dogs to rend."

So he spake, and yet greater fear got hold of the limbs of Irus, and they led him into the ring, and the two men put on their loins. Then the victor, Odysseus, mused in himself whether he should smite him with his hands, or whether he should leave his body, even where he fell, or whether he should strike him lightly, and stretch him on the earth. And as he thought thereon, this seemed to him the better way: to strike lightly, that the Laertes might not know him, who he

was. Then the twin put up their hands, and Irus struck at the right shoulder, but the other smote him but with his knuckles, and the straightway the red blood gushed up through his mouth, and with a moan he fell in the dust and drove together his teeth as he checked the ground. But the ground women threw up their hands, and died outright for laughter. Then Odysseus seized him by the foot, and dragged him forth through the doorway, till he came to the courtyard and the gates of the corridor, and he set him down and rested him against the courtyard walls, and put his staff in his hands, and uttering his voice spake to him winged words:

"And thou there, now, and scare off swine and dogs, and let not such an one as thou be lord over strangers and beggars, pitiful as thou art, lest haply some worse things befall thee."

Sitting against the courtyard wall, we leave Irus.

Were his misadventures the usual excuses and a bluff for a return bout?

On runs the tale, with sketches by the way-side, showing the grasp of the old balladist, who interwove these brilliant figures while carrying in his mind the marvellous synthesis of his fabric.

Penelope finally promised to accept the best man among the suitors, and the best man was to be the man of greatest strength and truest eye; the man who could bend and shoot straight the great bow of Odysseus. We can hardly believe that Penelope meant to fulfil her promise, but then she was a woman in search of scalps, and such are beyond all analysis.

The suitors fail in the attempt, and Odysseus is given a chance to try, though he is barred from the prize. Arms have been removed from the hall by Telemachus, the doors of the abattoir are closed, and Odysseus gets a pace that even Mr. Armour, in his young days, might have envied.

Then Odysseus, of many counsels, stripped him of his rags and leaped into the great threshold with his bow and quiver full of arrows, and poured forth all his shafts there before his feet and spake among the woosers:

"Lo, now is this terrible trial ended at last; and now will I make for ever and never yet man smitten, if perchance I may strike it and Apollo grant me renown."

With that he pointed the bitter arrow at Antinous. Now, he was about raising to his lips a fair, two-eared chalice of gold, and behold, he was handing it to drink the wine, and death was far from his thoughts. For, who among men at feast, would deem that one man amongst so many, how hard soever he were, would bring on his foul death and black fate? But Odysseus aimed and smote him with the arrow in the throat, and the point passed clean, out through the delicate neck, and he fell back and the cup dropped from his hand as he was smitten, and at once through his nostrils there came up a jet of stain man's blood, and quickly he spurned the table from his with his foot, and spilt the food on the ground, and the bread and the roast flesh were defiled. Then the woosers raised a clamor through the halls when they saw the man fallen, and they leaped from the high seats, as men, stirred by fear, all through the hall, peering everywhere along the well-built walls, and nowhere was there a shield or mighty spear to lay hold on. Then they reviled Odysseus with angry words.

But Odysseus could talk as well as act, and he replied:

"Ye dogs, ye said in your hearts that I should never come home from the land of the Trojans, in that ye wasted my house, and lay with the maid-servants by force, and traitorously wooed my wife while I was yet alive, and ye had no fear of the gods, that hold the wide heaven, nor of the indignation of men hereat. But now the bands of death have been made fast upon you, one and all."

But Eurymachus alone answered him, and spake: "If thou art Odysseus of Ithaca, come home again, with right thou speakest thus of all that the Achæans have wrought many inhuman deeds in thy halls and many in the field. Howbeit, he now lies dead that is to blame for all."

But Odysseus continues to carry out the programme.

Goodly Odysseus shot the arrow forth and struck him on the breast by the pap, and drove the swift shaft into his liver. So he let the sword fall from his hand, and grovelling under the table, he bowed and fell, and split the food and the double cup on the floor. And in his agony he smote the ground with his brow, and spurning with both his feet he struck the high seat, and the mist of death was shed upon his eyes.

Finally comes the treachery of one of his servants.

Therewith Melanthius, the goatherd, climbed up by the cleftwork of the hall to the inner chambers of Odysseus, whence he took twelve shields and as many spears, and as many helmets of bronze with thick plumes of horse hair, and he came forth and brought them speedily, and gave them to the woosers.

And Melanthius, the goatherd, went again to the chamber to bring the fair armor.

But the traitor was "come up with."

And they made fast to his body a twisted rope, and dragged him up the lofty pillar till he came near the roof beams. Then didst thou speak to him and gird at him, swineherd Eumæus.

Now, in good truth Melanthius, shalt thou watch all day long lying on a soft bed as beseech thee, nor shall the early-born dawn escape thy ken, when she comes forth from the streams of Ocean, on her golden throne, in the hour when thou art wont to drive the goats for the woosers, to prepare a feast in the halls."

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OUR SCHOOL FOR CITIZENSHIP

The Last Amendment.

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state, on account of race, color or previous condition of servitude. The Congress shall have power to enforce this article by appropriate legislation.

So reads the latest amendment to the Constitution of the United States, proposed to the people for adoption more than forty years ago and ratified by thirty-seven states within the succeeding year. Were the process of amending the constitution easier doubtless it would have been amended many times during the last forty years, but that process is so difficult that reformers have been loth to make the attempt. Nothing short of a revolution, peaceful or vi et armis, it has been believed, could result in arousing so many millions of people to the need for amending their organic law. In the republic of France the constitution may be amended almost any day by both houses sitting in joint session for that purpose. Perhaps the French amendment too easy. Our method is certainly too difficult and forces amendment by indirection, as by putting necessary but originally undreamed of constructions upon words and phrases found in the document.

It will be noted that this amendment has to do with the rights of "citizens" to vote and it will be remembered that the amendment just previously adopted declared "all persons born or naturalized in the United States" to be citizens. This makes citizens of Chinese, Japanese, negroes, or what not, so that they were born in this country.

While this amendment forbids the denial or abridgment of the right to vote on account of "race, color or previous condition of servitude," that is as far as it does go. The right to vote is denied and abridged on several other grounds and may be so. Doubtless the courts would look askance upon a state constitution limiting the right of suffrage to persons who stand six feet or over in their stockings, but so far as the national constitution is concerned it is not forbidden. In fact the constitution has permitted the states large liberty in this matter. In some states women vote, in most of them not, but the right to abridge is not violated by denying suffrage to half the citizenship of the country.

In nearly all states conviction for an infamous crime works a forfeiture of the right of suffrage, unless civil rights are restored at the conclusion of penal servitude, which is usually granted. Property tests are not unconstitutional and, if the test be reasonable, not very undesirable. There are many who believe that a bounty should be put upon thrift by limiting suffrage to those whose names get on the tax roll.

Another limitation placed by some states upon suffrage is that of having paid a poll tax. The poll tax generally goes to the school fund, yet there are many who resent the imposition of that tax, holding that one who acquires no property should be submitted to no cost, either for education or for the support of government, thus putting a premium upon shiftlessness rather than upon thrift. Limitations as to residence within a state county, city, ward, precinct, are uniformly imposed.

There is a feeling throughout the southern states of the union that the adoption of this amendment was a mistake and that the Constitution should be amended again by striking the obnoxious provision out. Frankly, they desire to exclude black folks from the franchise merely because they are black folks and, on this coast, there is a similar sentiment toward the yellow races merely because they are yellow. This is a racial instinct little to be reasoned with, but it may be doubted if a retrograde movement as to this amendment will ever become a factor in American history.

It is remarkable that a privilege which the law has so exalted all through the course of history should nevertheless be so little regarded as to cause thousands of citizens, entitled to the suffrage, to disqualify themselves

as they do through neglecting to register, neglecting to vote, neglecting to perform any of their civic duties year after year.

One way of looking at this form of neglect is that those thus neglectful are entitled to such a government as those who do vote see fit to give them and to nothing more, that if that government be extravagant or dishonest it is of no concern to the neglectful non-voter, he having no right to be heard.

Another view is that voting is a civic duty as much as jury service, service in the militia or at the call of a sheriff to apprehend a dangerous criminal, and that the non-performance of that duty should be punishable by fine, imprisonment or the deprivation of civic rights of certain kinds. The idea of compulsory voting is being talked of in many parts of the world and in some provinces of Spain it has been put into effect, but so recently as not to have afforded proof of its feasibility. It seems to be coming. There does not exist a serious political ill that could not be substantially remedied if those having the right to vote would all exercise that right to the best of their ability. If they cannot be persuaded to exercise it perhaps they can be compelled to. The end sought would seem to justify the attempt at moderate coercive measures.

DOES THE READER WANT TO HELP?

The California Weekly is a new enterprise. It requires a good deal of effort to put any new enterprise upon its feet and establish it permanently. Such things do not do themselves.

Does the reader of this wish The California Weekly to succeed? If he does, to what extent? We are going to put it up to the reader to measure his real interest by doing one, or all, of three things to help.

First, by sending us the names and addresses of persons whom the reader thinks might become subscribers to The California Weekly. We'll take the subject up with all such persons by letter.

Second, having made up such a list, and sent it to us, will the reader take the further trouble of writing or talking to these persons about The California Weekly, telling them why he likes it and wishes it to succeed? It is influence that counts.

Third, and this is the supreme test of interest and good will, send us twenty-five cents with each name and address, as far as the twenty-five cent pieces you can spare will go, that we may send each such person The California Weekly for a six-weeks' trial subscription. One dollar will pay for four, \$25 for a hundred, each contributing according to the measure of interest and ability. All The California Weekly lacks is a big-enough circulation. With that it can get all the other things it needs or wants, including a Class "A" building of its own on Market street.



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Did He Speak Too Late?

We shall not be warranted in being overly joyful because President Taft wins a few victories over the standpatters in conference committee. That enables him to do no more than to save some scraps of advantage out of a national misfortune. The conference committee has no jurisdiction over schedules except where the two houses were in disagreement and both houses were in accord in making the general tariff level about as high as that of the Dingley bill. There can be no reduction except in cases where one house or other made reduction, and the body of the bill will remain untouched unless the President vetoes it and sends it back to Congress to be sealed down to meet the expectations of the American people. He is unlikely to do that. If, at the beginning, he had placed the Republican tariff platform plank upon his desk and had said to Aldrich, Cannon, et al., "Gentlemen, I understand that plank to mean a general reduction of duties in good faith and I will sign no bill that does not conform to that interpretation," the issue would have been made then and there, the general public would have rallied to his support, the fight would have been a pretty one to witness and the result could hardly be in doubt. Apparently the President did nothing of the kind, although the public does not know what he did or did not do. The President does not take the public into his confidence. With Theodore in office it would have been different. Thankful, however, for small favors.

Every Man in His Own Way.

The American people will not quarrel with President Taft as to the methods by which he accomplishes good results if he accomplishes them. The Roosevelt way was not a bad way. He took everything straight to the people and the people sustained him good and hard. Mr. Taft appears to prefer to keep his own counsels and to fight out his battles without bothering the people about them. That may be the best way for him to do his work and he may be a big enough man to whip the predatory giants without calling for reinforcements, but the public would feel easier if he consulted it more frequently and candidly. And there are few so stupid as not to have noticed that, since the Fourth of March, the predatory interests have taken on a new ef-frontery and have manifested a new courage, proclaiming with a new assurance that they now have the middle of the road. But, as stated at the beginning, the American people will not quarrel with the President as to his methods. As to his accomplishments they are going to be wonderfully exacting. This earth and the fullness thereof was made for the many, not the few, and those few concentrated into a holding corporation.

That Tahoe Contract.

The nature of the contract which the Reclamation Service of the United States govern-ment has made with the Truckee General Electric company, relative to the waters of the

THIS NUMBER CONTAINS

Hydro- Electric Power in California

BY

E. French Strother

Readers of The California Weekly will, in due time, find every important public issue explained by some person whose special knowledge gives him a right to be heard.

Tahoe watershed, is important to the people of half of one state and part of another. They should be heard regarding it.

The corporation owns fifty-five acres of land so located that it gives it the whip hand. It is permissible to assume that the company has taken that advantage for all it could be made worth. According to reports it has exacted a governmental guaranty of a certain, definite flow of water into its penstocks uninterruptedly and in perpetuity. The Reclamation Service may take the rest.

The company is not to be blamed for this. A definite, uninterrupted flow from year's end to year's end is an elemental necessity to a power company. Every power company must have it or use its water plant only as an auxiliary to a steam plant and that deprives a water plant of the greater part of its value.

Per contra, the irrigator wants a maximum flow of water when he wants any water at all and the rest of the time he wants little or none. These two uses are essentially inconsistent. Which shall be the preferred use? Over that issue many a battle is yet to be fought.

But rights in perpetuity are inconsistent with a sound public policy. They should never be granted or contracted away by the government. If any coign of vantage be held by a person, firm or corporation, adversely to government interests, the same should be purchased, or condemned and paid for by right of eminent domain, and the government given a free hand to carry out its policies in a broad public interest.

It is reported that the Truckee General Electric company has absorbed other corporations and now has full control of the power supply for a vast territory. American experience has demonstrated a progressive tendency from absorption through control to the "cinch" as the objective point. If the Truckee General Electric prove an exception to this common experience it will be but to prove the rule. Between the consumer and the cinch the powers of government must somehow stand or the net profits of the industry of millions will go to make more Rockefellers, Carnegies,

Morgans and Ryans. That product by any other names will not smell more sweet.

Let the Tahoe contract be thrown open to public inspection in all its details.

Spaniard and Moor.

The unfitness of Latin races for representative government is exemplified somewhere on this earth about as often as once a month, and yet they are forever striving for it. Their fault is that they act first and take thought afterward. All Spain is doing this to-day. Across the straits from Gibraltar, in sight of Spain, lies the Mediterranean coast of Morocco. Spain has, and long has had, a foothold on those shores. The coast strip between mountains and sea is rich, but narrow. Beyond the summits of these coast ranges pre-mediaevalism reigns. Nothing progresses, and for the reason that no government worthy of the name exists now or ever has existed, and the littoral between mountain and sea is the battleground between civilization and barbarism, between twentieth century and tenth, Spaniard and Moor or, more properly, Berber and Arab. Spain wishes to establish order within its sphere of influence, the *El Rif* district. Her people at home, not understanding what the trouble is all about, and having had their fill of war in the trial of strength with the United States, have precipitated a family row that makes the throne tremble if not totter. This is perfectly characteristic and sufficiently explains what it is all about.

Across the Channel.

The flight of Bleriot across the English channel will mark an epoch in aerial navigation, but the playthings of the Bleriets, Wrights, Latham, and the rest, are a long way from a solution of the problem. Uses may be found for such craft as improved carrier pigeons and, possibly, for taking observations in time of war, when the weather is fine and the breeze just right, but it may be doubted if the strength of materials, the reliability of any kind of motors under all sorts of conditions, the whimsicalities of air currents, will permit aerial navigation for other than highly exceptional purposes. The imagination leaps while science crawls on all fours and those who see battleships navigating the ethereal blue are indulging in pipe dreams. And yet the thing that could render battleships and battleships impossible would prove such a boon to the race that merely to dream of it is creditable to the dreamer. As for trepidation in England, that is nonsense. There have been ways enough for getting armies into England, but none at all for getting them out again, else Napoleon would have crossed the channel in his day.

The most telling argument yet advanced against an income tax is that those who would be assessable for it are such infernal rascals that they would all queer their books, conceal their incomes and commit perjury to avoid paying the tax. That contention is quite too sweeping.

THE WATER POWER PROBLEM.

Not many are conversant with the progress making in the development of electrical energy, through a utilization of water power in this state, and fewer still have concerned themselves for what this may mean to this and to future generations. There is no more pressing problem than this, and that the public may have the data upon which to form correct opinions, The California Weekly has arranged to set forth the foundation facts clearly and candidly.

The welfare of the public demands that as many streams as possible be harnessed as soon as possible and at as many points as possible to the end that there shall be no lack of power for factories, for propelling cars, urban and inter-urban, lighting streets and roadways, carrying heavy trains across the mountains, pumping water for irrigation, for smelting ore, and plowing the fertile acres of the state. For all of these ends, fraught with splendid consequences to humanity, we are mainly to look to corporate enterprise and that such enterprise may be warranted in interesting itself in the development of this form of wealth the most ample opportunities for profit-making and permanency should be afforded.

Nevertheless, the use of the streams for any purpose is a public use and whoever uses them must do so as trustee for the public and under such control as will secure the public against extortion, if such a consummation be possible under our form of government. Again, humanity is seeking justice, if haply it may find it.

Hon. S. C. Smith, of the eighth congressional district of California, is reported to have devised a plan whereby the national government may safely relinquish control of waters and rights of way to the several states. Without scrutiny of the plan itself no opinion can be formed regarding it other than a *prima facie* opinion based upon the good faith of the gentleman himself. It cannot be doubted that he has considered well the fate of the swamp lands, which the national government relinquished to California upon the express terms that, as a condition precedent to their titles passing, the lands themselves should provide for their own reclamation. The titles to those lands have none the less passed without redemption, faith with the nation was not kept, and practically every law enacted in relation to swamp land in this state was enacted with the purpose of acquiring such lands without keeping faith with either state or nation. Representative Smith has spent a quarter of a century in a center of this pernicious activity and cannot have failed to bear the lesson in mind in devising his plan, whatever it may be.

Nor is deliverance out of the hands of extortioners and rapacious speculators made sure by relying upon the general government. Rumors afloat concerning Secretary of Interior Ballinger are injurious. There are reasons for fearing that the efforts he is making to "get his department back on a substantial legal basis," will have the effect of opening to rapacity a much coveted opportunity. The difference between a narrow and grudging, and a liberal and conserving, interpretation of the laws may make all the difference between a proper safeguarding of the interests of the common people and an exploitation of great resources in the interests of a gorged and predatory financiering. Tendencies squint that way.

Three generations of virile manhood enter upon control of affairs and pass off the stage of action each century. Each of these generations should be free to deal with these problems in its own way. To that end no franchise for the performance of a public use by a private corporation should run longer than

THE STAFF

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CHESTER H. ROWELL.....Associate
A. J. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
O. BLACK.....Business Manager

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one-third of a century. We may properly suffer the consequences of our own blundering, but there is no economic need for the perpetuation of these consequences unto the third and fourth generation.

These, then, are the great problems before nation and state. They cannot be solved without the people being put in possession of all the facts. It will be the good pleasure of The California Weekly to perform this service. For our information we have had recourse to safe sources. In its tumbling, roaring waters California has a source of wealth not second to the coal measures of Pennsylvania. This wealth should be developed without parsimony and utilized without extortion. The question is before the people.

The next article in our series will deal wholly with the Pacific Gas and Electric Company, which is the largest of the companies now in operation, and which controls the electric market of half the state. Its organization and activities illustrate the principal tendencies in the development of hydro-electric power in California.

POWER TO DO JUSTICE.

By reason of urgency in getting the problem of electrical development (by the development of water power) before the people of California, we have postponed the publication of the fifth article of the series treating of "England's Better Criminal Procedure," until next week, but we can not forbear to say of the forthcoming article, that it is illuminating. It treats of the powers of the English appellate court, an innovation in British criminal jurisprudence which must prove its efficacy by the test of time, but there is one thing that the statute of two years ago does do: It gives the English appellate court power to correct errors and to do full justice, and does not confine that court, as our appellate courts are confined, to veto powers, to powers to undo rather than to do, power to block the wheels of justice with little or no power to facilitate their operation. No man whose ears are not deaf to the human cry for justice should miss reading the fifth article in this series.

Our system of criminal jurisprudence has been shaped in the interests, not so much of guilty men of wealth, as in the interests of equally guilty attorneys for guilty men of wealth to facilitate their efforts to keep out of prison men who ought to be in prison, and for a price that sometimes reduces their clients from riches to poverty.

Take the Thaw case. There is some question if the Thaw family fortune, great as it was, will outlast the struggle to set Thaw free. If the Thaw fortune lasts he who was acquitted of a cold-blooded murder because he was insane will be liberated because it will be proved that he never was insane. Were

it not that Mr. Calhoun is probably able to bring his allied street railroad corporation to his aid in financing his defense, it might easily eventuate that the cost of maintaining his cabinet of attorneys, his army of detectives, horde of hangers-on, a subsidized press, if not as insanely managed as despisable as the Calkins outfit, would absorb his fortune great as it is reputed to be, in which event his shirt would be short.

Wealth is power, and it always will be that a rich defendant can put up a harder fight for liberty than a poor one, but all the people have more money than any of the people. They have all that they all have, and if the people will pour into the coffers of the department of justice dollar for dollar with the plutocrat his wealth alone will not avail him. Even that wealth may be taxed for his prosecution as well as for his defense. Power must be met with power, or justice can not be established in the face of the power which great wealth affords.

There is another particular in which more power is needed that justice may be done, and this affects jurisdiction of trial courts. Our nation is made up of states and state lines are easily vaulted. Once over a state line the processes of state courts have no power over persons or papers. Thus Mr. Calhoun had only to ship certain books out of California in order to have their damaging record beyond the reach of a California court of justice. James J. Hill and his son had only to keep beyond the jurisdiction of a Spokane court in order to keep from the grand jury evidence of the corruption of judges by scoundrelly employes of the Hill railroads. If evidence may not be extradited, as persons charged with crime may be, then trial courts should be given power to put before defendants in criminal cases the alternative of producing evidence within their keeping, but beyond state lines, or suffer to be taken as true what it is reasonable to assume the sequestered evidence would show if brought into court.

Courts are human institutions and, at best, will be subject to human limitations. That is to be avoided and ever so much power vested in courts may not result in the enforcement of justice, but, without power to enforce justice, justice can not be hoped for.

This paper has little confidence in courts constituted by conscienceless political managers of great corporations, but we must trust somebody with the power for doing justice or each person will of necessity become the avenger of his own wrongs. Hence The California Weekly stands for giving all our courts greater power, trial courts as well as appellate and appellate as well as trial, for only as they are given power can they be held responsible for results. Once give the courts power to do justice and then it will only remain for the people to fight it out with the predatory corporations for possession of our courts. England gives to her courts full power to do justice and it is scarcely debatable that justice is more surely, swiftly and impartially administered in that country than in our own.

A Childish Squabble.

Attention is called to the story in our "Political Table Talk" of how the strike and boycott of the San Francisco engravers began. The cause of war was as trivial as ever engaged the attention of petulant children. It brings reproach upon unionism and predisposes the public to look upon even a grafter as a Moses if he can lead business out of thralldom to such an imbecile and irrational mastery. It is to the credit, too, of the sagacity of an organized political bandit that it was so quick to lay hold of this incident that it might be turned, not only to political account, but he used as a telling weapon

against unionism itself. If the facile hand of Herrin be not seen in this then it is that of an intelligent under-study who has profited by example. It is the old artifice of dividing to conquer that Mr. Herrin has used with such effect. Labor union fights labor union, and the Citizens' Alliance makes common cause with unionism against unionism, keeping to itself an ulterior purpose of confusing the graft issue and obscuring it with the injection into the conflict of as many petty squabbles as can be devised. Mr. Calhoun is a great general and he is surrounded by a staff of unrivaled schemers. The purposes in view are to break down the graft prosecutions, to break up unionism and return the chief city of the state to the control of those who have pillaged it for private advantage. Surely these three objects should nerve the arm and excite the hopes of every son of rapacity that dares to call San Francisco his home!

Resubmission.

Unless men will agree to disagree after a trial of strength, social order is out of the question. Unless those who are whipped will stay whipped all human society will be a Donnybrook fair to the end of time. The California Weekly believes in accepting the results of defeat wherever a majority decides the other way until further reflection and opportunity for education shall bring the majority around to its way of thinking.

Ordinarily, therefore, The California Weekly would be opposed to an early resubmission of the Geary street franchise proposition. It has three times failed to carry, the last time by a very small margin. The majority is for it. The only limitation is that that majority has lacked a few hundred votes of being two-thirds. This paper is not objecting to the two-thirds rule. It is salutary. We are willing that one-third should cause two-thirds to wait a while before essaying a positive policy, but we are not willing that one-third should force two-thirds into a positive policy against its will. Unless the Geary street railroad is municipalized it must be turned over to a private corporation. A few more than one-third of those who have voted on the issue are opposed to municipalization. A few less than two-thirds are opposed to turning the street over to the Calhoun system. Which has the better right to rule? If the issue were merely to do or not to do a certain thing San Francisco might properly abide by the result of the last election for a term of years, but that is not the issue. The issue is to municipalize or sell the franchise. If an affirmative two-thirds vote is required in the first instance so should it be in the second, or nothing at all should be done.

The people have not yet had an unconfused opportunity to express themselves upon this issue. They should be given such an opportunity. The issues involved are important enough to justify it. Besides, there are reasons for suspecting that some thousands of illegal registrations have been made in San Francisco and that some hundreds of illegal votes were cast against this proposal. Fraud vitiates all contracts and removes all obligations to abide by the result of an electoral expression of opinion. Therefore let there be a vote upon that proposition alone. With such a vote this paper expects to rest content whatever the result.

Shuffling.

It was to be hoped that the political line-up in San Francisco would be frank. Every citizen knows what that line-up is, and the citizenry has a right to demand of politicians that they toe the mark and make the issues plain. The Republican primary is the only one worth noticing. The ticket selected by the voters of

that party will be the ticket that will take the field against the field. The Municipal League of Independent Republican clubs has met the issues squarely. If that ticket triumphs at the polls the graft prosecutions will go forward until the indicted men are found guilty or until it becomes clearly evident that convictions can not be obtained on the evidence and, at all events, until the public knows just where to put the blame for a miscarriage of justice in this city and state whenever predatory wealth is brought to bay.

Per contra, the Hellman-Herrin Republican ticket shuffles. Its candidates shuffle individually. In Mr. Crocker the predatory interests have found a figure head who talks much and says little. He has no specific opinions save on the most general topics. He is a Sitting Bull, a Pook-Bah. His backers hope to put him through the motions of making a canvass without his recognizing the existence of an issue that cleaves San Francisco from stem to stern. That scheme won't near work this time. The same is true of Fickert, candidate for district attorney. He does not know that there is anything doing in San Francisco. He yawns, looks bored and passes the buck.

Fortunately this shallow pretense will deceive few who possess the ballot. The constitution eliminates from the franchise insane persons, some criminals, all idiots and Indians not taxed. All others will know instinctively that the triumph of the Hellman-Herrin ticket will involve the dismissal, or going by default, of the graft cases from "a" to "izzard" and the resumption of the city government by and for the special interests as of yore. Those who are not for civic righteousness are against it. The Byron Maury ticket stands straight up and strikes straight out. The Crocker ticket "ain't a lett'n on," but the public knows what it stands for just as certainly as though it wore the livery of Patrick Calhoun. Its cowardice will prove as ineffectual as contemptible.

One of the Least of Them.

Down in a cellar away from the light of day, in a Chinese opium den, one of the least of God's creatures has lived in pagan surroundings in a Christian city for nine years, during which she is reported to have seen the light of day but four times. And report has it that she was placed there by an alleged Home Finding society whose manager has for many years been gathering dollars from the charitable and, if reports concerning him be half true, doing a brokerage business in human flesh. Nor is this the first time this man has been accused of virtually selling white children into Chinatown. Officers of the Associated Charities have felt convinced that he has done exactly that thing before. It should be made a felony. The person responsible for committing that child to that custody deserves to suffer what that child has suffered—to be shut away from God's sunlight until he forgets what it looks like. And this is one of the wards of the great state of California! If that state were serving humanity instead of doing politics, its Board of Charities and Corrections would be equipped to know the whereabouts and custody of every dependent child in the commonwealth, and it is because that board is beyond the reach of politics that the requisite power and financial support are not given it to perform that service. Such crimes as are sometimes committed against childhood in the name of charity tend to make the blood boil to the slopping-over point. Sometimes these crimes are the result of stupidity and sometimes of greed. In either case they should be prevented as far as possible and punished whenever they can be. No person not the dwelling place of a lost soul could have consigned a cut to such a life as this child has lived.

The Deeper Significance : : : : of Living : : : :

Those who have followed Mr. William Kent for the last three weeks through "Some Sides of Homer," contributed for the edification of the readers of this paper, should have experienced a re-awakened interest in our friends, the ancients, who lived for us more profitably than many of us know. The human touch which all the literature they left us fetches through the ages proclaims them all of kin to us and not so far behind us as we may have supposed. Their problems are, with some shades of difference, our problems. They lived, if anything, nearer to the unseen than we ourselves and their gropings, like ours, were after justice, impartial, speedy, sure. That justice might be all these, and no mistake, the ancients generally attended to in their administration themselves, with consequences much resembling a modern slaughter house.

Bearing in mind that Sophocles flourished during nearly the whole of the fifth century before Christ, his sage sayings are not half bad, in proof of which the following are given: "It is not just lightly to deem the wicked good or the good wicked, for to cast away a virtuous friend I call as bad as to cast away one's own life, which one loves best." "Time alone develops the honest man, but a traitor thou mightest discover even in one day." "Where, where is the man who achieves more of happiness than barely so much as to fancy that he has it and, so fancying, to fall away from it." "Mischief is the most afflictive which show themselves to have been self-incurred." "Cease no man happy ere he shall have crossed the boundary of life the sufferer of naught painful." "It is likely that one who takes in hand to work ill will fare ill." "There exists not to man a profit more desirable to gain than forethought and wisdom of mind." "It is impossible to ascertain the soul and spirit and judgment of a man before he shall be tried by office and the administration of the laws." "No such evil institution as money has arisen to men, for it lays waste cities and drives away men from their homes. It seduces and perverts the honest inclinations of mortals to turn to base actions, and it has taught men to learn villainies and to know the impity of every deed." "It is not fitting to wish to make profit from everything, for by unjust gains you will see more ruined than preserved." "The grave at least desires equal laws." "To be wise is the first part of happiness."

How true these old sayings ring to this day! And yet Sophocles was writing of the sayings and doings of those who were, to him, the ancients, while he, himself, was born more than two dozen hundred years ago. It is not good that the Greeks of those ancient fountains of emotion, aspiration, wisdom, and, thanks to innumerable translators who have pored over old writings, and worked the enigmas out, they are accessible to us all. There is small need for learning Greek that one may become acquainted with Greek thought. There are bridges for every such stream to carry us safely over, and only yellow backed literature is cheaper at the book stores.

A main advantage which classical literature offers is that of seeing the human problem in perspective. The Chinese paint all their pictures with flat surfaces. They disclose no winding roadways through the woods or pathways through life. A curve in a street line will add beauty to any city and a facing of history and literature of past ages often gives the beholder an incalculable advantage. He knows that such things have chanced before and knows what the consequences were, while those who live only in the present have neither the wisdom which comes of recollection nor that which may be based on prophecy, for prophecy is only a predicting of the past into the future. It is not more wise to suffer the past to be dead to us than it is to live wholly in the past and be dead to things of to-day.

WHAT THE WORLD IS DOING

Our Vanishing Lumber Supply.

One need not casually investigate statistics relating to our nation's timber supply to realize that alarm concerning a prospective lumber famine is well founded. Such statistics are given, with no claim that they are more than approximate, but as accurate as they can be made, in a pamphlet recently issued by the Department of Agriculture. According to this pamphlet the original timber supply of the United States covered 850,000,000 acres and consisted of 5,200,000,000 board feet of timber. The acreage now has been reduced to 550,000,000, but, as the best of timber has been selected for cutting, the supply has been reduced to 2,500,000,000 board feet. That is, the acreage has been reduced but 35 per cent, but the timber supply has decreased 52 per cent.—more than one-half of our material for lumber has gone. We are reducing what is left at the rate of 20,000,000,000 cubic feet per year. To offset this, we grow less than 7,000,000,000 cubic feet. In other words, we deplete our lumber supply three times as fast as we replenish it. A very little consideration of these facts emphasizes the necessity of guarding our forests while we still have them to guard. Otherwise the first generation of our children will actually confront that which merely threatens us—a lumber famine.

Convict Problem in the South.

Since Louisiana and Mississippi have done away with the convict-lease system and its attendant slaughter of humanity (principally black) they are confronted by a serious problem. It comes from this way. During the 1890s the last year of the lease system, the mortality among convicts was 202 to the thousand; more than one in five died. Then the system of placing the convicts at work on farms owned by the state went into effect, and since then the mortality constantly has decreased until, in 1907, it was but forty-two to the thousand, and the indications are that it will not be more than ten to the thousand this year, or scarcely one-twentieth as great as it was in 1895. This is a wonderful showing, and what adds to the force of it is the fact that mortality tables show that the convicts (about seven-eighths of them are negroes) live longer under this system than do the unimprisoned men of their race in cities and towns. But here is the problem: As the mortality rate decreases the number of convicts constantly increases, having doubled within a few years. This necessitates the purchase of more land for state farms, and, as such land is untaxed, many of the people outside of prison walls are protesting against the system, claiming that it injures county finances, leaves them without money for schools and roads, and demoralizes unskilled labor. So stands the problem, and its solution still is to come, but it should be safe to presume that it will not be found in returning to a system under which one prisoner in five annually was killed.

And Now, Beware of "Germ-Carriers."

Recently the papers have had more or less to say concerning the case of one Mary Mallon, who, during the last years, has been quarantined in New York on the ground that she is a "germ-carrier." The woman is perfectly well, but it is claimed that she disseminates the germs of typhoid wherever she goes from a private stock which she constantly keeps concealed about her system. It has been supposed that her case is unique, but it appears that it is not; there are numbers of such "germ-carriers." There is, for instance, constantly confined in a London hospital a boy who is alleged to be a disseminator of the germs of diphtheria. "He is quite well," says the physician in charge, "but in his throat repose the bacilli of diphtheria, which find their surroundings congenial and thrive in

them. If these were transmitted to other persons there would probably be an epidemic of diphtheria." Then there is a London professional man who has been discovered to be "an unconscious carrier of the dangerous bacilli" of typhoid. Somebody ought to tell the professional man. And a Glasgow boy has been revealed as repository of enteric fever germs. So it will be realized that the New York case is far from unique, and we may as well cease to "point with pride" to it.

The Iron Age Not So Recent.

It has been generally held by scientists that man's use of iron, which gave the Iron Age its designation, began about 1200 B. C. in Egypt, but a discovery made by the Eckley B. Cox expedition indicates that this theory is ill-founded. At Behena, on the west bank of the Nile, near the second cataract, the expedition opened about eighty tombs of the twelfth dynasty. Many interesting relics were found, but the most notable of these was an iron spearhead. As the tombs were of a dynasty which held sway about 2000 B. C., the discovery appears to demonstrate that the Iron Age was well along in development 800 years before the date of its birth as agreed upon by scientists. An interesting, but less important, discovery was that of a death mask covered with gold leaf. Such masks heretofore had been found both in Greece and Peru, but never before in Egypt.

Uncle Samuel Has Been Extravagant.

There is no question about it: our well loved Uncle Samuel has been unduly extravagant. If one entertains doubt on the subject, it is but to look at the figures relating to his recent housekeeping, and the doubt flees. Here they are in all their accusing veracity. During the administration of Arthur and the first administration of Cleveland the average yearly expenditures of the government were \$258,349,469. During the next eight years, in which Harrison, Cleveland and McKinley were at the head of our nation, the average yearly expenditure was \$372,448,822. During Roosevelt's eight years the average annual expenditure was \$555,622,640. Let us put it in another way in order that we may more fully appreciate the significance of the figures. The average annual increase of the second eight years over the first was \$114,096,353, or 44 per cent, the increase between the second and third period annually was \$183,176,818, or 49 per cent, and the average annual increase of the third period over the first was \$297,273,171, or 115 per cent. That is, Uncle Sam has considerably more than doubled his expenditures in a period of sixteen years.

Will Ships Be Made of Stone?

People who ride the waters in ships made of iron need not be startled by the suggestion of sailing in those made of stone. The latter, in a considerable degree, are what the world is coming to if a discovery made by an Italian engineer named Gabellini is as practical as he conceives it to be. It consists of a method of building ships with a species of concrete which is used in submarine work and is known as beton. The keel would be of iron, to which the skeleton of the vessel would be attached. Over all would be a wire netting, which would be covered with beton. The vessel, it is claimed, would be lighter than one made of iron, water-tight, and the surface being glassy in its smoothness, parasites could not attach themselves to it. The decks and bridge would be of the artificial stone, and Gabellini asserts that the entire structure would be far more durable than ships made of either iron or wood. History runs in cycles. Perhaps we yet will return to the Stone Age—on water.

Madam's Hair Goes Up in Price.

Madam's perfectly charming bushel-basket hat demands enough hair, at least, to make a

bluff at filling out the cavernous depths of the exquisitely artistic creation. The fact is of cash value to poor people who have hair to sell, as evidenced by the details of the Limoges (France) fair. The Limoges fair for a long time has been the greatest of all markets for the barter and sale of human hair, and its prices have soared and fallen recently. Now they are up in a balloon, and the balloon will not land until the present styles of feminine hair are out of date, an unguesable time which a pitying Providence may make brief. Hair of ordinary colors, which heretofore has sold for \$5 a pound, this year sold for \$10 or \$12, while the unprecedented golden article brought \$15, and the fine silver hair which is a crown of nature glory as much as \$25. Thus it is that we begin to understand about the hirsute adornment which runs riot in midair's hat. It comes high, but something must fill the cavernous void.

To Unearth a Roman City in Britain.

The British Society of Antiquarians soon will begin the work of excavating the ancient Roman city of Verulamium, which lies about a mile outside of St. Albans, in Hertfordshire. Verulamium was one of the largest Roman cities in ancient Britain, and its location is exactly known, as the society a year or two ago excavated sufficiently to find one of its walls. The entire city, however, now is buried beneath twenty-five or thirty feet of soil, and hence it is no light task that is about to be undertaken. In the earlier investigations the theater—the only Roman theater in ancient Britain—also was found, as well as frescoes and marbles of much interest to antiquarians. It is anticipated that discoveries of no inconsiderable importance will be made as the work progresses.

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Perry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. The store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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IN SEARCH OF "R. L. S."

Last Sunday a member of the staff of The California Weekly met a friend who, like himself, was out for a stroll on Russian Hill. Together they sought various points of vantage whence they could get varying vistas of the bay and the Golden Gate. At length the friend exclaimed:

"By the way, have you ever seen Robert Louis Stevenson's house here on the hill?"

The question brought out "no" for a reply and the urgent request to be guided to the house.

"It's right over there, on the corner of Hyde and Lombard—a great big house, with a wonderful flower garden concealed behind it."

"Big house?" I thought Stevenson was pretty hard-up when he was in San Francisco.

"So he was—flat broke. I don't know how he came to be living in the house, but I understand he owned it, and that lately Mrs. Stevenson sold it to some convent or nunnery."

The house was soon reached, and a glimpse of the garden caught through a passageway from the sidewalk. On nearer approach, a sheet of note paper was observed on the side of this passageway. It read:

"The Carmelite Convent is 2323 Hyde Street. This is a private residence."

"But it or any other house in San Francisco was never the home of Robert Louis Stevenson. The few sad months he spent in this city he lived in workmen's lodgings at 603 Bush Street, a house torn down long before the fire."

"This house reported to be his was not built until seven years after his death and twenty-two years after he was in San Francisco."

So ended the search. Evidently a good many people have been deceived by the newspaper article that misled this excursion. If the placard on the house at Hyde and Lombard is correct, in its historical reference to 603 Bush Street, it may divert a stream of searchers after literary landmarks toward a new destination.

TOLSTOI'S UNCOPYRIGHTED BOOKS.

It is well known that Tolstoid does not believe that the modern nations or the church, for that matter, are really practicing Christianity, says the Houston Post. He believes that "money is violence" and that most of it is tainted and all of it unnecessary; that when the church accepts these inequalities in worldly fortune and receives into its fold complacently and without reproof men of enormous wealth, who by that fact possess the power of constraining others to do their will, it is doing something fundamentally wrong and diametrically opposed to Christianity as taught by its founder. He says it is nonsense to talk of loving your neighbor as yourself when you ride to the opera in a motor car and pass him on his way who has carried a cold dinner and probably lives five in a room. To be sure, the present volume is not at all controversial, and it includes no such modern instances, yet, whether one agrees or not, one can not escape the conviction that it is this view of life which lies behind these simple and direct teachings of Jesus, and it is in this spirit that the parables are taken up and their meaning and bearing made explicit. The work of the translators has been admirably done, and they have left in this earnest and forceful style its strong personality and its touch of the prophet's naivete. It is a striking example of how the greatest truths can be told in the simplest language.

Tolstoid has long since ceased to believe in working for money, for the sake merely of amassing capital, and he disbelieves in every form of monopoly, even copyright. He has always believed, however, in putting his ideas not only into books, but into practice, and it is, therefore, characteristic that we should read on the title page of this new volume, the strange legend, "No rights reserved."

CALIFORNIA POETS' CORNER.

THE LAST OF CALIBAN.

["The Last of Caliban," written by Charles J. Woodbury, of Oakland, was once shown to Ralph Waldo Emerson, who declared that it was of the order of poetry that lives. To anyone familiar with Shakespeare's "Tempest," its visualization of that epic tale is remarkable.]

Half in the shadow of the cave he lay
One summer day,
Alone save one whose visage at his side
No man may bide.

The surly-folk and winged things from
Were pleased there
To do him grace; and gathered, foul and fair
From earth and air.
Beneath the bands of weed they found his
Sore.

He cursed the more
And muttered in some strange, unhuman tone,
Half bark, half moan,
When a sharp-tempered wasp with eager sting
Would close and cling

To the weak knotting of the eye-ball's nerve
Nor deign to swerve
At such a nuisance as the monster's hand
And fierce command.

When the wee insects trifled with his pain,
Fleeing again
Over his gasping throat and witless face,
He cried apace

(A slight, fancee shower of brackish tears,
Witheld for years.)
He watched a slender serpent trail the grass,
Nor pause, nor pass.

Its scarlet tongue's inquiring thread, he saw
More closely draw.
Then to the lisping trees and tender air
No more he swore.

So came Friend Death—beyond these moments vexed,
Wert thou, God, next?

OSCAR WILDE'S RETURNING FAME.

From an obscure grave in the cemetery of Bagneux in Paris the remains of Oscar Wilde are to be transferred to Pere-Lachaise. When he died alone in Paris in 1900 his body was placed in the Bagneux Cemetery with practically no funeral rites. Now the revolution of feeling in England has enabled his friends to do what they have been planning for years, namely, to place Oscar Wilde's body in Pere-Lachaise, where many great writers and artists are buried.

The legal formalities in connection with the purchase in perpetuity of a grave in this cemetery have all been carried out by Robert Ross, Wilde's friend, executor and biographer, and a monument to the memory of the dead man is on the point of completion. This monument, which is symbolic of the literary genius of Wilde, is the work of a young Russian sculptor, Jacob Epstein.

The children of Oscar Wilde are being brought up in absolute ignorance as to their real name or parentage. They live in the country under care of relatives. If the reaction of the last few years continues to spread it is probable that they will be informed of their real name and will take their places in the London world.

William Somerset Maugham, whose "Jack Straw" and "Lady Frederick" were enthusiastically received on this coast last winter, has written a new play, "The Noble Spaniard," in which Robert Edeson will star next season.

The place in which one may see the most members of the acting profession, off-stage, at one time is Siasconet, Nantucket Island, in the summer vacation season. Actors flock there by the hundreds, and their entertainment is one of the most profitable industries of the former fisher-folk—"former" because the famous Nantucket whaling fleet is now only a memory.

OUR FIVE-FOOT SHELF.

Essays of Elia.

If a man love books he cannot help loving the most devoted of book lovers, Charles Lamb. What a mixture of wit and humor and pathos and laughable "whim-whams" was that saddest and gayest of authors and clerks. If one would know the riches of pure joy that the poorest may possess by the possession of a few dozen of books, let him read the Essays of Elia. Lamb buying a book at a stall on a Saturday night after weeks of close saving, passing it by, returning to enjoy the temptation of the extravagance of buying it, hurrying home to escape the temptation, and running back in the dark in an agony of fear that some rival had bought it, and, owning it at last, carrying it home to his sister in triumph, the two to gloat over it and call blessed the poverty that made of so simple a thing an epochal occasion of joy! Lamb decanting upon those borrowers of books who are wanton spoilers of libraries, and upon those other borrowers who, like Coleridge, return the volumes enriched three-fold with marginal annotations! Lamb discursing upon old actors and acting, upon rare china, upon friends, upon natural friendships and instinctive antipathies! These are precious pages, full of human kindness and fellowship and enjoyments shared and wistful longings and the ghosts of dead regrets. Always gentle, always making allowances for the natural share of the Old Adam, always sprightly and fresh and good-humored.

Blessed books, that make such friends! Blessed Elia, guardian spirit of all books and book-lovers! Read his essays.

SWINBURNE AND SWIMMING.

Swinburne sang of swimming as enthusiastically as the Rev. Frederic Ingham wrote of it, says the New York Times, but the poet was no New England "six foot of man, clean grained and human nature," but small, slender, moving even on foot "as if blown before the wind," and floating on the top of the waves like a cork. At Etretat, in 1870, says Mr. Gosse, he was caught by the race of the tide under Porte d'Amont, and swept out to sea, but was followed, caught, and rescued by a yachtsman, Guy de Maupassant, no less. The sailors wrapped him in a sail and set him on the deck, whence it suited him to declaim Victor Hugo to them. He told Mr. Gosse not long after the incident that when persuaded that he must drown he reflected with pleasure that he had finally revised the proofs of his "Songs Before Sunrise," and was only a little older than Shelley when he was drowned. The honesty of this last touch is truly fine; a man intellectually small never dares to own such a thought.

DICKENS ON SHAKESPEARE.

Four letters written by Charles Dickens between January and March, 1864, to a novelist now deceased were recently offered for sale at auction in London. In one of these letters he gave his view of a proper memorial to the greatest of English writers in the following words:

"Besides that I have not the time and attention to spare for so extensive an object (being hard at work on a new book I do not believe, and never have believed in its meeting with such a public response as may be called a success. I dread the notion of a statue, moreover, shiver and tremble at the thought of another graven image in some public place. Lastly, I believe that Shakespeare has left his monument in his works, and is best left without any other, until the distant time when the country, through the government it chooses, shall do some such thing as found scholarships in his name in all the arts and so connect young Englishmen sent to study in foreign countries with the greatest English name."

JUVENILE OFFENDERS IN PARIS

By A. J. TODD.

The text of the proposed new law creating a special court for the protection of children has just been laid before the French parliament. Two young social workers, M. Ed. Julhiet, who studied the juvenile courts in the United States, and M. Klein, who did the same thing in England, together with M. Rollet, lawyer, and president of the "Patronage de l'Enfant et de l'Adolescent," are sponsors for the bill. It is not a revolutionary project, and as its authors frankly declare, appears extremely modest in comparison with the laws which created our Chicago, Denver and San Francisco courts. It merely legalizes and extends somewhat practices which have been in vogue for nearly three years in Paris. In December, 1906, all children's cases were turned over to four judges of instruction (for preliminary hearings). In March, 1907, all were assigned to one department, the Eighth correctional chamber, to be heard at a special audience each Monday afternoon. Suspended sentence and commitment to a private person or association for supervision has been permitted by a liberal interpretation of the law of April 19, 1898. Such, with a certain relaxation in rules of procedure, is the present Paris juvenile court.

But while all these measures, rendered necessary by circumstances, were excellent in their way, they lacked generality; they were permissive and in no way mandatory; they had no legal base and applied only to Paris. The new law proposes to improve the situation by: (1) The consecration in every important city of one correctional chamber exclusively to children. (2) By relieving these judges from the system of rotation. (3) By providing in the lower courts special sessions for children. (4) A special procedure with restricted publicity. (5) The probation system. (6) Permitting the return of the child to his own home under supervision, commitment to a charitable society or to a "third person." (7) Appointment of chosen persons as delegates—probation officers. (8) Permitting return of the child in case of bad conduct to the court for further hearing, or his release from supervision for good behavior. (Now the child must commit a new offense and submit to a new trial before the court can resume its jurisdiction over him.)

Such are the essentials of our own system, upon which the new measure is based. All the friends of unfortunate and delinquent children solicit the speedy enactment of the law, though it is reported that the government may oppose its passage.

Several visits to the so-called children's court here have impressed me with the urgent need for improvement. The differences from our system are striking. In the first place, the trinity of capped and gowned judges, for even a ten-year-old child must be tried in bank; again, the crowd of advocates, also in cap and gown, among them a woman, with their eloquent appeals on behalf of diminutive clients. A squad of police in full uniform guard the prisoner's dock, the courtroom floor and the corridor leading to it. The child remains in the prisoner's dock at some yards distance from his judges and shouts his answers across a stormy gulf to the president, who conducts the inquiry. The noise is incredible; everybody talks; the judges talk, the guards talk, the children talk, the lawyers talk, the audience chatter, and when the noise swells too loud—bang! the president pounds his desk and shouts Silence!

Specially noticeable is the number of boys of 10 to 18 years old, mostly gangs of "Apaches," as they are called—youthful hoodlums who commit petty thievery and assault. Theft occupies by far the larger part of the docket. Striking, too, is the freedom and ability with which the youths plead their own cases, ask questions, contradict witnesses, interrupting them often with the cry: "C'est faux, Monsieur le President, c'est absolument

faux, je vous le jure!" Highly amusing and amusing the pleadings of some of the advocates. I saw more than one youngster dissolve into tears at the portrait his lawyer painted of him, his virtues, his sufferings, his persecutions. Short prison sentences, commitments to reformatories, fines, are the rules and acquittal or release under supervision the exception. Though by virtue of an understanding with the ministry of justice, M. Rollet of the patronage receives many boys who, though formally committed, are released on probation without ever entering the reformatory.

In the audience and among the parents of the children appear the too familiar signs of poverty, physical stigmata, alcoholism and feebleness of will. Too familiar, also, the pitiful showing made by these parents in response to the judge's questioning:

"What do you think of your son, Mme. X?"

"Oh, M. le President, he's a good boy."

"Ah, very likely; but what do you say about his stealing, etc.?"

"Oh, oh, mon dieu, I don't know what to think. Ah, M. le President, how should I know?" etc.

Very human and less inconsequential was a letter submitted in a case last week, a letter from a father to his 15-year-old boy in detention for stealing.

"Dear Son: In spite of all that your mother and I have been able to say to you you have preferred to follow the advice of your comrades. Now, today, finding yourself in prison you seem to remember that you have father, mother, brothers and sisters!"

"If you had only stayed at work you would not be where you are. But you preferred to follow the advice of your chums; now you see where it has led you," etc.

The same old story, idle companions, "easily led," the idle brain and the devil. This particular boy was turned over to the patronage.

On the whole, then, the children's court here remains a police court with all the lack of dignity and ventilation which unfortunately that name implies. It remains a court in spirit as well as in form. Both M. M. Julhiet and Klein have seized the idea that the court must be rather clinic than tribunal, the judge more doctor than magistrate, the probation officer more friend than inspector or spy. It is to be hoped that their intelligent enthusiasm may prevail. And in spite of the Roman tradition, the paralyzing conservatism of a regime of functionaries, the technical objections of certain members of the law school, the idea is fast gaining ground. Several excellent articles have appeared recently in the newspapers and reviews, which, together with the books of M. M. Julhiet and Klein and the "Patronage de l'Enfant," conducted by M. Rollet, should go far toward the campaign of education which is the necessary preliminary to any effective reform.

Juvenile Prisons.

Closely associated with the children's court and suggested by the letter cited above, is Le Prison de la Roquette or Prison pour les Jeunes Detenues, in which are detained the 300 odd boys from 6 to 21 years old, awaiting trial, awaiting sentence, or after sentence awaiting transfer to prison, reformatory or private institution. Here, too, are brought the little "pick-ups" from the street, the "lost and founds." Here also, and unfortunately, are received the boys committed at the request of their parents (a practice which has suffered untold abuses). A gloomy, hope-killing sort of place, this La Roquette. High stone walls, great concrete towers, guards with guns and bayonets, iron bars, cells and all the miserable list of penal machinery. The superintendent is efficient, kindly, alive to the defects and the needs of his institution, but almost despairing of improvements in the face of so many obstacles. For years a plan has been afoot for the demo-

lition of La Roquette and the building of a modern institution, but so far lack of money, a slow-going bureaucracy, and the opposition of various districts of Paris to the setting down of a prison in their midst, have effectively prevented. M. Blond, the superintendent, related an example of how difficult it is to introduce even the slightest change in a regime hallowed (or hardened) by tradition. The morning of my visit he had ordered a small increase in the rations of the older boys whom he believed insufficiently nourished. Immediate and indignant protests from the functionaries. "Change, change the rations? My dear sir, they have remained the same for a hundred years. How absurd to change!" But the change was effected just the same.

A pleasant officer showed me over the great

(Concluded on Page 574.)

Announcement

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Here's to the Dollar!

Now, here's to the Dollar, the Almighty Dollar,

The Dollar we worship today!

For they were but clod who worshipped a God

They could not receive as their god.

But we, who are wiser, an altar have built,

A very neat altar all covered with gilt,

And haply our god will attend, if he wilt,

As there to the Dollar we pray.

"Oh, Almighty Dollar," we whisper it low,

"On thee we depend for thy grace,

For they were but fools, in the long, long ago,

Who strove for the good of their race;

For Freedom's a phantom, and Justice a name,

And 'business is business' the rule of the game,

And to interfere with it a sin and a shame,

So we worship the light of thy face.

"Our foolish old grandires, Great Dollar, were

daft

As they struggled for God and for right,

And we, who are wiser, full often have laughed

As history pictured the sight.

So down on our marrowbones, here in the

mire,

We're chanting thy praises, nor ever will tire;

If Justice hurts Business, why, let her expire,

While we in God Dollar delight."

Thoughtful Man on Crocker's Candidacy.

"The Businessmen's Committee," the Thoughtful Man remarked, "was organized to rectify loathsome local conditions which are sufficiently indicated in the golden motto,

"I'll with justice when it interferes with Business."

William Crocker is its candidate for

mayor, and a candidate must respond to a loud

and unanimous call. Such a call Mr. Crocker

received—loud from the committee and unanimous

from Mr. Crocker, which, you will ob-

serve, complies with the conditions. I remem-

ber so well when we selected him after much

consideration, it being admitted that he would

be less suspected than some of the rest of us.

"Mr. Crocker's views on matters of public

interest are pronounced, but this may be over-

looked in a candidate who has received a loud

and unanimous call. Says I to him in the

course of an interview which accounts for this

cold that you may have noticed: 'Mr. Crocker,

what is your view of the United Railroads' monopoly of lower Market street?"

"A look of conscious pride came into the

statesman's eye as he responded: 'I refuse to

entertain a view on this hackneyed subject. It

is a question of law for the courts, and my sup-

porters feel that we can trust the courts."

"What a statesmanlike answer! And how

much better it would be for all of us if we

should decline to hold views until the courts

had told us what they should be! It would

save so much useless mental wear and tear.

"Mr. Crocker," said I, while my heart

swelled with pride for him, "What do you

think of the Hetch-Hetchy project?"

"I don't," he replied. "I refuse to be cajoled

into doing so. Let plebeian minds grapple

with such problems; on my white height of

intellectual supremacy I decline to consider

them."

"Again that thrill of pride on my part. If

he had not been a statesman he might have

mixed himself up with a topic concerning

which the heathen proletariat imagine a vain

thing. Of course we need water, but I under-

stand that the price of beer is descending.

"What about gas rates?" I continued, draw-

ing my overcoat closer about me.

"On that important subject," the statesman

replied, "I am proud to say that I have no

opinion. Gas rates may be too high, or they

may be too low, but let us not interfere with

business."

"Ah, such devotion to the public! How it

wrings the heartstrings!"

"What is your opinion of the resubmission

of the Geary-street bond proposition?" I asked.

"In response to that question," the states-

man replied, "let me say that I am in favor of

a salt-water auxiliary system."

"This response might not please everybody,

but it is satisfactory to the committee and me.

"What is your attitude toward the graft

prosecution?" I inquired.

"S-s-sh!" said the statesman.

"So, realizing that a hen might be on, I

s-s-sh!"

"So should I," said I.

The Opinions of Refus.

Let's license the use of gunpowder on the

Fourth. Course, it may destroy a few boys,

but our experience with saloons or to teach

us how to make money out o' that kind of

business.

As I understand it, a clean conscience is

something all of us talk about an' none of us

reely carry.

If you wouldn't paint the lily, why should

you set a creed round the Golden Rule?

The poet said man's inhumanity to man

makes countless thousands mourn, but he

never found no words to express his idee of

woman's attitude toward woman.

A peach basket on the head is worth several

hundred in the free market.

Don't b'lieve it was necessary for the

serpent to enter the Garden of Eden, Judgin' by

what I've seen of human nacher, es long es

they was a man an' a woman there the same

and would have been reached without his

troublin' 'bout it.

I understand that the man that wrote, "The

longest way round is the shortest way home,"

did it after readin' a lawyer's pleadin'.

The Woman and Her Child.

Down in Ventura county, recently, there

was a considerable popular excitement because

a woman, from whom her husband had

secured a divorce, kidnapped her child. I know

nothing about the circumstances preceding the

event, and consequently do not venture to

comment on the case, but, speaking in a

broader general way, I may say that my

sympathy in such instances usually is with the

woman.

The mother is the one who pays the price

of parenthood, and it is a price written in pain

and agony, while all that we men have to do

is to stand around, feel useless and try to look

gullible. The new-born babe is a part of her

very existence; to the average man it is but an

interesting sideshow to the great circus of his

life. In the anguished hour of its birth the in-

fant turns to its mother for the direct possibi-

lity of continuing its existence, and through her

alone does it live. Through all its earlier

years it is the mother who guides its tottering

footsteps and gives to it those thousand and

an attentions without which each day were its

last.

Whatever man's laws, then, may dictate, it

Dan's Nature herself who gives to the

mother the first right to the child. Of course,

this right may be lost by waywardness, but

what I am contending is that the proof of such

waywardness should be clear and explicit be-

fore the woman's God-given right is taken

from her, and I think that the law—made by

men, and not by women—often fall short in

demanding this proof. When they do—well, I

blame no woman then for engineering a kid-

napping party. Is it not first of all her child?

With the sweat of bitter agony upon her brow,

did she not pay the price of it? Sometimes,

for its own sake, the child should be given to

the father, but not until it is clearly shown that

she has thrown away the divine rights of her

womanhood.

The Potent Reason.

We would save our darling Willie

And the other little boys

From the Fourth and all its dangers—

For we quite dislike the noise.

I Abhor These Things, But—

I much abhor the ones who hold

Their money in too tight a grip.

Who, bowing at their shrine of gold,

Let every chance for blessing slip;

I loathe the narrow way they tread

While grasping tinsel as a prize,

By craven greed forever led—

Ah, yes, such folk I much despise.

Still, I suppose I owe it to the public to mention that I am not that kind of a man, that I would use money only to bless my needy fellow-mortals, and hence, if anybody feels like donating a large sum of money to me for the benefit of humanity, I—that is—well, pass it along.

How can I speak the shame I feel

When some bad brother tells a lie,

How blushes to my face will steal?

At thought of sin he can't deny?

To tell a lie! Oh, crying out,

To thus give Truth the icy mild!

Such deed must cause my grief and dole,

And much I am condemning it.

Yes, I am condemning it, and yet when one pauses to reflect—well, suppose you get home at 3 a. m. and She asks you what you have been doing, or suppose the parson requests information why you were not at church last Sunday, or—say, I am not mentioning what I do under these circumstances, but still I am condemning it.

The gossip's is a sorry trade,

To pick a flaw in deeds of men,

To drag to light the things of shade

And make them live in shame again.

I spur my pen to here denounce

The scandal-monger and his crew;

I loathe him much on all accounts,

And so, I feel no doubt, do you.

Yes, you do; both of us do, but don't you recall that little talk about Brown that we engaged in the other night? And the one about Mrs. ———— you know whom I mean. Ah, thank you, thank you; a most excellent suggestion: It was casual comment, not gossip. Knowledge of this fact relieves me, as undoubtedly it relieves you, for we are entirely harmonious in condemning gossip. It's a shame, isn't it?

Mr. Tarlton Arrived.

The Associated Press has been adversely criticized so much of late that I am pleased to be able to toss a deserved bouquet in its direction. Under recent date, the following dispatch was sent from Naivasha, British East Africa:

"Leslie A. Tarlton, of Nairobi, who accompanied the Roosevelt expedition to the Sotik country, arrived here last night. He was chased into the town by five lions."

How simply told, yet how graphic! And

how manfully true! "Mr. Tarlton arrived."

Yes, he arrived; there is not a doubt of it.

The account does not say that he was glad

to meet his friends, but probably he was. Any-

way, some men would have been glad under

the circumstances. Nor does the simple little

narrative say that he did not linger upon his

way, but I doubt that he did, for it is probable

that he remembered that he had an engage-

ment in Naivasha. As an example of clarity,

perspicuity and that avoidance of unnecessary

detail which raises the hair without entering

into particulars, this little dispatch is recom-

mended to the thoughtful reader. "Mr. Tar-

lton arrived." Well, I fancy that he did.

Prima Facie Evidence.

"Is he an intelligent man?"

"Well, I judge so. They refused to accept

him on a jury the other day."

A Double Conversion.

Hiram K. Pottles an 'Bijah G. Blee, Though they were neighbors, could never agree.

Says Hiram: "These battles is seed of death, Fer war it is hell, es the scripcher saith."
"The scripcher don't say it," says 'Bijah then,
"I was writ by Shakespeare is known to men."
"I don't give a dern," says Hiram, says he,
"Es long es the 'thorities all agree.
That war is a burden to yex a saint."
Says 'Bijah G. Blee, "I say that it ain't."

"I'm a man of peace," says Hiram, says he,
"But the views you hold is repulsive to me,
When you claim that fightin' is righteous, alas!"

"I do," says 'Bijah, "you peace-lovin' ass!"
"Well, speakin' of peace," says Hiram—he

An' the ground it was covered with fragments an' clothes
Pertainin' to 'Bijah. "Let up," was his prayer.

"I'm a strict peace-believer; I am, on the square."
Says Hiram (I claim that his language was girant).

"Well, come to think of it, by jingo, I ain't."

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UP AND DOWN THE STATE.

The following facts relating to California schools are condensed from the report of Edward Hyatt, state superintendent of public instruction: The total number of school children—between the ages of five and seventeen inclusive—is 469,431; and 352,935, an increase of 10,411 in one year, are attending public schools. Attending private schools are 33,367. It should be remembered that these figures include children of five years, who, in most instances, are considered too young to attend school. Of the children attending school 3,738 are Mongolians, 3,443 Indians, and 2,931 negroes.

Dr. C. L. Browning, of Chico, suggests that the automobile owners of the Sacramento valley join their machines in a grand automobile procession to San Francisco during the Portola festival, and it is believed that the suggestion will be carried into effect.

Oil has been struck in a new well at Lonoak in such quantity that it is feared the flow will not permit the well to be cemented.

The assessor's valuation of property in the Imperial valley, a desert until water was turned upon it but a few years ago, now is more than nine million dollars.

From twenty acres of land, near Hanford, Chester Bloyd already this season has cut 137½ tons of alfalfa, for which he received \$7 per ton in the stack, or \$962.50. Three more cuttings will be taken from the land this season, and its total returns to him will be no less than \$75 an acre.

In Laytonville, Mendocino county, the other day, Jonathan G. Wilson died, and his wife, who had been his companion fifty-six years, saying that she did not wish to live without him, passed away the next morning. The aged couple were buried side by side.

An ordinance which has just gone into effect in Marysville illegalizes all varieties of gambling except—a notable exception—that with slot machines paying in merchandise.

Next Monday the people of the various precincts of Siskiyou county are to vote for or against the licensing of saloons.

The Byron Times has begun the fourth year of its existence, and appears to be a vigorous, growing and quite exemplary infant.

A citizen of San Andreas, who has attained the age of eighty-four years, has brought an action for divorce against his wife, somewhat his junior. They are parents of adult children.

Work on the grading of the extension of the Visalia electric railroad to the Woodlake orange district is under way.

AVIATION.

July 1—Machine in splendid shape. Will fly to-morrow.

July 2—Didn't fly to-day. Heat of the sun expanded a crank journal. Had to pack it in ice.

July 3—Devoted to repairs, putting in new motor, etc.

July 4—Celebrated to-day. Afraid to fly anyhow. Stray roman candle might have exploded gasoline tank.

July 5—Hard luck. Just ready to start when a rabbit chased by a dog ran against the port skid, bending it. Have sent for duplicate.

July 6—Would have started, but wind blew too fiercely, reaching eight miles an hour.

July 7—Couldn't start, owing to dead calm. Needed a little breeze for initial uplift.

July 9—No trip yet. Fog too dense. Can't run risk of collision with anybody's fence.

July 10—No fine night, almost leaving the ground. Was pulled down by cloverroots getting tangled in steering gear.

July 11—Started again, but machine wouldn't keep balance. Discovered that I had neglected to part my hair in the middle. Machine fell nine inches and crumpled up.

July 15—Been repairing. Machine in splendid shape. Will fly to-morrow.

—Philadelphia Public Ledger.

**Have you heard the Victrola?**

The Victor without a horn! It looks like a music cabinet—it plays and sings like the artists themselves without rasp, or mechanical noise. Now being installed in all the best homes in America, in the choicest suites of the finest hotels, aboard the ocean yachts, and also in the palaces of nobility throughout all Europe.
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POLITICAL TABLE TALK

By THE WATCHMAN.

How Big Is Charlie Curry, Pa. That Politicians Call Him Great?

How strong is Secretary Curry as a candidate for Governor?

This is usually the first of several questions suggested by the recently announced candidacy which politicians fall to discussing when they meet, and the consensus of opinion is that his popular strength is great. It is said that he knows everybody and has conciliated everybody so far as he could; that he has practiced politics fifteen years with a view to doing just what he is doing now, and after he has many miles of pipe laid with shrewd judgment and thousands of invisible wires lifted not only to every city ward and country voting precinct, but also to every remote lumber camp and mine where men are employed. There is no doubt that Curry is a master of that kind of politics which exploits the personal pull; there are probably more persons in California who are ready to apply the term "a good fellow" to "Charlie" Curry than any other man.

Of California Politics Curry the Svengali

He possesses a remarkable faculty for making different classes of

people feel that he is one of them, and how he does it, except through a hypnotic glance of his dark eyes and a rather oily smile, is a mystery. He lacks the rollicking jollity, the abandon, the impulsiveness of the ordinary good fellow. He possesses more hypnotism than magnetism. He fascinates without warning—at least, such is the effect upon some whom he meets; there are even those who say that when they take his proffered hand and look into his glittering eyes they feel as though handling snakes. And yet the general result is as before stated, and personally Curry is the state's strongest politician.

Strong With Small Fry And Labor Union Politics

His friends expect him to prove especially strong with two classes of people, the smaller politicians and the union labor voters. The term smaller politicians is used advisedly, because the real managers and organizers among the professionals wait until they receive the tip from high authority that a self-declared candidate is the one to be supported before they take their coats off in his cause. The petty local politicians who may be swayed by sentiment are expected to wax enthusiastic out of a belief that Curry is essentially one of themselves. As for the labor union people, it is suspected that he is chiefly strong with the politicians among them, although there is no sentiment against him among the others, and many of them are just the sort of persons with whom the personal pull would be effective.

What Will Herrin Do About Curry's Candidacy?

It is easy to foresee even now that just how formidable the Secretary of State will be as a candidate at a direct primary for the Republican nomination for Governor will depend on whether the organization takes him up, orders the managers to endorse him, and turns over to him the full power of the machine. There are already some shrewd ones who think that Mr. Herrin will be forced to do this and that the reason why Curry got into the field so early was that he desired to demonstrate his personal strength and prove to the organization that it must back him if it wants to win, as of course it always does. It will back the winning man if it has the sagacity to pick him, even at the humiliation of not being able to control him in office, a misfortune that has overtaken Mr. Herrin only once since he assumed to dominate California politics in the interests of the Harriman dynasty. That once was while Geo. C. Pardee was governor of California. The "organization" ostensibly supported him, whether or not it threw its influence to the other man, and lost out on him.

Is Gillett Holding the Crowd While Curry Fixes Fences?

There are many reasons why the Harriman dynasty should wish to give the people of California their fill of the direct primary at the start and, to do this, it would be hard to find a fitter man than Charles Curry. He can poll a good many votes and, if elected, he would give the state an administration that would give good citizenship the horrors for forty years. It would be a spoilsman's administration from start to finish and every office would be filled by a politician. The only way to convince the public that corporation government is preferable to free government and yet corporation interests would be preserved from harm, because Curry is a corporation man. Nor did he break into the contest with any risk of incurring the hostility of Gillett and his friends. He is too shrewd of a politician for that, and the inference is not unwarranted that an understanding all around exists. Gillett's declining to declare himself will naturally tend to restrain other candidates from entering the lists, and so give Curry an unhindered opportunity to fix his fences undisturbed. If the state should rise in revolt Curry will doubtless be dropped by the "organization," but that he is being purposely given an opportunity to try the matter out, under the watchful eye of the "organization," few cognizant with the game as it is played in California will be inclined to doubt. In fine, little short of a general revolt will save California from an administration which, by comparison, will make that of Henry T. Gage look like a great moral wave.

A Strike With Background

Shall the compositor in a newspaper office be allowed to fasten an engraving to its supporting block when he makes up a page, or the paper, or must he call in a member of the engravers' union to do it? That sounds like a simple question, to be fought out by the engravers' union and the newspaper owners; in short, that it should involve three or four dozen men, at the most. But if an explanation of the ramifications of this simple episode, that has reached the office of The California Weekly, is true, it is likely to involve the outcome of the approaching municipal election in San Francisco.

What the Strike Is About

The newspaper engravers of San Francisco have this grievance, and they have called a strike, that has been in progress for several weeks, to support their contention that the compositors have no right to tack a cut onto a block, an operation taking only a moment's work, and wholly unimportant to anyone. The Call is the paper against which they have had this grievance longest, but the strike was declared in all the offices, and the executive committee of the Allied Printing Trades backed up the strike by ordering a boycott of the Examiner, which had as much to do with the original cause of the strike as the Call, or as the Chronicle which discharged all its engravers at the first sign of trouble. At a meeting of the San Francisco Labor Council, to be held to-night, the executive committee of the Allied Printing Trades will endeavor to have the Labor Council order a boycott, by all union laborers, against the San Francisco Examiner. This action will be contested by the conservative Typographical Union, whose president, George A. Tracy, recently issued a statement declaring the action of the executive committee illegal because the delegates had not been instructed by their several unions before ordering the boycott.

So much for the situation. Informant alleges that the origin of this situation is two-fold: the political ambition of P. H. McCarthy, and the open-shop ambitions of the Citizens' Alliance. Mc-

Carthy ordered all his union labor followers to register as Republicans. It will be noticed that the Republican registration this year is 70 per cent of all the registration. It will be noticed, too, that the Union Labor registration is away below that of two years ago. Now certain questions become pertinent: Is it not true that P. H. McCarthy declared his allegiance to William Crocker's candidacy early in the campaign?

Is it not true that Michael Casey has repeatedly, in public, declared that he and McCarthy have "buried the hatchet"?

Is it not true that Casey developed an ambition to be the Union Labor candidate for mayor as soon as McCarthy announced himself for Crocker?

Did McCarthy then, after consultation with Crocker's organization Republican friends, suddenly return to the Union Labor camp, announce his candidacy for mayor, and hurry through his nomination by the county committee of the Union Labor party?

Does McCarthy know that a strike during a political campaign tends to solidify the Union Labor vote?

Is It a War for The Open Shop?

Further questions, to help solve the mystery of the open-shop side of the matter, are here propounded:

Are the members of the Citizens' Committee, otherwise the "Business Men's Committee" (Hellmann, Jr., De Young, et al.) friends of Patrick Calhoun?

Are they also members of the Citizens' Alliance?

Does Calhoun own the Evening Globe (and Post, consolidated)?

Is Fred Hogue, manager of the Globe, the Fred Hogue who wrote Harrison Grey Otis's anti-union labor articles for years in the Los Angeles Times?

Is Fred Hogue's real name Fred Hamell? Did Fred Hamell's father-in-law, while a member of the typographical union in Los Angeles, supply Fred Hogue with the facts about the unions to be used in fighting the unions in the Times?

Has Fred Hogue carried to Patrick Calhoun a promise from Otis that, if the Globe is declared to be an open-shop paper, Otis will come here and manage the Globe for Calhoun in a big fight for the open-shop in all the trades in San Francisco?

Would such a fight serve to solidify the "business men" of San Francisco to support Calhoun, not only in the fight for the open-shop, but in other ways?

Would Calhoun be glad if the engravers' strike resulted in a boycott of all the papers in San Francisco, and would he declare the Globe an open-shop paper on the plea that it

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inspiration
of
social
amenities.

Under the management of
JAMES WOODS

was harassed unjustly, since it does not use any engravings and consequently employs no engravers.

A Three-Cornered Shrivelfight The Business Men have completed their nominations except for supervisory candidates. Partly in the hope of splitting the vote of the Municipal League of Independent Republican Clubs, they have named some candidates from those clubs' list, notably John E. McDougald, incumbent for treasurer, and John J. Greif for county clerk. In one equally notable instance they have named a different candidate—for sheriff. Here a pretty fight threatened to disrupt the Business Men. M. H. de Young made a bitter fight for John J. Deane, who was finally nominated. Deane's opponent was Fred Eggers, who has been laying his wires for years to get this office. Eggers is bitterly disappointed, and will continue his fight at the primaries. This division of the machine vote promises to help the candidacy of E. J. Callan, who is backed by the Municipal League. Callan is a member of the assembly, and in the last session made an admirable record by standing right on all measures for the public interest, and an exceptionally admirable record by being one of the very few Republicans who stood out to the end against the re-election of Senator Perkins. Mr. Callan has an inside claim upon the suffrages of reputable men who stand for right things.

Will Leland Withdraw? McNab regulars, though without any formal list of candidates, will support Fickert for district attorney. They are said to have received the tip also that Leland is the acceptable majority candidate, but it is rumored that the inquest over the remains of the late Mrs. de la Montanya has been so unsatisfactory to the public,

which expected that the case would be more thoroughly sifted than it was, that Leland will possibly see to it that his candidacy does not come before the people at all prominently. There is a feeling abroad that the true version of that unfortunate woman's untimely taking off has not yet been told and that it is a good deal the coroner's fault that it hasn't.

A Promise Looks Different After They Get the Money The voters of Los Angeles are always progressive when questions of public improvement are in issue, authorized a bond issue of \$3,500,000 to construct good roads, and one of the strong inducements which led to this decision was the promise of the County Board of Supervisors, which has the expenditure of the money, that it would be guided by the counsel of an advisory committee made up of leading citizens. Now the supervisors have the bond money, and they have no further need for the advisory committee. At least, such is the substance of the complaint made by the committee, which has addressed a communication to the civic bodies of Los Angeles, in which it is asserted that the supervisors have failed to advise as they promised. Substantially the same thing happened in Sacramento county, and it might be expected to happen in any county in which the Board of Supervisors is made up of politicians, for according to the politicians' view, is not the proper object of public expenditures politics?

Relieve Governor and Politicians, That Late Give the People a Chance An internal disturbance of the Republican county committee of Orange county serves to direct attention to one of the minor evils of local government in this state. A county supervisor resigned, and immediately the politicians became involved in a fight over the question whom the governor should appoint to succeed him. No small part of the troubles of a governor of California arises out of the necessity of filling occasional vacancies in fifty-seven boards of county supervisors. It is an absurd thing to impose on a governor the duty of making these local appointments; but it is worse than absurd for it leads to bad results. The governor knows nothing about the village issues involved and almost always turns the selection over to the county committee of his party, which proceeds to do petty politics with it. When an office so important to the locality, and of so little importance outside of it, as a county supervisorship, is to be filled, a district election should be called and the governor relieved of a nasty little job.

THE GRAFT CASES.

In the ninth day of the Calhoun trial not one possible juror had been secured to break the vacancy in the jury box. A close approximation to one thousand talesmen had passed in long procession through the courtroom, but as there was not one who had not heard about, read about, or discussed, the bribery charges against Patrick Calhoun, none was found available. Some of these prospective jurors asserted that they held no opinion which evidence would not change; the opinions of others varied from that of Alfred Lilienfeld, the clothing merchant, which he avowed "God Almighty himself could not change," to those which were only less extreme on the other side; but, whether they held one opinion, another, or apparently none at all, they were passed on and out.

Tommy: Pop, what is the difference between vision and sight? Tommy's pop: Well, my son, you can flatter a girl by calling her a vision, but don't call her a sight.—Philadelphia Record.

Mother: "Since our Willie has got into long trousers he is beginning to think he knows more than we do." Father: "Well, if he remembers the answers to all the questions he has asked he knows at least as much as we do."—Chicago News.

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HYDRO-ELECTRIC POWER IN CALIFORNIA

I. THE SURPRISING MAGNITUDE OF ITS DEVELOPMENT.

By E. FRENCH STROTHER.

When a man has burned a barrel of crude oil in an engine for the purpose of generating power with which to pump irrigating water out of the ground, he goes and buys another barrel of oil if he wants any more power. The barrel he has used up is gone forever from the resources of power development. Likewise, a ton of coal, once burned in a steam engine, has served man once and for all, and its usefulness must then be subtracted from the total of man's resources for power.

A Perpetual Source of Power.

But so long as the mountains stand and so long as clouds form and rains fall and rivers descend, an electric generator, properly hooked up to a water wheel under a good pressure of falling water, will generate electric power.

Oil and coal, the scientists tell us, will ultimately all be used up by the increasing demands of our industrial life for fuel for power. Then, so far as we can see now, we must fall back upon such perpetual sources of power as the hydraulic generation of electricity.

California is singularly blessed with the natural equipment for this latter form of power generation. The steep slope of the Sierra Nevada and the immense storage of water at the top of the range in the form of snow, have provided extraordinary facilities for natural power sites. Where the forest cover of the range is not sufficient to retain the moisture so that there is an equable flow of water in the mountain streams the year round, nature has provided narrow glacier-worn canyons that make admirable dam-sites for storing reservoirs from which the water may be drawn at will.

But California has not waited for the exhaustion of her fuel oil before developing her power possibilities. The development that has already taken place is stupendous, as the following paragraph will show; and they are, we believe, far beyond the idea that the average man has of their scope and importance.

Huge Investment in Water Power.

Nearly half a billion dollars in outstanding stock, and more than 125 million dollars in outstanding bonds, are invested in the generation of electric power in California; and of all this power, more than three-fourths is generated by falling water in the mountains.

The significance of these huge sums of money may be better grasped by the following comparison: The money invested in the bonds alone of California electric enterprises exceeds, by two million dollars, the entire gross transportation revenues of the Southern Pacific Company for carrying 41 million passengers and 22 million tons of freight during the year ended June 30, 1908.

Blanchfield's "Western Electric and Gas Directory" estimates that 465,965 horsepower is the rated capacity of the hydro-electric plants now in operation in California. To maintain this capacity in steam plants generating electricity would require the burning of 3,500,000 tons of coal per year.

California Towns That Use the Power.

Electricity generated by water power lights Los Angeles and most of the other cities and towns of Southern California, and runs the larger share of the street cars in Los Angeles and over the great interurban trolley system around it. Electricity generated by water power lights Bakersfield, Visalia, Fresno, Tulare, Hanford, Madera, Merced, Modesto, Mariposa, Stockton, Sacramento, Redding, Red Bluff, Ukiah, Oakland, Berkeley, San Jose, Alameda, Chico, Marysville, Colusa and other cities and towns. Electric power generated by water runs the machinery of shops and factories in most of the larger cities of the state. Electric power generated by water is the motive power of part of all the street railways of Bakersfield, Fresno, Stockton, Sacramento, Oakland, Berkeley and San Jose.

We believe that these statements will surprise the average man, who has seen the use of electricity increase in his own neighborhood without realizing that what he has seen is only part of a far-reaching economic development by which, already, the control of a majority of the best power sites in the Sierra Nevada has come into the hands of about a score of corporations, and that four or five of these practically control the electrical business of the entire state. Nor does he realize what a government expert stated four years ago, that "it is believed that 75 per cent. of the commercially feasible power opportunities of northern and central California have been alienated from public ownership."

To grasp the importance of these facts, consider that California has no natural resources of fuel with which to develop power except petroleum, and that the limits of production of that fuel, though undetermined and perhaps remote, are yet certain to be reached. When they are reached, and when nothing is left of our coal and exposure of our oil, the miners and the transportation companies of the state will be at the mercy of the hydro-electric power companies.

Companies That Control Power Business.

At present "the great bulk of the power opportunities of the state are controlled by the following companies: California Gas and Electric Corporation, Western Power Company, Northern California Power Company, Edison Electric Company, and Pacific Light and Power Company," and the Mt. Whitney Power Company.

The Edison Electric Company and the Pacific Light and Power Company control practically the entire electric power, electric lighting and electric railway business of all California south of Fresno, together with most of the feasible power sites in the Sierra Nevada from Madera county to Tehachapi.

The Pacific Gas and Electric Company (which includes the California Gas and Electric Corporation) controls the electric market of all central California, from Fresno to Chico, including San Francisco, Oakland, Berkeley, Alameda, San Jose, Stockton and Sacramento, together with probably a major share of the available power sites from Tuolumne county to Butte county.

The Northern California Power Company controls most of the valuable power sites in the Mt. Shasta region; supplies most of the interior towns and mines north of Chico with power, and sells power to the Pacific Gas and Electric Company.

The Western Power Company is generally considered to be a part of the equipment of the new Western Pacific transcontinental railroad, as its power stations are near the line of that road and its transmission lines lead to Oakland, making feasible the electrification of the route from the summit to the bay. The company is building a hydro-electric plant, on the Feather river near Oroville, capable of generating 165,000 electrical horsepower, with a transmission line about 300 miles long to San Francisco.

The Smaller Companies.

In addition to these larger companies, nineteen smaller corporations, each generating, at least, 100 horsepower or more, serve smaller local territories with power for lighting purposes, factory use, or for mines. Some of these smaller companies, though having a separate legal existence, are controlled by one of the larger corporations. Besides all these, there are twenty-one still smaller plants, generating from sixty horsepower to more than 1000 horsepower apiece, and supplying the local needs of small towns, mines and industrial plants.

These companies represent the entire development of the hydro-electric power industry in California; but, in addition, they control scores of valuable power sites in the Sierra that are held undeveloped pending an increased

demand for power and pending further the final settlement of a controversy between the government and the promoters regarding the charges the government shall exact for power developed on land under the supervision of the Forest Service. Many corporations and individuals not included in the list of operating concerns hold such power sites by virtue of filings under the state law, and many of these are held purely for their speculative value and with no regard for public benefit in the manner or time of their development. These speculative holdings, together with the facts in the controversy with the Forest Service, will be discussed in a later article in this series.

Power Possibilities Mostly Taken Up.

The extent to which the power possibilities of the state have been taken up is indicated by the statement of government engineers that the Tuolumne River is the only stream draining the west slope of the Sierra Nevada that is not controlled by the electric power companies, and that the California Gas and Electric Company is trying to get this. The streams of the Coast Range are relatively unimportant, but they, too, are nearly all tied upon for power purposes. And the Forest Service alone, which has jurisdiction only over the lands within the national forests, is receiving on an average one application a day for permission to use such lands for power sites.

In concluding this introductory article it is pertinent to point out a few facts that will help to throw light upon the activities and the problems of this great development as described in the articles to follow.

Tendencies Toward a Power Monopoly.

First, the use of a natural water-fall, or of an artificial water-fall fed from an artificial reservoir, for the development of electric power, is "a monopoly of the extreme type." The number of such sites absolutely limited by the natural formation of the mountains, by the number of streams, and by the total amount of descending water on the entire watershed. Only one company can use one site. Thus the total number of companies which can enjoy the privilege of making profits out of the sale of electricity generated by water power is definitely limited by nature. This natural monopoly tends to suggest to the power companies the advantages of completing the monopoly by consolidating the several companies so as to avoid competition, thus supplementing the monopoly of power possibilities by a monopoly of markets. This tendency toward consolidation is readily discerned in the organization of the larger companies that will be described later.

State Laws Permit Grabbing.

Another noteworthy fact is that the state laws regarding the diversion of water from streams for power purposes have made it possible for speculators to hold the rights to power sites, undeveloped, in some cases for years in advance of any possibility of profitable use, and in other cases years after the public should have been deriving the benefit of their development which the speculators will not permit until they get a speculative price for their holdings. The forest service, in line with the new national policy of conservation, is now preventing this kind of business within the national forests, but these reserves are only a part of the entire watershed.

One of the great services to California that is now being rendered by the Forest Service is its work to prevent these great natural monopolies becoming perpetual monopolies, and its work to force the control of power sites out of the hands of speculators and into the hands of solid investors, who will develop their sites as soon as they get the right to do so and who will relinquish them after they have enjoyed their profits for the reasonable time of fifty years.

LETTERS FROM THE PEOPLE.

262 Kingsley avenue,

Palo Alto, Cal.

Editor of The California Weekly.

I have been a reader of the Weekly ever since its inception and want to take occasion to register my appreciation of its work and the things it stands for.

It is very reassuring to those of us who have the welfare of our state and nation at heart, but who must move in the ranks of the less influential, that over against the powerful influence of the god of dollars in our land there stand a few such papers as the Weekly calling for higher ideals and pointing out "The Deeper Significance of Living."

We as a people, have forgotten very much of what we once clung to, and clung to to our greater welfare. We have let go of our love of truth, fair play and honesty to grab the power of dollars. And we have reaped and are reaping the rewards, for every one must take the pay of his master. Men have accepted lying, cheating, coercion, vicious and unfair advantage as a part of the standard of business. They have banished brotherhood from their thoughts, bought the law to serve their standards in city, county, town, state and union. They have stolen the public domain and pilched from the treasury. Courts, juries, officers high and low, have used their positions

and reputations for the tainted gain. Men are gambling, lying, swindling, embezzling, perjurying themselves and even resorting to violence for the profits in the service of this, their god.

What sick and sorry rewards to be standing in the forefront of a great nation's activities! For we cannot lay them at the doors of the underworld; they are a conspicuous part of our national character. There truly is a deeper significance to living, a destiny which we are trying to scorn but which, in the nature of things, we cannot. Men cannot gather figs of thistles. We must take the pay of our masters.

It is high time that we as a people were finding more worthy masters, such masters as do not rob us of our honor, self respect and mutual helpfulness. I wish the Weekly God-speed in its work.

Yours very truly,

FRED WHITNEY

The allegations contained in the foregoing are all true, have always been true, and always will be true until millenium comes. We can only fight against them, fighting with odds against us, yet fighting without bitterness and keeping up the fight without despair. God is in his world and knows what he is up to if we don't. When we have done what we can we can wash our hands of the rest and lie down to pleasant dreams. Let us beware how we take ourselves, or others, too seriously. It is a long way from cannibalism even to Herminism, and, thank God, we have come that far, anyhow.

Make Them Unprofitable.

Editor The California Weekly:

President Jordan need not to have pointed across the Atlantic to indicate a decadent nation.

What judgment would an intelligent foreigner form of us, upon seeing our daily newspapers filled with pictures of prize fights and fighters, race horses and gamblers that maintain them?

This might raise doubts in his mind but when he came to view the Sunday editions, called comic, would he not say that universities, colleges, and high schools, are wasting their efforts on such a people?

The silly, disgusting colored illustrations do more injury among the little folks than all the good teachings in the Sunday schools do. I watch for the arrival of my copy of The California Weekly and eagerly peruse it, approve its conduct. Always interested in that column, "The Deeper Significance of Living."

Will not you suggest a method to arouse an agitation against the so-called comic press?

The mass of our people don't want this vulgar trash to come before their children. How can we stop it?

H

There is little doubt that the comic supplement was the greatest stroke of business the Hearst papers ever scored and the greatness of it consisted in doing quite the most attractive thing in that line that has ever been done. There is nothing inherently wrong in a comic supplement. The wrong comes in making the stories the pictures tell cruel rather than funny and this is done because talent has not been equal to making those pictures humorous without making them cruel and repulsive to the finer sense. There is nothing to be done about it except to withdraw patronage from papers that use them. The fad will wear itself out in time and is getting pretty threadbare already.

"I'm afraid," said the dear girl with a large, open-faced sigh, "that George doesn't love me as much now as he did before we were engaged." "Why do you think that?" queried her mother. "Because," explained the d. g., "he no longer comes back for another kiss after saying 'good-night' for the last time."—Chicago News.

NOTICE OF STOCKHOLDERS' MEETING.

Notice is hereby given that pursuant to a resolution and order of the Board of Directors a meeting of the stockholders of the **MARTINEZ WINERY** is hereby called to be held at its principal place of business, viz.: No. 180 Townsend St., in the City and County of San Francisco, State of California, in the Directors' room in said building, which is the building where said Board of Directors usually meet, on Wednesday, the 15th day of September, 1909, at 2 o'clock P. M.; that the object of said meeting is to enable said stockholders to then and there vote upon a proposition to increase the present capital stock of said **MARTINEZ WINERY** from Fifty Thousand Dollars (\$50,000.00) to Seventy-five Thousand Dollars (\$75,000.00) to be divided into Seven Hundred and Fifty (750) shares each of the par value of One Hundred Dollars (\$100.00)

MARTINEZ WINERY.

By W. Hanson, Secretary.

Dated July 7, 1909.

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By the way," remarked the Professor, as the charter members of the Galoot Club receded from the whist table and lighted their pipes for a quiet chat before going to their respective homes, "I call to mind, Mr. Appleby, that there was another story involved in this one you narrated for our benefit some months since, a story relating to your son Tom and a love affair of his which somehow affected your own. I am quite sure that if you were to tell it to us it would prove of advantage to me in the evolution of my Philosophy of Matrimony, still needing a few finishing touches to make it complete, and, I dare say, of great advantage to my kind. For one, I should be glad to hear it this evening."

"So would I," broke in the newspaper man, "if it is not filled with spooks, and goblins like that delirium of the Judge's was. For three weeks after he worked that off onto us I was afraid to go out of doors after dark."

"I confess to some scepticism about that Philosophy of Matrimony," returned Abner Appleby, "but I do not mind telling you so much of Tom's escapade as related to my own affair of the long ago."

You see, after Tom finished his course at the university we sent him to Harvard law school for three years. He got through his college course with yet under twenty and so was barely twenty-three when he received his degree from the law school; quite too young, as his mother thought, for him to marry.

His letters home had made mention of a certain nice girl, daughter of the keeper of the quiet hotel where he lodged, and this mention began to be more frequent and pronounced as the time drew near for his graduation and return. He was urgent, too, to know if I could promise him any bank business to attend to when he came back and hung his shingle out, which employment was, of course, readily promised him.

By and by came the bursting of the bomb. He wrote us that he should graduate in two weeks, be married on the evening of graduation and, the next morning, start with bride and baggage for our home prepared to be welcomed with open arms and to fall to work upon anything I had for him to do by which he could support his nucleus for a family. He assured us that we had only to see his bride to lead head over heels in love with her as he had done, and admonished us to withhold judgment until he had crossed the threshold of our door; no longer. He was sure that there would be no opposition after that.

His mother did not share Tom's enthusiasm. She declared that, although she had never switched him in childhood, she believed that she could do so heartily now, big as he was, if she could only get hold of him; but that was impossible, inasmuch as our youngest daughter was down with the measles and the eldest was soon to graduate at the university. Nothing would do but I must set off at once for Cambridge, put a stop to the foolishness and fetch the bride home with me to state it over for a year or two if nothing more. I was to do this, his mother said, even if I had to boot him every step of the way.

Tom had always done well in his classes, had been ambitious to get on and, so far as we knew, had been greatly given to companionship with young women and was about as little likely to do anything foolish as any one in his right mind well could be. We made sure that some worldly wise matron had set traps for the boy, and the nearer I got to Cambridge the more indignation I felt, so that when at last I met the youngster face to face I was not long in letting him know the state of my mind.

"I thought that just as likely as not mother would be putting you up to something of the sort," he said, with infinite composure, "and I rather hoped she would, for I have been desperately impatient to have some of you see Helen, but did not dare to say much about her until I got things fixed right at this end of the line. I wasn't bothering myself about the other. There was some opposition here, and one difficulty at a time is better than two."

"Now, Pop," he went on, "just don't say a

Abner Appleby's Other Story

(Being the Seventh Galoot Club Romance.)

BY

TOBIAS BLACK

word until you have seen Helen, and I'll take you down to the parlor to see her as soon as you have put yourself in presentable condition. I'm not going to usher my Pop into the presence of his daughter-in-law all crumpled and travel-tired, for I want you to make a good impression upon her. She has asked a million questions about all of you and it is important that she shall not be disappointed at first sight.

"And, Pop, when you have seen Helen if you do not feel satisfied to have her for a daughter-in-law and we must part—you and I, I mean, for Helen and I are not going to be parted from each other while we are away, we shall just naturally have to and that is the whole of it. I have saved a good bit out of the allowance you have sent me, have the refusal of a place in a good office in Boston and we'll stay right here. You see the business is all fixed. But you see Helen and spend an evening with us down in the parlor and I'll have your bank's legal business to attend to, or you are no judge of a woman, that's all."

The audacity of the youngster and his hearty enthusiasm fairly took my breath away, so I subsided and let him put me through the barber's, the bath's, and I don't know what all, until he pronounced me a fit sort of person to take dinner with his Dulcinea and her family, and then we went down to the parlor.

The boy was as eager as he used to be years before when, instead of standing shoulder to shoulder, he clung to my fore-finger and hurried me off to see some newly discovered bird's nest or other boyish wonder, and, remembering, as I could not well help doing, despite my promise to Louise, that I once had a Helen, too, although I tried to be stern I half forgave him before we had reached the parlor door.

I was ushered into the parlor and left seated alone for a few moments to await the appearance of the marvelous being whose hopes I had crossed the continent to crush, but with a fast diminishing likelihood of accomplishing my purpose. There was a rustle of skirts and I arose to be presented to mother and daughter who advanced toward me. I did not at once raise my eyes to their faces, but when I did the younger woman stared at me perfectly self-composed but pensively, in the full flood of a western sunlight.

The apparition stunned me. I felt myself reeling upon my feet and, raising my hand to my forehead, I gasped, "My God! This is Helen indeed." My son was stupefied with amazement and the girl looked as though she wished that she might sink through the floor. Then a voice, the voice of the elder woman, speaking gently, said:

"Why, Abner, did he not tell you my name?"

"Your name? Perhaps so; I don't know. I did not read that far. I only read that you had been married to another and then threw the announcement into the grate. You see I was just on the point of starting to claim you for myself, was to take the train that very evening, and I didn't know your name."

"I crave your pardon, young lady, if I have occasioned you discomfort, but the rolling back of a third of a century has moment of time without warning was more than I was prepared for. However, the pleasure I feel,"

I declared (although a bed in the bottom of the Atlantic would at that moment have seemed a blissful refuge) "at again meeting my good friend of former days compensates me for the mortification suffered by all of you on account of my behavior. If I may now recompense my hostess and her daughter for the embarrassment I have caused them I shall be in a mood for forgiving this young reprobate here for being the occasion for my stumbling. I have not had much faith in reincarnation, and all in all in one person being reincarnated in another while yet alive," I said, turning to the mother, "but your daughter is nothing less than a replica of yourself as you were thirty-odd years ago and as I have carried you in my memory ever since."

"One would suppose that a glance at your son would have taught you as much," the mother said. "He quite took my breath away the first time I saw him."

I got myself pulled together as best I could during the dinner hour and the evening passed pleasantly enough. "You will lunch with me to-morrow at one, will you not, Abner?" the elder woman asked, adding that Thomas and Helen could join us at dinner. I promised that I would and went to my hotel.

"Why, Pop," exclaimed my son when he came in the morning to accompany me to breakfast "What is the matter? Are you ill?"

I told him that I had not rested well.

"Have not rested well? Have not rested at all, you mean. You look to be ten years older than you did when you arrived from the train last night, but, father, what do you think of Helen?"

"What do I think of Helen? I think she is very well preserved, and, while her eyes have lost something of their luster, I caught the old look in them once or twice, and I cannot think that she has been so very unhappy."

"Oh! I do not mean Mrs. Garretson," the boy exclaimed in astonishment. "I mean Helen, my Helen, what do you think of her, father?"

"Oh, yes, to be sure," I replied. "Of what was I thinking? What do you think of your Helen, my boy? I think that she is very like my Helen of thirty years ago, very like, indeed, in face and form and carriage, in the tone of her voice, in her enthusiasm alternating with moments of dreamy thoughtfulness. In God's name, boy, if you love her marry her, marry her to-day, to-morrow or any day when you will, but do not leave her for so much as one full day until you can call her your own. You have my consent, my blessing, son, and you shall have a share of my fortune when you can prove to me that it will not run you in the spending of it as the making of it ruined me. Come, let us go to breakfast and say no more of this. The subject is painful."

I called punctually at one, and Helen, my Helen, received me at the door, for she was watching and waiting for my appearance. "I am sorry, Abner," she said, "if I failed of doing right. You did not see me, did you?" Then she said, "I suppose you know, in such as most lovers would write to those to whom they were engaged to be married, or speak hopefully of coming back again. Mother was growing old and father was dead, and she wanted so much to see me settled in life before she, too, went away. Perhaps she overpersuaded me. My husband was very kind and patient with me, or always meant to be, but he knew that I cared more for you than for anyone else I had ever known. And when you Tom came to see my Helen—they met in the White Mountain. I suppose you know, in vacation time—I thought I should fall in a faint at his feet, he looked so like you when you went away from me."

I tried to tell her how I had fought my way to a fortune with no other purpose than to make of her a lady, but, held in the thrall of a fanaticism ever spurting me on, when at last I clutched my whim and hugged it to my heart it turned into an asp and stung me to the death of that which best deserved to be preserved alive. Up to the moment when I received the announcement of my marriage I had gotten money for her sake and had counted on being done with the wretched

grind and struggle, but after that I struggled for it for the intoxication of conquest, for the forgetfulness of better things, that it afforded, and, finally, for money for money's sake. It had made me hard and flintlike. I had become a relentless, methodical, money-making machine, just but ungenerous, proud of my financial prowess but ashamed enough of having developed a character for which I had chiefly blamed her.

We sat on the sofa together; she, the wife of another man, and I, the husband of another woman, as we had sat so often nearly two-score years before, mutually explaining, mutually forgiving and plighting again our mutual troth for an eternity of companionship beyond the grave if, perchance, a merciful God will let me go where Helen goes when we die. That is my only prayer and that I utter unceasingly.

But permit me, gentlemen, to assure you that my wife and I are the best of friends and while I have not for more than thirty years been able to expel Helen's image from my mind, I have never permitted my love for her to interfere with a hearty and genuine affection for my wife, the mother of my children, the head of my household. Our partnership has prospered.

I rather like the idea of postponing the readjustment of these difficulties to another life," observed the newspaper man. "It would have been the part of wisdom in the case of the Johnsons."

"The custom would bear heavily upon the legal profession," I am thinking, said the judge, "but it would have made of my judicial career a season of sweetness and light. Divorce suits are the bane of my existence and indescribably painful. I can send a man to the gallows more easily than I can part husband and wife and parcel out their children." "A rather remarkable feature of the whole affair," continued Mr. Appleby, "is that Helen and my Louise have become fast friends. Helen came out here when her Helen's first baby was born, and she spent one whole winter here with the family of my son, during which she was almost a daily visitor to the school and Louise chummed together like school girls. Louise blames her for not having waited longer for me, but is heartily glad she did not, and Helen thinks that Louise ought to have fallen in love with me before this, but is glad she hasn't. Neither of them is jealous of the other and both of them are looking beyond the grave for the fruition of their individual hopes of wedded happiness."

"Remarkable in the ex-treme!" declared the Professor. "Remarkable in the ex-treme! And throwing much light upon my matrimonial philosophy."

("Juvenile Offenders"—Concluded.)

rambling building with its towers and courtyards, past long rows of cells, through the little kitchen garden of the watchmen. Each boy in a "solitary" sat either idle or working at some petty hand-craft, making paper lanterns or the like. No school, except an hour's lecture or "causerie" for the younger boys in the morning. No exercise except an hour's "promenade" every day in an open-air cell provided with high walls, cement pavement and, more to the point, a water pipe for daily ablutions. No water or toilets in the cells. Shower baths once a week. The cells are fairly light with bare walls and floors; the beds rude; a light mattress covered with a linen slip changed twice a year, and blankets changed "when necessary." Religious instruction is supplied—on request—to the Catholics in chapel, to the Protestants by visitation in their cells, to the Jews in an office. The chapel is provided with tiny cells arranged in a sort of amphitheater; at school or church service the boys march and drop into their respective cells, close and bar their doors and thus insulated from mental contamination may be presumed to respond the more readily to the moral causeries of superintendent or priest. Though perhaps highly antiseptic as a method it is far from pleasant or hope-inspiring as a spectacle.

In spite of contrary appearances the system at La Roquette is considered paternal, familiar, rather than penitentiary. Discipline is not

too rigid. The management disavows use of corporal punishment and inclines more to "deprivations" and "bread and water." Escapes, there are none; insubordination rare; would we might say the same of suicide. The superintendent condemns the cellular regime as responsible for many suicides and a peculiar form of mania he calls "cellularization," a morbid individualism and secretiveness. His own plans for the new house of detention would include cellular isolation at night and associated occupation by day, thus avoiding the evils of the dormitory system and securing the advantages of socialization, exercise, and manual training by group organization. With a new La Roquette and a real children's court animated by such men as M. M. Blond, Jublet, Klein and Rollet, France will have taken a long stride towards coping with the problem of abnormal and delinquent youth.

A "Squeuers" Case.

The widely advertised Sargent case was recently brought to trial and sentence rendered. Several months ago H. C. Sargent, an English ex-army officer, and his American wife were arrested for cruelty to children—failure to provide proper nourishment, neglect, bloody beatings, indecent exposure. The Sargents connected a sort of children's boarding house somewhat after the Squeuers pattern; they were in the habit of advertising to adopt children "for a consideration." Sargent was an extreme drunkard and his wife a tyrant and slave-driver. The facts were well established in spite of some conflicting testimony and the lawyer's highly colored painting of his clients as combinations of St. Vincent de Paul and other humanitarians. But the sensation—to an American—of the trial came in the lawyer's final plea that his clients were entitled to consideration from the fact that they were subjects of a country where corporal chastisements were part of the system of education and were not a crime! Stupelying, when one considers that in the same courtroom sat a fellow barrister who only a few days before had helped to draw up a bill for the French Parliament providing for reforms in the public work for children, based on the superiority of American and English systems. Happily for the children, the judge either overlooked the sprightly plea, or decided to administer an instructive lesson to the land of corporal punishment, for between them the Sargents were condemned to thirty-seven months of prison and 200 francs fine.

Caution of Union Labor.

The recent postal strike is dead, but its ghost will not lie. A day or so ago the newspapers announced a "strike of labor leaders!" So far no men have been found willing to and capable of filling the office vacated by Secretary Niel of the C. G. T., after the strike. This is a healthy sign—this reserve and careful consideration. The labor movement needs a Cincinnati once in a while. And by the way, M. Lajarigie, general secretary of the Paris Gas Workers Syndicate, issued a wise

and thoughtful statement recently. He said: "The memory of the disaster in which the postal strike ended must remain a hard lesson for all those who assumed too lightly that the will of majorities could be replaced by the turbulence of minorities."

Paris, July, 1909.

AMERICAN LYRICS.

THE TIDE RISES, THE TIDE FALLS.

By Henry Wadsworth Longfellow.

The tide rises, the tide falls,
The twilight deepens, the curlew calls;
Along the sea-sands damp and brown
The traveler hastens toward the town,
And the tide rises, the tide falls.

Darkness settles on roofs and walls,
But the sea in the darkness calls;
The little waves, with their soft, white hands,
Efface the footprints in the sands,
And the tide rises, the tide falls.

The morning breaks; the steeds in their stalls
Stamp and neigh, as the hostler calls;
The day returns, but nevermore
Returns the traveler to the shore,
And the tide rises, the tide falls.

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SHEAR WIT

"Why, Johnny! Your little sis. er is shelling two quarts of peas to your one." "Well, I told the little chump about it, but it didn't do no good."—Cleveland Leader.

"Pa!" "Johnny, leave me alone and don't ask me another question!" "Aw, jest one more an' then I'll keep still." "Well, what is it?" "What relation is a cousin german to a Dutch uncle?"—Cleveland Leader.

First traveler: "I was in Paris during the siege." Second traveler: "I was in New York during the draft riots." Third traveler: "I was in Scotland when the railway strikers paraded the streets with bagpipes."—New York Weekly.

"Prisoner, what the magistrate to this man, 'you are charged with having been drunk and disorderly. What say you—guilty or not guilty?'" "That's wot you're paid to find out," growled the prisoner. "I ain't got no call to help ye do yer work."—Philadelphia Bulletin.

Johnny—"What makes that new baby at your house cry so much, Tommy? Tommy! indigently—It don't cry so very much—and anyway, if all your teeth was out, and your hair off, and your legs so weak you couldn't even stand on them, I guess you'd feel like crying yourself.—Spare Moments.

"Oh! yes," exclaimed Mrs. Nubridge, enthusiastically. "He's just the kindest husband in the world. He just seems to feel that nothing is too good for me." "Indeed?" replied Mrs. Older, with a sardonic curl of the lip. "In a little while, my dear, he'll seem to feel that it's good enough."—Catholic Standard and Times.

"Bill," said the invalid's friend, "I've come to cheer you up a bit like. I've brought yer a few flahrs, Bill, I thought if I was too late they'd come in 'andy for a wraef, yer know. Don't get downhearted, Bill. Lummy, don't you look gashly! But there, keep up yer spirits, ole sport; I've come to see yer an' cheer yer up a bit. Nice little room you 'ave 'ere, but as I sez to my cousin to get a coffin dah!—"London Globe.

"Now, children," said the teacher of the infant class, "tell me what sort of clothes pussy wears." "No reply." "Come, come!" said the new teacher, trying to extract the right answer by naming something that pussy didn't wear. "Does she wear feathers?" "No answer." "Or does she wear a pinafore?" went on the teacher. "Or a silk blouse?" "Or a cotton overall." Such ignorance was more than a little boy in the front row could stand. "Please, ma'am," he asked earnestly, "ain't you never seen a cat?"

Donald had been to Sunday school, and on coming home was asked what he had learned. The lesson was the story of Joseph. "Oh," he said, "it was about a boy and his brothers took him and put him in a hole in the ground; and then they killed another boy, and took the first boy's coat and dipped it in the blood of this boy and—" "Oh, no, Donald, not another boy!" his sister interrupted, horrified. But Donald stood his ground. "It was, too," he persisted. Then he added: "The teacher said 'kid,' but I don't use words like that."—Woman's Home Companion.

A good bishop tells this story on himself. He performed the marriage ceremony at a young man's request: "When the ceremony was over the young couple waited, instead of leaving the chancel. So I held out my hand, shook hands with the bride, and then held out my hand to the bridegroom. He had his hand deep in his trousers pocket, and as I stood with my hand out he said, somewhat impatiently and in a tone that could be heard all over the church: 'Now, don't be in such an all-fired hurry, bishop; I'm getting the money out just as fast as I can.' And everybody in the church giggled."—Lippincott's.

PERSONALIA

The August Lippincott's is the five hundredth issue of that magazine.

Oscar Wilde's comment upon George Meredith was that "his style is chaos illumined by flashes of lightning."

Mrs. Humphry Ward is writing a new novel, which she intends to call "Robert Elsmere, Twenty Years After."

The oldest United States senator is Isaac Stephenson, of Wisconsin, aged 80. His term expires March 15, 1915.

Margaret Anglin will appear in a new play next season, "La Rencontre," a play by Pierre Berton, first produced at the Comedie Francaise on June 21.

J. A. Hammerton's "George Meredith in Anecdote and Criticism" will shortly be published in this country by Mitchell Kennerley, and in England as a companion volume to his "Stevenson."

The British house of commons on July 1 adopted a resolution for the appointment of a committee from both houses to inquire into the censorship of the drama. This was largely brought about because of the censor refusing to license George Bernard Shaw's two plays, "Press Clippings" and "The Showing Up of Blanco Posnet."

Hall Caine's new play has been refused a license by the English censor. The play is called "The White Prophet," and was dramatized from a story now running in a magazine with English and American editions. It deals with the English occupation of Egypt and the coming of a leader of the Mohammedans who is called by his followers the White Christ.

The British Home Secretary, D. Lloyd George, is a versatile and quick-witted Welsh man. At a political meeting the other day he was talking about the future of Home Rule. "We'll have it in Ireland," he said, "and in Scotland, and in Wales." "Yes, and in hell," shouted out a drunken opponent. Like a flash George turned to the interrupter, "I'm always glad," he remarked, "to see a man stand up for his own country."

Mark Twain is constantly receiving photographs from men who have been told that they look like him. The latest one is from Florida, and Mr. Clemens is said to have written the following acknowledgment: "I thank you very much for your letter and the photograph. In my opinion you are more like me than any of my doubles. In fact I am sure that if you stood before me in a mirrorless frame, I could shave by you."—From Success Magazine.

A new novel by Sudermann is announced for publication in the fall by B. W. Huebsch. This novel, which is already in its fiftieth edition in Germany, is entitled in the original "Das Hohe Lied," and in the forthcoming English translation "The Song of Songs." It is described as being "a searching study of a woman's soul by one who blends the passion of the poet with the science of the surgeon. Life in its noblest and its most repulsive aspects is laid bare to the reader."

"I suppose you have a family skeleton, something in your family that you are ashamed of?" "Yes, when our daughter Maybelle arrives in her new gown I'll show it to you."—Houston Post.

A new physician in a small town got himself into a serious predicament soon after his arrival by his inability to remember names and people. One day, while making out a patient's recipe, his visitor's name completely escaped him. But not wishing to appear forgetful, and thinking to get a clew, he asked her whether she spelled her name with an "e" or an "i." The lady blushed and replied: "Why, doctor, my name is Hill."

A peculiarity of the olden-time Venetian coffee houses was that their patrons did not pay for each cup of coffee they drank but settled their bills for all the coffee consumed at the end of each year.

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Some Concluding Considerations.

We have now had thirty-five lessons upon our national constitution and government. The purpose has been to make essential principles clear and the working of government machinery intelligible to those not already familiar with the subject.

But our general government must be and remain a long way off from the individual citizen. Many persons live and die and scarcely see any representative of the general government other than the postmaster. Other governments touch the citizen more frequently and directly and therefore stimulate greater interest in government. In England, for instance, no city can take over a street railway or enter upon the construction and operation of a public service convenience without the interference in some form of the British parliament or central governing power. Our national government has nothing to do with any municipality except that of Washington and the District of Columbia. This policy of non-interference of the national government in local affairs militates against that keenness of civic interest that insures that government shall be by, of and for the whole people, and makes it difficult to make the general government responsible to the citizen.

The less our central government touches us the more easily may it get beyond popular control. The prevailing tendency toward centralizing power in the hands of our national government is, therefore, paradoxical as it may seem, tending toward making that government more responsible instead of less, and is not to be looked upon with dread. What we do need to dread is loss of public interest in public affairs, and those governments that touch the citizen most frequently are the governments most certain to be held accountable to the citizenry.

Our pocketbooks are touched by our government at every turn, but we do not see it do it, and so become negligent as to how it does it. No man buys a cigar, drinks a glass of beer or buys anything in the marketplace, unless we except home-grown vegetables, without being affected by governmental policy; but Uncle Sam's tax gatherer is mainly invisible and his tax gathering is, therefore, little resented and little scrutinized.

Just now Congress and the executive have been preparing for us a new tariff schedule. Their action will affect every meal eaten off every table in the union, and every article of clothing worn by every man, woman or child, and yet the driest subject connected with human affairs is said to be the tariff. So dry is it that few fences are high enough, or doors strong enough, to hold American citizens while they listen to a tariff debate, and a public lecture that devotes much space to tariff discussion is so full of little else than to kindle fires. It is only when we are touched, and know that we are touched, that we are most interested in government. This may be accepted as a permanent state of affairs not to be remedied by anything that can be said or done.

Our state government comes nearer, but only city government comes close. Even in city government we, in the United States, are governed little and the policeman who pilots ladies across the street is the chief example of it. That is because we are a self-governing people and, so long as we mind our own affairs and suffer others to do likewise, we are unaware of government of any kind.

Without having exhausted the subject of government, as related to national affairs, and without promising not to recur to the subject again by and by, this series of lessons in citizenship will next have to do with the State of California. The constitution of the State will not be followed as the constitution of the United States has been, step by step, from preamble to the latest amendment. Our state constitution is so long that such a treatment would be interminable. There will be only a few lessons on the constitution of the state,

but the machinery of state government will be treated as clearly as possible and as practically. There are many Californians whose understandings of the government of their own state are hazy. They do not clearly know what the several departments of state government do, how they do it, or what it costs to do it, but one thing they do know: taxes are high and much public money is collected and expended.

The California Weekly will try to make all of the ins and outs of state government clear to its readers, with as little partisanship as possible and with as much brevity as the subject will allow.

BASEBALL AS AN INDUSTRY.

The organized baseball situation to-day is this: fifty-two leagues; 416 teams, and 6,500 players.

The estimated value of the major leagues' sixteen clubs is \$6,000,000. Big league parks average \$200,000. Their franchises represent an equal value. Pittsburgh's plant represents an output of \$1,000,000 alone. The major leagues do a \$500,000 business every month. Last year the attendance in the majors was 7,069,122, and the weekly disbursements \$100,000, which in six months means an expenditure of \$2,600,000. And so it is all down the line in lessening figures.

Baseball expenses are many and high. Salaries range from Hans Wagner's \$12,000 a season down to the \$1,800 of the recruit.

Every day during the season 300 balls are used. This means 50,000 a season, and at \$15 a dozen they cost \$2,000 a week.

Bats average \$1.50, and the 416 teams manage to buy 13,200 every year, an item of \$20,000.

Uniforms average \$12, and every player must have two, which means \$156,000.

Gloves average from \$4 to \$7 a pair, and two for every player runs the glove bill up to \$550,000.

Shoes cost \$8 a pair, and two or three pairs are worn out every season. The shoe bill nears \$100,000.

Protectors, masks and other incidentals cost \$50,000, while salaries are estimated at \$6,000,000.

Add to this hotel bills, which mean \$2 a day in the minors to \$4 a day in the majors for 6,500 men while the teams are on the road, and at the end of the season \$1,000,000 to \$1,500,000 has been spent.

Railroad fares average \$5 a week for each man, the total running between \$500,000 and \$700,000.

In 1908 the attendance of 30,000,000, at from 25 cents to \$1.50, meant that \$10,000,000 was paid to see the game. Added to this the peanut, popcorn and cigar privileges, the return from score card advertising and the fence advertising which prevails in some parts of the country, mean \$2,000,000 more.

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Who Can Answer?

A friend to good government writes to The California Weekly to learn what the reform program in California is going to be the coming year. Who can tell him? He desires to know, in substance, if there is to be a movement on behalf of distinct national and state policies or if the reform forces are going to rest content with merely opposing bossism in Republican politics? Who can answer that? He would like to know if it is the intent to fetch out representative reform men as candidates before the primaries, or if it is going to be left to a catch-as-catch-can scramble in a free-for-all. Who is in a position to say?

We may be sure that the "organization" plotters are not so in the dark, although their need for getting together early is much less than that of the better element. A good deal can be accomplished by a boss and a check-book. He may call in his workers one by one, give them their orders and a check and so start the machinery moving. It is different with the better element in our political life.

The better element in civic and political life is a difficult element to deal with. It will not take orders from any human being. It can be led but not driven, influenced but not hired, filled with enthusiasm for a policy but it must have helped to formulate that policy.

Is it not about time for representatives of this better element in California to hold a conference that answers to the foregoing question may be forthcoming? The reform element possesses no machine that may be set in motion by pressing a button.

What Is to Be the Price of Peace?

"These men are trouble-breeders," declared the Herrin touts last year, when speaking of the promoters of the Lincoln-Roosevelt Republican League, "do not listen to them. What we want is harmony in the party."

"What is to be the price of harmony?" was demanded in return.

"Nothing except that you shall abandon the efforts you are making to emancipate the Republican party of California from corporate control, you shall not strive to make California a free and independent commonwealth, you shall make no attempt to elect a free and independent statesman to be United States senator, and you shall not commit California to the Roosevelt policies."

"Cheap enough," declared the Republicans of California. The price was paid and we have had harmony in the party with a humiliation that tends to make honest men detest party and abhor politics and politicians.

The demand of this same ilk in the pending primary campaign in San Francisco is for peace, peace as it is termed, "between warring factions." Peace is good. What is the price?

Quite certainly, if not very frankly or openly, it is the discontinuance of the graft prosecutions. "All of them?" The reply is not specific, but anyhow those aimed at Calhoun and the other higher-ups of high degree.

How about Schmitz and Ruef? Are proceedings against them to be dropped as part

THIS NUMBER CONTAINS

England's Better Criminal Procedure

(Fifth Article.)

BY

An English Attorney

Readers of The California Weekly will, in due time, find in its columns every important public issue explained by some person whose special knowledge gives him a right to be heard.

of the price of peace? If not, why not? Why flesh of one and fowl of the other? The public would really like to know.

This paper is not disposed to wage a warfare after the Men of San Francisco have declared for peace. It merely demands that the issue shall be made so plain and so clear that the Men of San Francisco, though half of them were fools and the other half insane, every one of them should know what those issues are.

Will the Chronicle, the official organ of the Herrin-Hellman-Calhoun combination, clear the atmosphere by answering these questions, all of them? Peace is good. Exactly what is to be the price of it?

Is It a Feud or a Cause?

The sponsors for the Crocker ticket are striving to make it appear that the graft prosecutions are the result of a feud raging between Spreckels and Calhoun, a feud that is tearing the peace of the community into tatters, and that a stop should be put to it. It is not denied that it is the expectation that the election of the Crocker-Fickert ticket will restore peace in the most direct and certain way—that of abandoning the prosecutions of the grafters.

But are these prosecutions the result of a feud or of the championship of a great and holy cause, the cause of the establishment of justice in this city?

An alibi is a complete defense whenever proved. So is the institution of proceedings against John Doe and Richard Roe for felony a complete defense against malicious prosecution when, at the time of the institution of such proceedings, it cannot be known who the guilty persons really are.

So far as the cases against Calhoun, Ford and their associates are concerned the chronology of the graft prosecution movement shows that that movement took shape before the trolley franchise was acted on or the use of money in the procurement of that franchise could have been suspected. This is a complete defense as to malice against Calhoun

and his United Railroad associates, and the cases against Calhoun and his associates constitute the keystone of the prosecution arch.

If these prosecutions could not have been instituted out of malice, and no effort has been made to show malice against anyone but Calhoun, then they must have been instituted for the purpose of cleaning up a very corrupt city, than which a better purpose has rarely actuated the minds of men.

Bradbury.

There is no gainsaying the pitifulness of the passing of an old man through the iron gate into prison walls. The only thing that is sadder than that is the passing of a young man through the same gate, and this California permits every day in the year with scarcely a qualm.

But justice must come before mercy even in the case of erring youth. The offense of Bradbury was rank. The occasion of it was despicable. He sought to prevent a debtor of his from obtaining a loan wherewith to redeem his property out of the covetous clutches of Bradbury that he might convert it to his own use. To this end he bore false witness. That he deserves punishment no man can doubt.

Why should not punishment be meted out to him? Is it because he is growing old? Old men are continually being sent to prison and old men are in prison by the score and small is the concern about them. Is it because he has hitherto borne a good reputation? He has not. He has spitted upon our laws and defied public sentiment, acknowledged no authority but his own will and proven as antisocial as an anarchist. Is it because it is to be feared that he may die in prison? What of that? Do not scores die in prison, many of them as deserving of mercy as Bradbury? Besides, prison life at San Quentin is not unhealthful. He will live as long there as at home. Why, then, should he be pardoned?

There is one reason and one only. He is a rich man and we have come to feel that the possession of wealth, no matter how gotten, sets men apart, as royalty and station set people apart from the common herd in countries born of feudalism. Such men are to be allowed to shirk a large share of their taxes, escape jury duty and avoid punishment when they transgress the laws.

Moreover, there is a deterrent force in punishment, not as applied to the congenitally criminal, who act first and think of it afterward, but as applied to those who have gone off wrong foot first. Many a lad has been brought into the straight and narrow way by feeling the grip of the law upon his shoulder and many a rich man will be persuaded to walk uprightly and refrain from perjury if Bradbury demonstrates that his money can't save him. If his money can save him, whose money cannot save its possessor from any penalty? He has nothing but money, no powerful combinations of rapacious interests to sustain him, no "organization" back of him. He is no higher-up. The issue stands clear. The public will not misconstrue its determination.

DIPLOMACY OR BIG STICK?

President Taft has met the first crisis in his administration. It is right that he should be judged in relation to his stewardship.

It is the theory of our government that the legislative function is to be performed by the Senate and House of Representatives. Twice only, according to this theory, may the President be heard on any issue, once when he calls the attention of Congress to it, when he may make such recommendations for or against it as he chooses, and again when, if he does not see fit to give it his approval, he returns it to the house of origin with his objections to it. If two-thirds of the members of both houses still think, after considering the President's objections, that any bill should become a law they can make it a law, otherwise it is dead and the responsibility for killing it is the President's.

It is, however, the practice of our government, and has been from the first (especially whenever a strong character occupied the presidential chair) greatly to enlarge the executive function in legislation, and the probability is that it will become so much more enlarged as to make nearly all important measures administration measures, prepared by the President and his departmental officers and forced upon congressional consideration through executive influence. This for a number of reasons.

One is that senators represent states, representatives represent districts and nearly all of them represent interests of a more or less special character, while the President alone represents the American people. It is only upon the centralized administration that the public sentiment of the nation can be focused with effect, and it is to that department of government that the people as a whole must look for the redressing of grievances, if there are grievances to be redressed.

President Taft's attitude toward Congress has been that of a diplomatist toward plenipotentiaries of equal station with himself. He observed all the properties of theoretical government up to a point where such properties became wholly ineffectual. In his message to Congress, called in extra session to consider the tariff, he scarcely hinted his preferences in the premises. During four months of discussion he withheld from Congress knowledge that he held inflexible convictions on the subject of tariff. But when the completed bill got into conference committee, where it was impossible to do more than to clip the ragged edges off a log-rolled embodiment of privilege, he stepped outside of the theoretical and ventured so far into the practical as to intimate that unless those edges were clipped he would withhold his approval.

His action is heralded as a triumph of diplomacy over the big stick. Is it? He had not so good a constitutional right to lay down his ultimatum to Congress at the completion of the tariff bill as he had at its inception. At the end his constitutional function was merely to veto and tell why he vetoed after he vetoed. At the beginning he had a constitutional right to say what kind of a tariff bill would meet executive sanction and what kind would not, by unmistakable inference if not in specific terms.

"That would have been a wielding of the big stick!" Yes, and when it could have been wielded to some purpose, but what was his ultimatum, given to the conference committee, but a wielding of the big stick, albeit to relatively little purpose? The practical difference between the policy of diplomacy and the policy of the big stick, as exemplified in executive office, is that, in the former, the big stick is reserved until the end, whereas, in the latter, it is swung at the beginning and diplomacy employed until the end.

THE STAFF

A. J. PILLSBURY..... Editor and Manager
CHESTER H. ROWELL..... Associate Editor
A. WATERHOUSE..... Assistant Editor
E. FRENCH STROTHER..... Assistant Editor
O. BLACK..... Business Manager

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No one can doubt that, with Theodore Roosevelt in the presidential chair, the extra session would have been started off with a recital of the facts that protection is a good thing; that a just measure of its amount must be the difference in labor cost at home and abroad; that combination, having destroyed the modifying factor of competition within the tariff walls, competition from without tariff walls must be admitted on a basis fair to the American standard of living as a regulative force in the interests of a lower cost of living to the people; that the American people demanded so much of Congress and Congress must yield to that demand or do nothing until the people elected a new congress on that issue. Then diplomacy and the power of patronage would have been used to induce Congress to respond to the appeal with, as a result, a very different tariff bill than the one to which President Taft will find small pleasure in attaching his signature.

President Taft's chastity of demeanor has been preserved at the expense of sterility of productivity. We have the big stick to thank that our future is no worse.

PRIVATE PROSECUTIONS IN ENGLAND.

A great to-do has been made over the interest which certain private individuals have taken in prosecuting the graft cases in San Francisco, as if such a thing were unknown in a civilized country. In England this is a recognized and important feature of the administration of justice, as those who follow our interesting series of articles upon "England's Better Criminal Procedure" will learn a fortnight hence, when the concluding article of the series will be published in these columns. In that country any citizen may institute proceedings against and prosecute any other citizen upon a criminal charge, and if the charge be sustained the prosecutor may recover his costs, and a fair recompense for his time, out of the property of the convicted person, if such person have property. Per contra, if the charge be not sustained, but be shown to originate in malice or culpable error, the prosecutor may be mulcted for the costs. This puts it within the power of any citizen to see to it that laws are enforced.

With us almost autocratic powers are conferred upon the district attorney. He may prosecute whom he will and whom he will not prosecute cannot be prosecuted. This is why the associated rapacities are so solicitous to name candidates for the office of district attorney. Any district attorney so named will busy himself with prosecuting common, low-browed, brutish, unsuccessful rascality, and will be so thoroughly occupied therewith as to have no time to devote to the prosecution of successful rascality of a more dangerous sort, more dangerous because it debauches the public mind rather than merely disturbing the

public peace. No person needs to be told that if either Mr. Fickert or Mr. Coghlan should be nominated and elected district attorney of San Francisco all efforts to punish successful rascality would be allowed to "peter-out" if not stopped forthwith, as no one needs to be told that if Mr. Heney is elected to that office the machinery of the law will be made to do its utmost to vindicate justice and punish guilt.

Under the British system of private prosecutions for public offenses these cases could be taken entirely out of the hands of a negligent district attorney by citizens instituting prosecutions on their own behalf with their own attorneys. The liability for costs in case of failing to make out a case would deter prosecutions for other reason than that of a patriotic purpose to enforce the laws. There is much that we may learn from "England's Better Criminal Procedure," for the bettering of our own, and The California Weekly is pleased to be able to lay the essential facts before the people of California. Consequently attention is particularly called to the fifth article in this series, which will be found elsewhere in this issue.

A RESERVE POWER FOR PUNISHING.

When a debtor is sued, and sets up the claim that the statute of limitations has run against the claim, he thereby acknowledges the debt and proclaims himself a repudiator and a scallawag. The business community knows exactly what to think of him.

When a person is accused of having committed an offense against the laws, and pleads that the statute of limitations has run in his favor, he also thereby confesses that he committed the offense and a well ordered social community knows exactly what to think of him.

When any person charged with the commission of a felony attacks the indictment, assails the validity of the grand jury that found the "true bill," questions the legality of the appointment of the prosecuting officer, seeks to smother the charge in a stench of vituperation hurled at those who are seeking to bring him to justice—such person thereby makes public confession of his guilt and announces his purpose to be merely to escape, if he can, the penalties provided by law for the species of wrong doing of which he is guilty.

When a person charged with the commission of an infamous crime, does not straightway take the witness stand in his own defense and clear the whole matter up so far as lies within his power, he thereby openly confesses that it does not lie within his power to exculpate himself, but that his testimony, if given, would tend to his conviction.

The flustering defendants in the graft cases have made public confession of their guilt in every way they can, save in specific words and by entering a plea of guilt and throwing themselves on the mercy of the court. Their actions have spoken as loudly as words if to less legal effect.

It unhappily transpires that the efforts of innumerable criminals to escape the legal penalties for their illegal acts have resulted in so breaking down our machinery for administering justice that rich criminals habitually escape such punishment as the laws inflict upon poor men, but it by no means follows that society has no means of redressing its grievances against such persons. It has within its possession a reserve power for punishing, not as satisfying, to be sure, as indicted physical imprisonment incommunicado and at hard labor, but quite as effective in deterring others from committing similar offenses.

Society finds little difficulty in doing this with women known to be guilty of unchastity, and in no English speaking country on earth

is an honorable public career open to any man known to be honest.

If society would protect itself from destruction it must deal with unconvicted and unconscionable debauchers of official life, with grafters, bribees, jury buyers, etc. It is so well known how to deal with debauchers of womanhood, for the public service is only second in importance to domestic life, whose sanctity must be preserved or all is lost.

Here, then, is a reserve power for punishing of which too little use has been made. It may prove to be the only power that society can employ in its own defense in the graft cases. This state of affairs may continue until a vitalized public sentiment forces such reorganization and reformation of the appellate bench as will eliminate from it judges bound to a slavish traditionalism and other judges under bondage to political manufacturers of great power and cunning. This work of reorganization and reformation may consume a generation.

Courtesans live in a world of their own. They know their place and keep it. Tar Flat has a society of its own and would not think of venturing into reputable social circles. Make it clear to grafters and their ilk that they are expected to do likewise and they will go to their appointed place. What happiness they can derive from the association of the toadies, sycophants and bloodsuckers who may still seek their company will not be grudged them, but no self-respecting citizen should any sooner sit at meat at his home or club with these self-confessed but unconvicted felons than with denizens of the half-world or with representatives of the ancient order of pickpockets.

This reserve power for punishing should be used for all that it is worth. It is a form of boycott justified by social self-defense.

JUST A CHANCE.

Very interesting reading is to be found in a series of articles on Ireland Seven Years After, written by Mr. Hugh Sutherland and published in the San Francisco Call. To be sure it will be better known what the results of the new English policy toward landlordism in Ireland are going to be seventy, instead of seven, years after it was entered upon, but it promises well. Mr. Sutherland affirms that all that those Irish peasants needed in order to become law-abiding, thrifty and happy was a chance, "Just a Chance," to rise above their poverty, hopelessness and dirt.

It is matter of everyday observation that persons who come from the hard-life districts of Europe to America, under-sized, dwarfed in mentality as well as body, rear families that stand shoulder to shoulder with the typical American, compete with him and hold their own, take up the burden of citizenship and carry it as well as he, have minds as keen and hearts as true. All they needed was a chance, "Just a Chance."

The history of Ireland has many a parallel. First there is aggression and resistance to it, then repression and reprisals for that, evictions followed by the torch or the bludgeon. Then follow poverty, degradation, disease, death and a potter's field in which tired bones may rest. All that those Irish people needed at any time within the last three hundred years was a chance, just a chance, to do for themselves. An absentee landlordism, regardless of consequences to the people so that rent was forthcoming, made Ireland a reproach to British civilization and about as comfortable a member of John Bull's family as a madman would be in the family of any citizen.

It is possible for aggression, oppression and repression to destroy a people, any other people, as certainly as the people of Ireland, but it is not profitable. It took John Bull three hundred years to learn just how unprofitable,

but the lesson appears to have been well learned.

It is already too late to be sought through letting alone. It was letting alone, suffering an absentee and headstrong landlordism to work out its inevitable consummation, that produced a condition so intolerable. The British government had to become parental whether it desired to or not. It bought up, as it could through negotiation, scores of great holdings, subdivided (or redivided) and sold to peasant proprietors on long terms of payment and so gave them a chance, just a chance, to do for themselves, with what splendid results all sources of information assure us. Those districts and the people in them have experienced a new birth.

One more step remains: To compel those landlords who will not sell to sell at a fair valuation; the reconstruction of Ireland may go forward. That will be a long stride for a nation nurtured in the Common Law theory of property and the sacredness of vested interests, but it is a step inevitable. From Ireland it will spread to Scotland and its cotters, and then England itself will be the scene of a similar activity in order that some millions of persons may be given a chance, just a chance. And no government of the future, of any continent on earth, will be accounted fit to endure that does not give to all those living under it a chance, just a chance, to do for themselves. No other right will be held so certainly to have vested.

Good for Wilmington.

Those who are broad enough of mind to be concerned for all parts of the state and its commerce will rejoice that the port of Wilmington has been annexed to Los Angeles. It is to be hoped also that San Pedro may be given the grace to join the family of angels. It may be possible for Los Angeles' control of those splendid harbor facilities to give to the commerce of the country something like an open road to the world's great highway—the ocean. Otherwise a cramped and crabbed corporation will make merchandise of what should be as free as air.

Write in the Name of Heney.

Mr. Nat Coghlan betrayed no secret when he blurted out that the purpose of the Herrin-Hellman committee of alleged business men is to defeat Francis J. Heney for district attorney. The whole movement had no other purpose. If Republican voters were of a mind to do so they could give this combination the surprise of their lives by writing into their primary election ballots the name of Francis J. Heney for district attorney. There will be a space on the ticket which can be used for no better purpose. Can this information be carried to enough voters to make them thoroughly understand the value of their opportunity? It will be worth trying.

If Mr. William Jennings Bryan suffers the winds of Nebraska to blow the dust of that commonwealth off his shoe leather, preparatory to transferring his wigwag to the Lone Star state, it lies in no man's mouth to make objection, but what can Texas do, big as it is, with Bailey, Bryan and Culberson? It will be as uncomfortable as three-in-a-bed.

The campaign slogan of the Hellman-Herrin-Calhoun combination promises to be "Let Us Have Peace," at the price, of course, of suffering the grafters to go unwhipped of justice and the world to know that, in California, money rules and whoever objects to its tyrannical sway is a trouble-maker. Peace is too costly at that price.

The Deeper Significance : : : : of Living : : : :

There are few intoxications more intense than that which comes from the sense of mastery. It rejoices the heart, gives light to the eyes, buoyancy to the soul, exaltation to the spirit, satisfaction to the soul.

We see it in the child that wants to climb to the top of the tallest tree in the yard, to climb the fence if nothing more; but to do the most difficult thing in the range of endeavor is the acme of joy to every normally constituted child. Such attempts make up the greater part of the activities of childhood. It is through the sense of mastery that childhood develops into adulthood instead of merely growing bigger. It is a natural source of inspiration and essential to human progress.

The child who is content to suffer the breaking of arm, leg or neck. Venturing to swim the swollen stream one may be dashed against a boulder or find his strength unequal to the buffeting of the currents and so drown.

But the sense of mastery, while splendidly intoxicating in its enjoyment, has its dangers, dangers to self and to others. Fundamental in its usefulness it is also a source of incalculable injustice and hardship. Like every other human instinct it must be moralized to be safe.

The late Thomas B. Reed was once asked what subject he thought was then uppermost in the American mind. With promptness he answered: "Keeping out of the way of bicycles." The bicycle was a new thing. People were just learning to master it and the sense of mastery so intoxicated riders as to make them careless of the safety of pedestrians. Disregard for public sentiment, the safety and convenience of others and risk to self are invariable attributes of intoxication, no matter whether produced by wine, by ambition, by competition or by gratifying that sense of mastery which makes us joy in achievement. The automobile is playing a great part in the affairs of men. It is destined to farther and do more, but hardly has greed created effect upon character than the automobile is producing through an abnormal and unhealthy gratification of the sense of mastery, mastery over time and space. The rights of others on the roadways are disregarded with a disdain hardly rivaled by those enjoying the special privileges of kings. Instead of being the king's highways our highways have become the special possessions of our automobiles with notice to others to keep off them or suffer death if caught in the way and, when pedestrians are run over and mangled, the sense of disclaim of the rights of others, begotten by this unrestrained sense of mastery, prompts the automobilist to speed on out of sight and out of responsibility for his act as well as out of opportunity to render succor to a victim left in distress.

The struggle for wealth attains an essentially similar climax and through a similar process. The pre-revolutionary aristocrat ran down the children of the plebeian and overrode them with his coach. Our aristocrats do the same thing both with their automobiles and their holding corporations, through special privileges acquired by graft and through raiding the stocks, or invading the territory, of a competitor with the purpose of crushing opposition and then fattening on the spoils of conquest.

There is, however, a form of mastery that hurts nobody. It inspires without intoxicating, yields satisfaction without selfishness of possession, it pushes upward and onward without thrusting anyone aside or trampling down. Its realization is the purpose of the ages. It makes its possessor a king and a bondservant to nothing. It reduces all powers to possession and makes mastery over them an unalloyed good. That mastery is self-mastery and whoever attains it is greater than he who conquers a walled city, or a nation, or a conquerable and offers an eternity of companionship with the Most High.

WHAT THE WORLD IS DOING

Forest Service and Poisonous Plants.

The Forest Service, in co-operation with the Bureau of Plant Industry, is doing a work of no inconsiderable service to stockmen in investigating poisonous plants in the national forests, and then doing what it may to eliminate the injury resulting from them. No general plan for ridding the ranges of these plants has yet been devised, but their evil effects constantly are being minimized. For example, areas where there are many poisonous plants are "flagged" by the forest rangers, and warning is thus given to the stockmen. Moreover, in some instances, fences are built across these tracts of particular danger, and the stock thus is kept from them. The Forest Service also suggests that some of these baneful plants can be choked out by planting grasses of more vigorous growth, while yet other plants can be eradicated by pulling them up. As the report says, co-operation between the ranger force and the interested stockmen promises to work wonders along this line, and it is believed that much stock will be saved by intelligent joint action.

The Taking of the Census.

It is a far greater labor to take the United States census than most of us comprehend, a labor compared with which Hercules' undertaking in the Augean stables was a mere sinure. In the first place—by way of indicating its financial immensity—Congress already has appropriated \$10,000,000, and this is merely by way of starting the enterprise; other appropriations must come later. An army of more than 80,000 men and women will be enlisted to count us all and give us an idea of what we are doing; that is, just about one in every thousand of us will be enumerated in that way. Of this vast number 330 will be supervisors, or, let us say, generals in the army; 2,000 will be special agents (or colonels and majors) to pay particular attention to statistics relating to manufacturing, mining and quarrying; between 2,500 and 3,000 will be clerks in the census bureau (captains, lieutenants, etc., there), and about 70,000 will be the enumerators, scattered throughout the states, to obtain information relating to population and agriculture, and, of course, these will be the privates in the army. The enumeration of the nation's population and resources will end with June 30th of next year, and Congress has decided that the entire labor of tabulating, etc., must be terminated within a year from that time.

France Considers "Race Suicide."

It long has been charged that "race suicide" is an evil particularly affecting the French nation, and now France, herself, has become so aroused to the importance of the matter that it is probable that steps to minimize the evil will be taken in the autumn session of her parliament. Two propositions will be under consideration. The first, suggested by Professor Richet of the Academy of Medicine, is that the state shall pay a bonus to the parents of every baby except it be their first. For the second \$100 would be paid, and \$200 for each baby after that, the expense to be met by imposing a death duty of 50 per cent on collateral inheritances and all estates left by parents to an only child. The professor estimates that this system would increase French births from 750,000 to 1,000,000 per annum, but an attempt to find the logical foundation on which he bases this estimate not improbably would result in gray hairs. The other proposition is made by Paul Leroy Beaulieu, an eminent economist, and it runs to the effect that no person should be appointed to office until he is the parent of three children, a scheme which appears less likely to increase the French numbers than does that of Professor Richet. A bill, which landlords should note, already has been introduced in the French

Chamber. It provides that to refuse to accept, or to send away, tenants because they have children, shall be a punishable offense. If the "race suicide" does not decrease in France it will not be for lack of parliamentary consideration.

Republican and Royal Expenses.

We pay our President \$50,000 a year, in addition to \$25,000 traveling expenses, or \$75,000 in all, and, although we do not meter ourselves lavish, we feel, as a general thing, that we are doing well enough. But compare our outlay with that of Great Britain for the royal family, and then see how you feel. Annuities are paid as follows: Prince of Wales, \$100,000; Princess of Wales, \$50,000; Princess Christian, \$30,000; Prince Louis, \$30,000; Duke of Connaught, \$125,000; Duchess of Edinburgh, \$30,000; Duchess of Albany, \$30,000; Princess Henry of Battenburg, \$30,000; trustees for his majesty's daughters, \$90,000. This is a neat little total of \$515,000, but the expense of owning and keeping a real king has only begun. Other line items would be added to his majesty's household and "retired" allowances, \$629,000; expenses of the royal household, \$965,000; royal bounty ("royal," but paid by the people), alms and special services, \$66,000. Here is another total, this time of \$1,660,000, and the grand total is \$2,175,000 all seeming to keep the crown from the royal door. But, in addition to this, the king and queen have a privy purse of \$550,000 per annum, with which they can buy any small comforts that otherwise might be overlooked. Come to think deeply about it, our \$75,000 does look particularly small, and it would not look glitteringly larger if we had our expenses, which are partially paid by this government, were added to it.

Telegraph and Telephone in Africa.

The management of a telegraph or telephone line in some parts of Africa is a queer sort of business and is subject to such vicissitudes as are not known elsewhere in the world. It is the wild parts of the country to which these remarks apply. In the first place, monkeys evidently look upon the wires as a trapeze put up for their special benefit, and they use them accordingly. This does not help the wires, but the damage done by the simians is slight compared with that worked by some other animals. The giraffe, for instance, has discovered that it is rare sport to tear down the insulators and the wooden arms on which they are placed. This, of course, pulls down the wires, too, which is a side issue for the giraffe, but the entire production makes trouble for the operators. Then, the hippopotamus has declared war upon the poles, and he tears them down at every opportunity, occasionally becoming entangled in the wires and being captured, or more probably killed, as the result of doing so. The elephant attacks the poles, but he is wiser than the hippopotamus and is less likely to be caught or injured. The life of a lineman in Africa must be full of surprises.

Army Versus Education in Europe.

It is a curious and significant fact that the army nation in "Christian" and civilized Europe which pays more for the education of its children than it does for the maintenance of its military establishment is the little republic of Switzerland, and it is a still more curious and significant fact that, with that single exception, the amount paid for the army is largely in excess of that paid for the schools. Next to Switzerland stands Belgium, and it pays twice as much for its military as for its educational system, just reversing the condition in the Swiss republic. Germany, which is next, devotes three times as much to its military as to educational purposes; Russia and Austria follow, with a pro-

portion of four and one-half to one in favor of the army; then comes France, spending five times as much on brown as on brain, and Italy, at the foot of the list, thinks nine times as much of its fists as of its intellect. Apparently the day when the sword shall be beaten into the plowshare is not close at hand.

Preserve Your Meerschaum.

Let the smoker cling to his meerschaum pipe, for there is every probability that from this time forth its value will constantly increase. This, for the sufficient reason, that the world's visible supply of that product apparently is approaching exhaustion. Since the manufacture of pipes from meerschaum began, about 1750, the supply has been mostly obtained from Asia Minor and Germany. Now the German mines are about worked out, little remains except in Asia Minor, and it is said that even there the supply is failing. Nor is this all that will send meerschaum up in price, for American and British capitalists now control the output and they may be trusted to see that there is no downward tendency in the market.

This the "Meteor Month."

It will be of interest to watch nightly for the August meteors during the next few weeks. Millions of these objects will pour into the earth's atmosphere and be consumed.

These shooting stars are composed of stony materials, which enter our atmosphere at the rate of about 34 miles per second, and the concussion with the air induces combustion. Were it not for the shield afforded by the atmosphere, we should be bombarded by these celestial pellets, which form the material of which planets and comets are made.

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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TENNYSON'S CENTENARY TO-DAY.

One hundred years ago to-day Alfred Tennyson first saw the light. A little less than seventeen years ago he was buried in Westminster Abbey. The fruit of his 83 years of life is the rich and varied body of song that endears him to each succeeding generation. An estimate of his works is superfluous, but the appended outline of his long career, compiled by Warwick James Price, an American scholar, is an interesting reminder of the signal facts of a life singularly sweet and helpful to mankind.

1809 (Aug. 6)—Born, the fourth of twelve children, to Rev. George Tennyson, rector of Somersby, Lincolnshire. ("It was a veritable nest of nightingales."—Leigh Hunt.)

1816—To school at Louth (for four years. "How I hated it!")

1820—Studying with his father, "enjoying the run of a library more various and stimulating than the average country rectory could boast."

1828 (February)—Matriculated at Trinity, Cambridge, where he made many famous friends, showed much interest in questions of the day, though leaving a reputation as a loose scholar and without a degree (Feb. 31).

1830—In this and the two following years traveled considerably with Arthur Henry Hallam, who died suddenly at Vienna Sept. 15, 1833. ("For awhile it blotted out all joy from my life and made me long for death.")

1833—For nine years "lay fallow," writing little and publishing nothing; living at Somersby, in Epping Forest, at Tunbridge Wells and Maidstone, ("Hope, a poisoning eagle, burnt above the unseen to-morrow.")

1842—"Arrived" with his third collection of poems; elected to the Anonymous Club, welcomed at Bath House, and one of the Holland House circle.

1845 (September)—Pensioned by Peel with £200 a year.

1850—Succeeded Wordsworth as poet laureate, twenty-first in the line of Chaucer and Spenser; Johnson and Dryden. The post was first offered Samuel Rogers, but he declined on the score of his age—eighty-seven.

1850 (June 13th)—Married, at Shiplake Church, to Emily Sellwood, after a courtship of nearly a score of years. ("The peace of God came into my life when I married her." "She was a living inspiration at the heart of the poet's everyday."—Annie Fields.) Four years his junior, she survived him four years, dying August 10, 1896.

1851 (April 20th)—Birth and death of their first son. In the summer of the year husband and wife were on the continent together, returning to make their home at "Chapel House," Twickenham.

1852 (August 11th)—Birth of Hallam Tennyson. F. D. Maurice and Henry Hallam stood his godfathers.

1853—Bought "Farringford House" at Freshwater, Isle of Wight—"close by the ridge of a noble dune."

1854 (March)—Birth of Lionel Tennyson.

1855 (June)—Honored with an Oxford D. C. I.

1860—From this year almost to the close of his life the poet spent from one to five of every twelve months in travel.

1862 (April)—His first interview with Queen Victoria. (Her journal carries this characteristic record: "After luncheon saw the great poet Tennyson in dearest Albert's room for nearly an hour, and most interesting it was. Asked him to sit down.")

1869—Made honorary fellow of Trinity College, Cambridge.

1868 (April 23d, Shakespeare's birthday)—Laid the foundation stone of "Aldworth," near Haslemere, Surrey. ("It lifted England's great poet to a height from which he could gaze on a large part of the English land which he loved so well, see it basking in its most affluent summer beauty, and only bounded by the inviolate sea." Year after

year he trod its two stately terraces with men the most noted of the time."—Aubrey de Vere.)

1884—Marriage of Hallam Tennyson and Miss Audrey Boyle.

1884 (January)—Made "Baron Tennyson" by Gladstone, having twice earlier (1873 and 1874) refused the honor.

1886 (April)—Death of Lionel Tennyson.

1889—In this year, after the news of Browning's death, the Laureate seemed to lose much of his keen interest in life, and till his death lived more quietly than ever; walking much, visiting a few friends, dabbling with water colors, and reading Jane Austin.

1892 (October 6th)—Died—in the moonlight of an early dawn—having fully lived the truth, in his eighty-three years, of his own lines—

And leave to hands that grieve a glowing page,
How excellent to bear into an old age
The poet's ardor and the heart of youth.

To keep to the last sleep the vow of truth,
And leave to hands that grieve a glowing page,
How excellent to bear into an old age
The poet's ardor and the heart of youth.

1892 (October 12th)—Buried in the Abbey, beside Browning, and before the tomb of Chaucer, with "Cymbeline" laid in his dead hands. Westminster's nave was lined by men from the Balaklava "Light Brigade," and the pallbearers were: The Duke of Argyll, Lords Dufferin, Selborne, Salisbury, Roseberry, and Kelvin; Sir James Paget, Dr. Butler of Trinity, Dr. Jewett, the historians Froide and Lecky and the United States Minister, Robert T. Lincoln.

Fame blows his cheer trumpet o'er thy sleep,
And love stands broken by thy lonely lay;
So sure the fire God gave this day to keep,
The clay must still seem holy from the fire.

OUR FIVE-FOLD SHEAF.

Kipling's Verse.

Kipling's verse is the song of the pioneer, primitive and modern both, of the pioneer of the Age of Steam, of the founder of order in Africa, of Tommy Atkins on the Afghan border, of the younger son in Australia, positively strumming remembrance of the London lights from the strings of the banjo as he sits "on a bucket upside down." The call of the wanderlust, "in desire of many marvels overseas," strong in the hearts of his minstrels; they are "blooded to the open and the sky," they are "taken in a snare that shall not fall"; they yearn for the smell of campfires and the heaving breast of distant seas. Adventure is life; discovery is triumph; death only an incident in the conquest of the unknown. All are fighters, whether like McAndrews, "the dour Scots engineer," they wrestle with the power of steam and their own souls or, like Tommy, they match rifle-butt with the knives of Fuzzy-Wuzzly at his "home in the Sowdan," or like Mullahand, the religious cattle-tender on the ship, they make converts by knocking them down and leading 'em to grace.

In his verse, too, Kipling has made the romance of the machine a poetic motive. Think of the transformation of industrial life if every factory hand had old McAndrew's vision of his engine where he saw "predestination in the stride of yon connectin'-rod," and could sing, with him, of "purritin' dynamoses" and of his smoothly-working mechanism "singing with the morning stars for joy that they are made." His verse is the song of action, blood-stirring, soul-kindling, full of the salt of the sea and the smoke of hunters' fires, and the joys and griefs and triumphs of the "man who knows his naked soul."

The ancient and admirable Seamen's Friend Society reports that nine sailors out of ten to whom its traveling libraries are accessible read the books, and that the favorites are, in order, Stevenson's "Treasure Island," Dumas' "The Three Musketeers," Stoddard's "Cruising Among the Caribbees," Watson's "Hurricane Island," Weynan's "Under the Red Robe," Wallace's "The Prince of India."

LITERARY MATERIAL GOING TO WASTE.

The editor of a half-dozen popular short-story magazines once told the writer of this that Bret Harte's stories of California were out of date and would not be accepted if offered to-day to a modern editor. That his judgment was not conclusive is indicated by the fact that the Houghton Mifflin company have just issued a new edition of Harte's works in pocket size.

This fact suggests that the pioneers who are rapidly being claimed by death are carrying with them to the grave a wealth of picturesque incident and anecdote of early days in California. It seems a pity that no author has risen with the genius to grasp more of the spirit of that day which Harte immortalized, for Harte did not, by any means, exhaust its resources of literary availability. He caught and fixed, in story form, the images of some of the more striking types of '49, and the pictures of some sides of its social life. But he did not paint his pictures on a large canvas. He rather wrought miniatures, exquisite, life-like, immortal. But the story of that day has the possibilities of an Homeric epic, with the spirit of an adventurous people for its motive.

Someone should write this bigger story of the Argonauts. Whoever would do it should make haste to catch the spirit of its setting from the depleted ranks of the pioneers.

Meanwhile, since we must wait upon the gods for the birth of genius, would it not be money wisely spent if the universities would detail students from the history classes to make a careful search for men who lived during the stirring days of the gold fever and to get from them the anecdotes and historical minutiae that are the local color of historical romance? These things, more of permanent record, will some day be incalculably valuable to some one with the gift to unify them in literary form; at least as valuable as the records of Digger Indian folk-lore for collecting which much money has already been spent.

EMERSON'S "JOURNAL."

Houghton Mifflin Company, the Boston publishers, announce that the first publication of Ralph Waldo Emerson's boyhood "Journal" will be begun by them with the issuance of the first two volumes this fall. These volumes cover the years 1820-1829.

Emerson's two rules to young scholars have often been quoted: "Room alone," and "Keep a Journal." The latter seems to have been his amusement. In college, morning and evening he wrote serious thoughts and questionings, relieved by rhetorical flights, ballads, or nonsense verses, often recording his pleasure in what he had read or heard from great men.

His early love and first marriage, the sickness and death of his wife, his zeal and his doubts as a pastor, his quiet parting with his rock, his travels and return to Concord, are all episodes which appear in the Journal. Among the notabilities mentioned are Dr. Channing, Everett, Webster, Carlyle, Thoreau, Alcott, Father Taylor, Ellery Channing, Margaret Fuller, and Hawthorne.

COAST NUMBER OF WORLD'S WORK.

The August issue of *The World's Work* is called "The Marvelous Pacific Coast Number," and is devoted almost wholly to articles describing the Alaska-Yukon-Pacific Exposition and the resources of California and the Northwest. One long article, "The Reducibility of California," describes the larger movements now in process of shaping the development of the state, together with an account of the New San Francisco. Several pages of photographic reproductions of California scenes and a map of California, and of Tehachapi illustrate the article. Pictures of the Seaside fair and articles explaining the railroad extensions of Oregon and Washington are also printed in this number.

MEN WHO DO THINGS

REV. D. O. CROWLEY.



Rev. D. O. Crowley.

"Catch them young"

For twenty-three years, Rev. D. O. Crowley, of San Francisco, has been "catching them young," and 12,000 boys rescued from poverty and vice are the results of his practical creed. For twenty-three years, Reverend Crowley and the "Youths' Directory" have been practically identical.

Father Crowley was born in County Cork, Ireland, in 1852. He received a good common-school education

there. In his boyhood he came to America, first to Boston, where he worked for Rand, Avery & Co.; later to Nevada, where he swung a pick for years as a miner on the Comstock.

Then he gave up mining and entered St. Vincent's College, in Los Angeles, from which he was graduated. After a later course at St. Mary's Seminary, in Baltimore, he was ordained a Catholic priest. He was in charge of the parish at Dixon, Cal., until 1887, when Archbishop Riordan put him in charge of the work of building up the Youths' Directory in San Francisco.

Since that time Father Crowley's life is written in terms of boys rescued and educated and put to work with the training necessary for success. He refuses to consider his personal career at all, and even the meagre facts of his earlier life that are printed above had to be gleaned from his friends.

When he took charge of the work, a small one-story building was the sole equipment. He set about getting larger quarters. Funds were necessary. He organized St. Joseph's Union, a body of men and women who thinly disguised their charity by subscribing for a modest quarterly paper of the same name, each paying one dollar a year. To-day, \$8,000 are annually received for the prosecution of the work from this source alone.

By this means and with funds raised by entertainments and benefits, a larger building was acquired in 1889. The number of boys rescued jumped from 112 in 1887, to 505 in 1889.

Ten years later a much larger building was put up. The following year the number of boys rescued increased to 668. This building was destroyed by the fire three years ago, but to-day a still larger building is going up to replace it.

What Does the Directory Do?

The Directory is a home for boys whose parents are too poor to care for them properly, for boys whose parents are drunken or otherwise unfit to care for them, for boys who are from any cause homeless, friendless, or hungry. In the Directory they are clothed, fed, instructed in morals, and provided with a playground, with good books to read, and with good beds. They are not taught there; they are sent to the public schools; but in every other respect the Directory is home to them. When they are old enough, work is found for them under conditions permitting them to learn a way to earn a living, and until they are self-supporting, the Directory is still their home. When a boy is earning seven dollars a week, the Directory finds him a home where he will be properly raised and where his earnings give him an honorable claim to the care of his foster family. Boys

of exceptional capacity are kept by the Directory and given special educational advantages equipping them for higher grades of work or for the professions.

The Directory makes no distinction of race, color, or creed. It has raised negroes and Chinese, Catholics and Protestants, and found homes and work for all.

The theory of the "catch them young" motto is the now well-known sociological fact that children raised in an environment of vice and inefficiency drift naturally and rapidly into crime during youth, while these same children, if lifted from their surroundings before adolescence, may be trained to become industrious and useful citizens by proper nutrition, proper discipline, and steady employment. That is the whole of the simple theory; but California is richer to-day by literally thousands of sober citizens because of Father Crowley's practical application of it.

One addition has been made to the theory and to the practice. The addition is the supplementing of the home in San Francisco with instruction in practical farming. In 1902 Father Crowley, after years of patient work, was able to buy 1,200 acres of land at Rutherford, in the upper Napa valley, and to establish there the St. Joseph's Agricultural Institute and School of Mechanical Industry. Boys from the slums are sent there to grow up in fresh air and away from every suggestion of their unfortunate origin, and to study farming under practical instructors. They are taught how to plant vines and trees, how to prune, how to pick and prepare the fruit for market. They are taught dairying, from raising hay to making butter. A graduate at Rutherford is competent to hire out as a skilled farm laborer or to own and operate his own farm. Already, hundreds of boys have learned the fine art of farming at Rutherford. And, better, they have learned to love the country and to appreciate the solid pleasures of its fruitful labor. They have found their place in the world of industry who, but for Father Crowley's work, would have grown up, if not to a life of crime, at least to the closely-related life of industrial inefficiency.

This work has not overlapped the work of orphanages. Orphans are entitled to state aid: \$100 a year for full orphans, and \$75 a year for half orphans. But the boys who are helped by the Directory are not orphans; they are waifs for whom no governmental provision is made. The Directory's field is unique. Its success has been an enormous service to the public. Father Crowley is the author of that success, and he deserves, as he receives, the gratitude of all who are familiar with his work.

The public has now an opportunity to indicate its appreciation, and The California Weekly gladly and on its own initiative commends to the public the means of attesting it. Funds are needed to clear the indebtedness incurred in the work of replacing the building destroyed in the great fire, and any person charitably or patriotically inclined can further a most worthy cause by contributing to a fund for this purpose.

Knowing full well that we shall be indebted to the good we can say for his work, for hope of his forgiveness for good words spoken on behalf of himself, we rest content with the prophecy that Father Crowley will become increasingly dear to San Francisco as the years go by. As he forgot self when he entered the priesthood so, from that day to this, has he left self out of his thoughts. He is glad of his success for his boys' sake and it is a bit proud of his Directory and his big farm it is for their sakes, too, not his own. The achievements of many a captain of industry or finance, whose name is continually in the public mouth, dwarf into insignificance by comparison with the life work of Rev. D. O. Crowley.

THE GRAFT CASES.

At this writing (Thursday) two jurors have been temporarily passed to the jury box, in the trial of Patrick Calhoun, and there they will remain, at least, until the peremptory challenge lightning has been given opportunity to work its will on them. The two jurors thus temporarily accepted are Thomas Gainsford, a plumber, and Thomas Green, a retired saloon-keeper. These two possible jurors are all the wheat that has been saved from the chaff of nearly 1,500 talemens, the rest having been winnowed out of the case by either the court, the attorneys or themselves. Still, there is encouragement in the fact that both of these jury possibilities have been attained within the limits of the last week; it emphatically beats the record of the two preceding weeks, when not a single juror was temporarily passed.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

S-s-sh! S-s-sh! S-s-sh!

Who put up the cash for our Ruef to dis-
 pense—

S-s-sh! S-s-sh! S-s-sh!—

And who was the gainer in dollars and cents?
 S-s-sh! S-s-sh! S-s-sh!—

Oh, the plunks left the mint, with Patrick's
 O. K.

When it chanced that our Abie was strolling
 that way,

But who was the briber the hoodlers to pay?—
 S-s-sh! S-s-sh! S-s-sh!—

Business is business, and guard it we must—

S-s-sh! S-s-sh! S-s-sh!—

A briber's "held-up" if he's plenty of "dust"—
 S-s-sh! S-s-sh! S-s-sh!—

A poor, hungry mortal a robber should be,
 A prison's the thing for such felons as he.

But if he has wealth, why, then, don't you see,
 S-s-sh! S-s-sh! S-s-sh!—

That Patrick was "held up" our sages main-
 tain—

S-s-sh! S-s-sh! S-s-sh!—

For a bribe is the price of some species of
 gain—

S-s-sh! S-s-sh! S-s-sh!—

There's never a mortal who doesn't know now
 To whom Abie looked for that hundred

thou,

But if villainy's winner, to it let us bow—
 S-s-sh! S-s-sh! S-s-sh!—

His Awful Dream.

"I had a dream," said the pale man.

"Yes?" said I.

"Yes; it was an awful dream."

"What was it?"

"I dreamed that the end of all earthly things
 had come, and I was in Heaven. I don't
 know how I got there, but as the wall ap-
 peared to be unbroken, it may have been
 legitimately. I looked about me on the as-
 sembled throng from earth, and, as I had been
 acquainted with the manner in which the mem-
 bership of churches here is constituted, I was
 not at all surprised by what I saw."

"What was it?" I inquired.

"Why, for every male angel there were a
 few dozen female angels. Of course, I con-
 gratulated myself, for I fancied I ought to
 work a fairly good time out of such a situa-
 tion, and I had gone so far as to figure that
 my share would be about fifty-seven, when I
 saw something, and I awoke in a cold sweat."

"What did you see?" I asked.

"Just a sign. Oh, dear!"

"What did the sign say?"

"It said—oh, hum—it said:

TAKE NOTICE!

Male Angels, having learned how
 on Earth, are expected to button
 the Female Angels' wings down
 the back.

"Ah me!" said the pale man, "do you be-
 lieve there is anything in dreams?"

I tried to comfort him by saying I thought
 there was not; but who knows?

Much of His Education to Come.

"I understand that his education is com-
 pleted."

"By no means."

"Why, he has graduated from the university,
 has he not?"

"Yes, but he's not married."

I Never Ask for It.

In prayers unspoken oft I plead

For much of joy and blessing.

For what I wish, and what I need,

My every hope expressing.

I ask for much, the more. My "nerve"

Would rule me, and I let it;

But ne'er I ask what I deserve—

I fear that I might get it.

The Opinions of Rufus.

Most of us when we make a success hurry
 to tell the neighbors how we did it, but when
 we make a failure, we lay it to Providence.

When the Almighty hears some men say
 they're self-made, I should think He'd feel
 relieved of considerable responsibility.

The man who votes an' worships precisely
 as his pa did either was mighty lucky in
 s'lectin' his parent or he can't maintain the
 family's goin' ahead much in his generation.

Just listen to their talk, an' you'll find that
 the feller that ain't got any ideas is likely to
 be the first an' loudest to let you know it.

You thought she was an angel 'fore you
 married her, an' it's a mighty lucky thing fer
 you it turned out you was mistaken. You'd
 make a interestin' partner fer a angel, wouldn't
 you?

There was only One that said, Let him that's
 without sin cast the first stone. The rest of
 us say, Let him that ain't ben ketcht at it
 throw the stone.

Seems to me that the greatest failure in life
 is to succeed in doin' the thing that shouldn't
 be done.

It's said that order is heaven's first law, but
 I reckon some men are mistaken in fancyin'
 it's the order the lodge they b'long to is a
 member of.

Seems to me church an' together admit that
 we're miserable sinners, but we have to be
 all alone 'fore we admit it so hard that it
 hurts much.

No, I ain't afraid o' automobiles, but when
 you take one an' a fool in combination I must
 say that I feel a little nervous as long as I'm
 on the same row of blocks.

Thoughtful Man on the Jury System.

"I was in court the other day," said the
 Thoughtful Man, "and watched the lawyers
 trying to find a man who, under our wise and
 beneficent laws, was fitted by nature and en-
 vironment to serve on a jury. 'Twas a beauti-
 ful and yet pathetic scene. A candidate for
 the jury was on the stand.

"Are you a man of normal intelligence?"
 the lawyer for the defense inquired.

"I trust so," was the answer.

"The lawyer imperfectly suppressed a hope-
 less sigh, but bravely went ahead regardless of
 the handicap.

"Can you read?" he says.

"The gifted attorney shuddered, but realiz-
 ing that one hope still was left, he nobly con-
 tinued.

"You say that you can read," he thundered,
 "but do you?"

"Sometimes."

"Ah-h-h!" The lawyer could not restrain
 his emotion, and gloom settled upon the court
 like a mantle. Evidently there was no hope,
 but the heroic attorney manfully continued,
 against all odds, to earn his fee.

"I can."

"Yes," he says, "but do you base opinions
 on what you read?"

"At times I do."

"It becomes my high duty," says the lawyer,
 addressing the court, "to get at the actual con-
 dition of this man's heart and alleged mind.

We cannot allow any perfidious creature to
 worm his way into this case and interfere with
 the magnificent onward march of sacred
 Justice.

"Now, sir," he says, turning to the candidate
 "you say that at times you base an opinion on
 what you read. Let us ascertain what you
 mean. Suppose you should read in the papers
 that a man had fallen from a balloon to the
 ground, a distance of 1,000 feet, had broken
 every bone in his body and crushed himself
 out of all human semblance—on these alleged
 facts would you base an opinion that the man
 probably was dead?"

"I presume that I should."

"Enough!" cries the lawyer in broken tones.

"We ask, your honor, that this man be excused.

It must be apparent to everyone that he is a

person of violent prejudices and preconceived
 opin—

"Hold!" cries the lawyer for the prosecu-
 tion, "We desire to ask a question." He does
 so.

"Suppose," he says, "it were shown by the
 evidence that the man was not dead, but was
 only joshing, what would you then decide?"

"That it was a very successful josh."

"Under all the circumstances, of course, the
 challenge was not resisted.

"It is by this immortal and ennobling sys-
 tem," the Thoughtful Man continued, "that
 Justice is assured of a chance to surge on-
 ward and devote more of her attention to
 poverty-stricken wretches who need it."

"Do you consider it a good system?" I in-
 quired.

"Sure!" the Thoughtful Man responded. "If
 the system were other than it is it would get
 so after a time that our honored and wealthy
 citizens could not be held up to their own ad-
 vantage with impunity. Oh, you bet it is a
 great system!"

The Little Old Shoemaker.

A little, old shoemaker lived long ago—

Ho and oho! but he now is dead—

And he sung a song that I very well know

Over and o'er till the day was sped;

And the song kept time to his hammer's tap.

Falling with rhythmic and jubilant swing.

And it all was sweet to the little chap

Who paused in his doorway to hear him

sing:

Rat-a-tat! Rat-a-tat! Rat-a-tat, tat!—

"Worry's a phantom, a specter, my dear;

It skurries away if you say to it, 'Scat!'

There's never a trouble unless it is

here—"

Rat-a-tat! Rat-a-tat! Rat-a-tat, tat!—

"Now what do you think of a notion like

that?"

Thus did he sing till the sun sank low,

This little, old shoemaker long ago.

He had little of wealth that the world would
 heed—

Ho and oho! What matter? I say;

A very few income will fit a wee need,

And money will rarely for happiness pay—

So his face, though wrinkled, was wondrously

fair.

Shining in peace and with love aglow,

As his hammer fell and he trolled his air,

Ever and ever so long ago:

Rat-a-tat! Rat-a-tat! Rat-a-tat, tat!—

"Worry's a specter we never need fear;

It skurries away if we say to it, 'Scat!'

There's never a trouble unless it is

here—"

Rat-a-tat! Rat-a-tat! Rat-a-tat, tat!—

"Now what do you think of a notion like

that?"

He was richer than many held wealthy, I

thought, this little, old shoemaker long ago.

It was ever and ever so long ago—

Ho and oho! how the years do fly!—

And his song was lost in the anthem low

We chant o'er the graves where our loved

ones lie;

And perchance—who may know?—there's a

bench up there,

Over the trouble and out of the wrong,

Where he sometimes sits, with never a care,

While the angels listen to hear his song:

Rat-a-tat! Rat-a-tat! Rat-a-tat, tat!—

Worry's a fog of the workaday sphere,

It bindeth the toilers o'er valley and flat.

But here on God's summit our vision is

clear—"

Rat-a-tat! Rat-a-tat! Rat-a-tat, tat!—

"His angels e'er whisper such message as

that."

And I would that my life all his wisdom might

know,

This little, old shoemaker long ago.

AMERICAN LYRICS.

AUSPEX.

By James Russell Lowell.

My heart, I cannot still it,
 Next that had song-birds in it;
 And when the last shall go,
 The dreary days do fill it.
 Instead of lark or linnet,
 Shall whirl dead leaves and snow.

Had they been swallows only,
 Without the passion stronger
 That skyward longs and sings,—
 Woe's me, I shall be lonely
 When I can feel no longer
 The impatience of their wings!

A moment, sweet delusion,
 Like birds the brown leaves hover;
 But it will not be long
 Before their wild confusion
 Fall wavering down to cover
 The poet and his song.

Julia Marlowe will act the part of Hamlet
 next season.

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UP AND DOWN THE STATE.

The Pittsburg Syndicate, which has pur-
 chased lands about Colusa, is to supply tele-
 phone service to the people along its lines for
 twenty-five cents a month.

On the upper Stockton road, about ten
 miles out of Sacramento, a road-grader's
 shovel unearthed hidden treasure amounting
 to more than \$1,500 in value, scattering it
 along the road for some distance, where it
 was later found. The treasure was in old
 gold coins minted by various nations, and is
 supposed to have been buried by Joaquin
 Murrieta, the bandit.

A line of automobiles between Oroville and
 Quincy has just been established.

The Santa Maria Times, an excellent local
 paper, recently and modestly celebrated its
 twenty-seventh birthday.

The contract for the construction of the
 Colton extension of the Riverside electric line
 has been let, and work on it will be begun at
 once.

The Benicia New Era has been purchased by
 H. J. Bok, recently of the Napa Register,
 and R. A. Sage, and these two henceforth will
 shape the destinies of that paper.

A fifty-foot shaft of ore averaging more
 than \$200 to the ton has been opened in the
 Golden Siren claim near Bishop, Inyo county.

The didn't-know-it-was-loaded tragedy was
 enacted near Bakersfield the other day, when
 Chris Kirchner was shot and killed by Fred
 Hoffelder. The latter playfully pointed a
 gun at Kirchner, and pulled the trigger.

Regular passenger and freight traffic now
 is in effect on the Western Pacific railroad
 from Salt Lake City to Elko, Nevada, and it
 is expected that the line will be in operation
 to Oakland by next December.

Gold ore running from \$300 to \$450 a ton
 in value now is being taken from the Knob
 mine, in Eastman gulch, Trinity county.

The rights of way for a line to connect
 Quincy with the Western Pacific railroad
 nearly all have been secured.

The Arizona and California railroad, which
 will be subsidiary to the Santa Fe, is about to
 be constructed from Parker, on the Arizona
 side of the Colorado river, to Bengal, which
 is near Amboy on the main line of the Santa
 Fe in California. A large tract of desert land
 along the course of the new line will be irri-
 gated from the Colorado river, and a new field
 will be opened for Los Angeles enterprise to
 conquer.

CURIOSITIES OF LITERATURE.

From Major Pyncheon's Diary.

The Case of Goodman Segar.

Old New England records show that there
 were no poor houses, but that those incapable
 of self-support were aided by neighborly con-
 tributions, for which the donors were reim-
 bursed by community appropriations.

Note the glorious finale of one Goodman
 Segar:

At a Anniversary Meeting of the Inhabitants of
 Southfield March 10th, 1740.

Also granted to Dea Joseph Rivington in town pay
 for seven pounds and three ounces of pork to Goodman
 Segar, Eight shillings and four pence.

Also granted to Enst Josiah King in Town pay for
 one Load of wood to Segar, Six Shillings.

Also granted to Josph Vynched Six Shillings in Town
 pay for one Load of wood to Joseph Segar.

Also granted to Ebenezer Smith Nineteen shillings
 and Two pence in money for sundries to Goodman
 Segar, viz: half an ounce of blistering salve & half an
 ounce of Licker & half an ounce of amice seed; and
 half an ounce of gension; and an ounce of Metradate;
 and half an ounce of manna; and five grains of Rulmih;
 and half an ounce of Cinemom; and an ounce of metra
 date; and an ounce of Dias Cordium; and a Gallipot.

Also grant to Capt. Josiah Sheldon for Two ounces
 and six penny worth of Salamovick to Goodman Segar:
 Twelve Shillings and six pence.

Also granted to Benjamin Kent for a pint of Rum; a
 gallon of brandy and a hoke of wood to Goodman Segar:
 seventeen, shillings, and eight pence.

At a Legal Town meeting of the Inhabitants of
 Southfield March ye 31st 1740.

Also granted to Aaron Hitchcock: Seventeen shillings
 and six pence in Town pay for sundries—viz, his
 brooming a chair for the school house and making a
 effin for Goodman Segar; and mending the school house.



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The Victor without a horn! It looks like
 a music cabinet—it plays and sings like
 the artists themselves without rasp or
 mechanical note. Now being installed
 in all the best homes in America, in the
 choicest suites of the finest hotels, aboard
 the ocean greyhounds and in the palaces
 of nobility throughout all Europe.

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POLITICAL TABLE TALK

By THE WATCHMAN.

Good Work From A State Board

The State Board of Equalization, by unanimous vote, has shovled up railroad assessments on the basis of conditions, and by far the greater part of the increase has fallen on the Southern Pacific roads. What can the matter be? Has Mr. Herrin lost his control over that formerly well-oiled and light-running piece of political machinery, the State Board of Equalization? Within four years the assessed valuation of the railroads has been put up 50 per cent. or so, and it is more than twenty years since anything of the sort happened before. It is true that the immediate explanation of the rapidly-rising taxes of the railroad companies is the adoption of the practically automatic plan, proposed by the constitutional amendment of 1908, of basing assessments on gross earnings; but how came the State Board of Equalization to volunteer to put this plan in operation in advance of a vote by the people and how came they to continue it after the people, by a small majority, had rejected it? The only adequate explanation is that there has been such a political change passing over California that the same men who would formerly have been thoroughly subservient now act in a quite different manner. By the way, when railroad traffic fully recovers from the effects of the panic, gross earnings, and consequently taxes, will increase still more rapidly, if the automatic plan of assessment continues in use.

Figures Lie When Liars Do the Figuring

In their arguments before the Board of Equalization this year, as appears from the detailed reports in the Sacramento papers, the railroad representatives renewed their attempt to demonstrate that one car mile the roads carry much less in Nevada, Arizona, and New Mexico, and the Santa Fe company even sent its chief statistician out from Chicago to help prove this paradox. To one who knows what the valleys of California are and who also is acquainted with the arid wastes of the other, common sense mentions it would appear that extraordinary mathematical skill would be necessary to make such a proposition look plausible. And yet, if you grant the premises of the railroad statisticians, they can prove their case and it is impossible to find fault with their logic, wherein they remind one of the English statesman who said: "Never make a mistake in your reasoning, for if you do you will be detected and exposed; but the facts are yours to do with as you please." The premise of the railroad people is that each mile of road earns a certain amount for each ton of freight moved over it; in other words, freight earnings are in proportion to the "density" of the traffic, and on the main lines in Nevada and Arizona traffic is denser than in California, because, although there is little local business, all of the traffic gathered up by the branches and feeders in California is brought together in solid train loads and so moved across the desert. It looks like a case of what the theologians call imputed righteousness to believe that railroads can be greater earners of money in barren Nevada than in fertile California, but the railroad traffic manager's proposition is one hard to meet.

The Pullmans Made Of Sterner Stuff

The Pullman Car company, unlike the railroads, has not been minded to pay what was right lest the people revolt. That company keeps its nerve. For long years that corporation reported to the Board of Equalization certain lines over which it ran cars and the number of cars required to "fill" those lines, as they were called. It occurred to State Controller A. B. Nye that it would be of interest to know if it did, or did not, require just the number of cars reported for taxation to "fill" those lines, so he set energies in mo-

tion to have all the assessors in the state, and their deputies, list all the Pullman sleeping cars to be found in the state, on a day certain as not far off, and read the description to the office of the State Board of Equalization. When these reports came in, were inspected and all duplications were crossed out, it was discovered that it required about one-third more cars to "fill" its California runs than its agents had reported and the company was assessed accordingly. The same sort of an investigation has disclosed a similar state of facts this year. But the Pullman car company did not pay without protest. In fact it did not pay at all and there are now three years' assessments against it. Its officers evidently concluded that, if they were not to be permitted to do their own assessing of their own company as in former years, paying, as the railroads had, what they were "minded to" and no more, they would not pay at all, but would take full advantage of the delays and uncertainties afforded powerful litigants by California's complicated and unquestionable judicial system. There are few corporations so ponderous that they cannot dodge a tax with as much facility as a calf can dodge a man on horseback.

The Philosophy of Railroad Control

The Watchman is disinclined to concede that Mr. Herrin and his associates permitted the nomination at Santa Cruz, and election at the polls, of an honest Board of Equalization through negligence. If such a board was selected it was by design or else the equalizers broke out of the reservation afterward. Perhaps the phenomenon may be accounted for on philosophic grounds. It is commonly known that there are two corner stones underlying the railroad policy of this country, and especially of California. One is expressed in "What the Traffic Will Bear," and the other in "What the People Will Stand." The first has to do with carrying the people and their merchandise, the other with running the people's government in their room and stead. During the administration of Governor Pardee the People of California got into a dangerous mood. They began to get out things. The governor and his associates talked, talked for publication, talked for the information of the people. Then came the Santa Cruz convention and the election which gave the railroad's candidate for governor 60,000 less than a majority of the votes cast although unfortunately, a plurality. That shook up the "organization" like a temblor. For twenty years the railroads had dodged \$700,000 a year in state taxes. The Lincoln-Roosevelt movement gave 'em another shake-up and they did not dare to do it any more. The "organization" wanted to keep on the safe side of "What the People Will Stand." The Lincoln-Roosevelt revolt was ozone to the political atmosphere of California and the fragrance of it still lingers.

The "Hon." Dick Beamer The Back at the Public Crib

The Honorable "Dick" Beamer was for sixteen consecutive years a member of the State Board of Equalization. Those were fat years for the railroads. They assessed themselves at what they were minded to pay and the genial Richard never said them nay. When he declined to be a candidate for reelection in 1906 it was understood to be for the reason that his health was so poor as to make him unable to hold a sinecure which, it was believed, although a Democrat, he had by life tenure from the Republican powers that be. His many friends will be glad to note that he has so far recovered as to be able again to hold his head of the state treasury. State Bank Commissioner Alden Anderson has appointed him an expert accountant for his department. Expert he is, as politician if not certainly as accountant, and he should know

values as well as any man in the state, but it is hard to reconcile his appointment with the concept of an entirely non-political state banking department, and any other kind will promise little better than the late unnamed State Board of Politicians. Without politics to "do" Dick Beamer would die of ennui, but we have this at least to comfort us: There is no conceivable reason why the "organization" people should wish to maintain in California a thoroughly unsound and unsafe banking system.

Theodore Bell Still Stirring Up the Animals

Although it seems a long time since 1906, when Theodore Bell, Democratic candidate for governor, made such a sensational run, he is still an interesting character, and every little while he does something to start the political gossips talking. They have recently been asking themselves what Mr. Bell means by stirring up the bankers and the other wealthy men in his home county and insuring their lasting enmity. He has had them all up before the county board of supervisors to show why their assessments and taxes should not be doubled, and in some cases the board has ordered sensational raises over the assessor's figures. It is true that Bell has a contract with the Napa supervisors that he shall get 25 per cent. or some other substantial per cent. of all the tax-money he brings in, but will that mean much to him if he offends all of the people in the county who could be good paying clients of his law office? And where is the politics of it? ask the puzzled politicians. He has been known that Theodore Bell was the real author of the Sanford bill in the last legislature intended to authorize county supervisors to employ assistants—tax ferrets they are called in other states—to discover property which the assessors have left off the rolls. The bill was killed, but his conduct has not been discouraged. It is known he contemplates carrying his campaign into other counties next year, and the outcome will be worth watching, for if he is right on some of the legal propositions he is maintaining, the assessors of the state have been very ignorant of many things they ought to know. One thing is reasonably certain, and this is that Bell has a touch of political genius which will keep him well to the front for a good while to come. His receipting to the county in full of claim for services performed in tax ferretting for a consideration of one dollar will effectually close the mouths of his critics if it does shave his own pocket rather thin.

Curry's Candidacy Looks Dangerous

The press of the state is almost uniformly recognizing, and quite generally admitting, the dangerous character of the candidacy of Charles F. Curry for the Republican nomination for governor. It is conceded that he is a strong candidate, his strength mainly consisting in his popularity with the most objectionable element in our political life, the element, for instance, most certain to vote at a primary election. Only about 25 per cent. of the registered voters in this or any other state habitually votes at a primary election, and that is precisely that portion of the electorate whose voting could be dispensed with to the greatest public advantage. It is the 25 per cent. that votes because there is something in it, for themselves or their friends and there would be "something in it" for as many of them as possible if Charles F. Curry were nominated and elected governor. That is, he could be relied on to throw his influence toward making two jobs out of the state service when there was only one before wherever it could be done, and every such job would be filled with a political friend to Curry. In Mr. Curry's political philosophy that is what a state is for.

"Peace" for The week in San Francisco politics has been very dull.

The most noteworthy activities are those of the Citizen's Committee, or the "Business Men's" Committee, who are eagerly searching for "peace." Peace, according to their idea, is the voluntary elimination of all candidates for Republican nomination but their own. This idea, though naive, is not ingenious. It has appealed with all its humorous implication to the candidates backed by the Municipal League of Independent Republican Clubs and headed by Byron Maury for mayor. The gentlemen, unperturbed by the horrible spectre of party dissension, are continuing their active campaign to beat Crocker and the organization crew nominated by Hellman-de Young and the rest. They are preparing to placard the city in the interest of their ticket, and they intend carry the fight right up to the primary polls on the 17th. The Municipal League is strongly organized, and will give the machine a hard fight.

Coghlan Out Of The Race Other candidates have, however, listened to the siren song of peace. Nate C. Coghlan, who rose with sound and fury to "beat one Francis J. Heney" for district attorney, was sidetracked by the "business" interests, and Charles M. Fickert got the right of way and full train-orders over the regular Republican track. Coghlan had a long debate with himself after the miscarriage of his plans, a debate after the manner of Shakespeare's clown arguing with his good thumb and his bad thumb. The result is that Coghlan reluctantly agreed to withdraw in favor of peace—not of Fickert. Perhaps "one Heney" would have had more pleasure in defeating Coghlan, who stands at least boldly against the things that Heney stands for, than in defeating Fickert, who stands for the same things as Coghlan, but not so notoriously.

What is it that makes some candy taste SO good.

It's the quality of the material that goes into it.

Some candy makers continually figure out scheme and experiment to increase profits by decreasing cost.

Quality then has to suffer.

Lehnhardt continually figures and tries to increase profits by making better candies.

Lehnhardt's way costs more per pound but he sells more pounds.

Which is better—to sell 1,000 pounds at a profit of 10c a pound or to sell 100 pounds at a profit of 25c a pound?

Lehnhardt prefers the former—Makes more money and more friends.

Think it over.

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Trying to Beat McNab The Democrats of the anti-McNab wing are trying desperately to beat Leland at the primaries. McLeran, their nominee for mayor, has agreed to support Rock, if he himself is not successful. Rock is the third leg in the race, but is not a McNabocrat. The McNab regulars are not making an open fight, and have no acknowledged ticket, but the word has passed down the line intelligibly to those who take their politics straight, and it would surprise everybody if the regulars did not win.

Is Gallagher Slated For Chief of Police? No progress is reported in the engravers' strike noticed in these columns last week. The questions are still being asked by people interested in politics who would like to know what connection there might be between a strike and the chances of P. H. McCarthy winning the mayoralty. It is worth while at this point to ask a question that is current in the mouths of these same seekers after truth: Is it true that, in the event McCarthy is elected mayor, Andrew J. Gallagher will be chief of police?

A QUAIN CONTRACT.

The unusually careful records of our early New England settlements are of extreme interest. Though there runs through them the seriousness of Puritanism, we, their degenerate descendants, may find some humor in the direct and simple autobiographies of their troublé lives.

In the early history of Suffield, Conn., we quote an extract from Major Pynchon's diary:

An Agreement for Millstones.

Feb. 5th, 1672 Agreed with John Webb & Zebediah Williams to make me a pr of good mill stones of good grete whout flaw to be as good as mine or Westfield Millstones; to be full 5 foot: 3 inches over, 15 inches deepe in ye eye & 13 inches in ye skirt weh stones are to be dwd either at Windsor or at Stony Brook where I please next October. 11 at Windsor I am to allow and pay for you 23 £ & Gallon of Rum; if at Stony River then to pay but 21 £ & 2 Gallon of rum.

As witness our hands

John Webb
Z. W.
John Pynchon.

THE CHILD AND THE MAN.

Upon the beach a child played, and he builded himself a house of sand, and when it was completed he laughed gleefully and was proud because of it. Back from the beach a little way were stones of which the house might have been builded, but the child liked to play with the sand better.

Then a breaker rolled in and swept the structure away, and the child wept, but the sand still was there, and so the child builded again a house which a wave swept away, and his laughter and tears succeeded each other throughout the day.

Of the golden sands upon the beach of time a man builded the structure that is known as wealth, and he held it very fair and rejoiced in it. Close at hand were the rocks of good will and faithful service and brotherly love, but the man loved the glittering sand better, and he said to all, "See how wonderful is the structure of wealth I have erected!"

Then, from out the mist-draped, eternal sea, swept the black wave of death, and the man saw his structure no more, for the wave bore him away in its gloomy depths.

Again and yet again the child builded his fragile structure, but the man could build but once and always he had known it.

Now which, think you, was the wiser, the child or the man?

NO MORE.

By B. F. Willson.

This is the Burden of the Heart,
The Burden that it always bore:
We live to love; we meet to part;
And part to meet on earth no more:
We clasp each other to the heart,
And part to meet on earth no more.

There is a time for tears to start,—
For dew to fall and larks to soar:
The time for tears is when we part
To meet upon the earth no more:
The time for tears is when we part
To meet on this wide earth—no more.

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ENGLAND'S BETTER CRIMINAL PROCEDURE

V. REPRIEVES, PARDONS, AND APPEALS.
By AN ENGLISH ATTORNEY.

[This article is the fifth of a series arranged for by The California Weekly, contrasting the procedure in the criminal courts of England with the Californian procedure and showing why the English system results in a far more expeditious and even-handed justice without expending delays. America adopted the English method of administering justice shortly before England discarded that method for a better one. America has complicated a cumbersome system while England has simplified a better system. The reform of the criminal procedure in California is the most urgent problem of the day, and this article, together with those to follow, will be illuminating to all concerned. They have been prepared for The California Weekly by an eminent member of the English bar who now resides in San Francisco, and may be relied upon as an authoritative statement of the facts.—The Editor.]

There was no provision at common law for paying the costs of a private prosecutor or the expenses of witnesses, but now by the statute both the expenses and the costs of prosecution may, as said before, be paid to the private prosecutor, also such sums to the witnesses and to the prosecutor as may reimburse them for their expenses before the grand jury and before the committing magistrate and remunerate them for their loss of time. These costs and expenses are allowed on a certificate of the magistrates. The reform of the criminal procedure in California is the most urgent problem of the day, and this article, together with those to follow, will be illuminating to all concerned. They have been prepared for The California Weekly by an eminent member of the English bar who now resides in San Francisco, and may be relied upon as an authoritative statement of the facts.—The Editor.]

Verdict May Vary from Accusation.

Instead of bringing in a verdict of guilty or not guilty the jury has the right, if they find from the evidence that the facts proved constitute a lesser crime than that charged in the indictment, to render a verdict against the accused for the lesser crime, for example, a man has been indicted for horse stealing but convicted of larceny, and when the crime was not actually committed but the facts showed that it was attempted the verdict may be guilty of an attempt to commit the crime. The jury may also specially find the facts in a case and may leave it to the judge to say whether accused is guilty or not guilty or the judge may refuse to receive the verdict of the jury and direct it to reconsider the same and the jury may do so and the second verdict is then recorded. Of course all verdicts are received in open court.

In case the verdict is "guilty" the next step in the criminal process is the judgment. Upon a capital charge the prisoner is either immediately or at some convenient time thereafter asked if he has any reason to offer why judgment should not be awarded against him; after which if nothing is urged in arrest of judgment the judge pronounces sentence. If there be no appeal the only remaining way of avoiding the execution of a sentence is by a reprieve or pardon.

Reprieves and Pardons.

A reprieve or respite is merely a suspension of the execution and may be either before or after judgment, as where the offender becomes insane between judgment and execution or after conviction before judgment or where a woman capitally convicted pleads pregnancy. The power of pardon is vested in the sovereign and may be granted for all offenses excepting those injuries where the interest of individuals is concerned or in case of a common nuisance until it is abated, an offense against a penal statute where the informer has acquired a private property in his share of the penalty. Neither can a pardon be granted or pleaded against a parliamentary impeachment. Sometimes a pardon is conditional and capital punishment may be commuted to imprisonment, etc.

The last stage of criminal process is the "execution" which must in all cases in England be performed by the sheriff or his deputy. Formerly the warrant for execution was by precept under the hand and seal of the judge; but the usage now is for the judge to sign

the calendar (a list containing the names, etc., of the prisoners) with the separate punishment written in the margin; as for example, in case of a capital felony it is written opposite the culprit's name "Let him be hanged by the neck."

The "Execution" of Sentence.

As to the execution of the termination of the Assizes the Clerk of the Assize makes out four lists of the courts, with the names, verdicts and sentences, leaving a blank column in which if the judge sees reason to vary the course of the law he writes opposite the name of the capital convicts, "to be reprieved, respited," etc. After these four calendars have been compared by the judge and the clerk they are signed by them and the judge and clerk keep one list each, the jailor is given another and one is given to the sheriff. This forms the latter's only warrant for the execution when he afterwards executes the judgment. In some counties in England, for example in Lancashire, the jailor does not receive a copy of the calendars but one is sent instead to the Secretary of State, and the practice of the Central Criminal Court in London now follows the practice of other courts. Of course the sheriff cannot alter the mode of punishment without being guilty of felony, even the King cannot change it. If upon a judgment to be "hanged by the neck until he is dead," the criminal revives, the sheriff must hang him again, as the first was no execution of the sentence.

The Court of Criminal Appeal.

There was formerly in England no appeal in criminal cases, but, on the 28th of August, 1907, an act was passed constituting a "Court of Criminal Appeal" and the Lord Chief Justice and eight judges of the King's Bench Division of the High Court appointed for that purpose by the Lord Chief Justice with the consent of the Lord Chancellor, for such period as he thinks desirable in each case, are judges of this court. A quorum consists of not less than three judges and the judgment of a majority is pronounced by the president thereof and no separate opinion by any other member of the court is usually permitted, the majority determines the question. The decision is final and no appeal lies to the House of Lords unless the attorney general grants a certificate that it involves a point of law of exceptional public importance.

When the prisoner desires to appeal to the Court of Criminal Appeal he gives notice within ten days after conviction of his intention to apply for leave to appeal. The act provides that a person convicted on indictment may appeal against his conviction upon any grounds which involve a question of law alone. Where a question of fact alone or a question of mixed law and fact is involved or where any other ground which appears to the Court of Appeals to be sufficient ground of appeal exists then the prisoner may appeal if he obtains the leave of the Court of Criminal Appeal or a certificate of the judge who tried him that it is a fit case for appeal. He can also appeal against the sentence passed on his conviction unless it be one fixed by law, upon first obtaining the leave of the Court of Criminal Appeal.

Wide Powers of Appeal Court.

The act further provides that the Court of Criminal Appeal shall "allow" the appeal if they think that the verdict is unreasonable or cannot be supported by the evidence or that the judgment of the trial court wrongly decided any question of law or "that on any ground there was a miscarriage of justice," otherwise they dismiss the appeal. It is provided that the court, notwithstanding that they are of opinion that the point raised by the appeal might be decided in favor of the appellant but that no substantial miscarriage of justice has actually occurred, may dismiss the appeal. If they allow the appeal against the

conviction they may quash the conviction and direct a verdict of acquittal to be entered, or in an appeal against the sentence if they think that a different sentence should have been passed they may quash the sentence and pass such other sentence, warranted by the verdict (whether more or less severe), which they think ought to have been passed.

And if it appear that the appellant was not properly convicted on some point of the indictment or a count thereof, but has been properly convicted on some other count, they may either affirm the sentence or pass such other sentence as they think proper and warranted by the part or count of the indictment upon which they consider that the appellant was properly convicted. Where the appellant has been convicted of an offense and the jury could have found him guilty of some other offense and it appears to the Court of Criminal Appeal that the jury must have been satisfied of the facts which proved him guilty of the other offense they may substitute for the verdict found by the jury a verdict of guilty of the other offense and pass any sentence warranted in law, and not being of greater severity. If the jury found a special verdict and the Appellate Court consider that a wrong conclusion was arrived at by the trial court on the effect of the verdict they may, instead of allowing the appeal, order the proper conclusion to be recorded and pass any sentence warranted by law in place of the one passed at the trial. If it appears to the Appellate Court that the appellant was guilty but was insane so as not to be responsible, they may quash the sentence and order the appellant into custody as a criminal lunatic.

Orders for the restitution of property are suspended until determination of the appeal and the Appellate Court may annul or vary any order made in the trial court in relation thereto.

Ten Day Limit of Appeals.

The statute further provides concerning procedure on appeal that when a person desires to appeal or to obtain leave to do so he must give notice within ten days after his conviction and may present his argument in writing instead of orally, if he so desires. This time for notice may in all cases, except when the conviction involves sentence of death, be extended by the Appeal Court and where it does involve sentence of death or corporal punishment the sentence cannot be executed until after the time that notice of appeal has expired. The appeal or application "shall be heard and determined with as much expedition as practicable and sentence shall not be executed until after the determination of the appeal or in cases where an application for leave to appeal is finally refused, of the application."

The act further provides that the Court of Appeals may order the production of any document or other thing connected with the proceedings and if they think fit may examine any witnesses whether they were called at the trial or not. They are not obliged to examine the witnesses themselves but may order them to be examined before any judge, any officer of the court or justice of the peace, or may appoint any other person for the purpose and allow the deposition so taken to be read in evidence; and if they think fit they may receive the evidence of any witnesses including the appellant and those who are competent but not compellable witnesses and, if the appellant makes an application for the purpose, they may take the testimony of the husband or wife of the appellant.

If the examination of questions on appeal involves prolonged examination of documents or scientific or local investigations the Court of Appeals may refer the matter to a special commissioner and act on his report as far as they think fit. They may also appoint what is known in England as an "Assessor" to the court in any case where special knowledge is

required for the determination of a case; the Assessor is a person who has special expert knowledge of the subject and aids the judges. Although permitted to consider evidence which was not given at the trial, yet it is provided that the Court of Appeals cannot by reason thereof increase any sentence. In the interests of justice the Court of Appeals may assign to the appellant who is unable to bear the costs of obtaining legal aid, a solicitor or counsel or both.

On all appeals the appellant may be present whether in custody or not unless the appeal involves a question of law alone, but he is not entitled to be present, unless by leave of court, in that case or on an application for leave to appeal or other incidental proceedings.

It is the duty of the Director of Public Prosecution to appear for the government in the Court of Criminal Appeals unless a government official or a private prosecutor undertakes the defense of the appeal.

Appellant May Be Bailed.

The statute further provides that an appellant may be admitted to bail by the Appellate Court pending the determination of his appeal. If an appeal on a question of law alone does not show any substantial ground of appeal the court may determine it summarily and if they consider the appeal frivolous or vexatious they dismiss it without calling any persons to attend or appear.

The necessary form and instructions in relation to notices of appeal and of application for leave, etc., are furnished by the registrar of the court to any person who demands the same and they are placed at the disposal of prisoners who desire to appeal.

Short-hand notes of the proceedings at the trial are furnished to the Appellate Court and a transcript thereof or of any part thereof is furnished to any persons upon the payment of statutory fees.

The appeal does not in any way affect the prerogative of mercy but pardons may be granted as heretofore and the Secretary of State may at any time refer the whole case or any point arising therein to the Court of Criminal Appeals for their opinion.

Technical Grounds for Delay Abolished.

Writs of error and motions for new trial in criminal cases are, since the passing of this act, abolished and all authority under the Crown Cases Act where questions of law were reserved by the judges of the trial court is now vested in the Court of Criminal Appeal which may require a case to be stated in the same manner as if the judge had reserved a question of law.

There are certain offenses, such as obstruction of a highway, a navigable river or public bridge, etc., where an appeal to the Court of Criminal Appeal does not lie but which are treated in all respects as though the conviction were a verdict in a civil action.

A SIERRA CLUB HIKE.

By Vida Sherman.

I.

Four-thirty—Boom! Boom!
Everybody crawl out!
Break the ice in the stream,
Wash your face, lazy lout.
Eat your breakfast of hard-tack,
Who cares if you choke?
Make haste, there's a hike on,
And a hike is no joke.
Strap on the knap-sacks—
A thirty-pound load;
Strike out for the tall-woods,
Make tracks on the road.

Hike!

Lickety-split! Lickety-split!
Two faint by the way-side,
One falls in a fit.
Blister your heel, let your nose peel,
No one cares a damn here how rotten you feel.
On with the hike, for you can't turn back now.
Sierra! Sierra! Wow!

II.

Dash by Yosemite,
Glance in a side-gate,
Race through Hetch-Hetchy,
Your pace is too slow.
Don't pause in Tuolumne,
Speed down the Gorge,
You've broken the record
A minute, George!
Up one side of Whitney,
Then down with a zip,
Two bounds for Mt. Brewer,
Up Lyell with a skip.

Hike!

Trampety-trampety-trampety-tramp!
Your throats are all throbbing,
Your legs have a cramp.
Wipe the tears from your eyes, choke back
your sighs,
Nobody gets weary save tender-foot guys.
On with the hike, for you can't turn back now.
Sierra! Sierra! Wow!

III.

Eighty-thirty—make camp.
Everybody turn in.
Who cares now for hard-tack,
Or beef from a tin?
Ten absent at roll-call,
All women, of course;
One man with a white skin,
He rode on a horse.
Don't try to turn over—
A sleeping-bag's tight.
Hear the buzz of the skeeters?
Don't squeal when they bite.
Sleep!

Groaning and moaning—a frightful night-mare!

You dream you are falling,
But to scream you don't dare.
'Tis the end of day one, the sport's just begun,
You're sorry for people who can't share your
fun.
On with the hike, for you can't turn back now.
Sierra! Hike! Wow!

SEEKS LETTERS OF DR. MASON.

Friends of Dr. Lowell Mason, the composer of much modern hymn music, who have letters from him or any memorabilia, are earnestly requested to communicate with Henry L. Mason, 188 Bay State road, Boston. Mr. Mason is the grandson of Dr. Lowell Mason and is at work writing a "Life of Lowell Mason."

NOTICE OF STOCKHOLDERS' MEETING.

Notice is hereby given that pursuant to a resolution and order of the Board of Directors a meeting of the stockholders of the **MARTINEZ WINERY** is hereby called to be held at its principal place of business, viz: No. 180 Townsend St., in the City and County of San Francisco, State of California, in the Directors' room in said building, which is the building where said Board of Directors usually meet, on Wednesday, the 15th day of September, 1909, at 2 o'clock P. M.; that the object of said meeting is to enable said stockholders to then and there vote upon a proposition to increase the present capital stock of said **MARTINEZ WINERY** from Fifty Thousand Dollars (\$50,000.00) to Seventy-five Thousand Dollars (\$75,000.00) to be divided into Seven hundred and Fifty (750) shares each of the par value of One Hundred Dollars (\$100.00).

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By W. Hanson, Secretary.

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I DO not expect the things that I shall set down here to be believed by this generation. My friends, my children, my wife, I have in vain striven to convince. They do not believe: the world jeers. So I commit them to the calm judgment of posterity, in the faith that Science will find correct my analysis of the facts, and that History will vindicate me in the eyes of men.

I, who was the most fortunate of men, am now the most miserable; honored above most of my countrymen, I am now an exile and the most despised. For this I do not blame anyone: my sole purpose here is to show that I am not wilfully that which am. Thus, hopeless of the present, but trusting in the justice of futurity, I compose myself in this obscure hamlet of M—, an exile from my beloved Paris, in the seventieth year of my life—shortly to close, praise be to God—to write the facts concerning my calamitous career. I am a native of Paris, where my father acquired a large fortune as a dealer in oils, and my boyhood was passed in luxury. My brother Francois and I were twins, born upon the anniversary of the massacre of St. Bartholomew's Day, which accounts for my name, Bartholomew Le Doune. We were remarkable for the exact likeness of our faces and figures, a likeness so minute that not even our mother could distinguish us. Our voices were the same, and our habits of mind.

This likeness was noted until the tenth year of our age when, one day, playing boisterously upon a steep stairway at a neighboring house, Francois slipped upon the top step and fell headlong to the stone pavement, suffering a severe concussion of the brain. He lay unconscious in bed for weeks, finally recovering his physical strength, but with a complete loss of his mental powers. From this misfortune he never recovered, and from it sprang all of my miseries.

I can recall vividly the change that my brother's aberration made upon our family life. From being light-hearted and pleasure-loving, fond of the theater and of private entertainment, my parents became the most secluded of recluses. Their handsome establishment in Paris was closed, my father's business was liquidated and turned into investment bonds, and we retired to a quiet suburb of Marseilles, where we were to live in seclusion, and make no effort to become acquainted. Francois, from being the wild leader of our boyish amusements, was now confined carefully to our high-walled garden, under the watchful eye of a nurse, from whose side he was never absent except when when he slept in a closed room to which the only access was through the room of his nurse. He was not violent, but these precautions were thought necessary, as his mind was wholly a blank, and the doctor advised us that the commonest caution, to keep him from straying off, required these arrangements. Francois' body, however, despite the aberration of his mind, grew with his years, and I often shuddered to see him walking in the garden, a duplicate presentment of myself, but shut forever from human sensations and hopes.

Meanwhile, my studies were pursued as most lads are: I had a private tutor; then I was allowed to attend a private school, but only when I was considered to be discreet enough to mind the injunction never to mention the existence of a brother. At length I was regarded as the person of my age, where I attained many honors and graduated with the highest congratulations of my professors. I had fitted myself for the profession of journalism.

From the day following my return from the university I was extraordinarily fortunate in my profession. I had an opportunity at once to join the staff of *Le Matin* in Paris, and I rose quickly to honor and influence. My career for the next twenty years need only be sketched here: it is—humbly I say it—well enough known that I was the youngest member ever elected to the Chamber of Deputies, and that I founded and edited the journal *Tout le Monde*.

I married the daughter of the then premier, a very beautiful woman of exceptional intellectual powers. She was my complement in spirit and mind, and that I rose to power with

The Editor of *Tout le Monde*

BY

E. FRENCH STROTHER

redoubled speed because of her influence upon my life, all who know me well know. We were passionate lovers to the end—even now, eager to right myself in the eyes of the world, I can scarcely force my pen to approach that catastrophe.

My parents died, and I was left to provide for my poor brother Francois. I went to the town of M—, and found that the faithful old nurse would still care for him. I supplied her regularly with money, and thrice a year she would write me a note to say that everything was as usual.

My wife grew more dear to me every day of our lives. Our children were born into loving devotion that we both heaped upon them. Our speech in our home was full of endearment: our lives full of happiness.

Then came the change. At my desk in my office one morning a loud scream to pass by my window, the sun to be blotted a moment, and the fresh breath of spring turn dank as a marsh mist. I gasped as one choking; for a moment I fainted. Then I sat at my desk as if nothing had happened. The noise of the street rose as before, familiar; the room was the same, my vision untroubled. I laughed at the moment's delusion and returned to my writing.

The day's work passed as usual. I received a few callers—the premier was among them—I signed a new contract for the next year's supply of print paper. I cleared my desk at four o'clock and bade my secretary good-evening. I remember now that I paused at the street door to wonder where I should go for my dinner, but a cabman hailed me as usual and drove me at once to my residence.

Here when I entered, I was surrounded when a beautiful woman, her face wreathed in smiles of welcoming tenderness, rushed to embrace me, behind her a half dozen children, laughing and shouting. I felt as a man in a dream. Who were these, like a man's wife and children, greeting me, an old bachelor entering his lodgings? Wrath succeeded to wonder. A plot, thought I, a scheme to compromise me, invented by my enemies. I turned to the street, and the cabman's broad smile made suspicion conviction. He, too, was in the conspiracy to trap me, to catch me in a liaison with a demi-monde woman and a pack of hired orphans, masquerading as mistress and children to me. My rage made me desperate: with curses and blows I thrust them out of the entrance, slammed the door on them, and bolted it.

I turned at once to the work of a full investigation, heedless of shouting and weeping outside, from room to room, from cellar to garret. I found no accomplices then, but amazement grew on me at the completeness to which the scheme had been carried. Chests filled with clothing, my bureau well stocked with a woman's articles of toilet, chests stored with finery, veils and gloves in small boxes. Had I not been familiar with each article of furniture and known it was mine, even in minute arrangement, I should have thought in my madness I had invaded a married man's mansion.

Exhausted with excitement and the fatigue of my search, I threw myself on a lounge to compose myself, but the thought that the enemies bent on my destruction might bring officers to ransack the premises for damaging evidence, made me leap to my feet, and I

gathered at once the whole mass of stuff from the cabinets and closets and burned it as fast as I could in a fireplace.

In the midst of this labor a maid-servant came in, an absolute stranger, and asked for her mistress. I went beside myself in my anger. Hurling a poker at her I said, "I followed it up with a hand-glass, and that with a glove-box. The creature fled shrieking, and well for her, too, for I would surely have killed if I had caught her. I locked every door now, as an added precaution, and pondered more deeply the delusional ingenuity. I had had perfected every detail of my downfall, even to stocking my house with a spurious set of primed servants.

I must have spent hours at my work of destruction, but when I had finished I prepared to retire with some feeling of security, for not a trace had I left of the plotter's devices. The ashes of dresses and the melted pieces of silver lay at the bottom of scavengers' barrels, and I fell asleep with the thought that I had escaped by a miracle of decision a blow at my fame and my honor.

I slept late the next morning, and arrived at my office an hour later than usual. Imagine my horror, upon opening *Le Matin*, to find a full record of all that had happened, with my name branded as that of a demonic father who had thrust out his children, a dissolute husband who had driven his wife from her home and had then made advances to his help-less maid-servant. The stupendous atrocity of the article held my eyes to the page as if I were under a hypnotic spell: I read to the end as a bird creeps to the snake's jaws. As in a dream, I picked up *Figaro*. The same recital of the distorted facts. *Le Temps* was even more bitter.

I was aghast at the conscienceless mendacity of these papers. What madness of envious folly to slander so openly by a charge so palpably false—to accuse me, a bachelor notoriously averse to the company of women, of being engaged in a scandal and, folly compounded, of being a married man into the bargain.

I have not the heart to recount the events of the year following this disaster—they are miserably familiar in the papers of that time. I thought to say that my enemies compassed my downfall; I was defeated for re-election to the Chamber of Deputies; my financial backers withdrew their support and forced me out of control of *Tout le Monde*. Turn where I would, I was friendless, slighted, dishonored. At length, broken in spirit and near to insanity, impoverished and in a dejected, I fled to this village of M—, where Francois' faithful old nurse still cared for him. To her I applied and she took me in, the last person on earth who had faith in my honor. She had saved a good deal of my liberal remittances for the care of my brother, and so she has enough money laid by to keep us three in decent fashion, at least, till the end.

Here, in this cloistered garden, I met again my brother Francois. I was shocked and amazed at his manner, in spite of our nurse's warning that he had changed and become in the year just passed. Whereas his mind had been a sheer blank for the last twenty years, he had suddenly taken on a semblance of intelligent life, which was all the more ghastly and pitiful that it was only partial and thus was contrasted with the vacant vacuity of his mind. He talked incessantly of a wife and her children, of the joys of a domestic establishment which, though he described it in faithful detail, he could give no location to. This phantasmagoria especially troubled our nurse, for she could not but believe it was a child's recollection of youth and our happy household of earlier years in Paris, and her tender sympathy was roused at the intimation of a struggle within him to recollect the dear associations of childhood.

I, however, to speak truth, troubled myself but little with him, sure as I was in a mire of despondency and bitter reflection upon the injustice of the public and the infidelity of friends. I should scarcely now be able to recall what he prated but for an event that branded it forever upon my mind.

One night I retired to my room rather early,

complaining of an illness that I hoped sleep would recover. I felt a strange weakness of the heart, and experienced alternations of drowsiness and intense flashes of mental illumination. I would start from a doze with my mind burning with pictures of my past life, of debates in the chamber, of triumphs and failures, of men pressing forward to praise a brilliant speech in support of the government, of slanderous tongues wagging at me maliciously.

One midnight our nurse entered my room and cried out that Francois was dying, she had sent for the doctor. I must be up and dressed. I arose quickly and hurriedly dressed; I turned to the door, and there—my hair rose and my blood turned to ice—there, in the doorway, white and leering, with a madman's eyes starting out of their sockets, stood Francois, gibbering and fidgeting. He moved towards me, I standing transfixed and immovable; he crept closer, his breath mingled with mine, his bony arms circled my neck, he shrieked—

I roused an hour later to see my nurse and the doctor bending above me. In a corner sat Francois, the light of intelligence gone again and forever out of his eyes, though his body lived as before. As I roused I cried aloud my dear wife's name, "Marie! Marie!"

THE HAPPY ENDING.

In the preface to his volume of plays St John Hankin, the London playwright who recently committed suicide, took issue with those critics and laymen who complained that his plays did not end happily. Mr. Hankin, in the preface, was explaining why some of the alternative endings suggested by others seemed to him to falsify the facts and to misrepresent life. His viewpoint has an interest in view of his own act.

"In fact, I deny to the whole conception of a 'happy ending' as embodied in these suggested additions to the plays," he wrote. "Theatrical critics and theatrical audiences seem unable to conceive of any other ending to a play save a death or a marriage. But this is a wholly artificial view. In life, anything but death," says one of the characters in 'A Woman of No Importance.' Had he reflected for a moment he would have withdrawn the exception. Philosophically considered death ends nothing, not even an episode, and we really survive everything. What as for marriage, so far from ending anything it is simply the beginning of a fresh set of complications. All 'endings,' in fact, are purely arbitrary, and my play 'endings' are no more arbitrary than anyone else's. There is a sense, of course, in which nothing in life ever 'ends'—just as there is a sense in which nothing in life ever begins. With earth's first clay they did the last man knead, and, we all of us, like Melchizedek, have neither beginning of days nor end of life. We began ages before our individual birth and shall continue ages after our individual death. We exist forever in our causes and our results. But for practical purposes we find it convenient to assume that things do begin and do end at some particular point, and we divide our lives more or less arbitrarily into series of episodes of which we say 'This one began here' and 'That one ended there.'

"That is what I do with my plays. I select an episode in the life of one of my characters or of a group of characters, when something of importance to their future has to be decided, and I ring up my curtain. Having shown how it was decided and why it was so decided, I ring it down again. The episode is over, and with it the play. The end is 'inconclusive' in the sense that it proves nothing. Why should it? It is the dramatist's business to represent life, not to argue about it. It is, however, the 'ending' of that particular episode, and, as such, forms a fitting termination for a play.

"And if my plays 'end' at all they unquestionably 'end happily,' in this respect comparing extremely favorably with the average conventional comedy, which sends you out of the theater with a tolerable certainty that half the marriages which the author has so recklessly arranged during its progress will turn

out disastrous failures. My plays, on the contrary, leave their characters at the fall of the curtain with a reasonable prospect of happiness in the future. That is the most that life can do for any of us and the most that can be asked of plays which represent life or try to do so."

THE SENATORIAL RETORT COURTESIES.

Both men are dead, so the story can be told. When the fight was on for the location of the interoceanic canal, and the late Senator Morgan, of Alabama, was making his last stand for the Nicaragua route, the late Senator Hanna was a member of the committee that was examining witnesses.

Senator Morgan was doing the questioning, but the habit of Senator Hanna to throw in a question now and then that turned things upside down and utterly destroyed Senator Morgan's line of procedure.

A man named Menocal was on the stand. Senator Morgan was leading him along when Senator Hanna popped in a question that muzzed things all up.

"As usual," said Senator Morgan, "the Senator from Ohio, by his method of questioning, is trying to delay the proceedings to the extent that will deprive us of a canal at all."

Senator Hanna grew purple in the face. Leaning over, he hammered on the table with his big fist and shouted: "That is a blank lie!"

Menocal, the witness, was alarmed. "Perhaps, gentlemen," he said, "I would better retire."

"Oh, no," replied Morgan, waving his hand, "it is not necessary. This is merely a little interchange of senatorial courtesies, and now, as it is nearing twelve, I suggest we take a recess until to-morrow."—Saturday Evening Post.

MARGINALIA.

Princess Victoria Louise, the only daughter of the Kaiser, is to make her debut this month.

George Randolph, the 18-year old son of a prospector in the interior of northern British Columbia, arrived at Seattle last week and saw a woman for the first time in his life. His mother died during his infancy, and his father never brought him to civilization until he struck rich dirt last spring, and resolved to leave the backwoods. Young Randolph declares women are the most beautiful things he has ever seen.

A new dramatic newspaper, to be called the New York Review, will make its first appearance next Sunday.

Not Exactly Penurious, But—

"I have heard that Pyncham is penurious." "Well, I don't know that one should say that, but he believes that charity should begin at home, and unfortunately he has no home."

IN JESTING GUISE.

Barber: Your hair's very thin, sir. Long Sufferer: And you've got a bump on your nose, and one of your eyes squints.—Life.

Bill: "I see a man is trying to drift across the Arctic Circle. Where do you suppose he'll bring up?" Jill: "Oh, on the lecture platform probably."—Yonkers Statesman.

Judge: How did the trouble begin? Witness: It began, yo' honah, when de chairman of de entertainment committee swatted de secretary over de head wid de lovin' cup.—Boston Transcript.

"Why do they call writers of occasional verse fugitive poets?" asked she. "I suppose," replied the journalist, "because the editors are always chasing them out of the office."—Baltimore American.

"I want someone that will get me my meals on time, get what I like and remain in the house and take care of it during the day." "This is not a matrimonial agency; we can furnish you with a cook, but not with a wife."—Houston Post.

"I think I shall retire from high finance," said Mr. Curnox. "I want to take things easy." "I didn't know," answered Mr. Dustin Stax, "that there was any easier way of taking things."—Washington Star.

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PERSONALIA

William Shakespeare is now mayor of Ilkesh-ton, England—relationship unknown.

The Kaiser has ordered that football shall henceforth be part of the training of all German soldiers.

Harriet Beecher Stowe's granddaughter, Hilda Stowe, is an actress. She will appear next season with William Faversham in "Hered."

China is in line for prohibition. Mrs. Catherine Lent Stevenson, president of the World's Woman Christian Temperance Union, is touring in China, where her work is said to be highly approved.

It is rumored in Washington that John Hays Hammond, the mining engineer, is rapidly supplanting Frank Hitchcock in President Taft's regard, and that he will probably soon succeed to Hitchcock's office of post-master-general.

Sir John Thornycroft, an English engineer, has perfected a flat-bottomed motor-boat which makes thirty miles an hour. The boat rises almost out of the water when high speed is attained, almost entirely eliminating the retarding resistance of an ordinary deep-draft craft.

C. E. Parrish, of North Yakima, Wash., is the first man to grow canteloupes in the shape of a cube. This result is achieved by putting the growing melons in troughs that shape them as they enlarge. He declares that the new shape makes the melons more profitable at market.

John Leonard Roeder, said to be the last eye witness of the battle of Waterloo, died two weeks ago today at Quincy, Ill. He lived near the battlefield, and thrilled by the sounds of war, mounted a horse and rode into Blücher's army. He bore the ultimatum from Blücher demanding Napoleon's surrender.

Prof. Simon Newcomb, recognized the world over as the greatest living astronomer, is the first American since Benjamin Franklin to be elected one of the eight foreign associates of the Institute of France. He is an LL. D. of Yale, Harvard, Columbia, Edinburgh, Glasgow, Princeton, Cracow, Johns Hopkins and Toronto.

Mrs. Margaret McCarthy, undoubtedly the oldest woman in New England, if not in the United States, died at her home, in Lewiston, Me., July 10th. Mrs. McCarthy was born near Bantry, Cork, Ireland, May 30, 1797, and was therefore a little over 112 years old. The proof of her birth is ample, as she had in her possession documents that prove it beyond question.

Miss Nora B. Andrews was recently admitted to practice in the United States Circuit Court at Sacramento. Miss Andrews has been employed as a stenographer in the Governor's office. She is the fourth woman admitted to practice in this court. Mrs. Clara Foltz was the first. She was sworn in eighteen years ago. The second was Miss Bird Wilson, who has attained a large and lucrative practice in Nevada. The third was Miss Ross, who though admitted only two years ago is said to be earning a good living.

As a commentary on the long road to success as a dramatist, it is interesting to name over Charles Klein's plays and librettos in the order of their production, and note which are at all familiar to the public to-day. They are "A Mile a Minute," "By Proxy," "A Paltry Million," "The District Attorney," "El Capitán," "Heartsease," "The Charlatan," "The Hon. John Grigsby," "Dr. Belgraff," "A Royal Rogue," "The Cypher Code," "The Auctioneer," "Mr. Pickwick," "Red Feather," "The Music Master," "The Lion and the Mouse," "The Daughters of Men," "The Step-Child," "The Third Degree."

MONA LISA'S SMILE.

A New Explanation of It.

Who ever has seen a print of Leonardo da Vinci's "Mona Lisa" and not been puzzled by her baffling smile? That smile has been a tantalizing mystery all down the centuries since Leonardo painted this portrait of the third wife of his friend Francesco del Giocondo, of Florence. Artists, critics, authors, have given varying interpretations. Still Mona Lisa sits with folded hands and cooing eyes that almost, not quite, look at you, and mouth that nearly smiles.

Francis I, to whom Leonardo sold the picture, punned the name and called it "La Joconde." The title never has seemed wholly to fit. Taine, the great critic, wrote of it, "Mona Lisa's husband was at his third wife, consequently no longer a young man. Putting beside this what we know of Leonardo, his beauty, grace, and glory, her smile may easily rail at her husband and flatter Leonardo, perhaps both at the same time."

Theophile Gautier declared that "she is flirting with the whole world; this strange creature whose look promises unknown joys and whose expression is divinely ironic."

Walter Pater said, "In this beauty the soul appears with all its affections. All the thoughts and experiences of the world have left their traces on it—the animals of Greece, the lubricity of Rome, the reverie of the middle ages, the return to paganism, the sins of the Borgias!"

Ch. Clement: "Thousands of men have listened to the lying words of those perfidious lips. That enchanting smile is implacable; it promises unknown felicities, but it will never give happiness."

A recent explanation offered by Salomon Reinach, curator of the St. Germain Museum, removes the romantic cause of the smile, and substitutes a pathetic cause. According to Reinach, the tradition that Leonardo took four years to paint the portrait is true, but the story that he dragged the work for the sake of the lady's company is false. On the contrary, Reinach proves that Leonardo let the portrait drop repeatedly to take on other work, and the long time between inception and completion was due to the fact that he worked on it only as a side issue.

But the crux of Reinach's explanation is this: Mona Lisa, married in 1495, had no children until 1499. Then came a little daughter. Reinach remembered that one of a librarian of Florence communicated to him, the great French art historian, an extract from the ancient "Libro dei Morti"—records of deaths in Florence. By this it appears that, on June 1, 1501, the little daughter (Fanciulla) of Francesco del Giocondo and his wife, Mona Lisa, was buried from the Church of Santa Maria Novella.

Why, the very costume of Mona Lisa in the picture is heavy mourning. She has no rings, no jewelry. She is in severe black. Her costume is even the heaviest mourning. Reinach proves, by letters of Isabelle d'Este and her mother, written from Florence at exactly this date, that a mantle of Irish lace over a "sombre tinted" corsage might have been worn in full mourning for a sister.

Mona Lisa is in heavy mourning. "What is she smiling at?" Her smile is a constrained smile, the best she can do to please the kindly painter who has "paid singers, musicians and buffoons to entertain her."

TENNYSON'S PENSION.

It was Carlyle who urged Lord Houghton to give Tennyson a pension when the poet was struggling in obscurity. He said to Lord Houghton, "Richard Milnes, when are you going to get that pension for Alfred Tennyson?"

"My dear Carlyle," responded Milnes, "the thing is not so easy as you seem to suppose. What will my constituents say if I do get the pension for Tennyson? They know nothing about him or his poetry, and they will probably think he is some poor relation of my own, and that the whole affair is a job." Solemn and emphatic was Carlyle's response: "Richard Milnes, on the day of judgment,

when the Lord asks you why you didn't get that pension for Alfred Tennyson, it will not do to lay the blame on your constituents; it is you that will be damned."

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Some Formative Forces.

No intelligent inquiry can be made into the government of California without a brief review of California in its formative processes. In the beginning it was without form and void and darkness moved on the face of it. Its first settlers were Spaniards, then Mexicans, then a mixture of Spanish, Mexican and Indian. This, of course, leaves the Indian out of consideration as part of the civic life of the commonwealth. He participated mainly as a victim.

The Spanish harked back to the Civil Law which had a Roman and European source. Under their certain customs and land tenures took form that endured and modified to some extent the government of California, but only traces of this influence remain. The Spanish were Americanized or obliterated and their institutions few remembrancers remain.

The first Americans who came here to stay were frontiersmen who came across the plains to find homes in a new country of which they knew little or nothing. They were the true pioneers following where the pioneering instinct led them, and they came prior to the discovery of gold. Among them were some single men who had taken part in army or navy during the Mexican War, more adventurous and less steady and law-abiding.

These pioneers of 1848 required little law, but what they needed they made. The Anglo-Saxon instinct for self-government was strong within them and they carried order and obedience to elemental principles of justice with them wherever they went, but left the individual free to achieve without hindrance and enjoy without envy. This pioneering element made a good nucleus for a government, but it was soon overwhelmed by the rush of "forty-niners."

That rush was made up of all sorts and conditions of men from all parts of the earth. It contained at once the best and the worst that our country had to contribute, together with much of the worst that a little of the best that Australia, New Zealand and the South American west-coast states could spare. All came to get gold if possible and then get out of the country to enjoy it elsewhere.

There was no moral purpose involved in the settlement of California. The one purpose was gain and desire for gain amounted to a hunger. New England was settled that liberty might be enjoyed; Kansas and Nebraska that slavery might be kept out of those commonwealths. The pursuit of gain was secondary to the accomplishment of a moral purpose for which the settlers were willing to make sacrifice if needed. This was not true of California in the beginning and it has rarely been true of it in the course of its development. It has lacked the stimulation of a predominating moral purpose and lacks it now.

Nevertheless, the American element predominated in the rush of forty-nine and succeeding years and that element brought with it the American genius for organizing government and preserving property and order, being especially particular as to property. That was what men came for and unless property could be protected there would be no use in coming, so they protected it. In doing so they held human life cheaper than horse-flesh and much cheaper than gold dust. It was a hard life. Perhaps 10 per cent. of the population was essentially criminal. Under normal social conditions less than 1 per cent. can be charged with criminal tendencies. The battle was fierce and sanguinary, but property triumphed. It was made reasonably secure. The public mind was not bothering much about rights of man, the "higher law," the proprieties of civilized life. It had quite enough in hand to prevent thefts, hold-ups, robberies. The moralities and proprieties could look out for themselves.

The spirit of adventure was abroad and every man was essentially for himself. The Devil could take the hindmost if he had any use for him. The sphere for enterprise was made as open as the physical geography of the

state and men were as free to acquire riches as to breathe the air. Each was just as free also to be a fool, and many availed themselves of opportunity to the destruction of their lives and substance in drinking, gambling and licentiousness. All were wide-open and unhindered, save as some community might take upon itself the office of relieving itself of undesirable persons by running them out or stringing them up.

But through all this wide-open and little-restrained era of development there was not lacking a thorough understanding of the essential principles of law and a recognition of the preeminence of law as indispensable to social well-being. These forty-niners knew the value of law and, as we shall see next week, they knew how to go to work to establish social order and security for property. They were instinctively and successfully self-governing. While the material out of which government could be made might have been better if it had been actuated by a moral purpose, it was sufficient and proceeded at once to erect a commonwealth of which no Californian need be very much ashamed. It was sound in principle and it was free.

SHEAR WIT.

"Is she wearing black for her last husband?"
"No, for her next. She looks stunning in it."
—New York Tribune.

Pat: An' phwat the devil is a chafn' dish?
Mike: Whist! Ut's a fryin'-pan that's got into society.—Boston Transcript.

"Where's your mistress's maid?" "Upstairs, sir, arranging Madam's hair." "And Madame? Is she with her?"—Lippincott's.

Never judge a town by the size of the type with which its name is printed on the map of a railroad that doesn't pass through it.—Chicago Record-Herald.

"Mamma, is ignorance really bliss?" "Of course, it is. You have noticed that at a wedding all the women except the bride cry, and the bride looks happy."—Houston Post.

Mrs. Equalities: Don't you agree with me that a woman should have a man's wages?
Mrs. Goodheart: Well, yes; but I allow my husband to keep enough for carfare to and from his work.—Christian Science Monitor.

"Does your husband never come home smiling?" "No, he's afraid of hydrophobia."
"What in the world has that got to do with it?" "If he was to come home smiling the dog might bite him before it recognized him."—Houston Post.

"Want your fortune told?" asked the seeress.
"No," replied the plain clothes man, "I just dropped in to foretell yours, you are going on a journey." "Are you a clairvoyant?"
"Nope, I'm a cop, and the new vagrancy law has put you out of business."—Houston Post.

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Tinkering the Laws.

Chief Justice Beatty has given expression to a widely felt disapproval of the legislative tendency to be forever tinkering at the laws. The appellate court no sooner gets a statute twisted into a shape consonant with its view of what that statute ought to have meant than the legislature revises the statute and the appellate court has its work to do over again. This is exasperating.

But are honors so very uneven between court and legislature? The legislature tinkers statutes with the view of making them fit the need of some one special case that has arisen in the practice of some one legislator, leaving the general application of that statute out of consideration. Per contra, the court construes statutes and principles of the law with reference to hypothetical cases that may possibly arise somewhere, sometime, wherein a rule applied for doing justice in the case at bar might possibly work an injustice to the hypothetical party in the hypothetical case. The legislature enacts a statute determined by the narrow vision of a petty, but actual, personality, while the court construes that statute with reference to an almost wholly artificial fabrication of pure reason, suspended in the heavens, bounded by infinity and having about as much relation to mundane things as the philosophy of imagination.

If at the adjournment of each legislature the appellate court finds much of its work knocked into pi, so, at the assembling of each legislature, that body of solons is confronted with the fact of the judicial undoing of the greater part of what it thought it had done at the preceding session. It is the public rather than either of them that merits our sympathy.

The Tariff Commission.

The provision for a permanent tariff commission was stricken out of the Aldrich-Cannon bill. The interests have no hankering for information regarding comparative cost of production at home and abroad. Log-rolling works better. The protection doctrine is sound. No one cares to depart from it and few sane persons will care to inaugurate another tariff revision for a decade, except as exact information may make the modification of schedules a matter of justice and fair play. The need is for exact information for the guidance of Congress and, especially, for the information of the public. This a properly constituted tariff commission can afford. Senator Beveridge reintroduced the measure. It should be fought for and will probably require a ten years' contest to write it into the laws, but it will be worth the effort. Such a contest need not disturb business and probably will not, so business may get as busy as it has a mind to without timidity on this score. If the insurgents will keep up the fight they will get what they go after because it is so manifestly right that the American people will not always consent to go without it.

The Issue Clear.

"At the next municipal election the voters of San Francisco will unquestionably express their sentiments concerning the hounding of

THIS NUMBER CONTAINS

Hydro-Electric Power in California

(Second Article.)

BY

E. French Strother

Readers of The California Weekly will, in due time, find in its columns every important public issue explained by some person whose special knowledge gives him a right to be heard.

respectable citizens for purposes of personal revenge by sweeping the city government clean of Spreckels Phelan infection." The foregoing is taken from the Post-Globe, double-headed progeny of Patrick Calhoun, and may be accepted as authoritative. The Post-Globe is advocating the Harriman-Hellman-Herrin-committee-of-twenty-five ticket. The cat was out of the bag long since, but now the bag has been thrown after the cat with a seat for consequences. Whoever doubts the clarity of the issue is a muddlehead not safe to be trusted out of doors after four o'clock p. m. through fear of getting lost in the dark.

A Plague Upon Rodents.

A case of plague has developed in Alameda county contracted from ground squirrels. If some ground squirrels have it, so will others. Kill them. Pass the word along. Kill them, but do not touch them. They are migratory and may easily spread the disease from county to county. It is not something to get frightened over, but rather to be vigilant about. Any relaxation of effort will mean disaster. Keep at it. It is the only way. So long as there is a rat or a ground squirrel in the state, so long will there be some danger from Asiatic plague.

Luther Burbank.

Always beware of a newspaper hero. What is more important still is being wary of becoming a newspaper hero. Newspapers make giants out of pigmies and reduce their giants to pigmies again with a facility equalled only by their irresponsibility. Luther Burbank is a victim of sensation-mongers. Himself a painstaking enthusiast in a most useful department of human service, the press has made another Tesla of him much to his injury. He is not to be blamed for it, nor is he to be blamed for not making-good promises that he has not made, or claims that he has not put forward. He is an inventor rather than a scientist, an experimenter rather than a student. His reputation is fairly secure and will remain so if he can prevent his over zealous newspaper friends from taking him aboard every aeroplane that passes his way. The best

thing he can do with his ten volumes of press clippings is to burn them and clip no more.

How to Get Jury.

A Calhoun organ complains that it will require four to eight months to secure a jury for the second trial of Patrick Calhoun, with the probable exhaustion of talesmen to the number of 7,000 to 10,000. There are two ways of avoiding this: Allow Judge Lawlor to select the jury with little or no interference from counsel on either side or take a change of venue to San Joaquin, Sonoma, Stanislaus or some other interior county. Either course would probably bring a jury in a week and an end to the trial in a fortnight more. The defense can ask for a change of venue. The prosecution cannot. It is up to Mr. Calhoun.

End Party in City Elections.

If party responsibility is to be a feature in the government of cities it can only be when voters can be made to stay on their own side of the party fence. It is not true that 5,000 more than half the registered voters in San Francisco are Republicans. It is not true that of 84,571 registered voters in San Francisco only 7,800 are Union Labor party men. The truth is that many thousands of voters who are not Republicans have registered as Republicans for the primary election and will vote their own party ticket in November. How then can the Republican party be responsible for its own candidates? If a party cannot be responsible for its own party candidates how can it be made responsible, as a party, for a partisan administration of affairs? While the state primary law is built on party, and while the charter of San Francisco makes the state laws governing elections its own laws, the people themselves have virtually abolished party in city elections by registering as Republicans when they are not, thus breaking down the integrity of party lines and making party government impossible. But one thing remains to be done. So amend the charter as to obliterate party lines and party responsibility. In short adopt the Berkeley plan. That was a splendid achievement. It makes the first election final as to all candidates who receive a majority of all the vote cast and nominative as to those who do not. It was a great idea and the originator of it deserves to be canonized.

The racing of many ships for American ports with the purpose of getting in before the new tariff went into effect affords a cue to whether or not the new tariff is higher or lower than the old. The importers did not issue wireless orders to crowd on steam and hurry into port in order that they might pay higher rates of duty. Human nature does not squint that way.

Mr. J. Dalzell Brown is a free man. He got off easy. Some taint will stick to him, but he is more worthy of receiving the right hand of fellowship, felon that he was, than many another who has succeeded in using the law to defeat the law and therefore remains unconvinced. Some measure of merit must be accorded the man who takes his medicine.

A PROBLEM OF CONTROL.

Those who take an interest in anything outside of their most immediate personal concerns should read with deepest solicitude our second article, elsewhere in this paper, upon "Hydro-Electric Power Development in California."

The purpose of this series of articles is not to muck-rake, but to set forth the facts as they stand that thoughtful persons may give them heed and, if possible, be prepared to cope with a great public problem when that problem shall present itself in concrete form, as it sometime will unless corporate powers are more adequately tempered with justice than California has, in past years, known them to be.

It is due from us as certainly to honor the promoters of this stupendous power developing and distributing enterprise for their achievement as it was due from us to honor the great builders of the Central Pacific Railroad for theirs; and yet the builders of that railroad so far belied their greatness as to debauch this commonwealth to its ineradicable hurt. Their greed proved so insatiable that, for more than a third of a century, they employed the great railroad system they had created in so raiding the industries of the people as to gather into their own coffers the net profits of the industry of this coast.

The people of California essayed to control, in the public interest, this vast aggregation of corporate power, with the result that the mechanism of control which the people set up was itself subjected to corporate control and has remained so subject to this day. In short the attempt of the people to control this giant of their own permissive creation resulted in the subjugation of the people themselves to the control of this giant. It made of California a conquered province the suzerainty of which was sold with the corporate stock to those corporations as a usufruct belonging therewith and conveyed in seeming perpetuity to the Harriman interests.

A look at the map accompanying our article will make it clear that we have now created a second giant, not wholly unrelated to the first, and have given it power, if so minded, to take usurious toll from every person and every industry living in the heart of California, and it can be a matter of no great difficulty to so extend this unified control as to bring under tribute every household, and every industry, in the state. Whoever furnishes us light and power stands in as close a relation to our necessities as do those trustful corporations that furnish us with sugar and oil, bread and meat. There is no escaping them.

Nor can we look to competition for deliverance, as we should not. To duplicate all the plants and distribution lines of the Pacific Gas and Electric company would be an unpardonable economic extravagance, unless done to deliver the people out of bondage, and that would be of questionable efficacy. Nor can our oil fields save us, for electric energy can be developed in our mountains and transmitted to our oil fields and there put oil-electric generating plants out of commission because cheaper.

Except for extortionate demands for gas in San Francisco there is now no public clamor against this great corporation for overcharging. That does not rob the subject of present interest, for no one can foreknow what day pressure will be put upon consumers to their hurt. The efforts heretofore made to reduce corporate giants to public control in the interests of justice have resulted only in greater injustice, in debauching representative bodies and corrupting courts. The outlook is not promising. The task may prove beyond the powers of a self-governing people. It is not impossible that we are spawning an incorporated plutocracy that will destroy free institutions and reduce American manhood to industrial and political helotism; but the tight

THE STAFF

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CHESTER H. ROWELL.....Associate
A. L. WATERHOUSE.....Assistant
E. FRANK STROTHER.....Assistant
O. BLACK.....Business Manager

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is not yet lost. A way may be found for making the best of servants of which, left to themselves, may easily become the worst of masters. The subject is commended to the serious consideration of our sanest citizenship.

To Republicans of San Francisco.

Gentlemen: Several thousand voters have registered as Republicans who are not Republicans. They purpose to vote a Republican primary ticket to disgrace the party and not to exalt it. Not a man of them will vote for the nomination of Byron Mauzy or Percy Long or the supervisory candidates named by the League of Independent Republican Clubs. They will vote for the Herrin-Hellman-Calhoun clan from start to finish. There is only one way for you to avert this disgrace to your party and this degradation of your city and that is to vote at the coming primary election, vote right and get some negligent Republican friend to do likewise. It is the apathy of decent voters that enables scoundrelism to thrive.

Gifford Pinchot.

Here is a man of fortune so ample that he can give his life to the work that calls him to it without depriving himself or his family of any good thing except peace and quietude in the place of struggle against those predatory interests that would ruin the world without compunction if it promised to pay a good percentage in cash on the initial investment. The unknowing and the unrealizing call him a faddist, whereas he is only an idealist with a very practical and sane streak running all through him. The predatory interests would be wonderfully glad to see him cast out of the Taft administration neck and heels, but Taft is no bourgeois. Pinchot will stay put. The ovation tendered him at Spokane was right well deserved. No American of his time will leave a stronger imprint upon his country's fortune than Gifford Pinchot.

A Chance for Private Enterprise.

The greater part of what Secretary Ballinger reported to have said at Spokane was eminently sound. It is not proper for the national government to enter into competition with private or associated capital in the development of irrigation or other enterprises. The largest latitude consistent with justice should be afforded private and associated enterprise and the profits allowable should be as ample. Than this there is no other hope for those who have not executive capacity in sufficient degree to permit them to become their own employers, and fifteen out of every sixteen persons born into the world are doomed by nature to this perpetually dependent class.

But somehow Society must hold a restrain-

ing hand upon enterprise to prevent its transformation into rapacity. The transition is easy. It is frequent. It is all but universal with those who become possessed of the power to cinch the consumer of a product held in control. We learn this every time we go to market. It is a lesson that is repeated in ten thousand forms every day in the year.

Those who oppose the policy of Ballinger do not oppose a free field and a broad opportunity for private enterprise to do its best. All they do oppose is unlimited power of organized rapacity to do its worst. Ballinger would let loose the restraining hand of government over enterprise, thus leaving capital free to be as rapacious as enterprising. Pinchot and Pardee would have Uncle Sam hold the final authority in his own hands to guard against accidents. In this Pinchot and Pardee are everlastingly right and Ballinger eternally wrong.

Placing-Out.

Of all forms of charitable work there is not another requiring so much finesse, such splendid endowments of perception, knowledge of character, discrimination, tact, as the placing of dependent children in homes other than their own to be reared as own children. Not one person in a thousand is by nature fit to undertake that task, and yet many do undertake it who have but one qualification for it, that of a sincere desire to be useful and—to find something useful to do by which a living may be eked out.

Every dependent child is a ward of the state, yet California advocates its wardship in favor, mainly, of broken down clergymen who can no longer hold a pastorate because too dead to the world to be listened to with patience. They mean well, but they don't know people for what they are. They have no tact, no discernment, and mighty little fairness.

It is better, infinitely better, that the state should thus abdicate this function than that the well-being of children should be made the sport of partisan politics, which would not hesitate to make the misery of infancy spoil of victory. But the State Board of Charities and Corrections should be beyond the spoil of politics, and with anyone but a Gillett in the gubernatorial chair it would be. That board and its agents should be made responsible for the well-being of every dependent child in California and if the disclosures regarding the Rev. H. W. Brayton, and his placing of children in abominable places, can contribute to that end he will not have lived and wrought in vain. He may mean well, but he does ill, and there is scarcely a charity worker in California who is not in a position to testify to that effect. In no department of public endeavor is there greater need for reform and revision of method than in dealing with dependent childhood in California, and placing-out lies at the root of the whole matter.

Bradbury cries for mercy on the ground that, although he did perjure himself he did not mean to. How refreshing it would be if some malefactor of great wealth would express contrition for his sin instead of sorrow for himself! Bradbury's deepest iniquity was not his commission of perjury. It was trying to prevent his debtor raising money to redeem his property from out Bradbury's greedy hands, an offense that the law cannot reach, except as a circumstance to be considered in fixing punishment for an offense it can reach.

Harry Thaw is not out of limbo yet, but then his mother's money probably isn't all gone. A different result might have been obtained this time had not District Attorney Jerome made the case his special business. Moreover, a decree of insanity does not stand alone.

Some Differences.

Gradually the character of William Howard Taft, as President, is unfolding itself. He is not a Roosevelt. He will not cross any bridge until he gets to it. Roosevelt would cross the bridge first if he could get there. Taft is by nature indolent and will tackle no task that has not been set for him if he can avoid it. Roosevelt was strenuously on the lookout for something that needed to be done and was ready to do it as soon as he found it. Taft saving the big stick to good effect at the end of the tariff controversy, Roosevelt would have swung it to better effect at the other end of that controversy, if not at both ends. But the most important difference between the two executives is that Taft will not venture to perform any executive act, or do any thing, unless he can find for it a clear and affirmative warrant of law. Roosevelt would do, and undertake to do, anything that he believed the good of the nation required him to do if the law did not positively prohibit such act. In fine, Taft is governed by the Jeffersonian principle of strict construction. Roosevelt ordered his policy in accordance with the Marshall doctrine of implied powers as enlarged by Lincoln in the doctrine that the nation cannot have contemplated its own destruction, and therefore gave him needful power to save it from destruction. If the Republican party splits under Taft's administration it is likely to be along that line of cleavage. It does not follow that Taft will be a reactionary, but only that he will not be a progressive. He holds to the letter of the law, but "the letter killeth while the spirit maketh alive."

Is Ballinger Bad?

Things leak. Secretary R. A. Ballinger had been not many weeks in office before it began to be whispered abroad that he was no Garfield. The first hard work he did was to undo the last hard work that Theodore Roosevelt and former Secretary Garfield did in the way of preventing the rebelling up, in perpetuity, of power sites, water rights and rights of way of vast value. President Taft came to the rescue as soon as he could, but the mischief had been done and that mischief is likely to prove irretrievable. The Ballinger contention is that his department can only do what the law specifically authorizes to be done and not what it merely does not forbid doing. In other words, he limits his own powers for conserving the public interest to the last degree, whereas, that those interests might be conserved, Secretary Garfield construed his powers with as broad a liberality as possible. The Ballinger policy would not have saved the nation from '61 to '65. The Garfield policy did save it. The Ballinger policy will convey the wealth of the nation into the hands of predatory interests that are fast reducing the nation to a species of peonage. As Gifford Pinchot well said at Spokane, "Rigid construction of the law works for the men who can hire the best lawyers, and who have sources of influence in law-making." Furthermore, the attitude of Ballinger toward Hetch-Hetchy implies that the Spring Valley Water company is not without influence at his court. Ballinger may not be bad. Circumstances may have conspired to do him wrong, but if there be a man in public life to-day who will bear watching better than any other it is Secretary of the Interior R. A. Ballinger.

The Smith Bill.

Elsewhere in this issue we print in full the bill which Representative S. C. Smith introduced in the House with the purpose of transferring jurisdiction over rights of way, power and reservoir sites, on all government lands except national parks and military and Indian reservations, to the several states to be used for industrial purposes. We accompany this

bill with his brief in its favor for the further information of the reader.

A bill lacks very much of being a law, but an incongruous condition exists and something is likely to be done about it sooner or later. It is imperative that the right thing, and not the wrong one, be done. Has Mr. Smith proposed the right thing? We think not.

The states in which are located the greatest possibilities of hydro-electric development are those wherein are located the bulk of government lands and national forest reservations. Those states, with scarcely an exception, are politically in the hands of the predatory interests. The status of California is fairly typical. It is a political dependency of the Harriman interests and those interests can command such legislation as they desire and such interpretation of that legislation by the courts as seemeth to them good. Relinquish these powers to the states and the "tail will go with the hide," so far as public control of water powers is concerned. They will be alienated in perpetuity.

With a Ballinger as Secretary of the Interior, the public may not fare better with these matters in national control, but we cannot fare worse. These tremendous interests must not be at the mercy of the whim or caprice of a Ballinger or even of a Garfield or a Pinchot, and a way will be found for reducing control of privileges of vast value and public importance to certainty and justice. The public weal demands the largest liberty of action on the part of private and associate enterprise consistent with public safety, but somewhere there must be a reserve power to prevent extortion, or the ownership of these great utilities will ultimately involve a more oppressive exploitation of the masses than has ever yet been accomplished through tariffs, transportation charges, Standard Oil, the sugar and meat trusts, combined.

Mr. Smith's remedy would be good if the state could be trusted. It cannot.

George C. Pardee.

Here is a man who promises to be tremendously useful to the state that gave him birth and honored him by making him, for four years, its executive. That satisfied his political ambitions. Possessed of a comfortable fortune that enables him to command considerable leisure, and beholden to no one, he is free to give time and attention to public affairs from pure disinterestedness. The good that such a man so situated can do is incalculable. Therefore we find him in the fight for the preservation of the "white meat" from corporate spoliation along the Oakland water front. This week he is up at Spokane fighting the Ballingerization of the sources of water power of half a continent. He is fighting a predatory combination that seeks to sequester for private advantage for all time a public wealth of incalculable value. A man of exceptional ability and unswerving integrity, with the courage of his convictions and no purpose except to advance the general welfare, he needs only to have his health and life spared to make him of more use to California as one of its first citizens than he could possibly be as governor or United States Senator. There is no measuring the potentiality of an unselfish purpose animating a man of capacity.

Mr. Crocker's assertion that he is a free man and bondswoman to no one will remind Republicans of a candidate for governor who went up and down California declaring with profoundest unction that he was "no man's man," but there is not a Republican in California who does not now know that that wasn't so. If the public wants to know whether or not a candidate is as free as he pretends the safest way is to see who is behind him. The associated villainies generally know their man.

The Deeper Significance of Living

At Santa Cruz a clergyman recently raked the churches' fore and aft and the clergy up one side and down the other, after which he sank into his seat much exhausted in vitality but strengthened in the consciousness of having performed a most unpleasant, public service. Nothing easier.

When one compares the church with the ideal bride of the Christ the comparison is unfortunate for the church. Its short-coming is awful. But when one compares the church with the bawdy house and the saloon, or even with a legislature, the church shines like a silvery moon set over against a cess-pool.

There is cowardice in the pulpits and intolerance in the pews. It is equally true that there is intolerance in the pulpit and cowardice in the pews, and in both pulpit and pews there is stolid density of mind. But through the stained glass windows the light shines into the faces of those in pew and pulpit, too. Both see as through a glass darkly, but they do catch glimpses of better things than the daily grind enforced either by necessity or by greed.

Our reverend friend complained that institutionalism does not rise to the requirements of our time. Of course not. It never did. Christ was no institution. He was a personality, and nothing but a personality ever did rise to the requirements of any time. An institution is a machine. A church is an institution. Therefore a church is a machine. A machine is an implement used for the attainment of some desired end. A plow is dragged at the heels of horses which go ahead and tug and strain to pull the plow after them. The church is drawn in the same way by those personalities that have the power of leadership. But no one ever saw a plow slide backwards and no one ever saw the church do that either. It holds all ground it sound, if it does not gain ground as rapidly as we should like to see it.

It is not as difficult to point out a hundred faults in a church as to overcome one of them. The Moses the church is looking for is not he who can tell it of its faults, but he who can lead it out of the wilderness.

Any one of a hundred persons can walk the length of a street and out of the end in half a minute, but it will take several minutes for the procession of a hundred persons to do it. A church is a body of people. Its ability to move is due to its leadership, not to its innate power of locomotion. Sometimes it loses sight of its leadership and marks time, and then some spiritual enthusiast comes that way, turns on the light and the church, again catching sight of its leadership, moves on to a more splendid achievement in the cause of humanity.

It is true enough that the church does not lead all individuals toward a higher life and better things, but it leads all other organizations. As a power for good there is no other organization that can compare with it. Let us not lose faith in the church because it can not move with the facility of an individual. Let us not despair of it because there are those on ahead clearing the way and calling to it to come up higher in temperance, in charity, in social regeneration. If there were none on ahead then might we despair.

An army without an advance guard would blunder into an ambush, but an advance guard would be of little avail without an army. Our pioneers in spiritual and moral advancement would live to little purpose if there were not a great, powerful, albeit slow-moving, church to camp tonight where the advance camped last night and to support every forward movement with an impregnable front.

That is what the church does. It is little enough that the world would be doing without it.

WHAT THE WORLD IS DOING

The Schools and Forestry.

Gifford Pinchot, who, as United States Forester, is doing work of notable value to the public, has addressed an invitation to the heads of all universities, colleges and schools in which technical forestry is taught, to be represented at the conference on education in forestry which is to be held in Washington next December. In his letter Mr. Pinchot says that he believes a conference thus constituted "might be of great value to the general progress of forestry in the United States, as well as to the institutions which teach forestry, and to the Forest Service, which employs so many of their graduates, and which is vitally interested in the best training of foresters." Speaking of the ends to be attained by such a conference, he says that it "might well consider the objects and methods of forest instruction, the organization and standards of educational work in the field of forestry, the co-ordination of the work of different institutions, and the needs of the Forest Service and other employers of forest graduates." It is gratifying to add that nearly all of our educational institutions are accepting the invitation and enthusiastically supporting the plan it outlines.

Coal Alaska's Greatest Wealth.

We have so long accustomed ourselves to thinking of Alaska as a sort of gold mine possessed by the United States that it is difficult to realize that gold, in all probability, is a long way from being its utmost wealth. Yet there is much evidence that the greatest riches to come from Alaska will be found, not in yellow mineral, but in black; that is, in coal. Already a surveyed area of about 100 square miles is known to be underlain with both anthracite and bituminous coal. This is an area more than 50 per cent. greater than that of the coal districts of Pennsylvania. It is estimated that it will yield about 6,000,000,000 tons of coal, which, at a dollar a ton, would be forty times as valuable as the entire gold output of Alaska to the present time. As for the quality of this coal, experts report that it is by far the best obtainable on this slope, and, further, that the entire Pacific Coast eventually must look to these lands bordering on the Arctic circle for the greater part of its coal supply. Evidently Secretary Seward builded better than he knew when he prevailed on Uncle Sam to invest \$7,200,000 in Alaska.

Armor Plate That Stands the Test.

The twin sciences of killing man and preventing him killing heretofore have gone pretty well hand in hand. Did one inventor manufacture an explosive more ingeniously deadly than any previously known, almost immediately another inventor stepped to the front with a device for utilizing the explosive effect of that explosive. And so the merry competition has continued, with odds, it must regretfully be admitted, in favor of man-slaughtering devices, which have continued to kill quite regardless of preventatives. Just at this moment, however, it is pleasant to record that the preventers are having an inning. A young Canadian inventor named Harold A. Richardson has devised an improved process for manufacturing armor plate which is said to be far more effective than anything hitherto known. The inventor claims that it is 125 per cent. stronger than the best armor plate heretofore used, and, whether or not this be so, it is certain that it has withstood some extraordinary tests. For instance, from a distance of but 120 feet, an armor-piercing capped shell was fired from a 9.2 inch gun at a six-inch plate. Plate heretofore used would have endured such a test, but in this test the plate was unharmed, while the shell was shattered into fragments. The inventor intends to give Great Britain the sole benefit of his process.

Taking the Census in Mexico.

Mexicans are Mexicans, and their average attainment in literacy and enlightenment—be it regretfully written—is not high. A notion is prevalent among vast numbers of them that a governmental census is a dark and devious device for securing recruits for the army, and, holding this view, they naturally are "ferminst" the census. As a result, the taking of a census among our neighbors to the south of us is both a difficult and delicate operation, and a large amount of finesse is required to make a success of the business. Of what super-quality this finesse must be is illustrated by the fact that Mexico's ablest statesmen are employed in securing the census. For example, in the census now about to be undertaken down there, President Diaz personally is to take that of the neighborhood where he lives, members of his cabinet will take it in the vicinity of their own households, the Archbishop of Mexico will take it in his own quarter, and effort will be made thus to employ prominent citizens in general. It sounds strange—think of President Taft and the members of his cabinet taking the census in the localities where they reside!—but different conditions demand different treatment, and probably Mexican statesmen are doing that which they feel must be done.

The Simple Life to the Limit.

Speaking of the simple life—and almost everybody speaks of it more or less in these days—the people of the island of St. Kilda, in the Hebrides, come nearer to enjoying the real thing than almost anyone else of whom one might read. There are seventy-two of these people, unless one or more of them have died since the yearly steamer from Glasgow visited them last May, and year in and year out, decade in and decade out, this number scarcely varies. Within the last sixty years but three of the residents have permanently left the island. Here, on nineteen square miles of rock and soil, these people live while generation succeeds generation, and the great and exciting event of the year is the arrival of the steamer which carries to market the tweed they manufacture. The women spin the wool obtained from the sheep, and the men weave it. The men are both tailors and dressmakers for the population, manufacturing the clothing of the women, as well as their own. Necessarily they live under a system of communism. Certainly it is the simple life they live, but so is that of a clam.

Belshazzar's Palace Being Excavated.

Bible students, as well as those who are not students but merely sometime readers, will be interested in the excavations which Germans now are making in that palace in which, according to the old book, the "mense uparising" of the Lord appeared unto Belshazzar. The site of the palace lies beneath a great mound, known to modern Arabs as El Kasr, which, being interpreted, is The Castle, on the Mesopotamian plain. The work of excavation will require many years, but already the great irregular inclosure of the palace has been laid bare. One of the walls thus exhumed is more than seventy-two feet in thickness, and it is illustrative of the immensity of the proportions on which the entire structure was built. In the dry soil of Mesopotamia the brick of which the city was constructed have been little injured, and it is believed that much of deep interest to archaeologists will there be unearthed.

Man as an Earth-Burrower.

Man is not classed among earth-burrowers, but he does considerable burrowing nevertheless, and the figures in connection with the London subway system illustrate the fact. There now underlie the great city more than 150 miles of subways, nearly all in operation, and all soon to be so. By the use of transfers

a person could travel something like a hundred miles (say, as far as from San Francisco to San Jose and return) underground on one fare. The longest of these subterranean railroads is the Metropolitan line, which is seventy-one miles in length; the next is the Metropolitan District, with twenty-eight miles, and from these they decrease in length to the shortest, which is the Waterloo and City line, with its two miles of subway. The total authorized capital of the nine companies which own and operate the subways is about \$305,000,000.

By Airship to the North Pole.

That most indefatigable of monarchs, the German Kaiser, is supporting Count von Zeppelin in his latest project, and it now appears probable that an attempt soon will be made to reach the North Pole by the airship route. To this end a dirigible balloon larger than any heretofore built by the count will immediately be constructed. Professor von Hergesell, of wide reputation as an aerologist, will accompany von Zeppelin in his enterprise. The permanent base for the expedition will be at Cross bay on the west coast of Spitzbergen, and all next summer will be devoted to short trips for the purpose of gathering the data essential to success, if success be attainable. From Cross bay to the pole is about 800 miles, and von Zeppelin already has shown himself capable of negotiating this distance in his dirigible. Whether he will be able to negotiate that distance and return remains to be seen. It is presumed that the effort will be made in the summer of 1911, and, doubtful as the result seems, the venture is believed by many to have in it more of the elements of success than any expedition which heretofore has been undertaken to the pole.

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Perry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge a clerk in its employ that would substitute one article for another in a prescription. This store is operated on a square deal plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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OUR FIVE-FOOT SHELF.

Hugo's "Les Misérables."

Someone has said that Victor Hugo's "Les Misérables" is "the greatest thing done for democracy in modern times."

That is true, in a sense, but it is only a part of the many-faceted brilliancy of the book. It would be as true to say that it is the greatest plea for humanitarian treatment of criminal offenders; or that it is the greatest popular treatise of scientific sewage disposal; or that it is the most vivid picture of the French Revolution and the fall of Napoleon; or that it is the most powerful drama of modern times.

Dozens of later dramatists have borrowed plots from the incidents of "Les Misérables." It is a storehouse of dramatic characters and episodes. The nun illustrating the sublimity of a lie; the French color sergeant illustrating the heroism of an obscenity; Gavroche illustrating the heroic potentialities of the street gamin; Valjean illustrating the triumph of the human soul over injustice; picture after picture of domestic felicity, industrial misery, the inexorable of the law, escapes, capture, births, deaths, battles, barricades, cavalry charges. Destiny at odds with the Man of Destiny, God called from heaven to dispossess Napoleon from his too-great power, Nature an accessory to the affairs of men—how the panorama shifts and darkens, lights and fades.

And lifting above the swirling stream of struggling humanity, the head of Jean Valjean rises in serenity, growing from the savage peasant criminal to a character nearest like to Christ's of any character in history or fiction in modern days. No more ennobling or inspiring or human figure appears in modern literature.

Strange anomaly, that Hugo, fiery, rhetorical, melodramatic, theatrical, contentious, ungovernable, should have evolved the portrait of such a character, who is the apotheosis of patience and long-suffering. The book itself reflects Hugo's versatile and tumultuous soul; Valjean described by Hugo is a paradox, but the world is richer for it by the most absorbing story in any modern tongue.

THE RETURNING PAMPHLETEER.

Are we about to witness the return of the literary pamphleteer? We had supposed that the stupendous exploitation of periodicals had buried this species forever by making the circulation of writers' eccentric ideas so easy that the pamphlet would be an expensive and inefficient medium by comparison.

But some signs seem to point to a revival of pamphleteering. In the first place, publishers the world over, beginning to realize that the present relatively expensive books will soon be replaced by half-dollar first editions of even high-grade novels. If this fashion comes into vogue, it is likely that the public taste will be educated back down to an appetite for good reading in unpretentious bindings, and from that taste the descent is easy to a popularization of ten-cent or twenty-five cent paper-back literature. Once this is accomplished, the public may expect to see the pamphleteer grasping his opportunity, and loading the bookstores with his facile expressions of urbane ideas.

Other signs point towards this catastrophe. Our best writers are showing an eagerness to air their theories and convictions in this way. Some time ago, Owen Wister, roused by the assaults of the simplified spellers upon the ancient incommunicabilities of our spelling, rushed to the rescue of the established forms by publishing a pamphlet entitled "How Doth the Simple Spelling Bee." It was good reading, and aside from that Mr. Wister's prestige would have secured to get it published in some periodical where its circulation would have been a thousand times greater than in pamphlet form; so it is hard to understand why he preferred to publish it as a book where the obvious devices of big type and wide margins

scarcely sufficed to disguise its pamphlet size, form and substance.

Mark Twain, too, has caught the spirit of the pamphleteer. His attack on the identity of Shakespeare as the author of the plays is published as a book, but it is a book subject to the same comments as Mr. Wister's. It is bald, pamphleteering, literary controversy palmed off at a high price, which should have been sold in paper-backs at ten cents a bushel.

Heaven forbid that we should be entering upon a literary epoch similar to Milton's day, when the best writers shall waste, in writing controversial trash, the time they might spend upon developing the uncritical productive faculty for the enjoyment of the public.

CRITICS' ERA OF GOOD FEELING.

If a critic of a hundred years ago could return to earth to-day he would be stupefied by the book reviews that appear in modern periodicals. His ancient slashing criticism has disappeared; a modern Poe calling a modern Longfellow a milkop is unlikely; Griswold calling Poe a thief and a drunkard, impossible; delicate and inoffensive Keats buried under an avalanche of abuse, unthinkable. The old-time critic carried an ax in one hand and a syrup pitcher in the other, and whomsoever he did not slaughter he drowned in a sickening bath; but the slaughter was the more popular treatment.

But behold to-day the gentle crew of critics, mildly laudatory of everything that issues from the press. Since heaven's first harmonic sound was heard there has been no such unanimity of men or angels as the current chorus of critical praise. The newspaper reviews praise everything that comes to them, with rare exceptions, and even those whom they damn they partly praise. Magazines and weeklies refuse to publish reviews of books that they cannot commend. Even satirical Life, true to its anti-universalist creed, flays only when advertisements are administered to the victim.

Much of this seeming good-will is, we suspect, sheer indolence on the reviewer's part. Either that, or utter weariness; for the torrential flood of publications coming to his desk these days is enough to drown any such active passion as inspired the old reviewer.

Another matter is the commercial side of book reviewing. Publishers advertise; they dislike unfriendly criticism; the counting-room may have influence that reaches the reviewer's desk.

Still another matter is the publicity agent of the publisher. If you review books, you receive favorable reviews of nearly every book as soon as it is published, and if you are lazy, the shears and paste will save you a half-day's work. It is violating no confidence to say that more than half the book reviews we see in the daily papers are written in the offices of the publishers.

Good will in modern criticism, though thus partially explained, may not be such a bad thing. Perhaps good-will, even of this sort, encourages good writers. Or, maybe, the old savage critic spurred better results out of his friends, or enemies, the authors. Or—and we suspect more truth of this than either—perhaps the author is not, nor ever was, helped or hindered by the critics, only pleased or hurt. As for the public, publishers know that in the long run, what sells a book is a friend's recommendation to a friend, by word of mouth. The hand-me-down criticisms are balloons to hoist a book to enough ready-made success to make a quick profit. Genuine successes are their own reward to author, publisher, and public.

Mrs. Annie Besant, president of the Theosophical Society, in an interview upon her recent arrival in New York, declared that California has a larger number of clairvoyants than any other place in the world. Mrs. Besant's home is in India, but she considers the climate of California even more favorable to clairvoyance, though what the connection is she did not attempt to explain.

CALIFORNIA POET'S CORNER.

"His name does write on walls," this epitaph, which was one of the world's great poets proposed for himself, was not appropriate to him, and neither does it befit those hunter-bards who, dying young, have left behind them even a few lines worthy of being preserved. One such was Charles Philip Nettleton, a young Californian, whose poems, after his premature death, a few years since, were collected in a small volume, "Glimpses." Perhaps the most notable of these poems is in the Emersonian style and would be not unworthy of the Concord sage if he had written it.

GLIMPSES.

By Charles Philip Nettleton.

Set before thy high-born soul
Nothing smaller than the Whole.
Earth is great but thou art greater.
Would'st thou be her self-translator?

Pass behind her veiled face:
Hidden deeply lies the grace
Thou art kin to, waiting thee,—
Grace of love and purity.
Parts are parts but thou art one;
Satisfy thyself with none.
When thy high soul, infinite,
Throbbing, bounding, will admit
Songs of beauty from all spheres,
All eternity's full years,
And the Master!

Good is one,
Soul of beauty and bright sun
For thy thought and agony;
Come thou home, mortality!
Child, who vivid vision sees
Of pain's possibilities,
Visions mirrored from the past,
Striking pale the face agast,
Thinkest thou that for thee
God ordained a public?
Brother, love! Great love within
Killeth pain and covereth sin.

All things call thee to rejoice;
Hast thou heard their still, sweet voice?
Be their meaning well inferred,
For these voices are as seeds;
Follow, if thou wouldst have bread,
Deeper, deeper than all creeds,
Broader far than sages thought,
Higher, holier than have sung
Poets, by their rapture taught,
Is the soul that still is young
After speech has set a bound—
Young, but old from wandering.

Nature's mountain-tops await,
Half-explored, her equal mate;
Glories infinite surround
Each and all; they cannot bring
Light to those who love the part
More than God's great circled Heart.
Nature, Beauty, Good, enthroned
High the soul that knows its own.

CURIOSITIES OF LITERATURE.

The Diary of Samuel Sewell.

Samuel Sewell was a member of the governor's council of the colony of Massachusetts from 1690 to 1722, a judge of probate in 1692-1718, and chief justice in 1718-1725. He sentenced nineteen persons to death during the "witchcraft" delusion, but afterwards became convinced of the wrong done by his court and manfully assumed most of the blame for it. The extracts that follow are from his Diary.

During a voyage to England in 1688:
"November 27—Ate my wife's pastry, the remembrance of whom is ready to cut me to the heart.

"December 7—Breakfast on one of my wife's plum cakes. Dreamed much of my last night. Gave me a piece of cake for Hannah Kett; was in plain dress and white apron."

During the witchcraft agitation:
"Monday, Sept. 19, 1662—About noon at Salem. Giles Cory was pressed to death for standing mute."

On Feb. 8, 1714:
"Sloop run away with boy and whale out of a good harbor at the Cape. How surprisingly uncertain our enjoyments in this world are."

A HAZARD OF FAITH

By ARTHUR J. PILLSBURY.



Major C. W. Bourne.

of indignation that invites exaggeration, yet it misses the truth by far fewer than forty rows of apple trees.

Nevertheless, there is need for orphanages and the right sort of an orphanage can do a splendid work for neglected childhood. The Children's Industrial Farm, at Lytton Springs, is, or wants to become, the right sort of an orphanage. It is a Salvation Army institution and the spirit of the Army is in it and upon it. It is trying to set tumbled-over humanity upright upon its two pins so that it can stand alone.

There is many a benevolence which, if probed to its core, will disclose a job as its essential factor. If it were not for the job afforded the benevolence would not be called into being. That is not true of this one. Here is the scale of salaries: Major W. Bourne, head of the institution and his wife, head matron, receive, aside from their rent and food, ten dollars per week for their joint efforts, out of which they are expected to clothe themselves and their two children, pay for all their vacations, luxuries and gayeties and lay up that competence for old age which occupies the little divided attention of all the rest of us. Adjutant Wilson, assistant matron, receives \$3 per week. Captain Gilmore, who has charge of the babies, receives \$2.50; Captain Mechanic and instructor in mechanics, \$2.50; Capt. C. A. Bryan, the solicitor commands the highest salary in the schedule, \$9 per week. It should be borne in mind that all of these people are more than usually capable, and could command good salaries if they were to work in productive enterprises. They are doing the work they have in hand solely because of the Salvation Army spirit that gives to their lives the energizing impulse. There are no jobs lurking in this charity. The charitably disposed need feel no hesitation on that score.

The pressure of its social rehabilitation work bearing heavily upon it, the Salvation Army made a characteristic hazard of faith and bought, on credit, the old, unprofitable but picturesque and valuable Lytton Springs health resort in Sonoma county above Healdsburg from which it is distant four miles. There were buildings enough to serve the purpose and 638 acres of land of varying quality. Anyhow it was a good place for children and children and the nucleus of an orphanage started elsewhere was transferred to this place. Here are rolling hills and little valleys, meadow and pasture, a small vineyard and orchard, some tillable land and as much of God's out-of-doors as pent-up childhood can require.

Here are some two hundred children of both sexes and all ages, all colors and races, dispositions and previous environments, having but a simple bond of union, an all-pervading

dependency and urgent need to be brought up to usefulness and a moral life. It is a great big family to be fathered and mothered, made to behave and sent to school, taught how to work and not to be afraid of work, fed with substantial, kept good and healthy, associated with live things and learn to love them, and permitted to have things that are their own by right of having earned them. It costs \$15 per month on an average to maintain each inmate.

The farm itself, with the help of the children, contributes enough to bring this cost down to \$12 per month. This difference is a fund from which children may be paid according to their ability to earn. Two have earned and bought horses of their own, two others cows, some calves, pigs, ducks, and chickens. Their earnings are expended for extra clothing, band instruments, some thing of desire that stimulates industry. If nothing else, then a savings bank account.

There are on the grounds schools with four teachers. A few of the eldest children go to the high school at Healdsburg where, last year, one was editor of the school paper although in the junior class. The records made in these schools have been uniformly good and now a teacher of mechanics is being added to the advantage of the institution. Institutionalism is reduced to a minimum. This summer the boys, with no man over them, cut, cured and stowed away hay from 100 acres. They milk and care for thirty-five cows and hustle out in the morning before daybreak without being driven.

But it is hard work, all killing hard work, and Mrs. Bourne has been so nearly crushed under it that she is now suffering from nervous prostration. She has hazarded her life on this hazard of faith, and it does seem to all of them that, in view of the unselfish devotion to the work in hand, there should be enough who can and will help them to procure help enough so that the children in their custody need not be neglected and that the staff officers need not break themselves down and suffer invalidism. Mrs. Alice Bourne is a capable woman, better able to stand hard knocks than most of her sex, but she has seen twenty years of service in the army and, veteran though she is, the mothering of two hundred children from babyhood to adolescence, has proven too great a task for her. Help is wanted and money to pay it with.

Half the inmates of this orphanage go back to their own homes in two or three years. The story of childhood dependency is a story of broken homes. It is a drunken father or a renegade, now and again a bad mother, that breaks up the home. Sometimes death does it. Whatever the cause the surviving parent, by being tided over a period of adversity, makes another home somehow and gets the children together again. It is this bridging over from what Jack London calls "the thing" to getting the crushed upon their feet again that gives an orphanage its best right to exist. It saves the family tie, without which society is a herd, a band of pariah dogs, and makes the most of that tie.

This is not written with the view of encouraging the sending of more dependent children to the Children's Industrial Farm. They do not want more. They have too many now, more than they can take proper care of with



Mrs. C. W. Bourne.

the help they have. The purpose of it is to encourage those who can, and are willing to do so, to lend a hand in a good work and especially to lighten the load of over-work that the good people in charge are undertaking to carry. The land is not yet paid for. The running expenses exceed the income. It would take \$5,000 to put the institution abreast of its needs without having touched the mortgage. Great was the hazard and great the faith that hazarded it. Who will help?

More than twenty Frenchmen are now operating flying-machines, among them being Bleriot, Latham, Farman, Coudron, Paulhan, Sommer, Esnault-Pelterie, Santos-Dumont, Delagrange, Gastambide and Herber. Bleriot and Latham, whose work is best known, Farman, Sommer and Paulhan have all made flights of more than an hour.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

"Help Thou Mine Unbelief."

Lord, I believe; help thou mine unbelief.—Mark 9:24.

Thy little ones, the babes who need Thy care.
Are broken in the mills to feed man's greed.

Their lives all stunted, desolate and bare,
Till, God, for them a burish heart might bleed;

Their tiny bodies old before their day;
Wee, man-made bondsmen unto toil and grief—

Dost Thou, unnoted, heed and guard their way?

Lord, I believe; help Thou mine unbelief.

Sad wrecks of men go staggering to and fro,
And women harter all to women dear:

To Vice triumphant oft we bend us low,
And give to warring Right a frown or jeer.

Crime robed in silk may tattered Virtue flee;
If but the theft's successful, praise the thief—

Doth Thy great Day of Justice e'er draw near?

Lord, I believe; help Thou mine unbelief.

Out of the mists I come, I know not whence;
Into the mists I go, I know not where.

"Wherefore?" I cry, and out of thine immense
No voices answer to my spirit's prayer.

Oh, blindly groping in a darkened land,
Dazed by earth's problem horn of sin and grief,

Comes yet the day when I shall understand?

Lord, I believe; help Thou mine unbelief.

After Just One Look!

When I first met Leonora—twas a year or so ago—she was plump and nicely rounded, and her curves a pleasant show. She was fashioned like a Hebe, was this queen of all the dears, but I saw her yesterday, and—excuse these falling tears.

Yes, I saw her yester even. Oh, my tortured, anguished soul! She was shapeless and was hipless, and was fashioned like a pole, like a pole that's slightly lumpy but is not; a thing to please, and her waist, that once invited, had descended to her knees.

Wept I then to look upon her; weep I yet as I recall how she, once so sweetly rounded, now has naught of shape at all. Waist at knees, or waist at collar, sparsely straight or straightly spare, all her luring curves have vanished—but she makes them up in hair.

Hair from Spain and hair from Turkey, hair from Greece and Ballarat, hair from Timbuctoo and China—all are holding up her hat. Hair in wads and hair in masses, hair in puffs that beauty queers, hair instead of winning graces—oh, these bitter, bitter tears!

Leonora, Leonora, tell me, darling, was it well first to look quite like an angel, then to look so much like—tell me, dearest, tell me quickly, help my broken sob and moan, for I got just one look at you—and I'm weeping here alone.

By Way of Friendly Advice.

Now that Miss Vergilia Bogue, queen-elect of the Portola carnival, is to have a book published, and remembering what all of us remember—

Queen of beauty, queen of arts,

Queen of all the graces,

Would you win and hold our hearts,

Charming as your face is,

Let me pray you, let me plead,

Let me urge or hint it:

Keep your picture quite unfreed;

Don't let papers print it.

Concerning Lauck.

"Adjutant General Lauck is an old fossil."—Major W. S. Grattan's opinion.

Major Grattan is mistaken. Fossilizing implies change, but Lauck is just as the Almighty made him, and the rest of us can't help it.

The Philosophy of Rufus.

If I had to take my choice 'tween pumpkin' ideas from some people 'an' pumpkin' water out o' the desert of Sahary, I reckon I'd first give a sigh 'an' then try the desert.

He that ruleth his spirit is better than him that ruleth a city, but he has to git along with a good many less bonquets from his fellow citizens.

If our neighbor preaches 'better than he lives we say he's a hypocrite; if we preach better than we live we say, "Alas, poor, fallible human natcher!"

The teachin' 'bout the survival of the fittest is generally accepted, but, oh, my brethren 'an' sisters, if we're the fittest, think of what this world would be if the other kind had survived!

Praps faint heart never won fair lady, but if you don't believe that some fair ladies have won mighty faint hearts jest look 'round you some.

Es I understand it, a charity hall's a means devised for git'in' charity from them that ain't got any.

Course you want to git enough, Abner, but at the same time, if I was you, I'd remember that the hog that goes oftencen 'an' longest to the trough is the one that gets butchered first.

"The proper study of mankind is man"—'an' sometimes 'he must discouragin' too.

I like doctors, but I wish some of 'em wouldn't look at me in a way that seems to say, "Is there no friendly smile in which I can carve you, oh, my brother?"

"For ye blame your boy fer not learnin' by your experience, kind o' try to remember whether you learned by your pa's experience or your own."

A Talk With Agamemnon.

You are going to do great things, my Agamemnon—sometime. The world will be filled with the story of the glory of your deed—sometime. I know, for I heard you say so. You are not doing these great things to-day, for, unfortunately, you had another engagement, and you will not do them to-morrow, for that is the date of the picnic, but you certainly will do it—sometime.

Agamemnon, my boy, you do not realize what a mighty army you have joined. The world is full of men who are going to do splendid things—sometime. Why, even I, looking as I do, once was a non-commissioned officer in that army, and a right gallant lot we were. Not a man of us all was there who was not going to belt the world with the reflected light of his fame—sometime. But, alas! the days came and went, and we occupied them with petty pleasures and petty cares. To-morrow would be time enough, we said, but to-morrow never came, and our great deeds, I fear, are part of that hadean pavement of which we have read—a glittering pavement, but uncomfortably warm to the feet of those who tread it.

Dear boy, if you are going to do great things, take my word for it that right about now is the time to begin doing them. It is easier to wait for to-morrow, but, oh, to-morrow is so deucedly uncertain.

Here's to You, Jack!

Jack London is home from his wandering Here's to you, Jack! We welcome you home From lands of malarial fever.

'Tis pleasant at times in the offing to roam, But Home is decidedly better.

The wee, yellow whiffets have barked at your heels;

Their numbers, we never reduce 'em, For Success is the thing, as their nature reveals.

To set 'em all free and unloose 'em. Then here's to you, Jack! That you've gained many laps

Is proved by the yellow-dog bachel, And they'd do the same, the wee, little chaps. If only, you know, they were able.

Thoughtful Man on the Press.

"The Press, sir," the Thoughtful Man observed, "is the Archimedean lever that moves our modern civilization, and the editor is the man that manipulates the lever. You wouldn't think it in looking at some of the editors, but, as somebody has truthfully remarked, the Almighty moves in a mysterious way his wonders to perform, and He can take an editor who looks as if he couldn't drive tracks and make of him a tremendous influence in the community; in fact, He frequently does. The situation in San Francisco illustrates the case. There had been a saturnalia of grafting—

"'Tell with the grafters!' cries the people as one man.

"'Do you mean the bribers as well as the bribed?' somebody asked.

"'You he, we do,' says the people.

"'Something must be done about this critical situation,' says my friend Calhoun.

"'Why so?' says I, and then in my enthusiasm I added, 'Tell with the grafters!'

"'Hush, man!' he says, 'You know not what you do.'

"'Why, what's broke?' I naturally inquired.

"'My friend,' he says, 'all innocent, spotless and of lamblike purity as I am, I have been held up by my friend Abe Ruef, the agreement between us being that he was to receive 3 per cent. and I 97 per cent. of the profits.

"'Twas a laudable business enterprise, but I cannot forbear a shudder or two when I hear you say 'Tell with the grafters!' Woe's me!' he says, 'The law is so unreasonable. 'Tis getting so that a man cannot be held up and rely on making anything by it. I must get my two varieties of newspapers to working for me.'

"'What two varieties do you mean?' I inquired.

"'Why,' he responded, 'the decent indecent, like the Chronicle, and the indecent indecent, like the Oakland Tribune, the Globe and the Los Angeles Times. You handle the former with a bath towel and the latter with tongs.' So he did as he said.

"'The graft prosecutions are spoiling business,' says the papers; hence it must be evident that Calhoun is innocent.

"'The government didn't pay Henry \$23,000 till after he had earned it; it follows that Calhoun is not guilty.

"'The prosecution of this poor rich man is a per-secution, and therefore he is guiltless.

"'So they dropped their bait for suckers, to adopt a piscatorial simile, and the result is inspiring."

"How so?" I inquired.

"'Why, one-half of them think that he is guilty but didn't do it, and the other half think he is innocent but did it.'

* * *

Amended Maxims.

(As revised and brought up to date by the Business Manager.)

Honesty is the best policy—so long as it is not permitted to interfere with business.

Virtue is its own reward—but the reward of being judiciously held up frequently is larger.

Honor sinks where commerce long prevails—but so long as commerce does prevail, why need we worry?

Thou shalt not steal—but, of course, if you're held up it's different.

Laws grind the poor, and rich men rule the law. (Evidently this was handed to me by mistake; it needs no revision.—Business Manager.)

* * *

Insulting—in Some Instances.

"Smoothiegh, who is very wealthy, you know, struck the fellow because he insulted him."

"How did he do it?"

"Asked him how he made his money."

UP AND DOWN THE STATE.

There are few citizens of California who know as much of her early history as did Winfield J. Davis, who recently died in Marysville. He had filled many public positions and in all of them had earned the encomium spoken of old, "Well done, good and faithful servant."

State Mineralogist Aubrey estimates the production of oil in California in 1908 (48,306,910 barrels) to have been worth \$26,566,181, or about \$6,000,000 more than the output of gold.

Lodi shipped her first crate of Tokay grapes to the East last week. It is expected that large quantities will be ready for shipment by the last of next week.

It is announced that the Fresno trustees probably will close the saloons of that city on October 1st. In the event that they do, their action, it is anticipated, will be fought by the saloonists.

At a depth of 700 feet a large flow of excellent natural gas has been struck at Petaluma. Another well now is being sunk, and the gas will be piped throughout the town.

On July 31st the biggest shipment of fruits ever made from the Sacramento valley in one day was sent East by the California Fruit

Distributors. It consisted of 221 carloads of various fruits.

A "double-header" proposition will be submitted to the voters of Glenn county on October 12th, when they will be permitted to decide by their votes whether the entire county shall go "dry" or only such precincts as so desire.

Citizens of San Rafael have decided that a great Labor Day celebration shall be held in that city. Labor organizations throughout the county will be invited to participate.

Alexander Fawcett, aged eighty-five years, who long ago was a resident of Grass Valley, recently returned to that city after an absence of nearly a half-century, and located a claim which he discovered at that earlier time. It is claimed that the ore will go \$200 to the ton.

The board of supervisors of Glenn county has decided to levy a tax of two cents on the hundred dollars for the purpose of creating an advertising fund.

On September 18th the electors of Solano county are to vote on a proposition to bond the county in the sum of \$300,000, \$250,000 to be used in the construction of a courthouse and \$50,000 in the erection of a jail.

MAGAZINE HARVEST TIME.

There is a sharp difference between the activities of the editorial department and of the business department of a great magazine in the matter of variation in the amount of necessary work. Editorially, a magazine is a fixed quantity. So many pages of reading matter to be filled every month means a fairly constant outlay of energy and brain work to achieve the desired novelty and literary quality. It is just as important and requires just about the same outlay of money and force in July as in December.

But in the matter of obtaining subscribers, July is relatively negligible, while December is the climax of the subscription harvest efforts. Practically all the new subscriptions to magazines, and renewals as well, are gathered in the months of October to December, both inclusive. This is for the same reason that nearly all luxuries are purchased in the fall, and that the biggest month of nearly all businesses is Christmas month. The farmer's crops are in and the money for them is in the banks, the railroads are working overtime, everybody who ever has a surplus has it then, and people feel free to gratify their desires for whatever they want above the necessities of life.

After the Christmas holidays, everybody feels "broke"; in most parts of the country people then face the dourdest of the winter weather, which does not incline them to letting go their money; spring calls to the open, and summer is too hot for any but the lightest and most casual reading; early fall is the season of harvest.

So the late fall is the time that magazine publishers deluge the country with announcements of alluring numbers to come, with circulars describing the attractions of their publications, and with insinuating and ingratiating appeals for subscriptions. Whatever the harvest, this is the time to reap.

And the returns from these appeals are a fairly accurate barometer of business conditions. When the country is prosperous, people buy luxuries, of which periodical literature is one of the most quickly responsive. When the country is poor, magazines feel the effects among the first of those to suffer from national economizing.

Curiously, though, the advertising pages of magazines sometimes indicate business conditions by a reverse process. Many businesses make it a rule to advertise the most extensively when business is duller on the theory that then business needs advertising most; and diminish the space used when business is so good that advertising looks like a work of supererogation. The advertising barometer, though, is less accurate than the circulation barometer, for circulation depends directly upon the public at large, which feels industrial fluctuations the most keenly. And, too, the most successful advertisers advertise consistently through storm and shine, on the theory that "general publicity" always pays, if not immediately, surely later.

To New Subscribers

The California Weekly offers the following unprecedented combinations in standard periodicals at greatly reduced rates:

World's Work, per year.....	\$3.00
Everybody's Magazine	1.50
The California Weekly	2.00
Extra, Pacific Coast number	
World's Work for August.....	.25

REGULAR PRICE\$6.75
OUR OFFER\$4.50

OR	
World's Work, per year.....	\$3.00
The Delineator.....	1.00
The California Weekly.....	2.00
Extra, Pacific Coast number	
World's Work for August.....	.25

REGULAR PRICE\$6.25
OUR OFFER\$4.25

Fill out the following blank, mail it to this office and we will have the periodicals sent regularly to your address for one year; or, if you prefer, each of the periodicals may be sent to a different address.

The California Weekly,
26 Montgomery St., San Francisco.
Please find enclosed \$4.25 (\$4.50 for annual subscription to The California Weekly, World's Work, with extra copy of Pacific Coast number for August, and Everybody's Magazine (The Delineator).

(Indicate your choice of the two last-named monthlies by crossing out the name of the other.)

Name.....
Address.....

Our Engraving Department

is fully equipped to do
the highest class work

VISITING CARDS
ANNOUNCEMENTS
WEDDING INVITATIONS
LE COUNT, CLARK & ORMOND

STATIONERS AND PRINTERS
220 Market St. San Francisco
Mail orders promptly attended to

They say that no one can live without dining, but thousands do.
To eat is not to dine. If you want to dine well you must be certain to get out.

Pure Mocha Coffee

Guaranteed under the pure food law.

SUNSET TEA CO.
911 CLAY ST., OAKLAND.



Have you heard the Victrola?

The Victrola without a horn! It looks like a music cabinet—it plays and sings like the artists themselves without rasp or mechanical noise. Now being installed in all the best homes in America. In the choicest suites of the finest hotels, aboard the ocean greyhounds and in the palaces of nobility throughout all Europe.

PRICE \$200

Sherman May & Co.

Steinway and other Pianos • Victor Talking Machines
Kearney and Sutter Sts., San Francisco
CLAY ST. 16TH ST. 1428 VAN NESS AVE.
Oakland San Francisco

YOU ARE
**FAITHFULLY
SERVED**
by these Standard
Milk Products

**BORDEN'S
PIONEER**
BRAND
Evaporated Milk



(Unsweetened)

EAGLE
BRAND
Condensed Milk



"The Original"

Our fidelity to you is
expressed in the high
quality we supply.

You are the loser if satisfied
with a substitute for Borden's

BORDEN'S CONDENSED MILK CO.
"Leaders of Quality."
Est. 1857. New York.

POLITICAL TABLE TALK

By THE WATCHMAN.

A Bit of Bouffe A most urbane and graceful proceeding was that of Messrs. Grauman and Keil in going through the motions, in front of the drop curtain and in full glare of the footlights, of withdrawing from the mayoralty field by the interests of Calhoun's man Crocker. Of course they did not really withdraw from the field. How could they when they were never in it? It is improbable that either of them had the backing of a baker's dozen. But it was a nice bit of bouffe introduced to make it look as though things were going Crocker's way. To be sure the effect was marred by Grauman's ghostly appearance. The Call had knocked the life out of him. Mr. Countryman is in the wings waiting for his cue to go through a similar performance. It will be less diverting because of what has gone before. The audience will be onto it.

The Deep Damnation Of the Calhoun Plot It is to be no political opera which the people of San Francisco are to witness on the 17th. Nor is it a morality play. It is a tragedy. It has been well staged by the Herrin-Hellman committee of twenty-five. The supernumeraries have all been engaged and have rehearsed their parts. The stage properties are in place. The plot is the crucifixion of San Francisco in the house of her friends. The state is watching, the nation is watching, the world is looking on. The denouement of the plot will proclaim to the world whether or not San Francisco is to be in the keeping of honest men or in possession of as sordid a set of hard-visaged materialists as ever sunk a ship or made a merchantman's crew walk a gang plank.

The Mayoralty Ranks Second It is important to San Francisco to have a good mayor. His appointive power is of vantage. But more than his power is what he stands for, not openly and avowedly, but by token of that backing that determines his position in the public eye more certainly than proclamations. Let the Crocker following be as mum as they have a mind to be and suffer Mr. Crocker to protest as much as he may, nothing under heaven can make it appear other than that Crocker and his administration will do all they can to deliver the bribers out of that purgatory where they have spent three uncomfortable but impotent years. The whole movement has that purpose in view, and no other. The city will accept his nomination as a proclamation to that effect and so will the state and the nation. No tidal wave can wash out the stain of Crocker's nomination.

Bad for The Party The nomination of Crocker for mayor will be a blow for the Republican party in San Francisco to sustain, a blow for which Republicans will not be wholly responsible. Thousands have registered as Republicans who are not Republicans, and they have registered that they may commit the Republican party to a disgraceful policy. They will vote the Republican ticket at the primary but will not do so at the polls. They will vote to set the grafters free, however they may be set free, and will have no other solicitude. The Republican party of San Francisco stands to be shamefully entreated by those who are masquerading as Republicans. They purpose to do it injury by assaulting the city in its name.

Different With Byron Mauzy Leaving out of consideration the unimpeachable personal character of Byron Mauzy, as we may leave out the personally unobjectionable character of William Crocker, what are Mauzy's political assets? Not one voter who is not a Republican has registered as a Republican for the purpose of voting for the nomination of Byron Mauzy as the Republican candidate for mayor. Not one man who is supporting Mr. Mauzy in this campaign is

in favor of having one law for the rich and another law for the poor, or in favor of abandoning the prosecution of malefactors of great wealth until such time as the proved inability of our criminal laws to mete out justice to rich and poor shall arouse the state to action to compel such a revision of the laws as will make such men punishable. Finally, Mr. Mauzy stands before the people as typifying that citizenship that stands for a moral purpose, for a clean city with an honorable reputation at home and abroad. The city knows this to be true, Republicans know it, the state knows it, so does the nation and so will the world. The primary vote on the mayoralty contest next Tuesday will make such a proclamation to all men as no sophistry can obscure, no outpouring of verbiage explain away. The measure of the city is to be taken in plain view.

The Supervisors Are the Citadel The Calhoun-Hellman plotters realize that they cannot beat Francis J. Heney before the Citizens' committee and they are waging this whole campaign. Therefore they must do this in some way other than by going before the people against him alone. This they hope to accomplish by electing a board of supervisors that will not appropriate money for carrying on the graft prosecutions. The law forbids private philanthropy and good citizenship to bear any part of the cost of conducting suits for the punishment of crime, a provision of law owing its existence, no doubt, to a well-studied effort to prevent the punishment of offenses that the political powers that be do not wish to see punished. If such a board of supervisors can be elected Mr. Heney, though elected District Attorney, would be powerless for want of funds to prosecute the felons who remain unconvicted. It is a nice scheme and that is the plan of campaign against one who the Chronicle will find small reason for doubting. It has the merit of being perfectly efficacious if a Calhoun-Hellman-Harriman board of supervisors can be elected.

A Preposterous Supervisorial Ticket The "Citizens' Committee" has selected a ticket of eighteen candidates for supervisors that is an insult to the intelligence and the conscience of the voters of San Francisco. Five of these candidates were openly adherents of Abe Ruef during the Ruef-Schmitz regime. They are P. A. Bergerot, A. M. Wallen, H. Fred Suhr, Jr., Theodore Lunstedt, and J. F. Jewell. Bergerot was also, before Ruef's day, a follower of Boss Crimmins. Another candidate, John B. Carson, was also a Crimminian man. "Tim" Sullivan, a marine bosslet, is represented by four of his followers: G. W. Bayreuther, George W. Bell, James C. Bride, and Fritz Gercke; and two other of the candidates, F. L. Hansen and Thos. P. Galvin, are "satisfactory" to him. One candidate, E. W. Briggs, has had a cigar-stand in Mike de Young's building for years. William M. Crowley is a stenographer and holder of appointive offices supposed to be in the gift of the Southern Pacific company. Frank J. Weiss and M. J. Winter have no record at all. Gus B. Risso was dismissed by the board of supervisors, as possible, but was lugged in by other interests. L. B. Bernhard was put on the ticket by John C. Lynch, the Southern Pacific political fixer.

Weaklings and Political Hacks The candidates offered by the Citizens' Committee for mayor and district attorney are bad enough—bad in the sense that they are nobodies who stand for nothing except what their backers tell them to stand for—but it was almost inconceivable that their ticket would be filled out with such an unsavory aggregation of supervisorial candidates, more than half of whom have a political record that should make it impossible for them ever to venture to ask again for the votes of the men

of San Francisco. The majority of these men have actively participated in crooked politics under one or the other of the two worst bosses in San Francisco since Chris Buckley's day—Ruef and Crimmins. How they or their proponents have dared to expose them to the indignation of the public in this way is a mystery.

The Chronicle's Crooked Fight The attitude of the San Francisco Chronicle throws much light on the question. The Chronicle has fought and is fighting the graft prosecution. The Chronicle fought the bonds to acquire municipal ownership of the Geary Street road. The Chronicle is opposed to the reduction of gas rates. The Chronicle is opposed to a settlement of the Market Street railway monopoly on terms just to the public. The Chronicle is the friend of every public service corporation in its fight to keep the public from escaping corporate greed. Mike de Young has been in constant consultation with the Citizens' committee and has dictated the nomination of its candidate for sheriff and of its candidate for at least one supervisorial district.

Chronicle Slandering Best Supervisors Again, the Chronicle has repeatedly slurred the present board of supervisors. The Chronicle has published a series of articles damning the construction of the fire reserve cisterns, and claiming that the board of supervisors were allowing the city to be robbed by paying for leaky cisterns. These cisterns, according to the testimony of expert engineers, are triumphs of concrete construction. Official tests have proven that the fall of water in a two-foot manhole at the tapering top of a 75,000-gallon cistern is one inch in twenty-four hours. That rate of leakage indicates a water-tight tank that is considered phenomenal in fresh concrete. Only three cisterns have been accepted. The Chronicle has published an article describing leaks in others not accepted, knowing when it published the article that the cisterns were not completed and would not be accepted until they passed test.

Chronicle's Misleading Statements about Funds The Chronicle has attacked the board of supervisors for the expenditure of bond moneys voted for schoolhouses, which the board apparently applied to other purposes; but the Chronicle knew, but did not tell its readers, that the unexpected premium at which the bonds sold and the unforeseen drop in price of building materials before the money was spent, permitted the construction of all the buildings demanded by the home town and left a surplus which, rather than throw the board applied to extending school yards, a most necessary and laudable accession to San Francisco's public school system.

Mike de Young vs. Graft Prosecution In short, the Chronicle has tried to discredit the best board of supervisors that San Francisco has had, while the proprietor of the Chronicle was busily engaged in helping select the worst conceivable list of men to be their successors. Why? Is there, or is there not, a very obvious connection between Mike de Young's political attitude towards an admirable board of supervisors and Mike de Young's activities in selecting men whose whole record would indicate that they know how to "take orders"? And is there an obvious inference to be drawn from the effort to elect such a crew to the board of supervisors, and Mike de Young's antipathy to the graft prosecution? Or from the effort to elect such a board, and Mike de Young's friendship for Hellman, Jr., of the Spring Valley Water company's directorate? Or from the effort to elect such a board, and Mike de Young's friendship for the officials of the Market Street railway and of the gas company?

Mike de Young vs. Good City Attorney One more question. Why has Mike de Young and his Chronicle fought the reelection of Percy V. Long to the office of city attorney? Is it possible that Long's valiant efforts to carry through the Hetch-Hetchy municipal water project may be unpleasant to de Young's friend Hellman, of the Spring Valley directorate? Is it possible that Long's services to the people in the gas rate litigation are distasteful to de Young's San Francisco Gas company's friends?

A Subtle Plot to Tie Henry's Hands The answers to these questions are too obvious. The Republicans of San Francisco cannot afford to be fooled by the most preposterous ticket offered by the Citizens' Committee. The success of that ticket is inconceivable. It would mean the tying of Francis J. Heney's hands in the graft prosecution; it would mean the surrender of the Hetch-Hetchy project; it would mean the surrender to the greed of the United Railroads and the gas company.

The Men That Ought to Win Compare the ticket of the Citizens' Committee with the ticket of the Municipal League of Independent Republican Clubs, led by Byron Maury. Political expedients and political hacks are pitted against clean and honorable men who stand squarely for the public interest. It will be to the eternal shame of the Republican party in San Francisco if the Independent Republican ticket is not nominated at the primary. For the information of Republican voters it is reprinted below. Clip it out and carry it into the voting booth as a reminder of the names not only of the principal candidates, but of the supervisors, who are the crucially important issue:

Mavor	Byron Maury
Mathewson	H. G. Mathewson
McDonough	John E. McDonough
McLennan	David Hugh
Morgan	George D. Morgan

What is it that makes some candy taste SO good.

It's the quality of the material that goes into it. Some candy makers continually figure and scheme and experiment to increase profits by decreasing cost. Quality then has to suffer. Lehnhardt continually figures and tries to increase profits by making better candy. Lehnhardt's way costs more per pound but he sells more pounds. Which is better—to sell 1,000 pounds at a profit of 10c a pound or to sell 100 pounds at a profit of 25c a pound? Lehnhardt prefers the former—Makes more money and more friends. Think it over.

LEHNHARDT'S Candies After Dinner Specialties
Broadway, bet. 13th and 14th, Oakland

METROPOLIS BANK

SAFE DEPOSIT VAULTS
Corner New Montgomery and Market Streets
The only modern, fire and burglar proof vaults on the Pacific Coast, using the PARACENTRIC CHANGABLE LOCK, which absolutely precludes the possibility of anyone otherwise than the renter from holding a duplicate key.
W. H. RHODES, Manager.

Parcells Safe Co.

SOLE AGENTS

DIEBOLD SAFES AND VAULTS

ALL-STEEL FILES AND OFFICE EQUIPMENT

577 Market St. San Francisco

City Attorney.....Percy V. Long
Public Administrator.....George A. Turner
County Clerk.....John J. Greif
Sheriff.....E. J. Callan
Coroner.....Dr. E. M. Bixby
Police Judge.....John M. Dwyer
Police Judge.....George D. Perry

FOR SUPERVISORS:
Chas. V. Murdoch,
E. C. Friber,
C. V. Riffe,
Herbert L. Rothchild,
Alexander Russell,
J. C. Sala,
L. B. Sibley,
Wm. M. Symon,
Thos. S. Williams.

Paul Baeroff,
Edward L. Cullen,
R. S. Fyfe,
Matt. Harris, Sr.,
Fred L. Hulmer,
Thos. R. Kellum,
Alonzo G. McFarland,
David McLennan,
Michael Morgan.

THE GRAFT CASES.

Since the last issue of The California Weekly no progress has been made in securing jurors for the trial of Patrick Calhoun. Still the two possible jurors who have been shored since their places awaiting opinion less companions, and still such companions have not been found, although the lawyers are laboring zealously to attain that far-away end. Thus far 1,500 talesmen have been summoned to court—many were called, and two were chosen, perhaps. Of the 1,500 who were called, but 353 reached the box for actual examination; so that little more than one-half of one per cent. of these succeeded in escaping the network of legal snares set for their feet and reaching the stage where nothing but peremptory challenge can put them out of the juror line of business. It is reasonable to suppose that the Californian soil will be wet by winter rains before the case goes to the jury.

IN JESTING GUIDE.

"Bear in mind, Willie," concluded the teacher, reproving a pupil for a first offense, "that these temptations can be resisted if determination is used. Always turn a deaf ear to temptation." Little Willie's lip trembled. "But, teacher," he answered, "I ain't got a deaf ear."—Tit-Bits.

"Mother's compliments," said a youngster to a butcher who keeps a shop in a busy suburban thoroughfare, "an' she's sent me to beef you the big bone brought with the piece of beef this morning." "Tell your mother next time I kills a bullock without bones in it I'll make her a present of a joint," said the man of meat with a grin. "Mother's compliments," continued the boy, "and she says next time you find a bit of sirloin with a shoulder of mutton bo'd in it she'd like to buy the whole carcass as a curiosity."

Chug-chug! B-r! br-r-r! Honk! Honk! Giggling-giggling! The pedestrian paused at the intersection of two busy cross streets. He looked about. An automobile was rushing at him from one direction, a motorcycle from another, an autotruck was coming from behind and a taxicab was speedily approaching. Zip-zip! Zing-ging! He looked up and saw directly above him a runaway airship in rapid descent. There was but one chance. He was standing upon a manhole cover. Quickly seizing it, he lifted the lid and jumped into the hole just in time to be run over by a subway train.—Cleveland Plain-Dealer.

Mark Twain was waiting for a street car in Boston when a young girl approached him, smiling. She was a lovely girl, fresh, blooming, ingenious, bubbling with enthusiasm, and evidently on her way home from school. "Pardon me," she said, "I know it's very unconventional, but I may never have another chance. Would you mind giving me your autograph?" "Glad to do it, my dear child," said Mr. Clemens, drawing out his fountain pen. "Oh, it's so good of you," gurgled the girl. "You know, I've never seen you but once, Chief Justice Fuller, and that was at a distance; but I've seen your portrait so often that I recognized you the moment I saw you here." "Um-m-m-mm!" said Mr. Clemens, noncommittally. Then he took from her eager hands her nice little autograph album, and wrote in bold script these words:

"It is delicious to be full.
But it is heavenly to be Fuller.
I am cordially yours,
Melville W. Fuller."
Mr. Clemens has not heard from Chief Justice Fuller yet.

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See bathing, surf boating and aquatic sports. Sailings August 7, Aug. 28, Sept. 18, etc. Book now
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Oakland and Berkeley

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Pacific Cereal Association
Bay and Taylor Sts. San Francisco

HYDRO-ELECTRIC POWER IN CALIFORNIA

II. THE PACIFIC GAS AND ELECTRIC COMPANY.

By E. FRENCH STROTHER.

The Pacific Gas and Electric company is the largest concern now engaged in the business of generating and selling hydro-electric power in California. The accompanying map of its field of operations is a map of the wealthiest and most populous part of the state, and shows in a vivid way the fact that this one company touches the lives of more than half the people of California in one or another of their public utilities.

This company operates in twenty-nine counties of California. It supplies current to thirty individual lighting companies and to twelve electric railway companies. It sells current direct in forty-two cities and towns in California, as follows: Belmont, Belvedere, Berkeley, Browns Valley, Burlingame, Chico, Centerville, Corte Madera, Grass Valley, Loomis, Marysville, Mayfield, Menlo Park, Mill Valley, Mountain View, Mokelumne Hill, Napa, Nevada City, Newcastle, Oakland, Palo Alto, Penryn, Petaluma, Redwood City, Rocklin, San Anselmo, San Francisco, San Mateo, San Jose, San Rafael, Santa Rosa, Sacramento, San Andreas, Sausalito, Sunnyvale, Tiburon, Woodland, Yolo, and Yuba City.

Besides selling direct to the above-named, it sells current wholesale to companies that supply light or power at Davis, Dixon, Elmira, Winters, Rio Vista, Wheatland, Rosevale, Lincoln, Vacaville, Washington (Yolo county), Richmond, Suisun, Pinole, Sebastopol, Alta, Dutch Flat, Gridley, Biggs, Auburn, Colfax, Folsom, Stockton, Tournay, Vallejo, and Santa Clara.

In addition, it supplies part or all the power used by the following electric railway companies:

The Oakland Traction Company and the "Key Route," which together operate all the railways in Oakland, Berkeley, Alameda, Fruitvale, Melrose, Emeryville, San Leandro, San Lorenzo, Elmhurst, and Piedmont.

The Sacramento Electric, Gas and Railway company, which operates the street railway system of Sacramento;

The Stockton Electric Railroad company, which operates the street railway system of Stockton;

The San Jose Railway company, which operates the street railway system of San Jose;

The San Jose and Santa Clara County Railroad company, which operates in Palo Alto and which, when building now under way is completed, will connect Santa Clara with San Francisco;

The North Shore Railway company, now absorbed by the Northwestern Pacific Railroad company, which connects Sausalito, Larkspur, Mill Valley, Ross, San Anselmo, Fairfax, and San Rafael;

The Vallejo, Benicia and Napa Valley Railroad company, which connects Vallejo and Napa and, through its subsidiary company, the San Francisco, Vallejo and Napa Valley Railway company, connects Napa and St. Helena;

The Petaluma and Santa Rosa Railway company, which connects Petaluma, Santa Rosa, Sebastopol, and Forestville;

The Northern Electric Railway company, which connects Barber, Chico, Marysville, Oroville, and Sacramento, and which will extend to Gridley and Yuba City;

The Presidio and Ferries Railway company, which connects those points in San Francisco;

The United Railroads of San Francisco.

In short, if you live anywhere within a radius of 150 miles of San Francisco, or travel within that zone, you can scarcely avoid paying something to the Pacific Gas and Electric company for the use of electric power, either in the way of bills for lighting or for carfare. Not counting the United Railroads of San Francisco, the Pacific Gas and Electric company supplies electric power to run 473 passenger trolley cars over 550 miles of track, besides the power to run more than 100 freight cars.

And 76 per cent. of all this power, and of all the power sold for lighting purposes as described above, is generated by water-power in the Sierra Nevada mountains.

are also controlled by them through filings upon water in excess of the water necessary for the plants already in operation.

To provide against dry years the company has built thirty-one reservoirs, having a storage capacity of 25 billion gallons of water.

The reservoirs are also insurance against the variations in "load," as electricians call the quantity of power being delivered over transmission lines at a given time. This load varies enormously. During the rush hours of street railway traffic and during the early night, when most of the lighting is done, it approaches the maximum capacity of the plants. After midnight it drops far below that capacity. The average load thus falls much below the rated maximum capacity of the plants.

But "during the twelve months ending June 30, 1907, the output of electricity for lighting and power purposes was equivalent to 351,578,335 kilowatt hours [53,780 average continuous horsepower], of which 76 per cent. was produced in hydraulic plants." This is quoted from a prospectus issued by N. W. Halsey & Co., soliciting subscriptions to the "Proposed Issue of Thirty-Year Unifying and Refunding Mortgage Gold Bonds by the California Gas and Electric Corporation," a constituent corporation of the Pacific Gas and Electric company. In other words, the average constant generation of electric power by this company was, two years ago, equivalent to the power generated by steam-engines of 40,872 horsepower capacity working twenty-four hours every day.

The value of this power is explained in the same prospectus. The gross income of the company, for six months ending June 30, 1907, from electric light and incidental power, was \$2,322,606; and from power for mining, electric railways, and general manufacturing operation, \$787,864. At that rate, the company's gross income from electric power for a whole year would be \$6,220,940. Of this, 76 per cent., generated by water, would yield \$4,727,914, a pretty tidy gross income for any business.

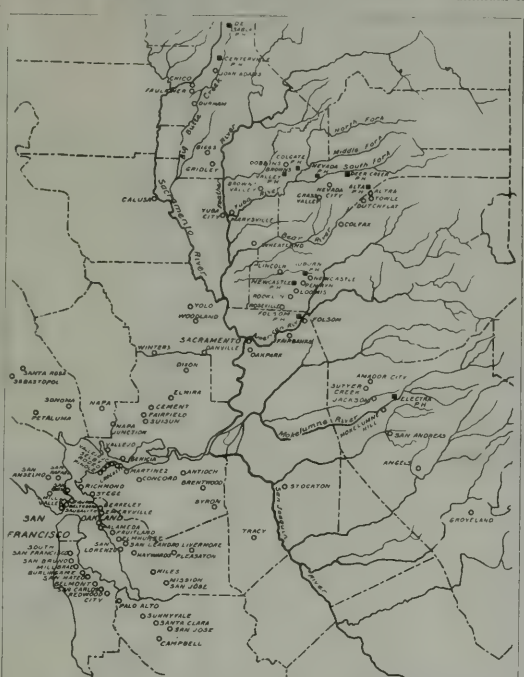
Naturally, a business of such proportions requires a large investment of capital. The company is capitalized at \$30,000,000 and is authorized to issue bonds to the sum of \$10,500,000. It has outstanding \$18,558,000 in bonds of principal subsidiary companies.

One company of these proportions did not spring, full grown into being, overnight. It is the result of a process of consolidation, absorption, and growth, culminating in the formation of the Pacific Gas and Electric company as a holding company for a number of large corporations which, in turn, were each a consolidation of a number of smaller corporations.

The Pacific Gas and Electric company was organized in 1905 to hold the stock of the California Gas and Electric Corporation and the San Francisco Gas and Electric company, besides such other public utility corporations as might be desirable. The other corporations now controlled by it are:

California Central Gas and Electric company, Bay Counties Power Company, Valley Counties Power company, Standard Electric company, of California, South Yuba Water company,

(Continued on Page 607.)



FIELD OF THE PACIFIC GAS AND ELECTRIC COMPANY.

Every town shown on the map is served with electricity by this one company. Powerhouses marked by black squares.

The Pacific Gas and Electric company alone can generate 137,928 electrical horsepower with hydraulic generators.

Rivers Used by the Company.

A glance at the map will show the location of the power-houses of the company, which are indicated by the black squares. Two are on Big Butte creek, northwest of Chico; two are fed from the main Yuba river; two are on the South Fork of the Yuba; three others, though the map does not indicate it, are fed with water taken from the South Fork of the Yuba above the Deer creek power house and led through conduits and canals to the power-houses; one is on the American river; and one on the Mokelumne. More than half the power are in the hands of this company. A very large share of the resources of the other rivers

MR. SMITH'S POWER BILL TO SETTLE CONFLICT OF STATE AND NATIONAL JURISDICTION.

By S. C. SMITH.

A BILL

Granting certain rights of way over the public domain.

[Introduced in the House of Representatives, July 29, 1909, by Congressman S. C. Smith, of Bakersfield.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the use of any unappropriated public land not included in national parks, Indian and military reservations, necessary for the construction, maintenance, and operation of works for storing and controlling water for irrigation, mining, manufacturing, domestic or municipal use, the generation of power, and for the transmission of power over, upon, or under the surface of such land, with convenient telegraph and telephone lines, is hereby granted to the several states wherein the land is situated, in trust for the benefit of the people of said states, respectively, subject to the conditions herein provided. The easement shall extend to the land occupied by the water of any reservoir and of the canals or conduits of all necessary or convenient types and fifty feet on each side of the marginal limits thereof; and to one hundred feet by power stations and substations and the hundred feet on each side thereof; to transmission telegraph and telephone lines and fifty feet on each side of the center line thereof; also to the right to take from the public lands adjacent to the lands herein specified earth, stone, and materials (except timber) necessary for the construction of said works.

Sec. 2. That the several states may, by appropriate legislation, provide for the use and enjoyment of said easements by persons, companies, or corporations, upon terms created by the several states, respectively.

Sec. 3. That a state desiring to avail itself of the terms of this statute shall present to the Secretary of the Interior an application for the particular lands desired, accompanied by appropriate maps, the name of the person, company, or corporation that is to enjoy the use of the easement, and a full statement of the terms and conditions upon which said easement is to be enjoyed by the state, grantee or licensee. If the land sought is not required by the Government of the United States for any public purpose (other than for a forest reserve) the application shall be filed by the Secretary of the Interior, and thereupon the grant herein shall become effective. Provided, That changes in the route of a conduit or transmission line or the location of a power station or substation may be made by a proceeding as in the case of a right-of-way, and upon the filing of the new selection the portion abandoned shall revert to the Government and be relieved of the easement hereby granted. Provided further, That timber taken from said land herein conveyed shall be paid for according to the reasonable value thereof; and parties constructing and operating works within a national forest shall comply

with the regulations prescribed by the Secretary of Agriculture as to preventing or extinguishing fires on said land.

Sec. 4. That nothing herein contained shall prevent the alteration, amendment, or repeal of this Act.

By an act of Congress, approved July 26, 1866, Congress turned over to the public land states for the benefit of the people thereof the free use of the waters flowing in non-navigable streams, and at the same time granted a free right of way over the public domain for all ditches, flumes and canals, this easement to go to the person or company authorized by the state to appropriate and use the water. The water is still subject to disposal by the states, and uniformly has been subject to appropriation and use by individuals and companies without money and without price. The only condition imposed is that it should immediately and continuously be devoted to a beneficial purpose.

There has been no complaint at such free-handed disposal of these water rights in so far as they were intended for use in aid of agriculture and mining. But since the great value of these privileges for the generation of electric power has been seen, it has been the source of much regret by the states that terms more favorable to the commonwealth at large had not been imposed as conditions precedent to the acquisition of the water rights. In scores if not hundreds of instances, individuals have gone through the simple formula required to secure a water right—generally all that is required is to post a notice of claim or appropriation on the bank of the stream at the point of proposed diversion and then record the notice at the county seat—and forthwith they were in possession of rights which they could capitalize at millions of dollars. This process has proceeded until, alas, practically all of the water rights at available power sites have been acquired; could the states now recall these valuable privileges there is little doubt that in granting them again, conditions would be imposed which would bring them back to power over the users and secure a substantial revenue therefrom.

By the act of February 15, 1901, the free right of way for water conduits was changed to a "use permit" or revocable license, the application therefor to be approved by some executive secretary or bureau chief before becoming effective; and of recent years the practice has been to withhold approval, to give it to whichever one of several applicants it pleased the officer to favor, or to grant it on such conditions as he was pleased to impose. Some permits have been revoked while construction work was under way, and one at least, I am informed, has been revoked after an expensive hydroelectric plant was completed and in operation; and irrigation has been hampered and home-building retarded. This element of uncertainty of tenure, I need not argue, ought not to continue. Invested capital should not rest on such an insecure foundation.

The purpose of House Bill 11932 is to pass the right of way over to the states, they to treat it as an indispensable adjunct of the water right, the expropriation being that the states will grant permanent easements or licenses, and also that they will, with their added knowledge, impose such conditions to this grant as they might and should have laid on the grant of the water right. The latter will be readily seen, is the more important consideration of the two. The states have unwittingly given away the major factor of a concession of very great value; if they be now clothed with full jurisdiction over the other factor, the right of way it will aid them greatly in recouping their lost opportunity in connection with the water right. It will readily be observed that a water right is of little avail without a right of way for the conduit, etc.; and conversely, the easement

NOTICE OF STOCKHOLDERS' MEETING.

Notice is hereby given that pursuant to a resolution and order of the Board of Directors a meeting of the stockholders of the **MARTINEZ WINERY** is hereby called to be held at its principal place of business, viz.: No. 180 Townsend St., in the City and County of San Francisco, State of California, in the Directors' room in said building, which is the building where said Board of Directors usually meet, on Wednesday, the 15th day of September, 1909, at 2 o'clock P. M.; that the object of said meeting is to enable said stockholders to then and there vote upon a proposition to increase the present capital stock of said **MARTINEZ WINERY** from Fifty Thousand Dollars (\$50,000.00) to Seventy-five Thousand Dollars (\$75,000.00) to be divided into Seven Hundred and Fifty (750) shares each of the par value of One Hundred Dollars (\$100.00).

MARTINEZ WINERY.

By W. Hanson, Secretary.

Dated July 7, 1909.

The First National Bank OF SAN FRANCISCO, CALIFORNIA

Capital \$3,000,000.00
Surplus and Profits 1,945,000.00

Checking Accounts Cordially Invited.

First Federal Trust Company

CAPITAL \$1,500,000.00
Interest at 3½ per cent. per annum paid on Deposits.

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Surplus and Undivided Profits 435,000.00

Pays interest on all deposits and does a savings business exclusively.

DIRECTORS—James D. Phelan, President; John A. Hooper, Vice-President; J. K. Moffitt, Treasurer; J. C. McKinstry, J. W. Watt, R. Spreckels, J. C. McKinstry, R. W. Katt, R. D. McElroy, H. O. Beatty.
Attorneys—J. C. McKinstry and D. C. Murphy, Geo. A. Story, Cashier; C. B. Hobson, Assistant Cashier; A. E. Curtis, Assistant Cashier.

The Oakland Bank of Savings

Established 1867

CAPITAL AND SURPLUS, \$1,500,000.00

Transacts a General Banking Business. Sells Drafts and Issues Letters of Credit and pays Interest on Savings Accounts.

Has exceptional facilities for handling the accounts of Banks, Corporations, Firms and Individuals.

RESOURCES, \$18,000,000.00

Broadway and Twelfth St., Oakland.

The German Savings and Loan Society

(Member of the Associated Savings Banks of San Francisco, Cal.)

526 CALIFORNIA ST.

Guaranteed Capital \$1,200,000.00

Capital actually paid up in cash 1,000,000.00

Reserve and Contingent Funds 1,324,498.69

Deposits June 30, 1909 36,793,234.04

Total Assets 39,435,681.33

Provision made for Losses by Draft, Post Office, or Wells, Fargo & Co.'s Money Orders, or coin by Express.

Office Hours: 10 o'clock A. M. to 3 o'clock P. M., except Saturdays to 12 o'clock M. and

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OFFICERS—President, W. N. Ohlandt; First Vice-President, Daniel Meyer; Second Vice-President, Emil Rohrer; Cashier, A. H. R. Schmitter; Assistant Cashier, William Herrmann;

Secretary, George Tourney; Assistant Secretary, A. H. Muller; Goodfellow & Fells, General At-

BOARD OF DIRECTORS—W. N. Ohlandt, Daniel Meyer, Emil Rohrer, J. E. Strohman, J. E. Water, P. W. Van Bergen, Tillmann, Jr., E. T. Kneer and W. S. Goodfellow.

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THOMAS D. DICKSTADT, 432 Clement Street, between 5th and 6th Avenues. For receipt and payment of Deposits only. W. C. Heyer, Manager.

(Continued on Page 607.)

THE days had lengthened until the Gail Club had small use for lighting up until the session was half over, and out-of-doors was held to be much pleasanter than in-doors anyhow.

Knocking the ashes from his pipe, and heaving a sigh, Abner Appleby suggested that when the club adjourn it adjourn until September.

"Not unless the Professor is ready with that Matrimonial Philosophy we have been waiting two or three years for," declared the newspaperman. "I propose to talk against myself, if I need be, to prevent adjournment until the mystery of that philosophy is revealed to us."

"If it will avert that disaster," replied the Professor, "I will unbosom myself of it here and now. The alternative would be fearful to contemplate."

Early in my college course I made a category of human powers, tendencies, and capacities and at the end of it I drew cross bars beyond which I indicated the unknowable, in which realm of interest I proposed wasting little or no time or effort. I regarded that as dreamland and if I made excursions into it it was in the way of recreation. On the hither side of that double lined bar I sought for facts, facts, facts, employing the scientific method painstakingly and with patience.

One of these facts was matrimony. I found it well nigh universal in the human family and I found that the birds had practiced it in advance of the human species. Marriage is older than the human family. I accepted it as unquestionably a good thing for the race.

How about the individual? I could not be inensible to the matrimonial shipwrecks cast up all about me and I studied them. I found that these wrecks grew out of two principal causes: folly in blundering into the contract, and natural cussedness in seeking to avoid compliance with the provisions of the contract when made. Therefore I early made up my mind that I would not make a marriage contract until both parties to it thoroughly understood all its provisions and, that if I did enter into such a contract, I would spend the rest of my life trying to observe its conditions to the letter. Happiness is to be looked for there if anywhere and its attainment was well worth the risk and trouble.

Now the purpose of matrimony is progeny. The world must be peopled. I loved children and had resolved to spend my life in their education. I wanted a wife to bring me children and wanted for a wife a woman fit to become the mother of children as well as to take premiums over other children at the fair as anybody's calves, colts, pigs or chickens were to take premiums over scrub stock.

In my category of human qualities I placed reason at the top. I regarded it as as certainly God-given as inspiration and rather more easily verified. I placed inclination farther down the scale than instinct, with which I found man not very plentifully equipped. Thus equipped, at a proper time, I took the subject of matrimony under serious consideration. At the proper time, as I saw it, was when I had developed an earning capacity fit for two persons with a prospect of increasing that earning power sufficiently for taking another member into the firm each two years until we should number ten all told. Then I proposed to close the stock books and proceed to fit the product for market.

By this time I had become principal of a public school, had held the place one year and had contracted for the second, had four or five thousand dollars in bank and felt the ground tolerably secure under my feet. With the contingencies of sickness or death I did not concern myself. We must all take chances with those and if marriage is postponed until these risks are insured against it is ordinarily too late to permit of the marriage relation being fortunate.

There was another reason why I desired to precipitate, after reasonable preparation, My primary teacher was a dumpling. She was so intensely kissable that I could with difficulty restrain myself. You have all known such women, women made to be loved, adored, fondled, treated as small children

The Professor's Matrimonial Philosophy

(Being the Eighth and Concluding Gail Club Romance.)

BY
TOBIAS BLACK

are cared for, caged like a bird, defended like a reputation. Such a woman makes of her lord a gnarled oak, a granite gate post something to be leaned up against, entwined with tendrils arms, an object of pride if not of adoration. When in her presence I felt the ground slipping under my feet, my reason reeling and my sound philosophy going to pot.

You have, all of you, in your boyhood, looked into the depths of a crystal clear spring and there seen your own image reproduced with distinctness and fidelity and, if you looked closely, you also saw gentle currents of infowind water coming from veins in the earth that kept the spring supplied to a gentle overflowing. So it was that I looked down through this woman's big limpid eyes into her soul and saw the sources thereof, and I saw, too, my own image reflected clear and knew that it was treasured there.

You have, all of you no doubt, with your own mouth fairly watering, seen a nice juicy peach blushing with ripeness hanging from a limb ready to drop at a touch into your outstretched hand. Well, she was my peach ready to drop into my hand and I knew it and knew that she knew it too.

"Old fellow," I said to myself, "if you wish to beget canary birds, if you wish to help fill the world with sweetness and light instead of with enterprise and virility, there is the wife for you. You have only to hold out your hands as a father to a child and say 'come' to make her your own." I knew all this to be true, but I heard posterity calling, calling for the right to be born with strong pulses, robust reasoning powers, stern judgments, whereas, with her, everything melted into affection, sentiment, soul for she was extenuated, he called spirituelle without being invalid. I wanted a posterity that could do as well as be, not a mere pervasive influence but a compelling force.

So I shut the chambers of my heart with a slam, stifled inclination as many a desperate mother has smothered her babe, turned face about, took to my heels and ordered my matrimonial destiny in obedience to the dictates of sound judgment, not the heart. I was not selfish in the matter. I knew without being told that this was sacrificing my own greatest happiness, and very likely hers, in the interests of my children, but I knew that I should sacrifice myself a hundred times without hesitation after their advent. Why not before?

I returned at once to where I had taught school two years before and made an early call upon my former assistant who had now, although a woman, become principal. She was no dumpling. She was a sane, self-poised, capable woman who had not taught school long enough to make her real bossy, but was drawing near to the danger line. I had liked her well, but had exterminated no thoughts of loving her. She was thoroughly wholesome, of good stature, good health, had a clear understanding and an analytical brain. I invited her to go for a walk down by the river where it was cool and the shadows threw the trees upside down upon the waters.

"Miss Clemens," said I, when we had grown weary of casting pebbles into the river and had grown silent listening to the gurgling of the ripples running under the shelving rocks, "you have taught school as long as is good for you. What do you say to our getting

married and settling down to live like other folks?"

After thinking half a minute, "your proposition does not betray any transports of sentiment," she said, "but it looks good to me and I rather think I'll accept." I took her hand, drew her to me and kissed her and so our troth was plighted. We were married within a fortnight, honeymooned in the mountains for a few weeks, went back to my school and again took up the thread of life.

Meantime, my little dumpling had thrown up her place in our school and gone down into the valley to teach in the country, where she married a young fruit grower who fell in love with her and there she still lives rearing ducks and chickens, and other things that need to be mothered, including a few children I believe. I have not seen her since.

My wife has our eighth baby in her arms and her first in the high school football team preparing for the university. Our children are all sturdy and self-reliant and I am troubled with few fears for their futures. We treat each other with courtesy and consideration, seldom with any demonstrations of affection, and yet we have grown extremely fond of each other. There are two of us. We do not always agree, but we never quarrel. We have not been unhappy, nor have we basked in bliss. We have a common purpose and to that we are devoting all our energies, the tiring of our eight children for useful, fruitful, forceful American citizenship.

Often I have wondered if I did the right thing. Often I see the eyes of that dumpling looking up into mine with a light in them that was never seen on sea or land and certainly not in the eyes of my wife. Then I look over at my wife and say, "You splendid creature! What a model wife and mother you have made!"

That's it, gentlemen. "I don't see so very much philosophy about that," observed the Judge.

"Nor do I," said the Doctor. "I was expecting you to predict a matrimonial philosophy that would tell the rest of us whether we did right or no as well as to warn the rising generation what to do or not to do with regard to marriage."

"He has given me a chill with his cold, calculating, unfeeling concern for posterity," complained the newspaper man. "You must be a nice family of icicles over at your house."

"I felt in my bones that that much vaunted matrimonial philosophy would peter out," declared Abner Appleby.

"Well, it hasn't petered out," retorted the Professor, "and if you fellows get bumped with what follows remember that you brought it upon yourselves." With that he returned to his philosophy as to a bunch of switches, resolved on sparing no back that needed basting.

"I am going to begin with you, Len Harper," the Professor began, "and your whimsical notions of you and your wife raising children in the likeness of your dead sweetheart and her dead husband. Gentlemen, whenever you see a man wholly prudent look out for a countervailing soft spot somewhere. It's there. Len can repeat all of the 'Lady of the Lake,' 'Lucile,' and more than half of 'Lallah Rookh.' That is evidence enough as to his essential mellowness, no matter how good a bargainer he is."

It is said that there is as much of a tree below ground as above. Very well, cut off the top at the first branch and you have a fair representation of the family tree of every human being on the globe. Fancy that root system reaching back to the first man and woman that ever were, gathering up germs from every pair in the strain since then, and focussing them all on that individual. The pedigrees of all of us are exactly the same length, but alike in nothing else. Each individual from start to finish has contributed a germ to that living stream. Those germs are more numerous than the sands of the sea. Out of the confluence of two of these germs two germs meet, seize each other and a new cell is formed. That is at the instant of conception. The character of that cell is there fixed for all time. There is not another one

like it in the universe. It grows, divides and grows again, only to repeat the process millions of times until an adult person is produced, sustained, dead and buried. At the instant of the creation of the cell heredity has done its complete work. After that the issue is one of nutrition and environment which may modify but cannot change the essential characteristic of that individual being.

That, then, becomes of your fancy that you and your wife have been rearing children in the likeness of John Marshall and Minnie St. John? It is absurd. There has been no harm in it, and I would not have smashed your pretty conceit if you fellows had not clamored for my matrimonial philosophy, and a true philosopher cares nothing for broken heads or hearts. Where you did wrong was in being dead in prudence, as some persons are said to be in sin, instead of alive to the main currents of your own being. That cost your sweetheart her happiness and her life, your mother's days were shortened, and you have lived a melancholy man ever since. You have been punished enough, and so I pass on to Abner Appleby.

Here we have a strong but unlovely character. All the human love you were capable of, Abner, went out to your Helen, but your greatest love was in acquisitiveness and the mainpring of that love was pride in personal prowess. You were obsessed. You think now that you loved Helen beyond all things, but you knew then that you loved best the exercise of your own robust, keen-sighted, indomitable power for acquisition. By a tender nurture of the soul of you she might have buried the flint of you under a wealth of humus and made you productive, but her task would have been risky and she might have lived a more intolerable life with you than without you. Only the grace of God working through Helen could have changed your character, and his grace you have not sought. There is no sympathy to be wasted on you. Your son was wisely begotten under a leaden opportunity was afforded him to grow normally. He made sure of his Helen first. God bless him for it! I congratulate you on the progress your family is making from father to son.

Now, Doctor, for your scalp. You came out with a love for a girl behind you to whom you were engaged, an ordinary woman in every way. Your practice threw you into possession of the whole heart of a most extraordinary woman and you lacked the perception to see your path of duty clear. You blighted her life, have burdened your own life with hypocrisy and made of your married life a partnership when it should have been a composite with great possibilities for your progeny. And all because you lacked the moral courage to withdraw your promise made to a surgeon who would wield you the knife when it hurts awfully, but you do it to save a life. We can't get through life without giving and receiving hurts. They must be borne, but our instincts are safer guides than our conventions, and you allowed a conventional concept of manly honor to blind you to the admonitions of your profoundest instincts, and it is these instincts, not knowledge or judgment, that hold the world together. Whoever follows his profounder instincts, his deeper promptings, the main currents of his being, will not go far wrong, only one must be sure that they are the profounder instincts, deeper promptings, main currents and not waves of feeling. To make this sure we must sometimes sit down, wait, cool off, and learn to know ourselves.

Now, Ward Whipple, I'll attend to your case and that of your old match-making Aunt Susanne. Where her nephews and nieces missed it was in being fools more concerned for property interests than for happiness. Where she missed it was in undertaking to breed children as she would animals without considering that people have souls and animals probably have not. Nature has provided for the perpetuity of the race on purely animal lines, but having done this, the God of nature has left vast scope for variation by attraction and repulsion. Sex attraction is fundamental and sufficient for the maintenance of the animal man, and it is probable that

marriages in plenty have no other foundation, but who knows why two germs out of thousands should rush from the stream into each other's arms to form a new creative cell whilst all the others flow on to destruction? That is a physiological fact inexplicable by science, or philosophy, but there is a psychological fact as certain it is as inexplicable and that fact is love, not wholly separable from sex love but transcending it. Your aunt left that fact out of consideration and failed as miserably as the whole world has failed in basing marriage on convenience, on interest or family authority, instead of upon that power of attraction which certain personalities, like certain chemicals, have for each other. No fact has been more potent in debauching the world than this of marrying property with property, and title with title. There was a property basis for all that your aunt attempted to do in intermarrying for physical or temperamental ends, and all the ends she sought were contemptible in comparison with the psychological influence that should have dominated. These influences work like divine grace without observation for it goeth and cometh as it listeth, yet with a certainty that disarms doubt. You folks got about what was coming to you and deserved more suffering than you endured.

The "Mysterious Experiences of a Matter-of-Fact-Man" were mainly a dream. The late Professor Oliver Langworthy hypnotized our friend the Judge and took him on a merry mental chase while sitting under the magnolia at St. Augustine. Portions of the judge's narrative I cannot account for in his presence and will not try. Who can account for hypnotism itself, or that autohypnotism that Langworthy evidently practiced upon himself, probably to his own destruction as it might easily have been to the destruction of one of his subjects. The influence that he possessed over Genoa, even when operating at a distance, is inexplicable rather than extraordinary. Paddling along the shores of eternity and a limitless space, what can we know of what lies beyond? But we have all the less reason for casting aside a well-grounded philosophy and the scientific method of investigation to launch uncharted and without compass upon a sea of disordered conjecture. We shall do well enough to navigate the air without essaying an airless, immeasurable space. When Langworthy insisted that a perfect matrimony unites the twain into one indissoluble being he was wrong. We are dual beings as we are, each of us, flesh and spirit, but when we die we shall put off the flesh and be spirit only. That will terminate duality, and sex is of the flesh, not spirit, and it, too, will end with death.

When we come to the Judge's own matrimonial experience we are on firmer ground. It is another case of two germs leaving the flood of life and flying into each other's arms. Their romance was short, simple and exquisite. Happy is that marriage that cannot be made the foundation for even a short story!

Now, Si, just a few words concerning you and your non-scantalious affinity. You fell in love with your schoolmate and she with you after she had married your mutual friend many years her senior, and you ran away, carrying your misery with you and leaving her and her unhappiness behind. Your John Henderson did wrong to take even an unsought advantage of a child's confiding and susceptible heart. He should have known that sometime that heart would reach out for

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its true mate and find it. The sorrow should have been his, not yours and hers, but here is where our conventional morality comes in to play the mischief. It prevents the undoing of a wrong and robs life of its profoundest joy. We but try to against the marriage contract and accept that as final. I am no free-lover. I abominate divorce, but I never was partial to vicarious punishment. Your Aunt Susanne, Mr. Whipple, cut in pieces a villainous assortment of conjugal knots and in doing so did right. The only thing that she did that was right. You and Alice, Si, should have done the same thing that your aunt did for her group of incapables. That you did not was very brave and foolish of you both.

I'll be fair with you fellows, continued the Professor, after the storm had subsided, and treat myself as unsparingly as I have treated you.

My early matrimonial philosophy was a hoax. Reason is not man's highest quality or best guide. His safest monitors are the instincts of his race. These reasons may modify, hold in check, regulate, but it has no right to supplant them. By listening to the imaginary call of my progeny, instead of the promptings of my heart, and running away from my dumping of a primary teacher, I made the blunder of my life and have known it every minute since. Someday I shall prostrate myself at her feet and crave her forgiveness. My judgment has been justified by visible realities, but the invisible realities are the real realities. Had I married her we might have given the world a richer man, by their harmonious organizations, might have leavened the human lump instead of merely doing material things.

Our institution of marriage is much like our institution of law, needful because of the hardness of men's hearts. As humanity grows into that anarchy that abides no law because it needs none, marriage contracts will pass away and men and women will dwell together in dual blessedness, correcting mistakes as they discover that they have made them, with a minimum of suffering and a maximum of benignant self-sacrifice. The future will lead head to interfere as little as possible with affairs of the heart and suffer the main currents of being to flow on unvexed from that exhaustless urn from whence also cometh the flood of years. As well, almost, may we shut the door of our hearts to the face of the Holy Spirit as the door of the heart to the face of that love that lightenth and beautifeth the world. Only beware of whims, obsessions and that counterfeit of love which we call infatuation, as cruel, as jealousy and as selfish as Satan. The supposition that our heavenly Father placed us here without power to scent our way to marital happiness is as certainly an impiety as to suppose that he placed us here without power to discern the way that leads to eternal life.

"I move we adjourn," demanded Abner Appleby.

"Carried!" declared the Judge in the midst of a storm of eyes.

And the Galoot Club went out.

"Hydro-Electric Power" (Continued.)

Central California Electric company,
Oakland Gas, Light and Heat company,
Berkeley Electric Lighting company,
Sacramento Electric, Gas and Railway company,
Fresno Gas and Electric company,
Callego Gas and Electric company,
United Gas and Electric company,
Stockton Water company,
Butte County Electric Power company,
Chico Gas and Electric company,
Colusa Gas and Electric company,
Yuba Gas and Electric company,
Nevada County Gas and Electric company,
Marysville Gas and Electric company,
Petalinga Gas and Electric company,
Sierra Ditch and Water company,
San Rafael Gas and Electric Light company,
Santa Rosa Light and Electric company,
Sausalito Electric Light company,
Woodland Gas and Electric company,
Alameda Gas company,
Yuba Electric Power company,
San Mateo Power company.
One of these companies, the California Gas

and Electric Corporation, was the pioneer in the long-distance transmission of electricity at high voltage. About twelve years ago it began trying out the idea, first at about forty miles distance, later running the line up to over a hundred miles; and later still to much greater distances. These experiments were considered risky at the time, and much credit is due Mr. De Sabia, then president of the company, for having the nerve to back them financially. Their success has vastly increased the usefulness of hydro-electric enterprises the world over.

From the list in the second paragraph preceding this, one may tell through what company he pays directly to the revenues of the Pacific Gas and Electric company. Three or four of these subsidiary companies supply gas only; most of them supply electricity.

With this list in mind, and with a glance at the map, the significance and force of the following quotation from the same Prospectus quoted above may be gathered.

"The business of the Company is so diversified and covers such a varied territory and the Company is so well equipped for economical production on a large scale and has such a strong grip on the situation through the ownership of distributing systems in the chief cities and towns—that it would be difficult for any competitor to do it serious injury."

This quotation is exactly true. The Pacific Gas and Electric company now has a practical monopoly of the power market of Central California, maintained "through the ownership of distributing systems in the chief cities and towns"—to re-quote a part of the preceding paragraph. Though the quotation is two years old it is true to-day. The company is still doing everything in its power to retain its control of that market by extending its own lines and by acquiring the ownership of further distributing systems.

A statement in a government engineer's report is interesting in this connection.

"A consolidation of the present holdings of the California Gas and Electric Corporation, the Western Power company, and those of the Pacific Light and Power company, allied companies on the San Joaquin river would practically control the power possibilities and market of Central California."

Such a consolidation, though not inherently probable, is a possibility that should be considered in any discussion of the policy of state or national regulation.

To quote again from this engineer's report: "Nearly all the plants of this company are located on land that has passed out of Government ownership."

Under the state laws, no charge is made for the right to develop electric power from the streams of the state.

In short, the Pacific Gas and Electric company is making a gross revenue of more than \$4,500,000 a year from the utilization of streams under state control without paying the state anything for the use of those streams.

("Mr. Smith's Bill"—Continued.)

over the land is of no value unless the holder thereof has water to convey over it.

There is another factor of some moment involved in this question. It is settled that the states have certain powers over the appropriators of water and may to a degree regulate the service and the rates charged, the use of the water being considered a public service. Now come some at least of the federal officials who have the power of approval or rejection of a right of way and assert that they should and will retain a supervisory power over the permittees as a condition of the approval of the right of way. It is admitted, I believe, that this power in the federal officer, if it exists, is contractual and not an act of sovereignty. But nevertheless the dual right of supervision is claimed, and of course that cannot be tolerated. Both the state and a federal official cannot make rates for the same company at the same time, nor can both acting independently make regulations as to the character of the service. Sooner or later one or the other must be given exclusive authority, and one of the purposes of this bill is to settle that point in favor of the states. It is to be observed that the power claimed by the federal officials in this direction is not born of any

jurisdiction specifically conferred on them by act of Congress; they are merely authorized to approve or not approve an application for a right of way, and with that much power they

(Concluded on next page.)

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The Old Constitution of California.

California's first constitution was completed October 10, 1849, and adopted by the people November 13, of the same year. With some amendments adopted in 1862 it stood as the basic law of the new commonwealth for thirty years and a very sound document it was.

The convention that framed it assembled at Monterey. It contained forty-eight members, although not so many participated. There were few in that convention whose names loomed large thereafter in the history of the commonwealth. It had not the alleged big men who drafted the new constitution. No great formative power of statesmanship was needed at that time. Plain common sense served better. The special committee having immediate charge of the task had two good state constitutions to guide them, those of New York and Iowa, the latter being at that time the latest and best product of constitution-building in this country. One element in the committee and convention leaned toward the New York form, the other toward the Iowa. The latter was the stronger and the greater part of our organic law was adapted, if not adopted, from the constitution of Iowa, although the product was not unaffected by the New York instrument.

There were not in those days any great reforms pressing upon a corporation-ridden commonwealth as there were thirty years later. The need was for a government that would protect property and give individual enterprise the utmost freedom to do its best. The task was simple. It had been better if the organic law had followed more closely after the form and substance of the national constitution than after that of any of the states, but no other state had accepted the national model for state purposes no one thought of taking that model for California. The states derived their forms of government from the original colonies rather than from the nation and California saw no reason for departing from the general tendency.

The preamble to the constitution of '49 reads thus: "We, the people of California, grateful to Almighty God for our freedom, in order to secure its blessings, do establish this constitution." In those days California was a free commonwealth. Under that constitution the people became self governing. That they have not remained so is to the shame and humiliation of those who came, or were born into, the state after the Argonauts. But there were then no great corporations allied in an offensive and defensive compact (more offensive than defensive) to subvert popular government in the interests of an incorporated plutocracy. Thirty years later that same preamble, with the addition of the words "and perpetuate" became the preamble of the new constitution. Thirty years later still, in 1909, if the new constitution were drafted, the preamble would, in very truth, have to declare its purpose to be "the recovery" of self government. Thanks to God, rather than to the manhood of this commonwealth, the power to recover the prerogatives of free government is still in our possession, but the thing itself, in very essence, has been in the custody of organized rapacity for a quarter of a century. For that length of time, if not longer, California has been a political dependency of a group of greedy corporations. Unless the rising generation can be made to see and know this the powers of free government will so slip out of the hands of the people that they can not be recovered and an incorporated plutocracy will exercise the powers of government for as many years as Satan was kept a prisoner in the pit.

The old constitution contained 156 sections of which 109 were practically taken over into the new constitution bodily. The old constitution occupies 37 pages in the book in which it is printed. The new constitution, as we now have it, occupies 98 pages in the same book. The old constitution was what every constitution ought to be, an organic law. The constitution as we now have it contains more legislation than organic law and is vociferous

of a popular distrust of representative government, such distrust being based upon a firm conviction in the popular mind that representative government does not represent public sentiment but is prostituted to represent special interests antagonistic to, and subversive of, public interests, but that belongs to another chapter.

The old constitution was a sound document and reflected much credit upon those who compiled it. It was based upon the theory that ours is a representative government and that persons elected to represent the public interest will generally prove faithful to their charge. That instrument gave to the executive, to courts and legislatures, all powers needed for establishing and maintaining a stable, responsible government. The new constitution was a confession that these powers had been misused, as indeed they had, and the hopes of the people betrayed.

("Mr. Smith's Power Bill"—Concluded.)

have assumed the rest. The statute recites that the Secretary of the Interior is "authorized and empowered, under general regulations to be fixed by him, to permit the use of rights of way through the public lands. Provided, that such permit shall be allowed within or through any of the said parks, or any forest, military, Indian or other reservation only upon the approval of the chief officer of the department under whose supervision such park or reservation falls and upon a finding by him that the same is not incompatible with the public interest." Thus the Secretary of the Interior may act only when some bureau chief says he may, and the latter may or at least does say the word only when the applicant has entered into such stipulations as are prescribed by him. The Secretary of the Interior may, if he be so minded, make further conditions. Thus the so-called federal power of supervision and the claim to a federal tax or annual fee from the ones using the right of way rest upon the contract exacted as the consideration for approving the application, backed by the power conferred by the present law to revoke the permit at pleasure and with out without stated cause. The states on the other hand, exercise their supervisory powers as one of the functions of sovereignty. Since one of these conflicting powers must give way, can there be any question as to which one it should be? Will the states be asked to abdicate one of their inherent powers and duties in favor of an executive officer having only contractual powers? To state such a proposition is to answer it.

It is submitted that the bill referred to will effectually and properly settle this question of jurisdiction, and at the same time strengthen the hand of the states in dealing with these very important and valuable concessions.

It is proper to state in this connection that the present Secretary of the Interior has not yet been called upon to act in these matters and nothing contained in the foregoing has any reference to his attitude in the premises.

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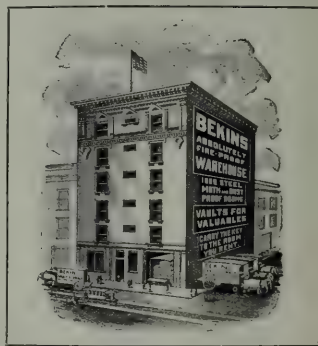
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Betwixt Now and December.

There are now three months and more before Congress meets again. During this interval, besides swinging around the circle, President Taft must make ready his message to Mr Aldrich's Senate and Uncle Joe Cannon's House of Representatives. He is commissioned by the whole people to speak on their behalf to those two assemblages, representative, respectively, of states and of subdivisions of states. What will he say to them? It is reported that he and his cabinet are wrestling with the Interstate Commerce Commission and the anti-trust laws. These are hard nuts. Perhaps he can crack them. The American people will dearly love to see him make the effort. Not in many years has a message been watched for with so much interest as this one will be. The people are anxious to have their president say something. He has been too still by half. They long to hear his voice.

Decency or Death.

The temperance forces in Sacramento, wearying of compromise and an ineffectual conservative movement against the dives and deadfalls, have thrown down the gauntlet and are waging a campaign to make the capital city a dry town. A Sacramento in which nothing spirituous could be had to drink approximates the unthinkable, but the only way to make the American saloon decent is to force upon it the alternative of decency or death. It may even then prefer hark-kari to being clean. Somehow all this talk about the breweries and wholesale liquor interests joining in an effort to make the saloons decent eventuates in precious little. In few instances have hours been shortened, dives closed, the number of saloons decreased or the characters of saloon men been improved. "Decency or Death" does not make a bad war cry, and in not a few cases has it resulted in death to the saloon and greatly to public advantage. Sacramento liquor men right well deserve a first-class shanking up.

Congratulations to Los Angeles.

If pluck and luck can win, Los Angeles will rank next to London in territorial expansion and make San Francisco look to its laurels as a commercial metropolis. It now extends from the foothills to the sea and brings within its jurisdiction what is to become the most important port on the American South Pacific Coast. It will require a vast expenditure of money and an unflinching loyalty of the people of Los Angeles to their city's commercial interests to free their access to the sea and keep it free, but we mistake the temper of that people if they prove less than adequate to the task in hand. By manipulation of successive boards of supervisors of Los Angeles county, and by corraling and converting to their own use the not too self-reliant town of San Pedro, predatory interests had well nigh reduced the harbor possibilities of that port to exclusive possession. Los Angeles will now secure adequate access to the world's highway, without discrimination, for all who would fetch and carry between that port and the maritime

THIS NUMBER CONTAINS

England's Better Criminal Procedure

(Concluding Article.)

BY

By An English Attorney

Readers of The California Weekly will, in due time, find in its columns every important public issue explained by some person whose special knowledge gives him a right to be heard.

markets of the world. Not only is Los Angeles to be congratulated on the absorption by that city of Wilmington and San Pedro, but congratulations are due all Southern California, the territories to the east and the country as far as the Mississippi river. Benefits will accrue to at least one-fourth of the area of the United States. The Pacific Coast is not so rich in harbors that it can afford to permit one of them to be bottled in the interests of any one or two lines of transportation.

Ocean to Ocean.

Again the report is current that the Harriman interests have secured control of the New York Central railroad, the Vanderbilts dropping out. We are not among the number of those who fly to arms every time they hear the name of Harriman pronounced. We hope that this rumor will prove well founded. Ocean to ocean consolidations of transportation lines should work out to the public interest, if not immediately, then by and by. A unified control of connecting lines should make for expedition, economy in handling traffic and for cheapness. It should facilitate commerce. The Harriman interests are highly energetic. The Vanderbilts are a spent force. It would be good news that the Gould and the Hill interests had perfected a similar ocean to ocean consolidation, as the Hawley interests are near to doing, but the Harriman interests should somehow be pried loose from the Sunset Route. The unification of parallel ocean to ocean lines is as clearly against public policy as that of single systems is favorable to it. No one man, or set of men, should be permitted to master the transportation of the continent.

Those Boy Bandits.

It is not surprising to learn that the Santa Clara bank robbers are under eighteen years of age. There would have been occasion for surprise had they proven to be mature men. The desperate age of a criminal's life is between the ages of 17 and 22. During that period he has all the tendencies toward criminality that he will ever have without a particle

of sense as to their manifestation. He has daring because he does not know how to estimate risk. He takes life with impunity for the same reason that a five-year-old will torture the cat or baby sister. He is without realization of what cruelty means. Nor does it follow that he is a hopeless case and should be put out of the way. It is entirely possible for the Santa Clara bank robbers to yet become convinced that a life of crime is not desirable and that there are better ways for getting a living, but to make such a conviction effective they must be taught how to make an honest living, how to perform some service that the world wants performed and is willing to pay for. With a State Reformatory in the hands of practical penologists, and not politicians of the Warren Porter stripe, California can set such youngsters upon their feet and make good citizens out of them, but out of the spoils system of maintaining reformatory institutions no good thing can come. California must redeem itself from that system before it can redeem untrained youth from criminality. For the edification of those to whom nothing unaccompanied by the dollar sign is intelligible, we beg leave to add that it costs the state \$200 a year to maintain each criminal in prison and \$2,000 a year out of prison, whereas the average annual value of each adult citizen of good character to the commonwealth exceeds \$1,000 a year.

Justice Through Private Enterprise.

Great is private enterprise! We all believe in it. The desire to "let government do it" is born of weakness and a sense of inability to cope with hard conditions. The splendid progress made in ravaging our continent was made by private enterprise. It has proved itself equal to every emergency which the spirit of exploitation has been compelled to confront. If we can direct some of this energy and capacity to the task of establishing justice in this country we shall have it established so summarily and effectively as to make the criminal head swim. Why not give it a chance?

Elsewhere in this issue of The California Weekly we give the concluding article of a very interesting and instructive series on "England's Better Criminal Procedure." That justice is more expeditiously, certainly and cheaply administered in England than in America no one conversant with the facts will question. A potent factor in that consummation is that, in England, private, or associated, enterprise is as free to undertake the apprehension and prosecution of any criminal as are the officers of the law. The negligence or wilful dereliction of duty on the part of the public prosecutor does not stop the wheels of justice. Any citizen or group of citizens may set those wheels in motion and keep them going until the issue has been tried to final determination, and a public prosecutor, beholden to a special interest, cannot stop the proceeding or shelter the accused from confronting his accusers. Our laws afford no opportunity for public spirit and private enterprise to act in this regard, except through the public prosecutor. They should be so amended as to enable any citizen to be a vindicator of justice.

WHO SHALL SET THE PACE?

The Democratic party, by its policy of negation, compromise and fusion, has eliminated itself from authority and influence in the affairs of state and nation.

Nevertheless there still exists in the political life a progressive and a conservative element, and both of these elements are now to be found within the ranks of the Republican party, where the conservative element verges upon the reactionary. While this line of cleavage may not disrupt the party, it is certain to precipitate a contest for the control of the party and the formulating of its policies.

The machinery of the Republican party, in California as in all other corporation-ridden commonwealths, is in the hands of the ultra conservative, or reactionary element. This element stands for all the vested wrongs which antiquity and immemorial custom have bequeathed us. It holds to the doctrine that if the policies of the state and nation are such as to afford all the privileges and perquisites which "big business" requires prosperity will somehow filter down to the commonality. It holds that the ambitions of the commonality should be satisfied with wages; its frugality, with opportunity to invest its savings in promotion enterprises; its independence of spirit, with making choice between two candidates for office, both of whom were named in advance by an alliance of the political bureaus of affiliated corporations, and either of whom will prove equally satisfactory to that alliance. Whatsoever is more than these the forces of a reactionary conservatism look upon as demagogic, socialistic and dangerous.

The progressive element is not satisfied with political and economic conditions as they are. It knows that they can not remain as they are however satisfactory they may be, for, by an immutable law of nature, change is ceaseless and humanity must either go forward or backward. The progressive element desires to go forward. It was that spirit that brought the Republican party into being, and it is only by a continuous manifestation of that spirit that it can remain in being.

The progressive element in the Republican party now stands, in brief, for a permanent commission of tariff experts to advise the public, the President and Congress as to how much protection, if any at all, is needed for being at once just to producer and consumer; for the non-alienation of any part of the common heritage in perpetuity except for agricultural use and settlement; for the power to levy a national income tax; for such a revision of our criminal laws and procedures as will permit the conviction of millionaire malefactors whose guilt no one denies or disbelieves; for the direct nomination by advisory vote of party candidates for United States Senator; for a non-partisanly elected judiciary; for the emancipation of the party from corporate control.

Which of these elements within the Republican party shall set the pace for the party in California? Shall the pace be set by the hired political professionals of the Aldrich-Cannon school, or by such volunteers in the cause of justice and progress as Roosevelt, Dolliver, La Follette and Cummins, in the East, and of Pardee, Rowell, Gates, Lissner, Stimson, Davis, Forbes, and a host of other willing workers in our own state? It is important to the future of Republicanism in California to determine who is to carry its banner and what is to be emblazoned thereon.

It is not too soon to take in hand the planning and organizing of the campaign of 1910. If Republicanism in California is to stand for a progressive and constructive policy, if it is to be anything else than a haven of refuge for a spiritless materialism that condones and excuses successful rascality, the cohorts of poli-

THE STAFF

A. J. PILLSBURY..... Editor and Manager
A. J. WATERHOUSE..... Assistant
E. FRENCH STROTHER..... Assistant
O. BLACK..... Business Manager

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tical righteousness must get busy. The Lincoln-Roosevelt movement failed of accomplishing all that it hoped to for the reason that it lacked that degree of organization which would have enabled a sound public sentiment to express itself with effect. The Direct Primary will make such expression easier than it has been in the past, provided that the influences that work for good are not dissipated among innumerable, impossible candidates while the forces of unrighteousness mobilize and cast a compact vote for candidates representative of a reactionary, instead of progressive, Republicanism.

It is time to mix the war-paint.

ON THE EBB TIDE.

There are times when the vitalities of men sink low. This happens in each person's organism twice each twenty-four hours, usually at about 4 o'clock a. m. and p. m. Afterward the return tide of vitality surges back and we are ourselves again.

The same thing happens in every public movement. There is a time when enthusiasms surge to the highest pitch and when they recede to a mere lapping of the mudflats of endeavor. It is of no use to quarrel with this flux and flow of moral vitalities. They are part of our natures and we must bear the burden as best we may.

San Francisco is out on the ebb tide relative to the graft prosecutions. It is sick and tired of them. It wishes there could be an end to them. Thousands remained away from the primary election because they wanted to wash their hands of the whole miserable business.

All know in their hearts that Calhoun and his fellow grafters are guilty, but they see no possibility of convicting him or them and they are ready to vote, as tens of thousands voted in 1864, that the war is a failure and peace should be had at any price, even upon terms as ignoble as those suggested by the groveling, foot-fawning San Francisco Chronicle. The manhood of San Francisco is unmanned. This tide is out. The moralities are at their ebb.

But there are yet more than two months in which that tide may return. The California Weekly counts on its return. It anticipates that the red corpuscles in veins and arteries will shine through the skin with the return of the flood. Then look out. The persistent campaign of falsehood and misrepresentation carried on by Calhoun, at infinite cost to himself and immeasurable shame to his mercenaries, has deceived many but not all. By November the men of San Francisco may be made to see things as they are and to know that if liberty is to be preserved, if free institutions are to survive, criminals who debauch the representatives of the people must, if they would be set free, set up some plea other than that they are rich.

Let it be remembered on behalf of a tired people that they have withstood this onslaught for three years; that they have faced all the forces that associated millions could command and that heretofore at every trial at arms they have achieved a notable victory. If they faltered this once are we to despair of them? Not so. The battle royal will be fought in November. Bide the time, meanwhile, and keep the powder dry. It was a long way from the Wilderness to Appomattox, but by fighting it out on that line Appomattox was reached, free government was saved and the union preserved. Our institutions are as truly in jeopardy now as they were then. This nation can no more endure with one law for restraining the poor man and another, or none at all, for controlling the millionaire than it could have endured half slave and half free.

AS OLD AS HISTORY.

It was during the days of the Tarquins in Rome that a body of young patricians resolved, "That a king is a human being from whom one may obtain where right or where wrong may be necessary; that there is room for favor and for kindness, that a king can be angry and can forgive, that he knows the difference between a friend and an enemy, that laws are dead, inexorable things more beneficial and advantageous for the poor than for the rich; that they allow for no relaxation or indulgence if one transgress bounds; that it is a perilous state, amidst so many human errors, to live solely by one's integrity."

These words were penned by Livy perhaps a decade before the dawn of our Christian era and were written regarding a time 250 years earlier. Ever and always the patrician, prosperous element has been struggling for special privileges and exemptions, but very willing that "dead and inexorable laws" may be looked upon as beneficial and advantageous for governing the poor if not for the rich.

This was the essence of that controversy which waged for centuries between the patricians and the commons in Rome and which resulted in the overthrow of the republic and the establishment of the empire. Again it became the vital issue under the empire and was waged until it overthrew that. Not for one year, one day or one hour has that issue ceased to be in conflict in the affairs of men. It put France through fire and sword and it now cleaves Russia from center to circumference.

This is the issue which the men of San Francisco have just decided, thrice in a single day, in favor of the patrician element. It was so decided in the nomination of Crocker on the Republican ticket, of Leland on the Democratic and of McCarthy on the Union Labor. Whether, in the November flip of the political coin it comes up heads or tails or milled edge the patrician element will win, the result will mean the enforcement of the law against the poor with all its inexorableness while the predatory rich will be dismissed from custody, not because they are guiltless, but because their conviction, under laws which they have made for their own advantage, is a matter of vast difficulty.

Fortunately November may retrieve the disaster of August. It is possible, but not with any one of the three tickets now in the field. So far as the equal administration of justice is concerned it is not to be looked for from either of them. For salvation San Francisco must now look to either the Good Government League or some kindred organization embracing men who stand for equality before the law, whether the accused be rich or poor, patrician or plebeian.

Heretofore in the world's history the patrician element has always won out, but only to involve all in a common, irretrievable

run followed by a social reorganization. There is something in the nature of man that will not suffer any state long to exist or social order to perpetuate itself on any basis other than that of equality before the law. If the patrician element in San Francisco desires to inaugurate another era of sandlotism they are doing exactly the right thing to bring it about.

What of the Good Government League?

All eyes in San Francisco will now be turned to the Good Government League. It has saved the day before and it can save it again. The three "regular" tickets in the field are regular in the sense that they are all equally affiliated with the political bureau of the Southern Pacific company and allied corporations. True to past policies the people are given their choice between candidates all of whom were named by and in the interests of special privilege and an inequality before the law. It will make no more than a trifling difference to the Harriman-Herrin-Hellman combination whether, after election, that combination deals with Crocker, Leland or McCarthy. With Crocker or Leland the dealings will be among gentlemen of essentially equal station. If relations must be sustained with McCarthy there will be a trifling sacrifice of patrician dignity, but that will be all. Less than half the men of San Francisco have spoken and, of these, nearly half have declared for right things. They will so declare again if opportunity be afforded them. As for the remaining half of the whole no one can speak with authority, but we must always believe in the people until there is no longer room for faith in them, and it is seldom that an aroused public sentiment does not declare for the right. It is up to independent minded men to set before the people, by agitation and discriminating endorsement of candidates already nominated, such a ticket as may claim the suffrages of free men determined that free government and an equal administration of the laws shall not perish from this city and from this commonwealth. Never had any political organization a better opportunity to show its metal than now afforded the Good Government League.

Why We Bolt the Ticket.

The California Weekly has no use for party politics in municipal affairs. Neither has the voter. Party organizations are merely convenient mechanism for foisting upon the voting constituency candidates whom they do not want.

Fraud vitiates all contracts, obligations, allegiances. In the primary election just held in San Francisco thousands of Democrats and Labor Party men of easy civic virtue registered as Republicans with no other purpose than to degrade the Republican party by voting for Calhoun candidates for Republican nominations. They are not, never were and never will be Republicans, for which true Republicans may thank their good angels. Not one of this ilk voted for Byron Mauzy and if any of them voted for any good man he did so blunderingly and without intention so to do.

There were Republicans who voted the Crocker ticket. Not all Republicans are clear-headed or of sterling character, and not a few are suffering a species of heart sickness elsewhere described in this paper. We make no apologies for them. They have humiliated their party, for, if all Republicans had stood up and voted right, a different result would have been achieved.

The point we make is that there is no moral obligation resting upon any Republican to support the Crocker combination merely because it masquerades under the name of Re-

publican. Not being named by Republicans it is not Republican. It is spurious.

Finally, even though named by Republicans, the Crocker combination ought not to be supported by Republicans who value their manhood and their city's honor. The right to scratch a ticket is divine. It is unalienable. It is the only method left, in the last stages, of curing evils in our political life. This voters understand perfectly well and only hide-bound, slavish adherents to party knowingly swallow swill because it chances to be poured from a wine bottle bearing their favorite label. The Republican ticket named last Tuesday in San Francisco can be immensely improved by vigorous scratching.

Was it Nothing to Them?

The registration showed 84,571 voters in San Francisco qualified to vote at the late primary. Very likely the 4,571 could be stricken off as representing fraudulent registrations, absentees and others from one cause or another, disqualified from voting. There were 36,998 votes cast at such primary. For every such vote cast there was another vote that might have been cast but was not. Did this selection of party candidates mean nothing to them?

It may be assumed that every citizen with an active civic conscience, and every citizen without any civic conscience, voted. Those who stand for right things got to the polls and found there awaiting their coming their brethren who know no inspiration that a crass materialism does not prompt, no deity but the dollar. All of these men performed their obligations to their city as they were given to perceive them and so stand acquitted of the sin of indifference.

What of that body of political protoplasm that remained unmoved, uninterested, uninspired and indifferent throughout the campaign? To the credit of the direct primary let it be recorded that the vote was nearly what it would have been under the old system. Something near 50 per cent. of the total vote was cast, whereas, under the old system, barely 25 per cent. usually turned out, but even that degree of success falls short of what must be if this is to become and remain a government of by and for the people. It is just as certainly impossible that men shall neglect to use the right of suffrage and not lose that right as that they can neglect to use their arms, legs and brains and not lose the power to make them serviceable.

Heney the Issue.

While it is tremendously important to have a man of character at the head of the city government in San Francisco, important to the entire state as well as to San Francisco (inasmuch as the character of San Francisco gives color to the state), nevertheless, the pivotal office is that of district attorney. Under our system of misgovernment the district attorney is all powerful. Though he cannot always accord justice to those who rightfully demand it he can refuse justice to whom he will and no power but the ballot can call him to account. Mr. Heney stands for an enforcement of the law. Mr. Fickert, by open confession of the Herrin-Hellman-Calhoun organ, the Chronicle, stands for letting unconvicted felons go, so that they be rich and their conviction attended with consequences disagreeable to themselves and their friends. Mr. Heney expected to be a candidate by petition, but more than 7,000 of his fellow citizens voted for him upon his own volition and his name is before the people. He has offered his life that justice may be had and if this city refuses to elect him district attorney in November the wrath of the nation will be visited upon it in a way that will be felt in every counting-room within the city.

The Deeper Significance : : : : of Living : : : :

There are times when the soul grows weary with the struggle for justice, when the way of the rascal is seen to lie along paths of prosperity and pleasantness leaving nothing to be desired, when the surging of the heedless, heedless crowd toward its own unrelieved misery threatens to ride down and run over all who would turn it in a contrary direction. There are hours of dejection that come to all those who would make the world better if they could, hours when the heart waxes sick and the courage fails. At such times it seems the part of wisdom to eat, drink and be merry while we live lest tomorrow we die and lose our opportunity for enjoyment.

The members of a church receive no dividends, but are forever paying assessments to keep the institution going. No moral movement ever paid its own way, and no iniquity ever failed to yield a profit. Few of those who stand habitually for right things in political life are honored with office, while time serves, and the henchmen of political criminals, coddle their carcasses on soft cushions and grow fat on the bounties of dispensers of patronage. We see daily before our faces a crass ignorance growing increasingly influential while a cultivated intelligence is shouldered out of the counsels of public affairs.

In industry we see thousands of children deprived of their childhood, women forced to bear the burden of bread-winning at wages that would hardly suffice for or gratuity for slaves, while vast forces combine to mulet the unheeding multitude for the appeasing of an insatiable appetite for a wealth which the possessors of it cannot use and which, if left to their children, will as surely ruin them as the degradation of poverty will ruin their victims. These things are done, the heart sickens, and we would be of little use to try to disguise the malady that gnaws. A strain is put upon our faith that God is in his world and that he doeth all things well. In anguish one cries out to know why good health was not made catching rather than disease, why the policy was preferable than bad, why the service of righteousness does not command larger salaries than the service of iniquity, and why, in the nature of things, multimillionaires are not made rather through an unselfish service of mankind than by the questionable benevolence of the pinch.

There is no telling. We simply can not know why the universe was ordered as it was or why this world was not laid down on different lines. We have to take the beneficence of our Creator and the desirability of justice, as we take hope of immortality, unreservedly upon faith, faith in God and faith in man, faith in the value of unselfish service and faith in that inviolability of the laws of right that will mete out to those who do wrong and inflict injustice the due recompense of wrong-doing and the wages of the unjust.

Of this we may be certain, and in this we may take comfort, without gloating aforesaid over the miseries of those who are to be come up with in eternity, although they avoid the thunderbolt during this life. No one of us can desire to see any Dives with parched tongue pleading for water, the more especially if he also plead that those who follow in his footsteps may be warned of their danger, but there is comfort in the thought that if there be those who escape justice here they can not escape it hereafter; that if they crush our laws and put our courts to shame, there are laws that never can be broken and there is a court whose decrees never can be set aside, whose procedures can not be confused. The cry of the soul for justice, articulate or inarticulate, is a cry that has gone up from the earth through all the ages. It is the one ceaseless quest of the race. To doubt its inevitability is to doubt God, and to doubt God is to be a fool. Therefore we take courage to press forward. Thereby the sick of heart are made well.

WHAT THE WORLD IS DOING

France to Have First Airship Line.

France is to have the distinction of establishing the first airship service which the world has known. Airships of the Patrie type will begin to fly regularly between Paris and the provinces during this month and September. There will be five of these steerable vessels of the air, and their five routes will be from the French capital to Fontainebleau, Rouen, Lyons, Bordeaux, and either Pau or Nancy. Each vessel will carry from eight to twenty passengers besides their crews, and their main docks will be at Issy. That the new species of transportation, however, will not immediately become popular is indicated by the prices that will be charged for a trip, the proposed fare for a journey of, say, thirty miles being from \$10 to \$20, or 33 to 67 cents a mile. The inference that most Frenchmen still will walk is unmistakable. The airship will beat the automobile as *prima facie* evidence of the wealth of its occupant. So France scores one in the record of progress, but not by a great majority, for it is promised that Germany will have an airship service established by next summer.

Flammarrion Dreams of a Hole.

Camille Flammarrion, astronomer and visionary of visionaries, is advocating a project of very audacity of which entitles it to be counted among dreams worthy of consideration. This is no less than the digging of a vast hole, far wider and deeper than any heretofore attempted by man, in the surface of the earth. The mere statement sounds prosaic, but it appears less so when the immensity of the excavation he contemplates is considered, for, according to his dream, it is to be 300 yards—about three ordinary city blocks—in diameter, and from three to five miles deep. This, it will be observed, would be quite a hole. But what would be gained by the excavation of such a pit? Well, in the first place, we would learn something about the earth we inhabit, and a Flammarrion scarcely was needed to inform us that we now know little of anything save its surface. In the second place—this according to Flammarrion—we would be likely to add greatly to the world's riches by such an enterprise. The tendency of the heavier metals is to sink through the earth's soil, and the French dreamer believes they would be found in quantity far beneath the service. Moreover, he fancies that much would be added to man's supply of radium. As for the heat of the interior, he doubts that it would increase continuously, and, anyway, he would trust to science to alleviate it. Flammarrion claims to have the indorsement of various scientists, as well as the financial backing of millionaires, for his project.

A World-Increase in Taxes.

While a certain element in the United States Congress was vainly struggling to decrease taxes, as indirectly represented by the tariff, our British cousins were strenuously protesting against a tremendous increase in taxes over there, among other things urging that it would result in driving Britons from Britain. To these protestants the chancellor of the exchequer has replied that, let Britons go where they will in Europe, they will find taxes high and prices correspondingly so. The chancellor was right; the cost of living, because of taxes, has greatly increased throughout Europe during the last few years. Take Germany as a fair illustration. Not very long ago living there was very cheap; so cheap, indeed, that it was much sought as a place of residence by foreign gentilefolk whose income was rather scant. In those good, cheap days an excellent meal could be purchased at a first rate restaurant for 35 cents. A similar meal now would cost more than 50 cents, and a proportionate increase has been made in nearly all the necessities of life. But this is not all, nor the worst, for under taxes just

going into effect the price of many articles of consumption will be further increased from 20 to 50 per cent. High taxes and correspondingly high prices; unto these the civilized world appears to be moving (thanks largely to man's warlike tendencies) and the task of adjusting wages to the new scale is not going to be wholly pleasant.

The Mad Mix-up of Royal Families.

When we pause to consider the facts of the case, the wonder is, not that European monarchs sometimes are insane, or again are scrofulous, but that they ever are anything else. For generations they have been setting at defiance all laws of virtue and healthfulness by intermarriage upon intermarriage, until, save that they had some far-away ancestors of particularly striking gifts, it would seem that they must have become mere wrecks ere now. Take Prince Alfonso of Orleans as an example of what has taken place. He is so Bourbon that the very smell of rye should be obnoxious to him. Both of his parents, all of his grandparents, and all of his great-grandparents except one were of the Bourbon family. The normal individual has sixteen great-grandparents. Alfonso has eight; intermarriages have resulted in the average, in his being descended twice from each one of them. Four of his great-grandparents, too, figure twice in that capacity, and four of these great-grandparents maintained the double capacity of husband and wife, uncle and niece. As for the cousins who were intermarried, there were practically no others except those who held a closer relationship. Philip V of Spain died in 1746, and Alfonso is descended from him in sixteen different ways. It should not be difficult to prove that some members of the European royal families are both their own uncles and their own nephews. Yes, the wonder is that they average as well as they do.

The Prizes Aviators May Win.

The Wright brothers, by means of their successful airship, have earned \$30,000 from the United States Government, and Bleriot has won a prize of \$5,000 for successfully crossing the English channel, but these are only the beginning of rewards which still are within the reach of fortunate aviators. An incomplete list of prizes which have been offered for designated feats, some with and some without time limitations, foots up more than \$190,000. These prizes vary in amount from one of \$50,000, which is offered to the first aviator making a trip from London to Manchester in 24 hours with not more than two men, to one of \$200, offered to the first woman who flies a kilometer (about five-eighths of a mile) in a circle. Three of the prizes relate to the English channel, one of \$20,000 being offered to the first Englishman who makes the trip in an English-made machine, another of \$5,000 to the first aviator who crosses the channel with a passenger before December 31, 1909, and another of \$2,500 to the first aviator who, before January 1, 1910, crosses the channel on a second or fourth Sunday of any month.

H. G. Wells Is Heard From.

The apparent pre-eminence of Americans, Germans and French in the matter of navigation of the air, and particularly Bleriot's feat in successfully crossing the channel, has stirred up H. G. Wells, the novelist, and he is out with a roar in the London Mail which calls for an amen or a malediction, as the reader may chance to feel. Having asked what Bleriot's achievement means, Wells continues: "It means first and foremost that the world cannot wait for the English. It is not the first warning we have had. It has been raining warnings upon us—never was a slacking, dull people so liberally served with warnings of what was in store for them. But this event—this foreigner-invented, foreigner-built,

foreigner-steered thing, taking our silver streak as a bird soars across a rivulet—puts the case dramatically. We have fallen behind in the quality of our manhood. In the men of means and leisure in this island there was either enterprise enough, imagination enough, knowledge nor skill enough to lead in this matter. I do not see how one can go into the history of this development and arrive at any other conclusion. The French and Americans can laugh at our aeroplanes, the Germans are ten years ahead of our poor navigators. We are displayed a soft, rather backward people. Either we are a people essentially and incurably inferior, or there is something unbending in our atmosphere and circumstances." There is more of somewhat similar style, but this is as good a place as any for that amen, or that malediction and, by the way, is it not probable that there might be considerable justification for either, or both, the one or the other; in other words, something to be said on both sides?

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

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MARRIAGE A LA MODE.

Reviewed by Arthur Inkersley.

"Marriage a la Mode" is the result of Mrs. Thomas Humphrey Ward's recent visit to the United States. It is clever and excellently written, as anything by the brilliant lady who was Mary Augusta Arnold, niece of Matthew Arnold, and grandniece of Dr. Thomas Arnold of Rugby, could hardly help being. But it is a purpose novel, and it is a type that rarely shows its author to the best advantage. Mrs. Ward was greatly impressed (as well she might be) by the appalling frequency of divorce in the United States and by the triviality of the grounds upon which married couples abandon relations that are supposed to be severed by death or the gravest causes only. "Marriage a la Mode," then, is not a mere story, but is intended as a vehicle of the author's idea upon a subject that she conceives to be highly important and upon which she entertains clear views.

The plot (there is no other) is quite simple. A handsome, well-born, attractive young Englishman, of the Eton and Oxford type, Roger Barnes by name, is left almost penniless by the death of his father. His mother, Lady Barnes, strongly urges on Roger the necessity of marrying a rich but nice girl. Roger comes to the United States with good letters of introduction and is made much of in society of Washington—the only city in the United States that possesses anything like a society organized on reasonable grounds. His fancy is attracted by a pretty girl, whose father was a rough, self-made Irishman, and whose mother came from Buenos Ayres. The daughter, Daphne Floyd, inherits the faults of both parents, plus the petulance and insolence that one finds in so many daughters of the over-rich. But youth and good looks gloss over her grave faults of character, manner, and temperament. Roger and she marry and go to England to refit the family mansion and take their place in the county. Daphne quickly shows her innate vulgarity and lack of breeding. So far from feeling that tenderness towards the old home that all wellbred Americans almost inevitably experience when brought into close contact with its venerable antiquity, its caressing beauty, the stability and grace of its society, Daphne falls foul of everything and everybody. She displays the pride of money in the coarsest manner and renders herself altogether offensive. Conscious of her husband's charm, she develops an exaggerated jealousy, to provide fuel for which she forces him into meetings with an old flame, Chloe Fairmile, who had been engaged to him, but had dropped him promptly when he proved to be poor. Mrs. Fairmile, whose husband is in India, flirts with him rather outrageously and puts him in a somewhat compromising situation. Daphne bursts into a fit of uncontrolled rage, and, after a stormy scene with her husband, rushes back to the United States, where, by her fabricated evidence, and the use of abundant money, she secures a divorce and the custody of her child, who is the apple of Roger's eye. Poor Roger, never of very strong fibre, takes to drink. Through the agency of an American army officer, who is deeply sensible of the misery wrought by the divorce habit in the United States, Daphne is brought to some sense of her folly and wickedness. She returns to England, where she is still Roger's wife, the miserable Dakota divorce not being recognized there. She offers to live with Roger again, but he, far gone in consumption, refuses, and they part.

The story is interesting and, though it will have little or no effect upon those for whose good it is intended, may contribute towards an aroused sentiment against the epidemic of divorce. One of our most disastrous results of the evil is the presence in American boarding-houses, hotels and society generally, of many divorcees. These women, dissatisfied with their own lives, and though vehemently asserting, not quite sure of the justice of their cause, serve as disturbers of the peace and

fomenters of discord among the married women of their acquaintance. Many a breach between man and wife striving for a *modus vivendi* has been induced by these pestiferous creatures, who have lost the innocence of the maid and the trustfulness of the wife, without gaining the charm of the widow. These unhappy and discontented women are the apostles of the doctrine of conjugal independence—for the woman. It is far better that some wives should be compelled to live with harsh and unkind husbands than that a whole sex should come to regard matrimony as a state of life from which, if it does not yield them all they think they ought to have, they can escape readily, shedding their obligations and wifely duties as unceremoniously as a snake its skin, and carrying with them as large a slice of their husbands' fortune or earnings as a complaisant judge (in whom flattery of women and sycophancy to popular ideas have been ingrained) may be disposed to grant them.

I cannot forbear a slight reference to a comment on Mrs. Ward's book condemning her as ignorant of "the merits of the case" and superficial. One cannot be ignorant of what has no existence; the case has no merits; it has only demerits, upon many of which Mrs. Ward, in her eager castigation of others, has not touched at all. As to superficiality, it is hard to believe that Mrs. Ward's keen and highly trained intelligence, developed by daily contact with a society in which every kind of achievement of human intellect and energy is honored, would not arrive rapidly at the heart of the matter. A greater formality with the situation would not bring the noted Englishwoman to a different conclusion, but would merely supply her with a fuller body of facts and a more deadly equipment of weapons. She would, for example, learn that her statement that one marriage in twelve ends in divorce falls far short of the truth in some cities; in San Francisco one wedding in seven, and in Los Angeles one matrimonial union in forty ends in the law court. More than twenty years' continuous residence in the United States (except for visits to Mexico and British Columbia) have left me quite unaware of the merits of the divorce system—if a tangled confusion of conflicting state laws can be dignified by the term "system"—and have filled me with an abounding detestation of it. Familiarity with a thoroughly bad thing may dull one's sensibilities and dampen the fires of one's indignation, but can hardly produce in any sane mind a conviction of its meritlessness. "Marriage a la Mode," by Mrs. Humphry Ward. Published by Doubleday, Page & Company, New York. Price \$1.50.

HUGO'S MYSTERIOUS DAUGHTER.

Adele Hugo, the daughter of the poet, whose sad and tragic history aroused the sympathy of the world, still lives. As a girl she was kidnapped by Guernsey by an English officer. Her parents searched Europe for her without obtaining a trace of her whereabouts when, several months later, a girl was found wandering alone, apparently demented, in the streets of New York. "I am the daughter of Victor Hugo" was all she ever said. She was sent back to France to her parents, but with wide-staring eyes she kept her lips sealed and the mystery of her martyrdom, perhaps a stranger and more absorbing drama than her father ever wrote, was never revealed. She never entirely recovered her reason and since the death of her father has lived in his villa, morose, solitary and alone, seldom speaking and never of the past. Occasionally she goes to Paris to witness, from the back of a darkened box, the reproduction of one of her father's plays, but otherwise she lives in seclusion, having no friends and never receiving visitors.

Hart Lyman is the present editor of the New York Tribune. Who is Mr. Lyman? By the way, did anybody, forty years ago, have to ask "Who is Horace Greeley?"

OUR FIVE-FOOT SHELF.

Browning's Simpler Poems.

Many of Browning's poems, to the writer, at least, quickly soar out into unintelligible space, but there is a rich body of his verse that is among the simplest, noblest, most melodious song in English literature. No one can read "The Lost Leader" and fail to catch its meaning or its inspiring melody. No one will miss the exquisite dexterity of rhythm and the glowing beauty of description in his "A Portrait." And "My Last Duchess," for all its subtlety of insinuation and veiled phrasings, is as plain and as delightful as such things can be.

But the chief charm of Browning's poetry is its revelation of the poet, a strong, bluff, brave, tender, God-fearing, mankind-loving, sincere and truthful man, whose rugged spirit chafes at the restraint of conventional forms of verse and struggles passionately to give expression, through a rugged and unequal medium, to the abounding vitality of his ideas and ideals. At all times Browning's poetry is Browning; and, so revealed, he stands out as one of the manliest men who ever wrote, clean in mind, fighting always and valiantly and fairly to establish what he thinks is good and true and beautiful. "Prospect," reprinted on this page some weeks ago, is characteristic of him, even in the face of death serene and unafraid.

His song is the hymn of the beauty of the spirit, wherever the soul of man strives against its earthly barriers to achieve to righteousness, to wisdom, to joy in the appreciation of all forms of beauty. Even where his lines are rude there is admiration for the struggle; and when his muse does loose unfettered wings, a very nightingale's shower of melody rains down from his lofty flight.

CALIFORNIA POETS' CORNER.

(Of the earlier generation of writers of California, the contemporary of Bret Harte, now left a pleasant memory, than Benjamin F. Avery, older, tried, earnest and poet of the better kind. He served California as poet laureate and the poet laureate of the state, but the best service of all was rendered in the field of journalism and literature. The poem which follows first appeared in the *Overland Monthly*.)

THE OLD AND THE NEW.

By B. P. Avery.

In no white winding-sheet goes out the year,
Stiff, straight and cold, with mourners by its bier.

As in the hard Atlantic clime,
Where bare-branched trees make desolate the sky,
And dreams are stilled but winds are piping high.

And vapors turn to stinging rime.
Not typical of death our old year's end,
But rather like the parting of a friend
Who leaves a grateful smile behind;
Or like a maiden loved and wedded late,
Who goes to meet her joy with mien sedate,
Yet calmly happy in her mind.

The long dry summer sits upon the hills
In memory yet her tresses colorfully fill,
The distant scene with mellow tints;
Only the spring that swells to meet the cloud,
Or acorn-dropping oak, or south wind loud,
Another mood of nature hints.

The red geranium gleams along the wall,
The petunia leans her tresses colorfully tall,
While roses blush in open air;
And oft in sheltered spots, 'mid friendly calms,
The calla lily lifts its broad, green palms
And blossoms into saintly prayer.

Soon all the tawny hills that thirst for rain
Will don an emerald robe with golden train
Of yellow poppies glowing like a flame:
The summer from her dusty chrysalis
Will waken to a life of winged bliss,
And spring will be its happy name.

A REST-ROOM FOR WOMEN

WHERE WORKING GIRLS MAY REST AND TAKE LUNCH.

Mid-Day Rest Room for Working Women.

This modest sign appears on a door at No. 126 Sutter street, San Francisco. It calls attention, in a characteristically modest way, to one of the most gracious and tactful and useful aids toward making the career of working girls not only livable, but attractive as well. Up two flights of stairs a whole floor is devoted wholly to this room. The purpose of it is simple. Any working girl may bring her lunch to this room between the hours of 11 and 2 o'clock, midday, and, for a fee of five cents, have the use of a table on which to eat and be served with a cup of coffee, tea, milk, or bouillon. When she has finished, she may retire to the front of the room, where lounges and easy chairs invite to a restful half-hour or so in which to doze or chat or read the books and magazines, with which the library table is liberally supplied.

This room has been in operation since the fifteenth of last February, and daily between 225 and 250 women and girls have availed themselves of its hospitality. Many more have come, but lack of room has prevented the accommodation of all who have applied. It is a courtesy for accepting which the working women abate no particle of their proper pride and independence, and for which they are adequately grateful to the Daughters of the King.

This organization of women, at the suggestion of the local president, Mrs. S. L. Abbott, undertook the work last spring of providing these conveniences. An association was formed and now has more than 200 members, each of whom contribute \$3 a year to a fund to guarantee the expenses. The association supplied the necessary furniture, dishes and rented the floor of the building now used for the rest-room. Three regular women attendants were employed; a matron, an assistant matron, and a dishwasher. In addition to these, four women, members of the Daughters of the King give their services free every day to wait at the tables and see that the convenience of the girls is promptly and properly served. There are many chapters of the Daughters of the King in San Francisco and the neighboring bay cities. Each chapter has agreed to supply four of its members for one day, according to a schedule arranged by Mrs. Abbott. So far, the women who have volunteered have been most faithful, and the work of carrying on the rest-room has run along smoothly.

When the writer of this visited the rest-room he was deeply impressed with two things that differentiate it from similar experiments in the East with which he is familiar. One thing was homelikeness and daintiness and freshness of the room. The lunch section might have seemed a little bare, had not that possibility been forestalled by vases of flowers that made it as tasteful and attractive as a private dining-room. The rest-room section did not suggest anything so much as the den of some girl who often entertained her girl friends in her own distinctive way. The arrangement is simple without being either bare or formal. It is, rather, cosy and homelike.

The other notable difference was the absence of the odor of food and cooking. In other such places he has visited, the writer has been oppressed by a mustiness like that which often hangs in the air of a boarding house. Here, there was no such thing. The freshness and wholesomeness and daintiness of a model private house are preserved intact. No food is cooked here, which partially accounts for this fact, but even the odor of coffee had disappeared within the hour after the luncheon time was over.

The association has under way plans to rent another floor in this building, to provide room in which to accommodate a hundred more girls every day. The necessary alterations will take some time, but by the fifteenth of next month they should be complete. The upper floor will then be used wholly as a

lunch room; the lower floor will be divided in half, the front supplying a rest-room much larger than one now available, and the rear supplying a room in which only tea will be served.

The work of the association is partly, but not wholly, self-sustaining. The difference is made up by the subscriptions of the members. The association would welcome new members to the number of 300 or more. Its work has been eminently successful. It has earned and received the sincere gratitude of hundreds of girls to whom its quiet and refined quarters have supplied an escape from the noisy cheap restaurants, and a place in which they may really rest for an hour in the heat of the day's work.

UP AND DOWN THE STATE.

On September 7, 8 and 9 festivals will be held in Napa, Calistoga and Aetna under the auspices of the California Grape-Growers' Association, the object being to advertise the medicinal benefit of grape juice and secure a state holiday at the opening of the grape-gathering season.

A Sanger man claims to have discovered a radium mine in Madera county, and now proposes to take steps to have the National Government work it, which the Government may or may not do—after it has been convinced that he has discovered a radium mine. A bloodless war concerning vaccination now is being waged at Watsonville, the Board of Health demanding that the vaccination law be enforced, while the school trustees insist that it shall not. The issue probably will be decided in the courts.

According to a statement given out by Chairman Leonardson of the State Prohibition party, Del Norte, Imperial, Kings, Orange, Riverside, San Diego, Sutter and Ventura counties now are wholly "dry." Plumas since has been added to the number, while, with the exception of Alturas, Modoc county belongs in the same list. Precinct option exists in Alameda, Colusa, Lake, Los Angeles, San Bernardino, Santa Barbara and Yolo counties. The wholly "dry" cities or towns are Azusa, Corona, Corning, Fowler, El Centro, Imperial, Kingsburg, Montevita, Ontario, Oceanside, Pomona, Porterville, Selma, Tulare, Upland, Whittier, Winters and Brawley.

Members of a Modesto hunting party claim to have found the ruins of a city of considerable size, and apparently built by a somewhat civilized people, near Adobe valley on Red mountain, on the west side of the San Joaquin valley.

The people of the Livermore valley are attempting to secure, from the Southern Pacific Company, a motor service to connect its towns with the cities about the bay.

There is considerable excitement in the central San Joaquin valley over a gold strike which recently was made at Fresno Flats. The original discoverers are said to be taking out the yellow metal in paying quantity, and about fifty claims have been located.

On September 18th the people of Merced county will vote on a proposition to bond the county in the sum of \$745,000 for the construction of good roads.

From Glamis to Blythe, a distance of 65 miles over the desert in Southern California, the mail is carried by automobiles, stages having made frequent failures of attempts to get the mail through on time.

It is reported that the Sacramento river above Colusa now is more impeded by snags and sand bars than it has been at any time within a half-century. This condition is attributed to the high water of last winter, which shifted the channel in many places.

After long and insistent demand from the people of the Ojai valley, the Southern Pacific Company has established a service of two trains daily between Nordhoff, Ventura and Oxnard.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

The World That We Live in Is Queer.

A smile for the crowd, but a frown for home—
It's hey for our dual lives!—
A word of good cheer when abroad we roam,
And a snarl for our babes and wives;
The best of ourselves for the heedless crowd,
The worst for the ones most near;
Good fellowship, even save where it is vowed—
It is ho, but the world is queer!

Best for the rabble; at home it is missed—
It's hey but our style is absurd!—
"A really good fellow," the people insist,
But wait till his wife is heard.
Type of beneficence out on the street;
Type of—you name it—at home.
("Mary, this breakfast ain't decent to eat!")
It is ho for the world where we roam!

This cap is, of course, for another man's head,
And neither for me nor for you,
But, still, when we rise from the wrong side
Of bed,
As the very best people will do,
What is it we say, and how do we act?
Meaning you; I admit nothing here,
But what do you do? Oh, it's clearly a fact
The world that we live in is queer.

Mr. Thaw's "Literary Work."

The Associated Press has announced, apparently without a shudder, that Harry Kendall Thaw is going to devote the rest of his life, in Matteawan asylum until he gets out of it, to "literary work." It may be work (if Mr. Thaw can be imagined doing anything so useful as labor of any kind), but I would bet a dollar and a quarter that it will not be literary. It requires something more than a man-slaying record and an ego that is asinine rather than insane to write literature. Yet there is one book he could write, were its English but babbled, which would interest the public, and it would be entitled, "How a Rich Man May Go to the Asylum When a Poor Man Would Go to a Gallows-Neck." Though he has been legally declared insane, Thaw's mind is not so wrecked that he will tackle that subject, and, until it is, he will do the public a favor by letting his pen rest.

A More or Less Perfumed Fable.

The Society of Indefatigable Polecats Organized for the Suppression of Anything Above Mediocrity was in session. A gray and revered member rose from his seat and addressed the chairman:

"It has been brought to my attention," he said, "that a certain man has Done Something" (groans from the assemblage) "which Amounts to Something" (deeper and more prolonged groans). "Under these distressing circumstances, I beg leave to submit the following resolutions:

"Whereas, it is alleged that a Certain Man has Done Something which Amounts to Something; and

"Whereas, Such conduct is an insidious attack on the basic principles on which this Society was organized; and

"Whereas, We could not do such a thing ourselves; and

"Whereas, We never have; and

"Whereas, We never will; and

"Whereas, Even if he did do it, we don't believe it; therefore, be it

"Resolved, That he didn't; and

"Resolved, That he ought to be ashamed of himself for doing it."

"But," said a young and inexperienced member before the resolutions were put, "if the Certain Man Did Something which Amounts to Something, I don't see how our resolutions will affect the fact."

"You forget," the chairman explained, "that they will carry our own peculiar style of perfumery with them, and it will not be pleasant for him."

So the resolutions were carried unanimously. Moral—It ought to be about time for some other person or association to take a whack at Luther Burbank.

The Opinions of Rufus.

The theory that words was invented to conceal ideas is knocked all to pieces by some people that talk the most. They don't have any to conceal.

Especially I've observed, a Soshalist generally is a man that hasn't got much money. Sometimes he gets it, and after that he ain't.

Somebody said that the rise 'n' fall of the Calkins Syndicate is like that of a sky-rocket, but 'tain't. A sky-rocket has a bright head, but 'tain't.

If a burnt child really reads the fire, I wish you'd tell me why the records show that grass widgers almost alters gill married again.

I spose the reason the justice of Heaven is fixed 'n' unchangeable is 'cause there ain't any appellate court to appeal to frum its decisions.

I'm like some of the rest of you: I b'lieve Mr. Calhoun is innocent, but I'll bet he wishes he hadn't done it.

The angel at the gate said he realized that Rockefeller had piled up his treasure fer Heaven, but he said it smelt so he reckoned Rockefeller 'd have to take it down stairs 'n' burn the oil off it. Then I waked up.

The price of diamonds has gone up, but sportin' men still is bettin' two to one that it can't catch up with that of flour.

Let's be grateful that we have state prisons, brethren, fer ef it wasn't fer them there'd be no place to put criminals that ain't got money to hire able lawyers.

When you come across a man that thinks everybody is tryin' to beat him, grab your pocketbook 'n' shy off.

Nebuchadnezzar ate grass, 'n', es fer as his'ry teaches, he's the first man that ever cared much fer breakfast foods.

"Just One Mistake."

I went to school long years ago—no doubt you did the same—

And learned what little now I know of the scholastic game;

I learned to read, and eke to write; I learned to cipher, too.

Although the latter warped my mind and filled my soul with rue.

Oh, oft I've sat above my slate and figured, figured till

I felt that imps had made my brain a figure-grinding mill.

But all in vain. Then master said to me, in sorry plight:

"Just one mistake in summing up, the answer's never right."

I have a seat ('tis somewhat back) in Time's tremendous school,

And here I add the sums of life, or wisely or as fool.

To duty, oft the problem runs, add pleasures best forgot;

Subtract the thing you fain would shirk, and now the answer's—what?

I've figured on that problem much, to make it run so nice

That I could do just as I pleased and never pay the price;

I've figured long, I've figured much, and yet—oh, thought to light—

I must have erred in summing up; the answer was not right.

About me are the boys in school, the girls are also there,

And some are adding carefully, and some without a care;

Some from the duties of the day some pleasant sins subtract,

And smugly trust the Lord of Hosts won't catch them in the act.

And so the pupils in the school life's mathematics learn,

To find full oft the answer's not the thing for which we yearn,

But this we know, for this we've learned in darkness or in light:

Just one mistake in summing up, the answer's never right.

Thoughtful Man on Hell.

"A distinguished Eastern divine," remarked the Thoughtful Man, "has just come out footed with the assertion that there is no hell. This is both consoling and reassuring to a large number of us, and yet I should feel more convinced, and better all around, if I could be certain that the reverend gentleman had taken a ride on a west-bound Market-street car about 5 or 6 o'clock in the afternoon. Until I can be assured on this point I shall feel it to be possible that he spoke without sufficient information.

"As a considerable number of the eminent citizens who have found it to their interest to be held up in this city are church members in good standing, and likely to continue so, you will realize how much this divine's doctrine means to them. To be sure, as Mr. Calhoun explained to Abe Ruef, there is scriptural authority for the little enterprise in which they engaged in the 117th verse of the 119th psalm, which reads: 'Hold thou me up, and I shall be safe,' but although Mr. Ruef was satisfied, Mr. Calhoun later remarked to me that he sometimes feared that David, in promising safety, had in mind the earthly courts instead of the one above.

"Now, however,—presuming that the divine has ridden on our street-cars and is otherwise posted—all is well. We may be held up, provided, of course, there is enough in it for us, without any duty concerning what may happen after we have departed to that 'mysterious realm.' This removes the last obstacle to the 'higher-ups' joining the church and thus adding to their unimpeachable respectability, although the obstacle has not interfered with them much heretofore. No hell. It is a beautiful and comforting thought, isn't it?" said the Thoughtful Man.

"I guess so," said I.

All of Us Wake Then.

I have plenty, more than plenty,
And the joys of life abound.

Do I need to tell you this?

In my pocketbook 'tis found.

I have treasure beyond measure;

I have riches by the heap;

I have every style of pleasure—

In my sleep.

I've a palace very splendid,

And 'tis there that I abide;

Walls of sard and onyx blended,

Pictures fair on every side.

Ope a gate there that admits me

To a fairy-haunted lake—

Then a draughted nightmare hits me,

And I wake.

Might Have Been Expected.

The wress went out of business—

Now, what do you think of that?—

The bed was warped exceedingly,

The type were melted fat;

The pressman cried, and wrung his hands

To show the pain he felt.

"Vergilia's book was on the press,

And something had to melt!"

She Kept Her Vow.

"I judge that she is the woman of her word."

"Probably. What makes you think so?"

"Why, I have heard her vow a hundred

times that there was not a man in the world

whom she would marry."

"Yes?"

"Well, you know, she married young Sap-leigh."

Better Skip This.

I don't approve it, never could;

The thought I can't abide;

And I condemn, as e'er I should,

Infanticide.

But in my home—a babe is there—

Last night my ink was "pied;"

I sat down in it on my chair—

"Infant!" I sighed.

"DOWN THE HEEL."

(For The California Weekly.)

In the midst of Tia Juana's
Many floras, numerous faunas
And more numerous cantinas,
One particular cantina's
Sign we ambled up before
And inquired at the door:
"Tell us, where is Salazar,
"Abelino Salazar?"
And the man who rum dispenses
In return for recompenses,
In response to our appeal,
Pointing, answered: "Down the heel."

"Down the heel," so sloping, sandy,
"Down the heel," our Herbert dandy,
"Down the heel," he slid our "Peerless"
Till we saw a joint not cheerless,
On whose white-wash, seen from far
Was the legend "Salazar"—
Unmistakable from far:
"Abelino Salazar."

Then we shot our raucous klaxon
And a maid with hair not flaxen

Mounted quickly to the porch.
Oh, her eyes were Cupid's torch!
Oh, her form so plump and sleek!
Oh, the roses on her cheek!
Voice and smile of liquid honey!
Gentle manner wide and sunny!
"Abelino," said she neatly,
"Salazar," she added sweetly,
"Eez not cen!—he has been
"Gone to cetee; pleeze come cen."

"Pleeze come cen!" Ah, did I dare
"Pleeze come cen!" to one so fair!
"Abby," "Lena," "Sally," or—
Oh, thou child of Salazar,
Sweetest bud of the canteen,
Art thou Eve, or Imogene?
Loveliest of all nameless ladies
I have met from here to Cadiz,
I have come, and I have seen,
But I dare not "Pleeze come cen."
No, I'll stay within my "Peerless";
Katharine and Mildred, fearless,
As they hitherto have been,
If they wish, may "Pleeze come cen."

Then she sent a smiling rascal
Out to fill me up with mezal
And the girls with sarsaparilla:
Dies Irac! Dies illa!
Like the flame my heart had smote
There was burning in my throat,
Like the flame of fire-water,
Flame of Abelino's daughter.
"Let us pay? No! No! Not she
"Would accept from such as we;
"No! We were her father's friend,
"Free and welcome without end."

Breakfasting at Coronado
On the morrow, with bravado
I was brandishing some story,
Probably a chestnut hoary,
When I noticed, with a shock,
On my coat a raven lock.
E'er I could, glassing, claw it
Katharine and Mildred saw it
Katharine and Mildred, jeering,
Cried, irreverent and sneering:
"Ha! Ha! Mamma! Look a there!
"That is Abelina's hair."

"No!" I said, my spirit bracing,
And my fair accusers facing,
"When my tailor framed my coat,
"Of my leanness he took note
"And to make my torso bolder
"He put paddings in my shoulder,
"And this lock so black and coarse
"Is a tail-hair from a horse."

Then my gathering indignation
Warmed me up to this oration:
"Ladies, ill it fits such graces
"As your sun-burned, freckled faces,
"Blinking eyes and peeling noses
"To reflect on Spanish roses.
"Look on Abelino's mild,
"Fair and gentle-mannered child,
"And instead of baiting me,
"Make yourselves as sweet as she."

"Down the heel," at Tia Juana
Mid the semi-tropic fauna
And the flora of the same
Dwells that maid of nameless name,
Child of son of Alcazar,
Abelino Salazar.
What care I what-e'er her name be?
What care I what-e'er her fame be?
"Down the heel" my heart is going
Where the yucca-plant is growing,
"Down the heel" my soul is dreaming
Where those burning eyes are gleaming
And those glances sweetest seen
Welcome me with "Pleeze come cen."
Tho I vow that I'm a cor-air
If that black lock wasn't horse-hair,
Yet my dreams, for woe or weal,
Still go drifting "Down the heel."

Santha Barbara, Aug. 10, 1909.

Aline Van Barentzen, a twelve-year-old
Boston girl, won this year's first prize for
piano-playing at the National Conservatory in
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POLITICAL TABLE TALK

By THE WATCHMAN.

How Shall Taft There is a feeling abroad

Be Reevaluated that the President has not made good regarding the tariff, at least not completely, and that the glad hand should not be extended him with the same degree of gladness that would characterize his welcome to our state had he swung his big stick earlier and accomplished more for the ultimate consumer, that being the individual who raised the tariff issue in the first place and in the hope of making it an instrument for securing a lower cost of living in the homes of the people. Those in this frame of mind are not disposed to throw the President overboard in their affections, to pronounce him a reactionary and a failure. They still have hopes of him, but they would be glad if, in swinging around the circle, he could be made to feel that relations are just the least bit strained; that his probationary period has not ended; that he is still on trial and is being narrowly watched out of the corner of the public eye preparatory to any effusive "well done, good and faithful servant" being offered him as an out-pouring, up-welling testimony of a grateful people. "How is the President to know how the people do feel toward him," these good people ask, "if the people turn out and accord him an ovation everywhere just as they would have done had he measured up to their fullest expectations?" Well, that's so, how is he? There is a strain of sense in this view.

His Cabinet Is Questionable.

Another fact that indisposes many persons to throw up their hats and hurrah for President Taft until hot and hoarse, is that his cabinet is questionable. It has not the confidence of the public. Many are fearful that Ballinger is bad, that the concluding syllable in the name of the Attorney General furnishes a clew to his character, and that Hitchcock should have been paid off and discharged as soon as the campaign ended. It was obvious that the interests took courage as soon as the election of Taft was made sure and there are those who inwardly fear that the President may not prove as efficient as a commander as he did as a lieutenant under the command of as tactful a commander as McKinley and as resistless a conqueror as Roosevelt. Those who stood heart and soul with Roosevelt and his policies are not skeptical, not suspicious, not seriously questioning the character of William Howard Taft and the administration he is going to give us, but they are not fully assured and they want him to know that they are not. They want him to know this in a way that will not be discourteous, but in a way that will not deceive him into thinking and feeling that he has fulfilled all expectations when he has not. This is going to be a matter of great difficulty.

California Sure To Blow Itself.

That reserve which enables To Blow Itself. its possessor to hold a guest by the hand some length, and yet treat him with a courtesy due his station and known, is not a characteristic of Californians. We either "blow ourselves in," as the saying goes, or we turn the cold shoulder. It would be an unmerited rebuke to the President to throw the cold shoulder to him when he comes to us, so there will be nothing for it except to extend the glad hand, ask him about his wife and children and put on plate, knife and fork and set him right up at the table. We shall have to do the whole thing or nothing, because we are built that way, so the welcome to California extended to the President will be as effusive as it was to Theodore Roosevelt, although the feeling toward him will not be just the same as it was toward Theodore. Moreover, unless the solid citizenship joins in the welcoming of the President he will be thronged by representatives of untoward interests who are ruefully in need of some one to give them character, as well as by syco-

phants of high and low degree. To have that ilk speak for California would be a misfortune to California. Besides, the President should be given a full year in which to prove himself, whereas he has not yet had half a year. Theodore Roosevelt was in office more than three years before he got his policies into shape to force upon public attention and down the unwilling throats of the predatory interests. But may not some good friend draw the President off into a corner and give him a hunch as to how the sober, sensible people of California do feel toward him? It might help him to come to himself.

Walter F. Price For Secretary of State.

Indications are that aspirants for the cast-off shoes of Charles F. Curry, unless he concludes not to cast them off (not by any means an unlikely conclusion), are to be counted on mainly for creating brain storms of enthusiasm among the politicians, not the people. There is little in any of the candidates so far mentioned to justify the public in rising as one man with but a single voice proclaiming "Thou art the man!" Our last report from the seat of incubation of candidates heralded only Stanford, Stanford and Jordan. This was an unkindness to Walter F. Price, state senator, attache of the State Board of Examiners, and a man who can be counted on to do any political work that the Herrin organization wants done. He would be found to possess more sobriety than Hill, more reliability than Jack Stafford, and would be a less impossible proposition than Frank C. Jordan, who stacked the basement of Alameda's courthouse full of needless printing merely to give Dargie something profitable to do between grafts. And yet, with all these points in his favor, the state could seek farther and fare better than to nominate and elect Walter F. Price Secretary of State. It is really a big office and needs a big man to fill it.

Too Sane and Sensible A Sacramento paper, To Be Persisted In.

with what warrant we do not know, asserts that it has authority to announce that Governor Gillett has decided to be, and will be, a candidate for re-election. The California Weekly, without any authority or warrant whatever except that which arises from inherent probabilities, asserted the same thing weeks ago. At that time, as some of our readers may remember, we said that all California Governors are candidates to succeed themselves; this is just as true as that they do not succeed themselves. There is a kind of manifest destiny attending both propositions. The desire to be "reinducted," the persuasions of friends, the willingness of every man to believe that he is somehow an exception to the rules, account for one side of the equation, and the inexorableness of political forces, which are never more powerful than when they do not seem to be working, establishes the balance on the other side. Yes, the probabilities all are that Governor Gillett will be a candidate and that he will be beaten. But if he comes out as a candidate at this early date, it will show that he has abandoned his reported program of simply going ahead, making the best Governor he knows. Now for another year before beginning to run for reelection. That was such a sane and sensible plan that it would be a pity to drop it so soon.

Other Enemy Not In Sight, What is the They Fight Among Themselves.

matter with the National Guard of California? That something so serious ails it has been made clear even to the non-military mind by the newspaper interviews in which staff officers have viciously assailed official superiors in dehance of military discipline and a semi-social organization of officers in San Francisco has arrayed itself

and two companies of men against Adjutant General Lauck, if not against the commander-in-chief of the Guard, Governor Gillett. At the same time, from various points in the state comes the report that the regimental and company commanders are having more trouble than ever before to hold their commands together and prevent the members thinning out. There are certainly disorganizing forces at work in the Guard, and some there be who assert that the trouble is too large a dose of regular army militarism. Of that more anon.

Is It Excess of Prosperity One of the That Ails Our N. G. C.?

markable facts of the situation is that the threatened break-up comes at a time when the National Guard is a material way, is prospering as never before. It has been armed and equipped by the Federal Government in a manner never before equalled. It has secured unparalleled state appropriations. The last session of the Legislature might almost have been called the National Guard session, to such an extent did the military eat large its boundaries in all directions. Besides increased appropriations for support, it secured an emergency appropriation of \$100,000, something many times asked for before, but hitherto only a dream. Also, it obtained \$100,000 for an armory in Los Angeles. But the most remarkable feat in this line was the snatching away of about \$425,000 of money which had been appropriated three years before to erect in San Francisco a much-needed building to house the courts and many officers, boards and commissions. A site had been purchased for the new building and plans had been drawn, but before work could be begun the National Guard captured the money by inducing the Legislature to enact that it should be used for an armory and not for the purpose, originally designed. But not alone in getting appropriations did the N. G. C. shine at the 1909 session of the Legislature; it also got through a reorganization bill containing some extraordinary features, including one which authorizes the Governor to proclaim a county or a city in a state of insurrection and to march his troops therein without any preliminary requests from the local government.

For Military or For Social Purposes, Which?

And now, in this hey-day of its proudest exaltation, the N. G. C. is in a worse state of demoralization than ever before. The critics before referred to believe that General Lauck and his advisers have simply gone daft over the idea of making over the Guard in the likeness of the regular army. The Washington military authorities, in their eagerness to promote efficiency in the Guard, have offered all sorts of inducements, from the time that Congress passed the Dick bill down to the present month. General Lauck has been a willing programmer in this direction, and in consequence many favors have been shown the California Guard. They have been arms, munitions and uniforms galore. But attachments of these gifts is the string of conformity to the regular army plans, and not all of the citizen soldiers, officers or men, take kindly to these plans, which involve some radical changes. For example, it is a hobby of the people at Washington to have a strong Coast artillery division or corps in the N. G. C., and it is in large part General Lauck's attempt to oblige them in this respect which appears to be tearing things apart. How it will end no one knows. Governor Gillett's attitude appears to be that of one who is overboard to the Guard but who knows little about military organization and who is not disposed to be critical of the advice tendered by the officers who are nearest to him. Can it be that the National Guard of California, like the old militia, has no stomach for a real soldiery, but, at

bottom, merely wants an annual outing at public expense with a big time and no end of social attractions? That was notoriously true of the officers of the old organization.

The Primary Machine Victory. The primary election in San Francisco is, in general, a victory for the pro-graft machine. Leland, the Democratic nominee for mayor, together with the other Democratic candidates for offices besides supervisors, are all McNab men, and McNab is "organization" to the core. An interesting speculation concerning the Democratic supervisors will be referred to further down in this column. On the Union Labor ticket, the entire slate of the McCarthy "syndicate," including McCarthy for mayor, Fickert for district attorney, and Tom Finn for sheriff, was swallowed whole by the party. The "syndicate" has never successfully replied to the Call's direct charge that its slate was made in the office of Jere Burke of the Southern Pacific company.

Citizens' Committee Republicans Win. The Republican results are a bad showing. The Municipal League of Independent Republican Clubs failed to land Byron Mauzy for mayor. It won nominations for six out of the remaining eleven major offices, but two of these were also organization nominees, and another, Percy V. Long, so completely outran his ticket for the office of city attorney that his victory was clearly a personal triumph. The League's showing on nominations for supervisors was a little better, as it landed eight out of eighteen nominees.

Two Good Supervisors. These supervisorial nominations are especially important, for the pro-graft machine hopes, by electing a hostile band of supervisors, to choke off the graft prosecutions by having the supervisors refuse to appropriate funds

for the district attorney's office. It is, therefore, significant that the two men receiving by far the highest votes for the Republican nominations for supervisors are Paul Bancroft, 12,197, and Charles A. Murdock, 10,043, who are incumbents, who have consistently stood for the continuance of the graft prosecutions, who were backed by the Municipal League, and who were fought by the Citizens' Committee and its machine allies.

Incumbent Democratic Supervisors Nominated. In this same connection, the Democratic nominations for supervisors is interesting. Of the eighteen nominees, ten are incumbents, and eight of the ten were endorsed by the Democratic Club, which is the reform wing of the party. These eight are, therefore, presumably in favor of the graft prosecution. This assumption is strengthened by the record of the incumbent board of supervisors, which has liberally backed the prosecution and which is, in fact, about the best board of supervisors the city has ever had. This presumption is further strengthened by the fact that the Democratic voters who nominated them also nominated Francis J. Heney for district attorney.

Can Good Majority of Supervisors Win? If, then, the two very popular incumbents nominated by the Municipal League on the Republican side, and the eight popular incumbents nominated by the Democrats and endorsed by the Democratic Club, are all elected next November, there will be ten men—a majority—on the board of supervisors who may reasonably be expected to carry on the prosecution. This is the most cheering fact in an election whose results are, in general, a disappointment to the progressive forces in the political life of San Francisco.

The Chance of the Good Government League. Furthermore, it offers a suggestion to the Good Government League. That League is now in a strategic position. None of the regular parties has offered a ticket that, as a whole, measures up to the demands of the situation in San Francisco. If good government is to continue in this city, an independent ticket must triumph at the polls in November. The Good Government League has the organization to back such a ticket. By staying out of the primary, it is free to offer such a ticket. In doing this, it would naturally endorse the best men on all the regular tickets, and at least one of its possible supervisorial candidates seem to be logically indicated by the facts reviewed above. With some new, strong, and clean candidate for mayor, with Francis J. Heney for district attorney, with Percy V. Long for city attorney, and these ten men for supervisors, the rest of a good and popular ticket could be filled out either with other party nominees or with new men. Such a ticket would draw the issues of the campaign in unmistakable terms and, we believe, would sweep the present tickets off the boards.

McCarthy the Next Mayor? If such a ticket be not put up, McCarthy will probably be the next mayor of San Francisco. This is the consensus of opinion of several of the shrewdest political observers in the city. Some base the prediction on the belief that, having headed Mauzy's nomination off by landing Crocker, the machine will desert Crocker for McCarthy. Others base it on their observation of general political tendencies. Such a result would be a disaster, and must be forestalled by some means.

Baseball or Government? The writer of this went to the office of the San Francisco Bulletin last Wednesday, during the noon hour. About fifty people formed a little group watching the election returns that should tell the fate of the city under its first direct primary. The writer returned at four o'clock. Five hundred men blocked the sidewalk and half of one side of Market street. They were watching the baseball score by innings.

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ENGLAND'S BETTER CRIMINAL PROCEDURE

VI. A REVIEW OF THE PREVIOUS ARTICLES.

By AN ENGLISH ATTORNEY.

[This is the sixth and concluding article of the series on "England's Better Criminal Procedure" which has been appearing at intervals of a fortnight in The California Weekly. This comparison of English and American law, through whose courtesy we are able to present the subject, concludes his description of the exact process by which criminal cases are tried in England, and, in a verdict, and draws an illuminating comparison between this process and the slow and uncertain procedure in Californian courts. This comparison is obviously unfavorable, shamefully unfavorable, to our Californian laws and the reform of our criminal courts is the issue of first importance to this state. The California Weekly commends it to its readers, and in these articles at one sitting, and invites its readers to a discussion of the best means of bringing about these reforms.—The Editors.]

There are seven circuits in England where Assizes are held and about seventy cases are appealed to the Court of Criminal Appeals semi-annually; about two-thirds of the appeals are dismissed, in one-third the verdict or sentence is quashed or modified. No new trials are ever granted as the Court of Appeals itself has authority practically to try the case anew, receiving all necessary evidence and taking the testimony even of witnesses who have not appeared in the trial court. If it appears that the jury had sufficient competent facts before it to support the verdict, the Court of Appeals seldom sets aside the verdict of the jury. The object is to avoid miscarriages of justice such as formerly occurred from time to time by reason of mistaken identity, unreliable expert testimony, errors of the court in admitting incompetent, or excluding competent, evidence and the like. When a case has reached the Court of Appeals it would be a waste of time not finally to dispose of it there without sending it back for a new trial with all its attendant delays, possibility of further errors, further appeals and other new trials.

The principal objection to appeals in criminal cases in England is that they substitute the judgment of a few judges for the verdict of twelve men drawn from all classes of the community, with average common sense and knowledge of the world, who, as a body, are not subject to professional, political, or social prejudice. On the other hand it may be said that jurors are without capacity or weighing evidence, are easily influenced by popular prejudice, are without individual responsibility, are capable of being intimidated or corrupted and are not obliged to give any reasons for their verdict.

Summary Proceedings.

There is another form of judicial procedure in England, namely, by summary conviction before a justice of the peace. By summary proceedings are principally meant such as are directed by several acts of Parliament for the conviction of offenders and the infliction of penalties created by those acts of Parliament. In these cases there is no intervention of a jury but the party accused is acquitted or condemned by the suffrage of such person only as the statute has appointed for his judge.

Of this summary nature are all trials of frauds and offenses against the excise and other branches of the revenue which are enquired into by the commissioners of the respective revenue departments or by justices of the peace in the county where they occur. Another branch of summary procedure is that before justices of the peace in order to inflict petty fines and imprisonment imposed by acts of Parliament for disorderly offenses such as malicious mischief, drunkenness, common swearing, vagrancy and a vast variety of others, all of which were formerly punished after a verdict by a jury.

Summary process is extremely brief, the offender is summoned, the magistrate examines one or more witnesses as the statute may require, upon oath; he then enters his conviction in writing upon which he usually issues his warrant either to apprehend the party in case imprisonment is to be inflicted or if a fine has been imposed to levy the

penalty by sale of the defendant's goods. Justices out of session are also empowered to award costs either against the person making the complaint or against the person claiming the complaint or against the person claiming of and if these costs are not paid to levy them by sale of the defendant's goods or if he is without any property then to commit such person for any time not less than ten days nor more than one month with hard labor.

No Appeal But By Statute.

From these convictions there is no appeal unless expressly given by statute but the party has a general right to certiorari to remove the conviction in to the King's Bench. If an appeal is given by statute to the quarter sessions (where several magistrates sit) they are bound to receive any evidence whether it was tendered at the former hearing or not.

These summary proceedings were unknown to the common law and appear to have arisen from the increase of population, multiplicity of legal regulations and the expense and delay of bringing great numbers of petty offences before the regular tribunals of criminal judicature.

The justices holding quarter sessions are not allowed to convict on any capital felony or any felony where there has been a previous conviction, nor for bigamy, abduction, blasphemous or seditious libels or offenses against the King or the Parliament.

To obtain the opinion of a superior court on questions of law which arise in the exercise of summary jurisdiction by justices of the peace, police magistrates, etc., any party aggrieved by the decision of the justices may have a case stated for the superior court, or the King's Bench may order a case to be stated.

In England there is no limitation upon the time within which a criminal may be prosecuted except in the case of a very few statutory offenses where the statute establishes the limitation.

Private Prosecutions.

A striking fact in the criminal procedure of England is the prosecution of offenders by private persons, of course in the name of the King. Any member of the community can prosecute another for any offense of which he is guilty on the principle that when the community suffers every member thereof suffers and that any crime against an individual is a crime against the community; not only may he prosecute but he is paid the costs and expenses incurred in so doing, with compensation for his loss of time, out of the property of the person convicted. It is no longer only the King against the felon but the person injured against him and his guilt is litigated between them according to the rules of evidence in civil cases, with a few exceptions, as where his guilt must be proved beyond a reasonable doubt and that the accused has the presumption of innocence in his favor.

Much Dignity, No Oratory.

In the higher courts of England much formality is observed and on some occasions great pomp and circumstance, survivals of former times which lend dignity to proceedings and sometimes serve a useful purpose. The bar invariably display great deference towards the bench and treat each other with much courtesy and consideration as brethren of the same learned profession. Personal abuse in court is unknown among them.

Americans, so justly famous for oratory, are usually disappointed when visiting English courts, by the absence of old-time eloquence as the bar, the judges of Erskine, Burke and Curran are dead and in this era of age eloquence is never attempted by an English barrister no matter how dramatic or pathetic the circumstances of a case may be. He has learned that British juries distrust eloquence,

that they are not swayed by rhetoric, that frantic appeals to the feelings easily degenerate into foolish exaggeration which only begets ridicule and contempt. The modern jurymen listens with undisguised disgust to a blustering barrister tearing a passion to tatters and casting venom and vituperation on all around him; neither would an advocate who sets the scene with stage widows and property orphans gain the favor of a jury. They would consider such proceedings an insult to their intelligence and impartiality. English counsel therefore are trained to try their cases earnestly but dispassionately and to address to the jury calm, logical arguments and clear, plain statements of facts, in simple language. The judge's charge is also delivered in plain words, though often a masterly analysis of the facts and a profound exposition of the law. It has been called "the voice of Justice himself."

No "Sweating."

There is no "sweating" now in English criminal procedure. That has passed with the star chamber; torture was never legal in England although Bonnie Scotland was once cursed with it. Now the guilt of a prisoner must be proved otherwise than by extorted confessions, although it may be pleasant, as a native Indian policeman said, to sit in the shade rubbing red pepper into a poor wretch's eye than to rush around in the sun hunting evidence wherewith to convict him. Of course it is illegal here as in Great Britain and should be impossible in this Eldorado of freedom under the folds of the Stars and Stripes.

But there was a time, under the Stuarts and until the commonwealth, 1688, when prisoners were confined and while in ignorance of the evidence against them questioned often and severely on every point. The commonwealth abolished these star-chamber proceedings which had come into use to corrupt and oppress which flourished in the days of the Plantagenets and until after the War of the Roses, when jury trials had become dangerous, reward and corrupt, owing to the local influence of men of wealth and standing, who intimidated, bought, and otherwise corrupted jurors. To remedy this the privy council was authorized by Henry VIII to try these corrupters of juries arbitrarily, by which means the jury system was saved. In turn the privy council used its powers for evil purposes which led to the abolition of the star chamber court.

The manner in which in England evidence is obtained by the government from an accomplice is either by a proclamation of a reward, and pardon or by an implied or expressed promise of indemnity, in which latter case it is usual to take an acquittal of the witness.

England has greatly amended her criminal procedure in the last thirty years and the end is not yet. In these modern days of aeroplanes, submarines, wireless telegraph, and radio, it seems folly for learned judges to sit like Paduan professors in darkened chambers occupied with worthless conundrums, as for example whether or not an indictment is sufficient when it does not contain the word "feloniously," a word which cannot be defined and the derivation of which is much in doubt; does it mean venepos, vicious, etc., or, as some say, merely forfeiture? Whatever it means it is useless.

Summing up of English Procedure.

The similarity of English criminal procedure with that of our own state is naturally very great, both having been derived from the same source; the dissimilarities are few but may in some cases here lead to delay and uncertainty in criminal trials. In England no time is lost in discussing the constitutionality of a statute, the laws are not so frequently changed as here and therefore new

questions are not constantly occupying the attention of the courts; there a summons is issued to an offender at the instance of any private person without the delay incident upon waiting for the authorities to prosecute; the grand jury may act on its own knowledge, information and observation and cannot be called to account, indictments are simple in form and drawn by officials who are expert, amendments are easy and certain, jurors are weeded out in advance, newspaper comment not being permitted, challenges are few, the voir dire examination must conclusively prove bias by competent evidence, talesmen drawn are not often excused from service. Writs of Error and New Trials and Bills of Exception having been abolished, the trial progresses quickly, no attempt at eloquence being made, addresses to the jury are not so lengthy, the jurors are treated in a manner which inclines them not to delay in bringing in a verdict, there are no new trials in the trial court (possibly the greatest cause of delay); appeals are not easily taken and frivolous ones are summarily dismissed; the case is finally disposed of in the court of appeals where technicalities are ignored if substantial justice has been done.

SEA AND MOUNTAINS.

(Chester H. Rowell, in Fresno Republican.)

There is one creed of the mountains and another of the sea. The mountain is a theist; the sea a pantheist. The mountain points upward to Heaven; the sea dissolves into Nirvana.

On the mountain the finger of God has written the story of creation. There is beginning and middle and end, and a multitude of episodes and digressions. The mountain itself is a growth, a visible handwork. The waters laid down its strata, the fire upheaved them, and the ice sculptured them, each in its own time and turn. In its rocks are the fossils of the past and on its surface is the life of the present. Fossil outcrop, moraine and forest, each tells its chapter, profound but definite. Vast time and vast forces have gone to the making of the mountain, but they are comprehensible and finite, the projections, not the immediate symbol of the Infinite. The mountain

ain inspires to thought and to work. There are things to understand and things to do, all on a scale grand enough to uplift, but not overwhelming enough to cast down. Humanly the mountain speaks the language and preaches the creed of the Occidental man. One can be a Christian in the mountain, and not be present; Also, one can work and think and study, and remember and plan.

But the sea preserves no marks of the finger of God and its God has no fingers, nor any parts or members. The sea itself is neither new nor old, and has no past nor present; only an eternal Now. It has not even Here or There, for all places are one to it; the very navigator has to locate himself, not by a fact, but by a mathematical abstraction determined by tangents and cosines. The sea has no measure, for there is no unit to measure it by; it has to be applied to another part, and then to another, and the number of applications counted. Individuality, separateness, are illusions in the sea; the only reality is The One. There is one wave, and another wave, but presently they are the same wave, and then no wave. The drop of spray flashes a moment, a separate unit, and then sinks back again into the undivided One. Since the world was, the sea is, but the spirit of God still broods on the face of the waters, as it did in the beginning, changeless forever. Not the grasp of thought, but only the rapt vision of the Plotinus can apprehend the vastness of the sea. Its lessons are not written in a book, but whispered in the oracles of mystery. Its language, to humans, is the occult speech of the Orient. Its creed is not Christianity, but Theosophy, or esoteric Brahminism. Its God is the inscrutable; its destiny Nirvana.

MEMORIALS OF TENNYSON.

In the Fine Art Gallery in New Bond street, London, an interesting exhibition is being held of memorials to the poet Tennyson. Here are to be seen portraits by such artists as Laurence, Millais, Watts and Herkomer, depicting the poet-laureate in different stages of his career. In gathering materials for an exhibition illustrative of the life and works of Alfred Tennyson, the Fine Art Society has not had to contend with any difficulty arising out of a superabundance of material. Much that would have been of interest has been destroyed or has passed beyond reach. For instance, the manuscript of "In Memoriam" is in the library of Trinity College, Cambridge, a gift of the terms of which preclude its being lent. Yet this same manuscript was none too carefully guarded by its author.

Some few weeks after Tennyson had left his lodgings, "up two pair of stairs" in Mornington place, Hampstead road, he wrote to Coventry Patmore that he could not find his book of Elegies—"a long, butcher-ledger-like book," and that he had some idea of having lent it to Patmore. Patmore went to Tennyson's house, and in spite of a landlady that resented the intrusion, discovered the volume in a cupboard where Tennyson kept his tea and bread and butter.

Besides portraits of Tennyson himself, there is one of his friend Hallam as a boy at Eton in a blue swallow-tail coat and high stock; also a charming little water color of Lady Tennyson painted by Sir John Millais shortly after her marriage. Near this same portrait is a poem inscribed by the poet to the vicar of Shiplake who performed the marriage ceremony, in which the young bridegroom says:

Never parish feud perplex you,
Tithe unpaid or party strife,
All things please you, nothing vex you;
You have given me such a wife.

There is also to be seen at the little exhibition the beautiful picture by Waterhouse of the "Lady of Shalott," and another of the same subject by Holman Hunt in the gorgeous coloring of that artist so faithful to the ideals of the "Brotherhood." Then again there are charming views of Lord Tennyson's lovely home in Surrey, so that the Fine Art Gallery may be congratulated on having collected many things of interest to those who hold the name of Tennyson in affectionate regard.

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Here, on a June morning, came Dolly Hopkins and Paul White, talking of—Kansas, Kansas of the corn-plumed prairies, Kansas of the school-house, Kansas that spelled Home. Dolly looked fresh and pink and strong, pretty, too; her dress starched and white, but appreciably not in style. Dolly had been in town a week, and this was her first experience out of Kansas.

Paul, as he expressed it, had "lived it down." His tailor-made appearance was emphasized by slightly exaggerated looseness of his clothes, and this need not be further explained than by saying that he was studying art. He carried a portfolio of sketches, and as Dolly and he settled themselves on a bench in the square, he began to untie the tapes that held them in. "Kansas!" Paul was saying. "You'll have a lot better time when we settle down in a flat here than you ever had in Kansas. The cornfields are all right, but little old New York for me. I don't see how I ever managed to survive plowing and milking and doing the chores."

Dolly did not smile, as he had expected. "Pa said the makings of a good farmer went to waste when you came here," she replied.

"That's the reason I came. I saw I had too much of a knack for the farm ever to leave it if I stayed a few years more. And think how much more I get paid here, in the libraries and galleries and the jolly crowd of fellows—by George! we do have the bluest times. Suppers in the fellows' rooms and trips afterwards through the East Side—down that way; see, past that farthest elm there. There are all sorts of funny places down there, Bohemian, the jays call them, but that's foolishness—but they are pretty lively, nothing bad, you know, just free-and-easy; nobody knows anybody else, so it isn't like a Sunday-school picnic in Kansas, where a lot of old ladies would be shocked if Billy Vantum got tangled up with a drop too much of creme de menthe; and there's music and dancing and women sing as they sit at their tables. It's so different from going to bed with the chickens and hearing nothing but the katydids after dark."

"What has that to do with art?" Dolly inquired.

"Art! Nothing, of course. That's simply the way we amuse ourselves in our leisure hours."

"You were going to show me your drawings," and Dolly leaned over to see the works of art. Paul laid them out; sketches of trees and detail studies of flowers and a few more pretentious efforts in water-color.

"They aren't what you'd call masterpieces," said Paul, "and they don't look like much to show for a year's work, but the road to success is pretty hard in painting. I'll tell you."

Dolly laid the last sketch back and pondered a moment.

"Paul, will you ever be as good an artist as you would be a farmer without half trying?"

His face went red and he hesitated: "Well, maybe not. Everybody says I can draw, but nobody seems to think I'm a genius. I hate to admit it, but I've got to be honest with you. You'll forgive me if I don't make myself famous, will you?"

Dolly turned suddenly, her eyes dancing and her chin-dimple delicious.

"Paul, be honest again. Tell me; when you were out with your artists have you ever got drunk?"

"Wha-a? Dru-drunk! What on earth do

BY WAY OF LITTLE HUNGARY

BY

By E. FRENCH STROTHER

"You want to know that for?"

"Well, no, not beastly drunk nor anything like that. I've felt pretty careless and happy once or twice, that's all. But wha—?"

"Never mind, I said. Now listen to me. If you don't want me to break our engagement right here, you make me a promise."

"I will not promise never to drink again or any of that sort of—"

"Be still. Do you promise?"

"Anything but—"

"Well, I'm going back home with pa tomorrow morning, Pennsylvania road, you know, and I want you to meet me at the ferry and see us off at Jersey City. What do you suppose I want you to do to-night?"

"Give it up."

"Go to Bohemia and get—well, drink all you possibly can, all, do you understand? I want to see what you look like the next morning."

"Dolly, you—you don't mean that. You're joking."

"Well, you'll find out it's serious joking. Now take me back to the hotel."

Paul took her. Wondering. As she bade him good-bye he protested:

"Look here: your father invited me to take dinner to-night with you, and I want to see you the last evening you're here. This isn't fair, I say."

"I'll attend to pa; you run on and take dinner at one of your Bohemian places, and stay out late, and if you're real obedient maybe pa and I will let you travel as far as Altona with us so you can tell me all about it from a fresh impression. Only don't you dare fail to do what I told you."

It was Friday night. Paul picked up two of his student friends at his lodgings.

"Come on, boys. It's on me: dinner at Little Hungary at eight, supper in Chinatown at eleven, anything we can get to drink anywhere we can get it at any time later, Pennsylvania ferry at eight in the morning. I'm crazy, but you too care. One of you's got to stay sober enough to get me to the ferry, that's all; swear it on your honor, Joe."

"I swear; though you are crazy, for sure, Polly. What's his hit you?"

"Tend to your own knittin', fellow. Ain't a free treat enough for you, without wanting a diagram thrown in? How about it, Jack?"

"I'm on. Let's flit."

They took the elevated to Houston street and made their way toward the famous Little Hungary cafe, away over in the East Side. As they advanced, the street lights grew less and less frequent and less bright, and in inverse ratio, the throng grew denser, poorer, more polyglot, and gayer. At last they reached the restaurant and entered its brilliant rooms.

Many lights, much tobacco smoke, men and women at round tables, music and laughter, waiters carrying glasses and dishes and more glasses, easy familiarity and the boisterous mirth of those who haunt "Bohemia."

The boys found a table in the basement gallery.

"This is mainly a liquid feast for me, boys. What's yours?"

Cocktails around was the order. After them, the dinner. They serve it table d'hôte, and it takes a long time to eat it and to drink all the wine in the curiously inverted siphons

under which you put your glass and by lifting it release a glass stopper the less it fills. "You struck the right night for a bust, Polly," Joe remarked. "Friday night they call this place Liberty Hall."

"Don't I know it?" Paul snapped. "Waiter! If I've got to swell myself full when I don't want it, I'm not going to rot my insides with this Dago red. Bring me a quart of Sauterne. You fellows don't get any of this. It's my private tippie. You sick to the red."

Jack and Joe laughed.

"What's this crazy streak you've got on to-night, anyway?" asked Jack.

"Tensing, tensing! Why was I only teasing you," roared Paul. "Three glasses, waiter. Boys, I have made a certain lady a solemn promise to get intoxi-oxi-ated to-night, and to meet her at the ferry in the morning (tune of 'Danny Deever in The Morning')—where's that orchestra—and Joe, my boy, you're sworn to get me there."

The music had struck into a Hungarian valse, and the crowd, which now filled all the tables, beat time with fingers, forks, or feet, to the rhythm of the piece. A woman at the table next to Paul's turned to him and touched his elbow with her fan.

"Pardon me, Mr.—"

"Bonaparte, madame, Mr. Napoleon Bonaparte, of Corsica, Kansas. On my left, madam, Mr. Julius Caesar, of Rome, Georgia; and Mr. Alexander, of Athens, Alabama."

"Mr. Bonaparte, Gentlemen. You look lonely, with only three at the table. Wasn't it made for four?"

"Precisely. Charmed. Permit me," and Paul bowed the woman to the seat at his right.

A toast to the lady of No Name, Queen of Liberty Hall," and they drank it down.

Similar introductions were in process all through the cafe. People who, in their ordinary walks, would have been insulted at a word from a stranger, fraternized at the feast of Folly's friends for an hour and strangers forever after. The air grew fast and furious. Jest was bandied across tables, flirtatious smiles leapt intervening spaces, the laughter rose louder and more insistent, the smoke hung in dense strata below the beamed ceiling. The music beat time to the rising tide of mirth. Mr. Marseilles could answer to this mood nobody knows, but when the orchestra swung into its stirring strains the frolics were wild. Men and women rose, drank the toast and crashed the glasses on the table. The woman at Paul's right caught Joe's hand and mounted by a chair to the table top, kicked the glasses to the floor, and danced gayly to the music. Other women caught partners catch-as-catch-can and whirled giddily between the tables.

Paul leaned back in his chair, with eyes half-shut against the curling smoke of his cigar, watching the table-dance before him with an amused, sarcastic smile. Suddenly he leaned forward, his eyes brightening, and caught his bottle up.

"She said to, so here goes. A health to the lady who sent us here, and a toast to the morning," and he drained the bottle.

He looked at his watch.

"Boys, we're overdue at Chinatown. Madame, pardon us, but we have an engagement with the Rajah of Bong at No. 22 Mott street in about twenty minutes, so if you will honor us by ordering a farewell drink, we'll bid you a regretful adieu."

"Oh, slush!" murmured Joe, but the woman smiled.

"Absinthe, please, and I'll take a box of cigarettes besides, just to remember you by, if you don't mind."

"By all means!" They drank her health, and rose as she started to return to her table. "And by what name may we remember the lady to whom we are indebted for the chief pleasure of the evening, may I ask?"

"Just Dolly, that's all, thank you, though."

"O, Lord!" groaned Paul, as they made their way to the street.

"Dolly and Polly are jolly, by golly," Jack and Joe chorused as they took Paul's arms and marched abreast toward Chinatown.

Paul greeted his teeth as he thought of his Dolly, white and wholesome. But he thought

again of her decided air and stern command, and followed the trail to Chinatown.

"Chop suy for me," ordered Joe.

"Noodles," Jack demanded.

"Rice wine; no more food," was Paul's order.

The gilded, tawdry woodwork and the near-oriental seats and tables of the Chinese restaurant were already a blurred offense to Paul's eyes. Unhealthy looking men with long hair and dreamy eyes sat with painted women who made a brave pretense at mirth. An automatic piano at one side of the room galloped stentoriously through popular airs. A stale haze of burning punk completed the delusion of a "truly tough Chinese joint."

The rice wine came in little china pots, and Paul drank it steadily from the tiny china thimbles that go with it.

"Boys!" he murmured. "I've kepsh m' word wish lady. Goo' boy, Joe, kepsh word wish Polly. Ferry, Joe, ferry."

He leaned back in his chair, sound asleep. Joe looked at his watch.

Three o'clock. Get a cab, Jack, and we'll take them up to that Turkish bath at Lafayette Place and straighten him up. He'd be a lovely object to see a lady off on the train in this shape."

Jack returned in a few minutes, and the two helped Paul down and into the cab. Two hours in the bath, a nap of two hours more, and several cups of black coffee brought Paul back to himself.

"Good boy, Joe. Get a cab, the cars might miss it. Twenty-third street, and hurry. O, my poor head!"

At the ferry they found Dolly and her father. Dolly fresh and sweet and smiling, looking as cool and serene as a spring morning. Paul introduced Jack and Joe, who chatted with her while Paul bought a ticket to Altona. The ferry-gate opened, and Joe and Jack waded good-by.

Of the boys Paul exclaimed:

"Let's stand outside, for heaven's sake. I want all the fresh air I can get."

He pointed out to Dolly and her father the Singer building looming 600 feet above the river, and, at a nearby dock, the Lusitania, 200 feet from stern to stern.

"The biggest building and the biggest boat," he added. "That's the New York idea."

"Mighty small crops of wheat they raise here, though," suggested Dolly's father, and Paul was silent.

They passed through the crowd in the Jersey City terminal of the Pennsylvania, found their train on track 18, and got aboard. Soon they left the hissing, smoking station, crossed the Jersey marshes, and struck into the hills. Dolly's father sought the smoking compartment with a stack of morning papers, and, at Dolly's suggestion, she and Paul went to the rear of the train and spread camp stools on the observation platform and watched the landscape constantly diminish as the train sped forward. The cool morning air felt gratefully on Paul's fevered face, and the sight of the green fields and the gray mist rising from them appealed to him strongly after the glare of the night just passed.

"Did you enjoy yourself last night, as much as usual?" Dolly asked.

Something more than the flush of fever redeemed Paul's face. He looked at Dolly, fresh and sweet and smiling, and turned his eyes away at the recollection of the painted faces and forced laughter of the women he had left. He did not answer.

"When you go back, I want you to draw me sketches of the places that you saw last night, and the girls. It will be good practice for your art studies, won't it?" Dolly smiled. Paul's lips parted, but he shut them quickly, and did not speak. Dolly continued:

"And when you're on the road back from Altona, notice these farmers, won't you, please, and make some sketches of them, too. I'll want something in our state to remind me a little bit of Kansas now and then. It will be a little hard, perhaps, to get over being one of the jays, as you called us, and I may want to see the pictures after we have had a gay evening some time together in Bohemia

Look! there! that's a good pasture, isn't it? These people do know how to farm, even if pa thinks they don't."

"Farm!" burst out Paul. "Gimme a quarter-section in old Kansas and I'd show these fellows how to farm. Why, look how that Rubie has got his fence, he's wasting an acre in every ten I'd—"

"O, I know what you'd do as a farmer, but doesn't that tumble-down barn, for instance, appeal to you, as an artist, as a picturesque—"

Paul turned on his seat with an exclamation of disgust.

"Art be whooped! Art be blowed! Art be—be—"

"Dammed," suggested Dolly, gently.

"Thank you, Dolly. God bless you, dear, you have certainly got all the common-sense the two of us will ever have. You're right. I'm a dub of an artist, and always will be. I'm going to go right on back to Kansas on this train, and take hold of the old farm and let dad take it easy, and you and I will just everlastingly show Kansas how to grow corn. Is it a go?"

"It's a whiz," exclaimed Dolly, beaming. "Blessed girl. But what put it into your head to send me down the cocktail route last night?"

"How do you feel this morning?" was Dolly's evasive answer.

"As if I never wanted to see New York again," was Paul's solemn reply.

"That's what I thought," mused Dolly, looking non-committally at a semaphore dropping to "clear track" as the train entered another block on the road to Kansas.

"THE SANDLAPPER."

By Arthur J. Pillsbury.

With the next issue of The California Weekly will begin the publication of a short serial story written by Mr. Arthur J. Pillsbury under the above title. The term, "Sandlapper" was coined years ago by a well-known character of Tulare and Fresno counties, the late State Senator Tom Fowler, and applied to the grain farmers who first settled upon the San Joaquin plains in opposition to the interests of the cattle and sheep men, to which class Tom Fowler himself belonged. The story involves the transformation of a stock range into a highly cultivated and irrigated farming and dairying community, portraying in bold relief the water controversy and other attendant hardships undergone during the processes of transformation, and yet it is essentially a story and not a history. While all of the characters and most of the incidents are purely fictitious the story will typify a phase of our Californian life true to nature and new to literature.

Competent critics to whom the manuscript has been submitted pronounce it thoroughly readable and predict that it will prove no mean contribution to the semi-historical literature of our state.

When the Railroad Stops to Dine.

Sometimes it has been complained that our Western railroads are somewhat slow and sleepy when compared with the Eastern article. The criticism is too general in its terms; it should be amended by designating the Eastern road with which comparison is to be made. Our roads may be slow and sleepy when compared with some lines in the East, but when compared with others we are extremely rapid and wide awake. If you doubt it, listen to this: On the Catskill Mountain railroad, a wheel moves between 12 and 2 P. M.; station agents look and leave their offices, fires in engines are banked, train service is suspended—the entire railroad goes to dinner. And the same condition exists on the Catskill and Tannersville railroad, except that the "hour off" is from 11 A. M. to noon. In the light of such facts, how wide awake our roads seem! Undoubtedly we should designate the Eastern railroad when we are comparing.

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PERSONALIA

Gertrude E. Curtis, of Bradford, Pa., is said to be the first negro girl to become a dentist in the Eastern states.

J. M. Barrie has earned another title to distinction by refusing the title of knight offered him by the English government.

Congressman Serrano E. Payne, one of the authors of the present tariff, weighs 280 pounds. He is going to play golf and try to get into condition to face the music when he goes back to Washington.

Col. John Pollen, former president of the British Esperanto Association, recently brought to this country a small green flag with a white star, which is the emblem of the association and symbolizes the brotherhood of the nations.

Chancellor Strong, of the University of Kansas, is preparing to make a determined stand against the correspondence schools, which, he says, take more money out of the state than the people pay for the maintenance of the public schools.

Lots of babies and no acquaintance with the divorce courts were the qualifications that David Belasco demanded of all actors to whom he gave roles in Leo Ditrichstein's comedy, "Is Matrimony a Failure," which is to be produced at the Belasco Theater in New York on August 24th.

There is nothing in the office itself of director of the United States mint to attract a scholar like Prof. A. P. Andrew of Harvard. But it can be made of some use for monetary investigation and of some weight in gaining the public ear for monetary addresses, and this is presumably why he has taken it.

"It is practically impossible to find a community in the United States," says Nathan C. Schaeffer, state superintendent of Pennsylvania, writing in the discussion of taxation as related to public education, published by the National Education Association, "that does not spend more money for whiskey and tobacco than for education."

The Publishers' Circular, of London, conveyed to its readers the following startling bit of "Personalia" in its issue of July 10th: "Mrs. Harriet Beecher Stowe on June 14 celebrated the ninety-eighth anniversary of her birth. Fifty-nine years ago Mrs. Stowe sent into the world a work that had a far greater effect than any other on the progress and destiny of America."

Mrs. Albert Levin Richardson, a genealogist of Baltimore, seems to be able to find what she looks for. At the request of Miss Katherine Elkins she has found that Miss Elkins is a descendant of "many generations of Italian kings," and that, therefore, the present king need not be so selfish in opposing her wedding to the Duke of the Abruzzi on the ground of her plebeian origin. Truly "they that seek shall find."

Mrs. Arthur McDermott Wilson, president of the women's auxiliary of the Uncle Remus Memorial Fund, is to begin active work for the fund immediately on her return from Europe, where she has been spending the summer with her husband. The fund is for the purpose of buying and keeping as a perpetual memorial of Joel Chandler Harris his home, Snap Bean Farm, on Garden street, in the western suburb of Atlanta.

The Maxim family, of Maine, has been extraordinarily prolific of inventive geniuses. Hiram S. Maxim is the inventor of the rapid-fire Maxim gun; Hudson Maxim, of Brooklyn, his brother, is the inventor of Maximite smokeless powder, and Samuel Maxim, of Wayne, Me., another brother, is the inventor of a new process of making super-hardened steel. The father was Isaac Maxim, who invented machine-guns, torpedo nettings, and the knitting machine.

SHEAR WIT

Your grandfather had a barn. Your father had a stable. You have a garage.—Lowell Sun. What next, we ask.

"He's a nice chap to take a girl fishing, I must say." "Why, what did he do?" "He fished."—Louisville Courier-Journal.

"Alfred Austen is writing a long poem to Roosevelt." "Then Roosevelt is in a position to know how the digdig feels."—Houston Post.

"John, can you afford to let me go to the country for a month?" "Nope." "Are you sure?" "Of course I'm sure. When are you going to start?"—Houston Post.

Conductor (on railroad train): This isn't the right ticket, sir. Absent-Minded Passenger: What's the matter with it? Conductor: This ticket calls for a diamond ring.—Philadelphia Bulletin.

The Chinese believe that it is unlucky to have the roof blown off your house on a Wednesday. This superstition is shared also by the Russians and the natives of the Andaman islands.

"Well, Johnny, and what did you study in school today?" "We had psychology." "Well, well! Spell it for me." "Our class hasn't got as far as spelling yet. That comes next term."—Cleveland Leader.

If a pot of red paint falls off the roof after 5 o'clock on Saturday afternoon and lands on your best Sunday clothes, it is an infallible sign that you will not wear the latter to church on Sunday morning.

The initials of Victor D. Brenner on the new Lincoln pennies causes an associated Press operator to suggest that they are appropriate for the smallest coin, as they imply the legend "Virtually Dead Broke."

It is an almost certain sign that you are going to lose money before long if you meet a member of the mafia or some black hand operator in a dark alley ten blocks from a policeman on a wet night in July.—Puck.

Helen, who was visiting in the country, wanted to pick some raspberries. "But I'm afraid they are not ripe yet," protested her grandmother. "Oh, yes, they are, grandma," said Helen; "the stoppers come out just as easy!"—Yonkers Statesman.

"You expressed yourself with great feeling in your recent speech," said the admiring constituent. "Yes," answered Senator Sorghum, coolly. "You see I didn't have time to compile any definite information on the subject we were discussing, so I was simply obliged to get emotional."—Washington Star.

The boys were playing railroad and Gertrude was the lady passenger. In a trailing elegant skirt made of mother's old shawl and her most grown-up manner she peered at Tom through the back bars of a chair that represented the ticket office. "I would like a ticket, please," she said. "What station?" asked Tom, briskly. "What stations have you?" responded the little shopper.—Christian Science Monitor.

When you kiss Some girls—well, say—They simply frown And look this way:
(.) (.)

But when a sweet Montgomery miss You would caress, She looks like this:
(.) (.)

—Montgomery Advertiser.

The teacher was telling the class in fourth-grade geography about the great seals of the different states, using the pictures in the dictionary as the basis of the lesson. Pointing to the seal of Virginia, she asked: "Now, who can tell me, from this picture, what should be the meaning of these Latin words 'Sic semper tyrannis'?" Bobby's hand went up. "All right, Bobby, you may tell us," "Take your foot off my neck," was Bobby's reply.—Judge.

"Why don't women have the same sense of humor that men possess?" asked Mr. Torkins. "Perhaps," answered his wife gently, "it's because we don't attend the same theaters."—Washington Star.

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Causes of the New Constitution.

The causes which led up to the framing and adoption of the new constitution for California have, by many, been set forth with more particularity than unanimity. Much depends upon the point of view, but some sort of a review of those causes is essential to an understanding of the spirit of the new constitution and the effect it has had upon the commonwealth.

The causes ordinarily set forth are hard times and sandlotism. The hard times brought on by the panic of 1873 lasted long, and the terrible drouth of 1877 made conditions especially hard in California, but these did not produce Dennis Kearney or sandlotism. Kearney and sandlotism were occasions rather than causes which led to the new constitution.

For causes one must go back to the influx of '49 and '50, when California was inundated with adventurous men, men anxious to make fortunes quickly and to get away to spend them elsewhere; men devoid of a moral purpose in settling the country. That lack of a moral purpose has followed the state through its history and has helped to bring about conditions that made the new constitution inevitable. Inasmuch as government by the people is dependent upon the character of the people, this lack has proven fundamental. Low political standards have been maintained. The attitude of a large element in the political life of California was admirably phrased not long since by one who has occupied a position of great influence over the minds of the commonwealth through his newspaper, when he exclaimed, "To hell with morality! What we want is prosperity." This has prompted San Francisco to send about as good delegations to San Quentin as to conventions or legislatures, to the unutterable degradation of the state and its government.

But, as stated heretofore, perhaps ten per cent of the new population of the commonwealth manifested criminal tendencies, whereas, under normal conditions, scarcely more than one in the hundred manifests such tendencies and not above one in the thousand can be classed as criminal. This helped to lower the state's standards of social morality and put society to a supreme test to hold itself together.

The third great factor in the culmination of '78 and '79 was the Central Pacific Railroad in California. A few splendid specimens of manhood undertook the construction of a railroad across the mountains and plains to Salt Lake, there to meet another coming west. Not having means of their own with which to build the road, they had to induce others to build it for them. They "weaved" the National Government to that end for all it could be made to yield; they worked the state government and the governments of cities and counties. This carried them into politics head over heels. They were indomitable men. They did the things necessary to accomplish their ends, reluctantly at first, without scruple at the last. Nearly every vote of bonds in their aid by city or county involved a lawsuit before the issue was settled finally. This made it as necessary to control courts as legislatures or boards of supervisors, and here, too, the necessary things were done that the Central Pacific Railroad might be built.

Another factor in the demoralization of these men, and through them of the state, was the Contract & Finance Company. It also began to go wrong by easy gradations. As a convenient way of building the first few miles of the road the original incorporators contracted with Charles Crocker & Co., the other stockholders being the "Co" to build certain sections of the roadbed and lay the rails. Crocker at first sublet these contracts, but they soon found that more was to be saved by building directly than by subletting, so they incorporated the firm as a corporation under the name of the Contract & Finance Company. When the Central Pacific Company began to have stockholders, and other people's money began to be used in building the road, this Contract & Finance Company made its mem-

bers rich out of "other people's money" by building the road at a relatively low cost to the contractors, who had introduced Chinese labor, but at relatively high cost to the stockholders in the Central Pacific Company. This completed the moral overthrow of these great men. They became money-mad and bought legislators as they bought mules, and elected subservient judges as they elected other officials subservient to their designs. They kept everything in stock from United States Senators down to city trustees.

The result of all this, running through a period of at least ten years before the hard times of '73-'79, was that the people of California lost their faith in their public servants; lost their faith in legislatures which had shamefully betrayed their trust, and lost their faith in the courts, which had been pretty generally made up of men upon whom the Central Pacific "royal family" could rely in an emergency. Wanting a moral purpose to begin with, being overloaded with an abnormal percentage of the criminally inclined and suffering hard conditions not of their own making, the people of California were in a temper bordering upon the revolutionary spirit, and out of this grew the demand for a new constitution that would right wrongs and redress grievances.

Just as the special interests everywhere avail themselves of the very ablest attorneys in court and in congresses and legislatures, so the privileged corporations and wealthy men of California clubbed together to send to the constitutional convention their brainiest and most capable men. These men were able, in the convention, to pull the fangs of the most virulent radicals and demagogues, as well as to nullify a great deal of the good that progressive men would have liked to accomplish. What these representatives of wealth left undone the courts were soon able to interpret in harmony with vested rights and wrongs, so that little of permanent character was achieved by what we may call the insurrectionary (rather than revolutionary) movement of 1879. The next lesson will deal with some of the essential differences between the new constitution and the old.

AMERICAN LYRICS.

EVENING SONG.

By Sidney Lanier.

Look off, dear Love, across the fallow sands,
And mark you meeting of the sun and sea,
How long they kiss in sight of all the lands,
Ah! longer, longer, we.

Now in the sea's red vintage melts the sun,
As Egypt's pearl dissolved in rosy wine,
And Cleopatra nimbly drinks all 'Tis done,
Love, lay thy hand in mine.

Come forth, sweet stars, and comfort heaven's heart;

Glimmer, ye waves, round else unlighted

O night, divorce our sun and sky apart,
Never our lips, our hands.

W. D. Fennimore
J. W. Davis

A. R. Fennimore



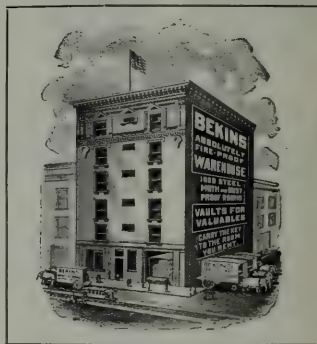
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Under What Name?

The militant spirit is moving among that element in the Republican party that stands for independent, progressive and constructive policies, and already there is some discussion as to what name the work of party regeneration may best be carried forward under.

The name is not all important. It is the thing that will count in the end, and yet a name that will clearly denote the thing will be an aid to the enterprise. There are some who feel that the Lincoln-Roosevelt Republican League was essentially temporary in character, that some mistakes were made in the conduct of its campaign that may hinder it in the conduct of another, that some affiliations were formed that proved injurious and some concessions to policy made that tended to discredit the organization in the minds of those who wished no compromise with anything short of the true, the beautiful and the good.

These things may all be admitted. Some men did break into that league who had no other credentials to offer than that they had worn themselves out and been dropped by the Herrin machine as too frayed, raveled and tattered to be any longer presentable. Some others got into the league, only to prove a disappointment after they got there. Whenever the league made concessions to policy, and listened to the warnings of timidity, it lost its cause and earned only contempt instead of praise. These were the fortunes of political warfare and no change of name can insure against a repetition of those calamities.

On the other hand, the Lincoln-Roosevelt Republican League won some splendid triumphs. It forced the nomination and election of many good men and it compelled the "organization" to be more decent than it had been within the memory of men. Had it known who was who in its own ranks, and been better organized and disciplined in carrying forward its work, it would have proven irresistible. For the first time in the history of the political bureau of the Southern Pacific Company an opposition was raised up that that bureau was forced to reckon with. To abandon the name would be to make confession that the movement commanded less than the loyalty of honorable men. There is no justification for the making of any such confession.

Besides, the coupling of the names of Lincoln and Roosevelt is wonderfully expressive of the purpose of any organization that undertakes to mobilize and energize an independent, progressive and constructive Republicanism. The chiefest task in hand is the emancipation of a commonwealth. Lincoln was the great emancipator. The issue involves human rights now as certainly as the issues met by Lincoln. This is a moral movement and so was the movement to which Lincoln put his shoulder. As for Roosevelt the lines of cleavage between the predatory and the public interests are lines which he, more than anyone else, laid down. The Roosevelt policies are still the paramount concern of the nation.

The independent, progressive, constructive element in the Republican party will go far

THIS NUMBER CONTAINS

American Shipping in American Ships

(First Article.)

By G. W. Dickie

Readers of The California Weekly will, in due time, find in its columns every important public issue explained by some person whose special knowledge gives him a right to be heard.

and search long before they find a more suggestive, inspiring, appropriate name under which to marshal their hosts than that of the Lincoln-Roosevelt Republican League.

Grosscup to the Rescue.

Judge Peter Grosscup is not only a railroad judge but a railroad man, a stockholder if not a director in transportation companies. He reads the law from the railroad man's point of view and the blow he lately struck the Interstate Commerce Commission is not to be wondered at.

The power to make rates ought to be at the railroad office, ought to be where the shipper, the consignee and the transporter may be heard and their conflicting interests harmonized. If there had been no such thing as discrimination, extortion, rebating and all the other villainies of railroading, that power would remain in the railroad offices by universal consent.

There are five parties to each such transaction, railroad, shipper, consignee, producer and consumer. The railroad can not be trusted to act for all these. It has abused the trust too abominably to be tolerated. Somebody else must act in the premises for the protection of the other parties. That somebody must be the government.

With a characteristic judicial assumption of what the judge knew to be untrue Grosscup held it impossible that congress could have intended what it manifestly did intend—that the Interstate Commerce Commission should exercise the rate-making function.

But no Grosscup can block the wheels of progress. The government is advancing upon the citadel of railroad rate-making wherever unjust rates are made by railroads and there will be no retreat. The courts can not perform that function. It is administrative in character and necessarily a function of the executive department of government.

Verily the predatory interests are crowding some first class problems upon the attention of His Serenity, our ample chief executive. What will he say about them in December?

Harriman At Home.

Mr. E. H. Harriman has returned from Europe. The cable kept the American public informed regarding him until he reached the zone of wireless telegraphy when that took him up. Half a carload of reporters were ready to greet him and the news services flashed bulletins as to his state of health over ten thousand wires to millions of homes. Wall street was on the quiver to know the best or worst and millions upon millions of intangible wealth hangs by as slender a thread as does this man's life.

Is it good that it should be so? Is it necessary? The California Weekly wishes E. H. Harriman nothing worse than that his apparent nearness to eternity should impart to him a moral purpose he has never known. His philosophy of life has been that of the jungle. It has been that each man is entitled to all he can get, anyhow he can get it, and to make such disposition of it as best pleases himself. He is a feudal chief such as no feudal system ever knew, but the feudalism of old was overthrown and the neo-feudalism of Harriman, and men of his class, can be overthrown as certainly and as advantageously. It is not consonant with a sound public policy that so much should hang pendant upon the wasting vitalities of any mortal being. It savors of the plight of unregenerate souls, "hair hung and breeze shaken" over the bottomless pit.

Centralization of financial power has gone far, too far. The gospel of political emancipation, now being preached in many states by many men, needs to be carried forward to industrial and financial emancipation as well. Not only must the individual man regain his lost political prerogatives, but his lost financial, industrial, commercial. Centralization has resulted from following the direction of least resistance rather than that of economic necessity. It is time to face the other way.

Admirable Duplicity.

When rascality rises to the rank of genius it is not without claim upon public admiration. Anything but a bungling knave! There is this to be said for Calhoun, the Chronicle and all the rest of the knavish defenders of graft and grafters. They have stuck to their one lie until they have given it such a semblance to truth as to deceive many. That lie was that the prosecution of Calhoun was not an effort to establish justice, but merely a private warfare waged by aggressive interests for purely personal reasons. There never was a shadow of justification for this contention, but by iterating and reiterating it in every key and tone, they have given it a verisimilitude to truth. Not once have they flinched from it or weakened on it. They are not cheap, bungling scoundrels. They understand their business. Their steadfast duplicity commands admiration.

It is unquestioned that Mr Justice Harry Melvin shines in poetry, song and politics.

MACARTHUR IS THE MAN.

The political situation in San Francisco is so transparently clear that no seeing man should be in doubt regarding it. History is repeating itself. Look to it.

The Schmitz-Ruef combination exactly suited the predatory financial interests of this city, except that an accident befell it which led to disagreeable consequences. Those interests have planned for exactly such another. The board of supervisors nominated by the alleged "business men's committee" makes this perfectly clear.

But William Crocker is not the man whom the predatory interests want for mayor. The negative righteousness of Crocker served its purpose when, by the votes of thousands of galvanized Republicans, made up of serviceable Union Labor party men and remnants of the Rainey Democracy, Byron Mauzy was defeated for the Republican nomination for mayor. From now on Crocker will be given the knife by precisely those who were instrumental in nominating him. Although weak, he is essentially too decent a man for their purposes.

The man the predatory interests want for mayor is McCarthy. He is a good-ought Schmitz for them, and, out of all the nominees for supervisor, it will be possible to select a board with whom gentlemen can do business "through the proper intermediary," as it was under the Schmitz-Ruef regime. It was this same predatory element, working hand and glove with the South of Market and tenderloin vote, that elected Schmitz, and it will elect McCarthy if it can.

With no fourth man in the field the better element, that is not too disgusted to vote at all, will vote for Leland or Crocker. The election of either will be next to impossible and unsatisfactory if accomplished. The backing of both is devoid of moral purpose and promises nothing at the very best better than an innocuous desuetude.

The one and only thing needful to save the day is the nomination of a fourth candidate for whom men of character and conscience can work and vote with enthusiasm. Such a man will go into the fight with a phalanx back of him and will confront the untoward element divided into three camps. The only salvation for the predatory interests is to prevent the fourth man entering the field. With the fourth man out of the way, the predatory interests will win a victory whichever gains the election, although the election of McCarthy will suit them best.

Who shall the fourth man be? In our judgment Walter Macarthur is that man. There is not in San Francisco a man who doubts his honesty, his resolution, his clearness of vision or his splendid common sense. Rich and poor alike admire and trust him. Not once has he failed in any emergency. The Good Government League should place him in nomination, or, if not the Good Government League, and what would be better than that, then a spontaneous movement on behalf of the best citizenship of San Francisco without regard to party or other affiliations.

Regard for party regularity will deter many independent Republicans from openly acting in this matter, but once in the voting booth practically every Republican who voted for Mauzy would vote for Macarthur, besides thousands of real, and not political, union labor men and other thousands who did not vote at the primary.

If, as reported likely, the Bulletin comes out for Leland as for the lesser of three evils, and the Call for Crocker for the same reason, it will be unfortunate, but the injury will not be irreparable. San Francisco has in times past all gone one way with its newspapers all standing the other. As, at Santiago de Cuba,

THE STAFF

A. J. PILLSBURY..... Editor and Manager
A. J. WATERHOUSE..... Assistant
E. FRENCH STROTHER..... Assistant
O. BLACK..... Business Manager

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the Spanish fleet would have been annihilated just the same even if Sampson and Schley had both been at the bottom of the sea, because the men themselves would have "up and at them" by a common impulse, so, in November, the Men of San Francisco will win the day for decent politics and a clean, strong, city government if only the names are on the ballot from among whom they can select a government. They need not to have anyone tell them how to vote. Put on the ballot the name of Walter Macarthur, however it gets there, and Macarthur, Heney and incumbent nominees for supervisors will go in with a whoop.

The only enemy civic decency has to fear is the one it is now confronting—that political cowardice that fears to do anything positive, aggressive, unusual (which cowardice always goes down to ignominy and defeat), but like Bourbonism, is never able to learn anything even from the school of adversity.

This emergency calls for men of daring. Whoever wavers over uncertainties is lost. The manhood of San Francisco will not abide a choice between three admitted evils. It will suffer the election to go by default first, but give them a chance at one positive good and they will jump at it.

STATE OR NATIONAL CONTROL.

Representative S. C. Smith has returned from Washington with a determined purpose in mind. It is to strip the United States government of control over rights of way, power and reservoir sites on government lands and in forest reserves by ceding such control to the states in general, and to California in particular. This is to be done that there may be a state revenue from, and control over, the use of public waters for the generation of power.

Mr. Smith's sincerity is not to be questioned nor is his knowledge of the subject to be under-estimated. A number of papers have already taken the subject in hand, some of them espousing Mr. Smith's view of the case, and the issue may be regarded as before the public. While not, perhaps, of transcendent importance at this time, the issue merits a thorough and painstaking discussion.

Control of the use of waters for the development of power has not been made a subject for specific and adequate enactment either by state or nation. The forest service has made certain rules and regulations for the granting of rights of way and utilization of power privileges that have the force of law until congress acts in the premises, but, until congress does act, a large disservice is left to bureaucratic officers who come and go as administrations change, giving a lack of permanency to power privileges that militates against their utilization. Sooner or later the issue must be put to rest.

There are two conceivable courses open. Either congress must enact laws under which definite rights to power sites may be acquired or congress will cede the whole subject to the states. If it cedes to one state it will cede to all, and if not to all then to none.

Mr. Smith holds out glowing possibilities to the state as to revenue to be derived from the use of public waters for power purposes, the strategic key to which may be state control over rights of way through government lands and in forest reservations. Per contra, he inveighs against the injustice to the West of allowing the national government to make these rights incident to a revenue for the uses of the nation, making the industries of the West contribute to the national exchequer, while the industries of the East do not.

To our mind the problem is not one of revenue for either nation or state, but of control, to the end that the users of these rights of way and power sites may not exploit the consuming public to the extent of taking to themselves the net profits of the industrial activities of the whole people.

Objection has been made that, when we prefer national control to state, we evidence a distrust of the People of California. When the People of California shall have established a state government by, of and for themselves we shall trust it to the last degree. We have no fear of what an aroused public sentiment may demand, but California has not been governed by the People of California for more than thirty years. It has been governed by an association of great and greedy corporations. It is so governed now, and if congress were now to cede the relatively few remaining public power privileges to the state of California it would, in effect, be ceding them to the Southern Pacific Company and its allied interests. That is why this paper opposes such session at this time. First redeem the state from corporate control, and then we shall see what we shall see.

Meantime, the best sentiment of the nation is aroused to the necessity for conservation and focussed upon the administration at Washington. Any man connected with the disposal of power privileges must act in opposition to the public welfare at his peril. Misfeasance there will not be like misfeasance here, a tempest in a teapot. It will mean an upheaval. The mind of the nation is fixed on conservation and control and we have faith to believe that, under pressure of that focusing of national sentiment upon Washington, a safe and just policy of power control will be evolved and enacted into law.

A TASK FOR CONSTRUCTIVE STATESMANSHIP.

Save for the national homestead law the policy of the government regarding the national domain has been one of distinguished imbecility. The homestead law was sound. It gave to each head of a family an opportunity to earn 160 acres of agricultural land by making a home on it. That was the best disposition of that kind of land that could have been made and to grant such lands in perpetuity was and is right.

But when the government undertook to apply the same or an analogous principle to timber, coal and oil lands it blundered. It was not possible for the owner of 160 acres of timber or coal land to market the product or make a home out of the allotment. Such lands must be combined in an acreage sufficient to create an industry and commercial enterprise of magnitude. The natural result, the result that should have been foreseen, was that dummy locators were hired to acquire land patents for the benefit of large corporations. A bad law was violated through per-

jury and fraud, and an economic proposition was forced by unlawful methods.

The same sort of situation has developed in relation to the Alaska coal lands. Those lands cannot be worked profitably, and the product marketed, in quarter sections. Railroads must be built, steamer lines established and markets made, and to do this requires large capital and an organized industrial mechanism. To accomplish this dummy locators have been employed and title to large tracts attempted to be secured through familiar timber-land-steal methods, with this apparent exception: Care has been taken not to make any specific agreement with the dummy locators until after they have located. If an agreement to sell these lands when patented were made the day before making a location the locations and subsequent purchases would be held fraudulent. If made the day after locations were made, the purchases would be of locations patentable. Thus is the law's majesty vindicated and the same end accomplished!

Is it not about time for the government to do something with reference to what remains of its public domain? Forests should be lumbered in areas sufficiently large to make their lumbering profitable, and under such conditions as will insure the rehabilitation of every forest lumbered. No forest land should be alienated in perpetuity or on other than a stumpage basis.

So it should be as to coal lands. They should not be alienated in perpetuity as long as they are coal lands. Some power of control should remain in the government for the prevention of extortion, waste and needless destruction for such purposes as the surface may be fit. We have learned some hard lessons of the consequences of unmitigated corporate control of common necessities, and we ought not to have to repeat the lesson.

Time was when we could say with truth that, "Government should not enter into competition with private enterprises." So long as enterprise was private this was sound doctrine. When enterprise not only became corporate but syndicated and bound together in "communities of interest" as rich and as powerful as government itself the old rule ceased to apply. The wisest and most far-seeing can not now venture to set doctrinal bounds to the activities of government in furtherance of the general welfare.

Few can wish to see government enter commercial and industrial fields of activity or upon the performance of public service utilities, but if organized rapacity persists in forcing the issue, persists in debauching cities, states and congresses, persists in taking to itself the net results of the industry and frugality of the continent, persists in recognizing the validity of no law not made for its own advantage, the uses of government may be extended beyond the hither confine of socialism. Every step toward that goal is being forced by rapacity masquerading under the name of private enterprise.

Is it not time for constructive statesmanship to lay hold on some of these problems in dealing with what is left of the national domain, including timber, oil, coal and water power, and outline for the nation something better than a policy of imbecility? Heretofore the producer has been the one concern of government. Hereafter the consumer should have his turn at the bar of justice.

American Shipping in American Ships.

With the exception of the conservation of our national resources, the adequate control in the public interest of vast aggregations of financial power, and the establishment of impartial justice there is no public issue in which the people of San Francisco, California and

the Pacific coast should take a deep interest in the rehabilitation of our American merchant marine. This being so every citizen of state, city and coast owes it to himself and to his country to inform himself on this subject. With the purpose of aiding this duty of self-information The California Weekly has arranged with Mr. George W. Dickie (the man who, of all others on this coast has, by reason of special information, the best right to be heard) for a series of articles on this subject. The first one is presented herewith. Others will follow at fortnightly intervals. We are sure that our thoughtful readers will join with us in heartily thanking Mr. Dickie for the favor conferred.

It will be noted from this initial article that American shipping has never, in all its history, been able to compete with other nations in carrying our commerce around the world, nor, for that matter, has any other nation been able to compete without some form of special privilege or subsidy. The world has been fostering its over-sea commerce in one way or another from remotest times and it is against a fostered, subsidized, privileged maritime commerce that America has been striving to make headway without subsidy with such disastrous results.

Originally, as Mr. Dickie shows, this issue became a bond of union between the states, making for national solidarity and unity of purpose. Now it has become a cause of difference between the seaboard and the interior, where men look only into the sky and never out upon the water. That narrowed range of vision which characterizes the interior is to be lamented, but lamentation will not cure it. Information will, but we of the seaboard can not enlighten our brethren of the interior until we enlighten ourselves. Our maritime history should be at our tongue's end. When we know whereof we speak we shall be able to convince others. The first duty, necessity and pleasure of each individual should be to master this subject. The future of this coast is wrapped up in it.

How Much Better?

The Utah Fuel Company was caught in the act of unlawfully acquiring title to government coal lands and suits were instituted. The fuel company confessed guilt, paid a fine sufficiently large to reimburse the government for its costs, restored the lands and forfeited advances made on them, but no one was prosecuted criminally and nobody goes to jail. "How much better than to have sought by long drawn out trials to put some of the officers of that company in prison!" exclaim the mouthpieces of plutocracy all over the country.

Well, try it on the horsethief! He makes off with a fine saddle animal, is intercepted by telegraph, rides back to the barn in custody of the sheriff, replaces the horse in the barn, pays for its use while absent and throws in the saddle as an evidence of good will. Good morning, Mr. Horsethief: no harm done.

Try it on the defaulting bank cashier! He loots the safe and starts for Honduras, but is overhauled at Tia Juana, brought back with the swag in his suitcase, restores it to the cash box, the account is balanced and the suit case is left with the bank by way of recompense for the inadvertence. Good morning, Mr. Defaulter. Resume your duties at the desk, no harm done.

How much better than to have a long drawn out trial with the purpose of sending a useful horsethief and a reputable cashier to prison! Besides, such proceedings would tend to tarnish the reputations of their families and hurt the feelings of their friends! How much better! How very much less disagreeable all around!

The Deeper Significance
: : : : of Living : : : :

You sit with your first baby in your arms, proud as mortal ever was, and the next thing you know he is in kilts, then in knee breeches and presently a sophomore. Nothing abides.

Or perhaps it is a girl baby instead of a boy, and shortly she is a pert miss or a tomboy, then a young social bud about whom you are anxious, and then she marries and goes forth from your home to a home of her own, perhaps beyond the mountains, leaving you desolate. Nothing abides.

You own your first new home, spick and span, fresh and clean, and, in a little while it needs repainting, then remodeling, then to be torn down or sold that it may give place to a larger, more modern, imposing residence better suited to your station, yet not such a cozy place to be happy in as the old one was. Alas, nothing abides!

You run up and down stairs without conscious effort, your feet fairly twinkling as you fly, then, the first you know, up and down you go with stately if not solemn tread, and afterward you pry yourself up as with a lever and arrive at the top puffing wheezily. Your youth has gone. Nothing abides.

You venture into life a sceptic and an iconoclast, repudiating all that is marvelous, planting your feet upon the eternal, demonstrable certainties, with courage to face unflinchingly inexorable consequences, and then, the first thing you know, the old tunes that you heard last in your childhood when you were forced to sit, noliens volens, long hours, while long-winded preachers preached and choirs sang, sound best to you, and, as you hear the stately hymns sung, you shamefacedly take off your glasses to wipe the gathering moisture from the corners of your eyes, conscious that nothing, not even the cock-sureness of youth, shields you from the old tunes.

And yet, "If any man's work abide which he hath built thereupon he shall receive a reward." He ought to. Where so little abides the one who does make something stay put is worthy of reward.

But if nothing that you would keep always just as it is will stay, there are enough things that do stay persistently, that you fain would be rid of, to force a balance.

For instance, there is the unclean son that you accidentally overheard your father telling, when you had not supposed that he ever did such things, that you have not been able to forget from that day to this, feeling as you do the corruption that entered into your father's mind and that came to stay. You know in your heart that you have never been since just what you were before that incident, nor have you been able to think of your father as you had thought of him up to that time. Somehow, such things do stick and you know that they will stick in the mind and memory of your boy as they have stuck in yours. Why it, you exclaim, that is one of the things to which we would hold fast! Nothing abides, while the things of this world are bound to rot and decay. We would hold fast to that which would be rid stick like leeches!"

There are things, good as well as evil, that stay by us well. The books that old Col. John B. Anderson lent to the boy, Carnegie, prompted the canny Scotch-American to build libraries all over one continent and parts of others. Perhaps it was the one teacher you took to making your school days who really took an interest in you and made you know that he did take an interest in you. He caused you to take a real interest in yourself and put you on the highroad to a successful and useful career. Or it was the one crushing criticism of your maiden effort in literature, in the pulpit, at the bar or somewhere on the firing line of endeavor, that took the heart out of you and made you appear so ridiculous in your own eyes. Or it was the one teacher, or one friend, or one parent, who said to you, "You have not to this day been able to do the best that you have all along felt was in you to do. Yes, some things do abide."

WHAT THE WORLD IS DOING

Why Not Join the Forest Service?

There is a chance for nature-lovers and those who find more allurement in the solitudes and the wilds than in cities. On October 25th and 26th there will be examinations to fill vacancies in the ranger force in all national forests in California. There are sixteen cities or towns in which these examinations will be held, and these are the names of them: Alturas, Bishop, Hot Springs, Los Angeles, Northfork, New City, Quincy, Red Bluff, San Diego, Salinas, Santa Barbara, Sisson, Sonoma, Weaverville, Willows and Yreka. Knowledge of field conditions, rather than book-learning, will be the main essential, although aspirants will find that the latter will not come amiss, as men with the wider accomplishments stand the better show of promotion. Many may feel themselves called, but only seventy-five will be chosen. Aspirants must be between the ages of 21 and 40, and successful ones will receive a salary of \$900 at the beginning. Nine hundred dollars a year, before promotion comes, and an opportunity to be out where houses do not interfere with one's view of the Almighty—it ought to strike some people as worth while.

Lincoln Penny Has Its Drawbacks.

The new Lincoln penny has arrived—or, if it has not, it is on its way—and some people have discovered that they are not so pleased by it as they had thought they would be. Notable among such persons are the officials and stockholders of telephone companies and the owners of penny-in-the-slot machines. The objectionable feature of the new penny is that it is thicker, larger and heavier than the old penny, and the telephone people object to it because it successfully works their nickel-in-the-slot arrangement, while the penny-in-the-slot people protest because it will not work theirs. The new coin already has gained considerable circulation in New York and other eastern cities, and the telephone companies find that they are about as likely to reap pennies as nickels when they harvest their "drop-your-nickel." This might be satisfactory enough to people who sometimes heretofore have dropped their nickels only to be forgotten in the dolce far niente dreams of Central, but it is less satisfactory to the garnerers of telephone crops. This is treating the subject somewhat lightly, but it will readily enough be realized that this peculiarity of the new cent may become serious. It is nominated in the bond that the companies should have their nickels, and, as some millions of the Lincoln pennies already are in circulation, the problem concerning what can be done about it may become pressing.

The Nation's Manufacturing Enterprises.

The Bureau of the Census has issued its Bulletin 101, which treats of the manufacturing enterprises of the United States, and an interesting array of figures it presents. Here are a few which should be most interesting. The American people have invested in such enterprises nearly five billion dollars; the value of their yearly product is more than six billions of dollars, while their yearly disbursement exceeds a billion dollars. That is to say, the value of their yearly product is about 20 per cent. greater than the capital invested, while they pay wages amounting to about 17 per cent. of the value of their products. It is of interest to note that, while San Francisco manufacturers pay their workmen but 18 1/2 per cent. of the value of their products, there are but three cities in the United States that exceed this rate, viz: Boston, Providence, and Cleveland, while nine that pay less are enumerated. During the five years from 1901 to 1905 inclusive the increase in capital invested has been \$2,000,000,000, the annual product \$1,287,000,000, and in annual wages \$224,000,000. It will be observed that products have increased rather more in proportion than have wages.

Comes High to See Aviators at Rheims.

While aviators are smashing records and winning, or losing, prizes at the great airship exhibition at Rheims, France, the thrifty residents of that old town are making their golden hay while the sun shines. Rheims is crowded with visitors, and the visitors must pay prices that need airships to overtake them, or else it were better that the visitors had remained at home. For instance, note how many host of the inns is filling his hidden stocking with good, yellow coin of the realm. All that he receives for board and lodging from each guest is from \$15 to \$36 a day, and, of course, it is understood that baths are never included in a French hotel. As the exhibition is to continue a week, Boniface will receive from \$105 to \$252 for each guest; say, an average of \$175 for each recipient of his bounty. Ah, that hidden stocking! How merrily it will jingle! Then the guest inevitably visits the exhibition. He can go in with the hot pool, stand in the jam and see something or nothing as fortune pleases, for from 20 to 60 cents, but if he wishes to be more exclusive it will cost him from \$4 to \$33 a day, sums which remind one that aviation is the art of more or less high flying. It is a wonderful exhibit, this at Rheims, but it is to be hoped that those present thoughtfully considered their bank accounts before they attended.

A Parti-Colored French Army.

Writing of France and the French, it will be funny to call attention to the fact that Colonel Mangin of the French army now is promoting a scheme which, if the government accepts it, as it may, will give the army a spotted and colored variety to put a leopard's coat to shame. At the present time the army includes 18,000 negroes among its soldiers. Colonel Mangin proposes that this number, by means of conscription from French West Africa and the Sudan, shall be increased to 230,000. This would supply a generous spot, or streak, of midnight blackness for the army. But this is not all. The colonel proposes to lighten up the gloom of this ebony spot—but rather gradually than rapidly—by adding 100,000 Arabs to the army. Black shading off into brown, with approximations to buff in places. There still remain the Mongols to add a yellow streak, but Colonel Mangin says nothing about them, and probably he does not desire that sort of a streak in the army. It is urged that both the negroes and the Arabs make fine soldiers, but it is not conceivable that, with no bond of patriotism to hold them, they might prove too fine in the event of rebellion, constituting, if not a peril, at least a menace at such a time? However, we need not worry; doubtless the French government will thoroughly consider all such conditions before it adopts the suggestion offered by Colonel Mangin.

Signboards for Ships of the Air.

An unforeseen outcome of the invasion of our atmosphere by dirigibles and aeroplanes is likely to be increased illumination of the earth's surface by means of electricity. At least, this will be the case if a plan advocated by the Aero Club of Berlin, and now being considered by the principal aeronautical societies of the world, is adopted. The plan was first suggested by Captain von Frankenberg, the director of the Berlin Club, and, under its terms, letters and signs, each nine feet in length, would be placed in conspicuous places throughout Europe, to say nothing of the United States. These mammoth signs would be lighted by electricity at night, a letter, for instance, indicating a country and a number a city. Other signs would denote seas, mountains, marshes, national boundaries, etc. A sure to an aeronaut's handbook would inform a sky-traveler precisely concerning his location above the world of men. It is considered

certain that some plan of the sort will be adopted, and, oh, how the old planet will glitter of nights after it has been!

The Telephone and the Oceans.

Such a situation is not very imminent, but it is quite possible that some of us, standing in New York or Boston, yet may talk with friends in London or Paris, or, sitting in a booth in San Francisco or Seattle, may converse with a wandering acquaintance in Tokyo or Peking. At any rate, the announced co-operation of the British and French governments, with the purpose of laying a telephone cable under the English channel, harks in that direction. The plan to be adopted is one suggested some years ago by Professor Pupin of Columbia University, and consists of the use of "choking coils," which, it is claimed, increase the carrying power of the voice. Let such a system be made effective across the channel, and it is entirely conceivable that the next step will be to extend it across the Atlantic.

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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HOW A BOOK SUCCEEDED.

Recalling a sentence in "Critics' Era of Good Feeling," which appeared on this page two weeks ago, it is of interest to tell how one book succeeded independently of all reviews, puffs, and advertisements.

The book is "Bob, Son of Battle." The author is an English army officer, and he wrote the book in a hospital during convalescence from a wound received in the Boer war. The book is the story of a magnificent sheep-dog, with his wonderful, almost human, intelligence, and with his loyalty that cannot be praised more highly than to say it was dog-like. After "Rab and His Friends," it is the best dog story in the English language.

This book was published one year ago, in a small edition, as most novelists' first books are. The publishers were enterprising, and used all the modern means to exploit it. They called it to reviewers' attention, advertised it, supplied the dealers with window placards for it.

It sold perhaps 500 copies. At the end of a year, they figured it another fizzle and sorrowfully charged it off the ledger.

But at the end of another six months, a Milwaukee dealer ordered 200 copies. The publishers gasped. They filled the order, and wrote to ask what had started the boom of "Bob, Son of Battle" in Milwaukee. The dealer replied that he had read the book, was charmed with it, lent it to friends, who, in turn, praised it enthusiastically to other friends. Soon he was over-run with orders. He duplicated his order for 200 copies within a month. Similar experiences began to crop up from other unrelated parts of the country. It had taken a good while for the heaven to rise, but the friends' friends soon put the book on a steady selling basis, where it has stayed ever since. This book is now a permanent asset of its publishers.

Which illustrates the fact that a good book will be read, regardless of critics and advertising.

The author tried his hand at another book, a "real novel." The publishers accepted it, and set it up in type. Then the author did an extraordinary thing; he listened to the advice of his best friends, who told him his "real novel" was commonplace and would mar the reputation made by his classic, simple "dog story." He bought the publishers' plates and destroyed them, and has been silent since, a refreshing example of unselfish restraint and discretion for a successful writer.

SHAKESPEARE IN SYRIA.

The London Chronicle points out that the stupendous and overwhelming fact of "the supreme dominance of the English tongue in the ancient worlds of the east," to which Lord Morley recently referred, is illustrated in a performance of "As You Like It," given by the students of the Syrian Protestant College at Beirut, Syria. In the cast were representatives of nearly every nationality and religion of the east.

All the parts were played by men. Rosalind was a young Greek from Tripoli. Orlando came from a small Syrian village in the Lebanon mountains. Celia was a son of an Armenian residing in Cyprus, while Phoebe was a Jewish boy from Aleppo. Oliver, brother to Orlando, was a member of a prominent Druze family; the Wrestler was a Kurd from beyond Damascus; Corin was the son of English parents living in Beirut, the only one of the actors really familiar with the English play.

Jaques was a Moslem student from Egypt. Duke Frederick came from Armenia. Adam was a Greek pilot on the Suez canal, while Dennis was a Coot from the Nile valley. In spite of the fact that the play was given in a language so far removed from their own mother tongues as is English from Arabic or Turkish, not a line was forgotten or a cue lost.

CALIFORNIA'S FIRST NEWSPAPER.

There was sold in New York the other day a copy of California's first newspaper, the Monterey Californian, says the New York Sun. It was dated December 19, 1864, was crudely printed, had four pages, 8½ by 12 inches, and was half in Spanish and half in English.

The paper owed its start to Commodore Stockton, who succeeded Commodore Sloat in command of the Pacific squadron after Sloat had hoisted the United States flag at Monterey on July 7, 1864. Upon looking over the property of the defunct Mexican government there was discovered an old font of long primer type and a Ramage press, which had been used since 1824 to do the official printing of the Mexican government in California.

Commodore Stockton had appointed as one of the alcaides of Monterey the Rev. Walter Colton, chaplain of one of the vessels of the squadron, and he proposed that Colton should issue an American newspaper. This advice Colton promptly adopted, and with Dr. Robert Wright he began the publication of the Monterey Californian on August 15, 1864, a little more than a month after the occupation of the country by the American forces.

Dr. Semple, afterward one of the most prominent of California's citizens, was a man of unusual personality. He was a dentist by occupation, 6 feet 6 inches in height and possessed of tremendous strength. He came originally from Kentucky and was a member of Fremont's party when the pathfinder first went to Monterey to join forces with Sloat.

When Colton and Semple began the issue of the Californian they found one important deficiency—he font of type did not contain a "w." This deficiency was supplied to a degree by the use of two v's wherever a w occurred. The editor apologized for the lack of w's in an editorial signed "V.V. for Colton."

Colton described the press as being old enough to warrant its preservation as a curiosity. The type was dirty and pied, and it was only by scouring that the letters could be made to show their faces. There being neither rules nor leads, some sheets of tin were cut up into pieces to take their place.

The only paper available was in sheets a little larger than ordinary foolscap. This was the paper on which most of the archives of California and other Spanish-American provinces were written, the thicker quality being prepared for writing purposes. The office of the Californian was in an upper room of the Monterey barracks, and the first number created a sensation, a crowd waiting for the first sheet to come from the press.

The needed supply of type had apparently not reached the Californian up to December 19, 1864, for in that issue the same expedient of using two v's for a w was used.

In May, 1867, the Californian was removed from Monterey to San Francisco, the last number to be issued at Monterey bearing the date May 6, 1867. On June 1, 1867, appeared the first number of the second volume, which ran to April, 1868.

The second newspaper published in California, the Yerba Buena California Star, appeared first on January 9, 1847, under the ownership of Samuel Brannan. It was removed from May until the latter part of June, 1848, during the development of the gold excitement. California did not possess a single newspaper. About July 1, 1848, some of the printers, disgusted with the result of their gold-seeking ventures, returned to San Francisco and began the publication of the third volume of the Californian.

What are said to be the only complete files of these first of California's newspapers now belong to the state library in California.

It is announced that John Vance Cheney, poet and librarian of the Newburg Library in Chicago, has given up his poetical aspirations and gone into the business of manufacturing hair tonic.

A NEW BIBLIOPHILE'S PRIZE.

In a furniture store recently William Beer, librarian of the Howard Memorial Library, stumbled upon one of the oldest and rarest volumes discovered in New Orleans in decades, says the New Orleans Times. The volume was printed in Strasburg more than three and a half centuries ago, and only about a half century after the first book ever printed came from the press.

The title page and the last pages are missing, but the work was easily identified as the herbal written by Jeremy Bock, and printed in 1546, "Herbs, Their Names and Properties," is its title, as translated from the German, in which the work appeared. Authoritative catalogues on ancient books show that a Latin edition was printed a few years previous and that the German edition followed so as to increase the sale of the work. There are 567 herbs listed in the book.

But the chief interest of the book is its illustration. Every herb is shown, the woodcuts most exquisitely made and hand-colored. The wonder is that the woodcuts are so perfect and that the ink and the water colors have stayed perfectly fresh since the days of Shakespeare.

David Kandel executed the woodcuts, so the encyclopedias say. The value of the book in money is not to be ascertained. Records show that none has been sold in over ten years.

Though a highly prized treasure, the herbal is not the oldest volume in the library. This distinction goes to the Nuremberg Chronicle, printed in 1493. There are about seventy of these books in existence printed in German. This "Chronicle" gives the history of the world from its Genesis, and it is illustrated with the most astounding and realistic woodcuts.

IN CAPE COD GRAVEYARDS.

Mournfully characteristic of all the Cape Cod graveyards are the cenotaphs raised to the memory of those who perished at sea. They are terribly frequent. The name of the deceased, the date of his birth, the date and place of the disaster and the name of the ship are given, and between those meager lines the passer-by must imagine, as he readily can, the details of catastrophes that shocked the world and decimated whole villages. In Truro there is a shaft, "Sacred to the memory of fifty-seven citizens of Truro who were lost in seven vessels which foundered at sea in the memorable gale of October 3, 1841," and beneath is the bitter cry of the women and the children: Man goeth to his long home and the mourners go about the streets.

In a forgotten town history of this region are some verses that tell all the story of this sad coast, the story of the waiting and the yearning and the long despair, of the sailing away and the returning no more forever:

O fleet that silent tarries

Along our listening land,

No night to come dismays thee,

No bar and tempest strand.

O sails that seek no shelter,

That need no beacon light;

In vain our hearts we opt,

In vain our hearts we invite.

O watchers, all ye look for

Will come, or soon or late;

Thou shalt be always tarry;

We cannot always wait.

These lines are signed "Hiram Rich."

ICELAND'S ART MUSEUM.

Iceland is to have an art museum. The sculptor, Cinar Jonsen, has long desired that his native country should possess an art collection, and with that object in view has presented all his works—49 in number—as a nucleus. The only condition named by him was that a suitable housing place be provided by the government, and this be accessible to the people. The Althing, by a unanimous vote, agreed to accept the gift and to comply with the terms.

A QUAINT EXOTIC PEOPLE

CUSTOMS OF THE RUSSIAN COLONY IN CALIFORNIA.

The prince of Russian newspaper reporters, the late Julian Ralph, once wrote a series of articles on "People We Pass in the Street." In these articles he made his readers pause while he showed them what lay behind the masks of people's "street faces." He told the story of the commonplace-looking man whose life was really a maze of romance and adventure. He exposed the hopes and fears and joys and sorrows that everybody hides behind the domino of expressionless features. The moral of his theme was that everybody is human, even the people we casually pass in the street. Incidentally, he illustrated the principle that appearances are deceptive.

All of this is recalled by a visit to a colony of Russians who live high up on a hill in the Potrero district of San Francisco. There are only about sixty families of them, all told. They live in three or four groups, a block or two apart, in a district populated mainly by Italians and Irish. From the front of their houses one gets no idea that the people within live otherwise than their neighbors or otherwise than Americans of the poorer, day-laborer class. Thus, again, appearances are deceptive. For these sixty families live a life as remote from the mode of living of their neighbors as the life of the Russian steppes is different from the life of Merced or Tulare. They have no intercourse, social or religious, with their neighbors of any other nationality. They eat differently, they bathe differently, they worship in their own peculiar way, they intermarry and perform the ceremony of marriage after another ritual.

These people are natives of Tiflis and the neighboring country, in the extreme southern part of European Russia, south of the Caucasus Mountains and between the Black Sea and the Caspian Sea. They came to San Francisco from the Hawaiian Islands, whither they were first carried as contract laborers for the sugar plantations. Nearly all the men are now employed at rough labor in the Union Iron Works, and the women who work as hard as the men, take in washing or go out by the day to clean house or scrub or wash.

But it is in their own homes that they are most interesting. A family of four can live on \$1.25 a month besides rent. The food is the simplest possible. Meat is bought by the half-dollar's worth, the cheapest scraps and ends. It is then boiled until every particle of the juice is extracted into a thick soup or broth. The dry meat is then eaten, placed on a dish in the center of the table, each member of the family helping himself with a fork, eating the chunks he has speared and then spearing another. When the dry meat is gone, the broth becomes the piece de resistance of the meal. The broth is placed in a large bowl in the center of the table, and each member of the family scoops into the bowl with a round, varnished wooden spoon, alternating mouthfuls in order around the table.

With the meat or broth is served the coarsest of coarse bread. As they live four or six families in a house, bread and meat are usually baked for all the families in a common kitchen. The only other ingredients of the regular diet of fare are occasional sweets and huge quantities of tea. These people have all brought their big brass samovars with them, and hot water is on tap most of the time for brewing tea.

Clothing costs them little. They buy practically all of it second-hand from the Salvation Army. The men dress roughly after the fashion of the poorer Americans. The women retain traces of the Russian dress in the headgear, which indicates whether the woman is married or single; and in the shawls they invariably wear on the street. The children show the strongest evidences of their Russian customs. Infants wear a solitary garment, a long slip, and from two to four ruffled caps, one pulled on over the other. Girls up to twelve or fourteen wear a sort of Mother-Hubbard

slip coming down to the shoe tops. Boys and girls from two years to eight or nine wear little calico aprons, and all have their hair shaved well up to the line of the earlobes on the back of their necks.

The domestic economy of these Russians is extremely simple. Besides the common kitchen, the bedrooms are the main care, and these have a deceptive air of cleanliness, due to the liberal use of water on the floors. This cleans the middle of the rooms very well, but carelessness in sweeping it out and lack of scrubbing causes an accumulation of dirt in the cracks and of little heaps of mud in the corners.

The beds are fearful and wonderful creations. Most of them are merely wooden bunks, though there are a few iron bedsteads. But each bed has two or three feather beds, one or two Turkish rugs, and several gorgeously-colored comforters on it. Throughout every house is the odor of stale cooking and the acrid smell one usually associates with the presence of the unwashed.

But they resent the implication of personal uncleanliness. Their baths are their pride. Every squalid house has its little bathroom in the rear, a little six by ten chicken-coop of a shack where the members of the family practice the distinctive art of the Russian bath. These houses are divided by a partition on one side of which is the door of a Dutch oven, which runs through into the section occupied by the bather and his attendant. In this section the stove is piled with a heap of small stones. Two water pipes, with faucets, enter this room, one pipe passing over the stove to heat the water. A bench for the bather to lie on, a bunch of aculeus switches and a dipper complete the apparatus.

The bath is achieved by closing the door of the house tight and opening the one small slit of a window to admit fresh air. The attendant builds a fire in the stove, and when the stones on top of the stove are hot, he pours cold water upon them, filling the room with a dense steam. Meanwhile the bather dashes hot water over himself with the dipper and then slashes his body with the bundle of switches. After he has enjoyed the sweat to his satisfaction the attendant rubs him down with gumbo and the bath is complete.

The sanitary virtue of this cleanly ordinance is largely nullified by the fact that the people insist upon disposing of all sewage in open sinks in their own door-yards a few feet from the cooking and sleeping quarters. Here it stews in the open air until it seeps into the ground over the water pipes that supply the drinking water. The sanitary condition of the whole quarter is deplorable, and the efforts of the doctors in the neighborhood have had little effect in altering the habits of centuries in this respect.

The domestic arts of the women are rudimentary, being practically limited to embroidery in one simple cross-stitch and to the crudest of cooking and dressmaking. Every household, though, however poor, boasts a modern sewing machine.

These people marry at sixteen or seventeen years of age and preserve the marriage customs of the old country. The groom must pay the girl's father a substantial dot to recompense him for the loss of the girl's earning capacity. The wedding ceremony begins at the bride's house and ends at the groom's. The symbol of marriage in the ceremony is the literal "tying of the knot," when the young couple tie a knot in a long embroidered cloth that they hold between them throughout the rite.

Three religious organizations are represented in the colony, the Baptists, the Malakanes, or Quakers, and the Holy Rollers. The last named, who are looked down upon by the others as of a lower caste, accept literally the

(Concluded on Page 632.)

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Woman Holds Us Level.

It is rough, the road to heaven,
And it's smooth, the road to hades,
And our chance were one in seven
If it were not for the ladies;
For "the woman, heaven bless 'em,"
While they're partial to our graces
As we lovingly caress 'em,
Rather hold us in the traces.

Oh, we men have spirits willing,
But the flesh is contumacious;
Love of wives our souls is filling,
But the other girls—O, gracious!
Oft, I fear, we'd go a-straying
To the imps that shame the devil
Were it not that, right obeying,
Woman holds us down, and level.

Take the instance of the churches—
And I here might mention others—
Most the ones upon their perches
Are the women, not their brothers;
And when we are wobbling slightly,
Carmine point and us are swinging,
Woman pulls our bridle tightly,
With a, "Heed what you are doing!"

Oh, it's rough, the road to heaven,
And it's smooth, the road to hades,
But, my brethren, as our leaven
We may count upon its ladies,
And if somewhere one is caring
For our sideward steps or prances,
Heeding where and how we're faring,
Well, I'm hopeful for our chances

A More or Less Hypothetical Story.

A certain successful politician died and went to heaven.
(Do not forget that this is a hypothetical story.)

And as soon as he got there St. Peter said, "Ah, come in. Glad to see you. Come right in."
(It is getting more hypothetical all the time.)

And when the successful politician hesitated St. Peter said, "Don't wait, a moment. We can't get along without you."

(It is becoming so hypothetical that some people would call it a lie if I were not writing it.)

"A man who is so good on earth that the people repeatedly choose him to represent them," St. Peter continued, "must be the kind that is desired here."

(This may be hypothetical, or it merely may indicate that in his long absence from earth the good saint had forgotten.)

But the politician looked through the gate, and said, "No, I don't see in there any of the kind of gang that I have been accustomed to do business with." So he rapidly went down stairs.

(It is claimed that the last paragraph is not nearly so hypothetical as the remainder.)

Mrs. Hyphen on Marital Felicity.

"The basis of all marital felicity, I am convinced," said Mrs. O. B. Hyphen, "is compromise. Men and women are certain to differ in their desires and opinions, and, unless the proper spirit is shown, these differences widen into chasms which cannot be crossed. It is at such crucial times that the spirit of compromise prevents the widening rift in the lute of domestic harmony. Let me illustrate. The other evening I wished to go to a theater and Mr. Hyphen did not wish to go, as he remarked in language so forcible that I will not repeat it. Right then and there we might have quarreled, but, instead, we happily compromised, and—"

"How did you compromise?" I asked.

"Why, we went to the theater."

For a moment I thought the good lady was going to blush, but she soon continued:

"Often, I think, it is well prepared the way for compromise, as it then may work more smoothly. When I bought my fall hat,

the other day, I first went around to see the hats, and then I took my husband around to see them.

"Don't you think this one would be just lovely, John?" I inquired, pointing to one.

"What's the price?" he asked.

"Fifty-three dollars," said the milliner, "and it's a bargain at the price."

"Wouldn't this do just as well?" John inquired, pointing to one that was marked down to \$2.98.

"Right then and there some people would have quarreled, but Mr. Hyphen and I compromised on a hat that cost \$24.35. It was the one I had told the milliner I wanted when I first visited her establishment. So you see what a spirit of compromise will do, especially if combined with a little helpful strategy. Oh, how much happier and sweeter marital life would be if but this spirit were more prevalent! Don't you think so?"

When the case was so clearly proved, what could a man do except agree with the good lady?

The Opinions of Rufus.

It's a beautiful belief that they ain't no evil an' ain't no disease, but just es I'd got ready to accept it this carbuncle come on the back of my neck, an' so I postponed plantin' my feet on the ark of faith a little longer.

The value of industry depends some on circumstances. I've noticed that the feller that prays the bees fer workin' is the one they're layin' up honey fer; the feller they're proddin' in his exposed places feels different.

My observation is that the only member of society that's mighty high hopelessly useless is the one that spells his kind with a capital S.

I s'pose I'd be unforgivin' of other people's sins if I waint 'fraid I'd be found out some time; but prob'ly you don't have to worry 'bout that in your case.

John D. Rockefeller havin' conceded that he an' the Almighty are pretty close friends, I s'pose it's reasonable to b'lieve they was a good many extry hallclaywers went up in heaven the day Mr. Rockefeller made \$80,000,000 on a rise in Standard Oil.

I wish 'twas es easy fer me to see the right fer myself 'tis fer my neighbor.

P'raps they's an eternal hell, but I never knew a manufacturer that made things jest for the sake of seein' them destroyed.

Out of the mouths of babes an' sucklin's praise is perfected, but I've also heard them when it sounded like someh'n else.

Seems to me that the great triumph of the daily paper is that it ends the necessity fer any of the rest of us to do scandalous gossipin'.

Rested or Weary.

Rested or weary, it matters not.

Still it's the way that is set we go.

Toil for the day is the common lot.

Labor for all till the sun sinks low.

But Nature, the mother, is never unkind;

There's a long, long rest at the end, we find.

Rested or weary, still toil we on

While there is work for the hand to do.

Cometh the night when our world shall don

Its mantle of black that the stars look

through.

First is the struggle, the spirit to test,

Then long, long peace of the long, long rest.

Rested or weary, a voice still calls,

Whispering ever where'er we go:

"After the toiling the twilight falls,

Bearing a benison all shall know."

F'en as a child on its mother's breast,

We shall lie down for the long, long rest.

Rested or weary, oh, brother of mine,

Breasting the billows that pleasure would

shun,

Soon shall we step from the endless line;

Never or now must the height be won.

Then to our toil with a new-born zest,

After it cometh the long, sweet rest.

How Much Is a Billion?

Some of us have a rather vague and indefinite idea of the number of units involved when we speak of a billion; the most of us, I fancy, do not possess even that ghost of an idea—we have as little comprehension of the magnitude of a billion as we have of the boundary of the spaces beyond the stars. A recent little episode set me to thinking along this line, and perhaps you will be interested to hear about it.

I have a small and comparatively cheap typewriter which has done me great service. The other day I was talking with a local representative of its manufacturers.

"I have had my machine eight and one-half years," I said; "have pounded out on it somewhere into the millions of words, and have not paid two dollars in all for repairs."

"That is a fine record," the representative replied, "but you would be astonished to know how many such reports we receive, some of them even better than yours. Why, I know of one man—he is a magazine writer—whose machine still is in good condition, and he has written with it—I forget the exact number of words, but it is more than a billion."

I tried to look interestedly, solemnly, succeeded, and went away. Now let us see just what this man must have done to have written a billion words.

Two thousand words of original matter, written daily, would wear any man out if continued for any great length of time, but, the magazine-writer under consideration evidently being a very remarkable man, let us suppose that he maintains this rate on every working day of every year. In a year he would write 626,000 words; considerably less than two-thirds of a million, and there are a thousand millions in a billion. Now divide 1,000,000,000 by 626,000, and you will find that it would take the man 1,597 years and five or six months to write the billion words. And he has written "more than a billion!"

The man has done well, and I admire his persistency. He must have begun his work not later than the year 312 A. D., and he hasn't had a holiday since. Positively he is the oldest inhabitant, as well as the most energetic, unless the Wandering Jew still is at large. Moreover, he is ingenious, being the only person who has succeeded in writing on a typewriter fifteen and one-half centuries before it was invented. He is a remarkable man, that "magazine-writer."

Now, mark you, the man who told me that tale believed himself, and he was fairly intelligent or he could not have held the position he did. The fact is, his idea of a billion was about as indefinite as that of the most of us. As the savage goes astray when he attempts to count beyond five, so do the great majority of us flounder when we have passed seven or eight figures at the most.

Still One Authority Remains.

"No man may qualify as a dictionary to me with impunity. The dictionary is a public offense."—Edward F. Cahill in the Call.

O, heart, let not the sentence jar,

For still a narrow way 'll

Be disclosed for words that spar.

Though lexicons non grata are,

We're not authority-bereaved,

For still—look up, oh, heart that grieved—

We still have Mr. Cahill.

Revised Definitions.

Golden Rule—A law for living which we admire so much that we dislike to overwork it.

Justice—A shadowy ideal, the pursuit of which frequently and shamefully interferes with business.

Hecyism—An outrageous belief in the desirability of justice.

Juror—One who knows nothing about a case of which everybody should know something.

Imbecile—See last definition.

UP AND DOWN THE STATE.

On September 21st the electors of Marysville are to decide by vote whether or not the city shall be bonded in the sum of \$49,000 for a high school building and \$31,000 for a grammar school building.

A soldier from a company stationed in that vicinity recently was lost in Clough's cave, located on the middle fork of the Kaweah river. He would have been permanently lost had not a comrade chanced to hear him say that he was going to visit the cave, and the search which ensued resulted in finding him after he had been underground thirty hours.

Several weeks still will be required to complete the Western Pacific's big steel bridge over Spanish creek, but it is thought that the road will be completed to Oakland within another two months or so.

Petaluma having discovered natural gas in quantity, Santa Rosa follows with a gas strike in Bennett valley, near the latter city.

The Edinburg hotel at Beaumont, near Riv-

erside, burned the other day, involving a loss of \$44,000, with insurance of but \$15,000.

Panthers are reported to be unusually numerous this season on the McCloud river and in its vicinity, and several have been killed by hunters.

Lakeport is to have an Admission Day celebration, and as excursions will be made to the Clear Lake town from the other towns of the county, it is expected that the celebration will be a "big event."

The rapid growth of Coalings is indicated by the fact that the railroad there transacted a freight business amounting to \$184,000 in July of this year, while its freight business in July, 1908, amounted to but \$80,000.

It is estimated that a million gallons of wine will be produced this year from the grapes grown on the Vina ranch, the largest vineyard in the world.

The Sacramento Valley Irrigation Company has purchased the McCune-Garnett ranch of 3,150 acres, situated near Williams, for \$35 an acre. It is the company's intention to sell it in forty-acre lots.

Residents in the vicinity of Mount Lassen are somewhat disturbed by rumblings heard of late from the supposedly extinct volcano. Hot springs also are said to have broken out on the mountain.

Many protests are being made against the proposal of the grape-growers' organization to give away samples of wine at the state fair in Sacramento.

CALIFORNIA POETS' CORNER.

THE BRAVEST BATTLE.

By Joaquin Miller.

The bravest battle that ever was fought,

Shall I tell you where and when?

On the maps of the world you will find it not;

'Twas fought by the mothers of men.

Nay, not with cannon, or battle-shot,

With sword or nobler pen;

Nay, not with eloquent word or thought,

From the mouths of wonderful men.

But deep in a walled-up woman's heart—

Of woman that would not yield,

But bravely, silently bore her part—

Lo! there is that battle-field!

No marshaling troop, no bivouac song;

She fights in her walled-up town—

Fights on, and on, in the endless wars,

Then silent, unseen, goes down!

O! ye with banners and battle-shot,

And soldier to shout and praise,

I tell you the kingliest victories fought

Are fought in these silent ways!

O! spotless woman in a world of shame,

With splendid and silent scorn,

Go back to God as white as you came,

The kingliest warrior born.

Mrs. Ella F. McCall of the Chicago Civil Service Bureau has built up what is said to be the best free employment bureau in this country. Last year she gave out nearly 8,000 city jobs to laborers and in addition found places for about 4,000 men.

("A Quaint People."—Concluded.)

injunction "and be ye filled with the Holy Ghost." At their meetings they beseech the approach of the Holy Ghost and by working themselves into frenzy believe themselves possessed by it and then indulge in extraordinary antics while under the influence of the hypnosis—antics so boisterous that the police have often had to interfere for the sake of the peace of the neighbors.

Altogether, these Russians are a quaint and interesting fragment of the composite immigration problem. An even larger colony of them lives in Fresno, and others are scattered about the state. With their exclusiveness and their curious ideas of the domestic relation, which includes wife-beating as a legitimate prerogative of the husband, they are almost as difficult of assimilation as the Chinese.

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POLITICAL TABLE TALK

By THE WATCHMAN.

Their Records Down In Black and White

It was a splendid service which Franklin Pierce performed for California when he wrote the history of the legislative session of 1909 and published it in a well-planned and convenient form. It is a service which, it is to be hoped, he will be able to perform for many sessions hereafter. In that little book are written down in black and white the records of practically all the people's representatives in the last legislature. They will not be able to get away from that record. There are many who will not outlive it. It has written "finis" at the right end of many an inept political career. There should be a copy of this book in every newspaper office, every public library, on the shelves of every lawyer and within arm's reach of every citizen who cares to know how public business is conducted. No man can complain if his record be drawn on him anywhere at any time, and Mr. Hitchborn's book is as convenient for drawing in an emergency as a cowboy's six-shooter.

What He Did to Assessor Jones

It was a bad half hour when State Controller A. B. Nye gave to Assessor H. T. Jones of Contra Costa county on Saturday of last week. The fact appears to be that Contra Costa county has lately been hearing a similar relation to California that New Jersey has borne to other states in the union. New Jersey did about everything that the corporations wanted done with the view of inviting corporations to incorporate in that state. Contra Costa county has pursued a similar policy with the view of inducing tax-dodging corporations to make Contra Costa county their principal place of business. In his examination of Assessor Jones Controller Nye brought to public attention the facts that, whereas Assessor Washington Dodge had assessed the franchise of the Pacific States Telegraph and Telephone Company at a round million of dollars, Jones had assessed it at a paltry \$5,000. The Union Oil Company, formerly assessed in Los Angeles county at \$5,000,000, being transferred to Contra Costa, was dropped to \$5,000. Mr. Nye also showed that the California Sugar Company was assessed for only about half what its property was insured for. Driven to desperation by the Controller's merciless questioning Jones frequently took refuge in the expression: "I did not know how to get at it." The assessor of Contra Costa will have only himself to blame if the public jumps to the conclusion that, anyhow, these corporations found some way of getting at Jones.

Is Contra Costa County A Political Gomorrah?

If some California writer were to write the political history of Contra Costa county during the last decade that history would astonish the natives of that county and make the state of California anything but proud of that particular political subdivision. Its political methods have been so new that they are a political novelty. It is not that they are new, but that they desire to have things more rarely done. There is this to be said, however, as to the policies of the political powers, they have made it easy for corporations to "be good" and as exceedingly profitable to the corporations as to the political "powers-that-be" in that county. They have known where to throw their political influence and how to vote their employees so that it would do the politicians and the corporations the most good. Of course the bona fide tax payers have been hurt, but they are like the consumers under our tariff system, no one holds any brief authorizing him to speak for them. It is a bad record which Contra Costa has made in this particular and a record which any first class, courageous, patriotic citizen of that county should have been able to prevent.

An Argument For the New Revenue System

It hardly needs to be explained that the reduced revenue of the assessed valuation of a corporation from \$1,000,000 to \$5,000 reduced the state's revenue from that corporation from between \$4,000 and \$5,000 a year to between \$20 and \$25. Under a system of taxation that supported the state by corporation and other incidental taxes Contra Costa county would, by kicking out tax-dodging inducements to corporations to move their principal place of business to that county, injure no one but her own citizens, but, under the existing system, the misfeasance of that county puts every taxpayer in the state whether in that county or not. It never ought to be in the power of any county assessor so to abuse the power of taxation. The State Board of Equalization should, in such cases, have the power arbitrarily to reassess the property and franchises of those delinquent corporations, a thing it is now powerless to do. The sooner the state rid itself of its present system of taxation the sooner will it rid itself of such atrocities as that committed against it in Contra Costa county. And there are other counties disposed to profit by Contra Costa's pernicious example.

Fixing Responsibility Makes For Efficiency

Such sounds as come out of the offices of the new Bank Commission encourage a belief in industry and efficiency. Although it is but little more than a month since Superintendent Anderson assumed his duties, it is known that as many as thirty-five banks have been notified to make good their statements of capital, and a smaller number have been directed to make radical changes in their plans of doing business, if they would not fall under the serious displeasure of the department. Of course such speedy action on the cases of the weak sisters in the banking world would not have been possible had not the superintendent been able to utilize a store of knowledge gained during the existence of the old commission, several of whose members have been retained as examiners. Generally speaking, the old bank commissioners were not so short on knowledge of conditions as they were on ability to take action to cure admitted evils. The superior vigor of a single-headed commission is now being demonstrated in just the way in which it was hoped that it would be.

Beards the Lion In His Den

But the most aggressive act of the State Superintendent of Banks, which has been the assertion of his authority to control national banks so far as they are engaged in conducting savings bank departments. These savings department attachments are a comparatively new thing, for, while there has been no change in the law, which contemplates that the national banks shall do a purely commercial business, and shall not even lend money on real estate security, there appears to have been a change of policy on the part of the Comptroller of the Currency, in evidence of which a good many national banks now display the sign "Savings," or "Savings Department." There is a magic in that word when used in connection with a bank, and if employed by a national bank the effect is to give intending depositors the impression that they will be safeguarded by the same rules which are established by law for the protection of depositors in full-fledged savings banks. Superintendent Anderson now declares that he will take these banks at their word and that henceforth they will be subject to examination and regulation the same as if they were genuine savings banks. He has made public a legal opinion which supports him in the tax-dodging, but just the same it will be strange if the first attempts to exercise the asserted power do not provoke a clash, because the national bankers regard themselves as the ex-

clusive wards of the Federal Government and are prone to look on the state as an inferior tribunal which cannot touch them.

A Dangerous Practice Of Side-Stepping Law

In the smaller cities and towns the combination of national and savings bank, the latter intended to feed the former, is frequently accomplished in another manner by having two incorporations, the two banks doing business in the same or adjoining quarters. It will probably be the policy of the Superintendent of Banks in this class of cases to subject the savings twin to stringent regulation under the state law, although he cannot touch the national twin. And the doing of that is likely to prevent a considerable number of country banks from taking out national charters, because they cannot very well do business without taking savings deposits and without lending money on mortgages. The latter thing, however, a good many national banks do by indirection. They lend the money on indorsed notes to some one, usually an officer or heavy stockholder in the bank, who lends it on mortgage to the real borrower. An excessive indulgence in this practice would probably involve a national bank in difficulties with the Comptroller of the Currency if it should be discovered, but the thing is done to some extent does not make the thing a delict.

A Good Plan Fails For Lack of Nerve

For a week past the State Board of Equalization has been in San Francisco to hear evidence relating to the equalization of the assessments of counties, and San Francisco, Alameda and Santa Clara are among the counties which have been given a hearing. This board, which was a creation of the convention that framed the constitution of the state, exists for the purpose of equalizing by raising or lowering county assessments; as a whole, that is its principal function as contemplated by law, although it has a few other duties, such as making the assessments of railroads and figuring out the state tax as based on the appropriations made by the legislature and the aggregate of assessments reported by the several counties. But the Board of Equalization seldom equalizes. It is now six years since it has either raised or lowered a single county assessment roll. In 1903 a good many rolls were raised, including that of San Francisco. In view of the admitted inequalities of assessments a six-years' rest from the performance of its duties looks rather bad for the Board of Equalization, but possibly some excuse for non-action is furnished by the attitude of the press and the public toward the exercise of the authority. There is always a tremendous uproar when a raise of an assessment roll is proposed; the newspapers denounce it as a "ridiculous" move, the chambers of commerce and boards of trade get up indignation meetings. Each county assessor declares that his county is assessed as high as any other, and the taxpayers are more than ready to believe what he says. This year, for example, the State Board of Equalization cited thirty-one counties to appear and submit evidence touching the adequacy of their assessments, and there is not one in the list which has not protested vigorously against the injustice of an increase.

Let People and Papers Be Honest and Sane

Taxation is a grievous burden, unfortunately one which seems to be growing more grievous year by year—and it is strictly in accordance with the known attributes of human nature that people should act as they do with regard to the exercise of its functions by the State Board of Equalization. And yet looked at in any large way, this attitude of the public is thoroughly absurd. It is not possibly true that each of the fifty-eight counties should be, as it is

ready to assert, the most highly assessed; neither is it believable that all are assessed, by their fifty-eight different assessors, on an exact equality; on the contrary, it is well known that there are glaring inequalities. It is the constitutional and sworn duty of the members of the state board to remove their inequalities, and in the performance of this duty why should they not be granted the usual presumption of honesty until by their acts they prove otherwise? If anything were needed to prove the irrationality of the general attitude toward equalization it would be this—that while a proposal to make even a slight raise in a given county will provoke a storm of protest, it does not appear to be regarded as at all an injury to anybody that some other county shall be permitted to go under-assessed to a scandalous degree for year after year, although each year that condition causes the taxpayers in all the other counties to pay more than they ought to pay. And neither does the failure of the State Board of Equalization for six years to do any equalizing seem to expose the members to any criticism, though many property owners must in consequence have been bearing some burdens which others should have borne.

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Post-Primary Politics

Following the primary election in San Francisco, most of the political activity has been the efforts of the politicians to fight out the question of control of the party machinery, the efforts of the successful machine candidates to conciliate the independents, and the efforts of the newspapers to decide whom they will support. Crocker has tried desperately to placate the leaders of the Independent Republican clubs, and at this writing has not yet been successful. He is prepared to let them write his platform for him and put in planks supporting the graft prosecutions, the Hetch-Hetchy project, and all the other popular demands. Leland is prepared to issue the same sort of a platform.

"Take the Least of the Evils"

At the moment a strong reactionary feeling is abroad. Many people are listening to the half-hearted cry of the politicians, "Let us take the least of the three evils," and good Republicans are resigning themselves to accept Crocker as less objectionable than McCarthy, and good Democrats to accept Leland as less objectionable than McCarthy. The Call is said to be in the former state of mind; the Bulletin in the latter.

Sentiment for a Fourth Candidate

But a strong sentiment is also growing that an independent ticket must go in to the field to represent the people who cannot stomach any of the three. The machine will be satisfied if any of the three are elected, as the same influences nominated all of them. The public will not be so satisfied. James D. Phelan, it is conceded, could be elected if he would run, but he will not. The sentiment of the still independent and conservative element is centering on Walter MacArthur as the man to save the day. If properly assured of the support of the decent element, it is believed MacArthur will run. He is the hope of the city to save it from a disaster such as the Schmitz-Ruef regime was. The Good Government League might nominate MacArthur. If it does not, some independent movement should be launched to do it.

Heney to Go Alone

Francis J. Heney's petition is being circulated for his independent candidacy for district attorney. It is understood that he will make his fight entirely alone, and for this purpose a Heney league is now being organized. Heney will return to San Francisco in a few days and begin his active campaign.

THE GRAFT CASES.

Owing to the illness of Stanley Moore, one of Patrick Callioun's attorneys, the trial of the latter individual has been postponed during the week just past, and no progress has been made except as Judge Lawlor has examined a number of veniremen who had been summoned to appear in the case.

THAT TAHOE CONTRACT.

First Accurate Statement of Terms.

The daily papers have neither correctly nor fully given the details of the very remarkable contract by which the Department of the Interior has turned over to the Truckee River General Electric Company all the remaining power possibilities of the Lake Tahoe and Truckee river water-sheds. The California Weekly is now able to give its readers the first comprehensive and trustworthy statement of the terms of that contract.

The reader must understand that Lake Tahoe has only one outlet, which is the Truckee river. In about eighty miles there has been developed electric power using a fall of only about four hundred feet. The Truckee River General Electric Company has utilized this fall at five points: under its own name at Fleisch and at Ferad; and by the acquisition of three other companies with power plants, namely, the Washoe Power and Development Company at Mogul, the Floriston Pulp and Paper Company at Floriston, and the Reno Power and Water Company at Reno, with a total combined capacity of not over 10,000 horsepower. The national government, at a

(Concluded on Page 639.)

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AMERICAN SHIPPING IN AMERICAN SHIPS

I. GOVERNMENT AID UP TO 1812.

By G. W. DICKIE.

I have written so much, and spoken so much on the subject of these articles that I feel as if it were not possible for me to write any more in regard to the shipping in the foreign trade of this country. Yet I have consented to prepare a number of articles so as to present this subject to the readers of The California Weekly as it presents itself to me to-day, in the hope that I may be able to reach in this way many whom I have not in any other way reached, and thus add to the number of those who have come to see this subject in its true magnitude and relation to the prosperity of this country.

In this, the first of these articles, I will trace the progress of American shipping in the foreign trade during the first fifty years of our national history. This will enable me to show that the foreign shipping of this country has never been able to compete with the ships of other maritime nations except through the protection and advantages derived by special acts of legislation enacted for that special purpose.

How American Colonies Met the Problem.

In studying the effect of the various measures that were adopted in the end of the eighteenth century for the protection and encouragement of American shipping in the foreign trade, we do not find any fixed enlightened policy in regard to fostering the growth and permanent stability of the foreign shipping but generally the adoption of some temporizing policy calculated to meet the evil that was pressing most heavily at the time. In 1784 the effect of the foreign policy of Britain began to be felt in the American trade and caused wide-spread uneasiness amongst the ship-owners of this country, there being as yet no means for concerted action. The first step taken was an appeal by Congress to the states for a grant of power, for a limited time, to regulate foreign commerce, this effort failed and the states most interested next endeavored to effect their purpose by separate, but concurrent, regulations, but then as now no two states could agree on what was best to do and again the effort was abortive. Out of this experience, however, grew the measures which terminated in the establishment of a government competent to regulate our commercial interests, and to vindicate our commercial rights. It is interesting to note that the need for ship encouragement, requiring united action, was what finally led to the establishment of the federal government.

Needs for Encouragement Founded Republic.

Dependent as the young republic was on her foreign shipping trade, for the means of development and the growth of financial strength that had been sadly depleted, the expediency of some kind of trade regulation forced itself upon those responsible for the welfare of the people. From the close of the War of the Revolution there came on a period of depression and distress on the Atlantic Coast such as the people had hardly felt during the darkest days of the war itself. Shipowners, shipbuilders, mechanics, all were without work and many of them without bread. The British ship came freely and always plentifully loaded, whereas to American ships and American products, there was no protection on this side, not the equivalent of reciprocal free trade on the other side. The cheaper labor of England supplied the people on the Atlantic shore with everything.

The records of that time show that from 1783 to 1789, when there was no defense against the foreign ship, was a period when the affairs of the states caused the deepest concern to the able and patriotic men who were guiding the destinies of the young republic. Imports greatly exceeded exports and distress was widespread. Shipping in the foreign trade seemed doomed to utter decay. While from

1789—when protection was afforded the American ship—to the War of 1812, industries took root in the land and new enterprises fully employed all workmen.

The policy of discrimination in the matter of import duties and tonnage charges in favor of the home ship that characterized the time when shipowning was prosperous on the Atlantic seaboard of this country, originated with the colonies themselves long before they became united as an independent self-governing country, and differed somewhat in principle from that of the British, under which only British vessels could carry cargoes into British ports from Asia, Africa, or America, or trade between the colonies, while in Europe the different nations might trade direct with England from their own country on payment of discriminatory duties.

Early American System Permissive.

The system adopted by the American colonies was permissive, giving their own ships a preference for their own trade through their tonnage and tariff duties which were discriminatory.

The British shipping law of the period had eight distinct prohibitions while the American colonies had none, nor had the republic any prior to 1817, when two acts of Congress were passed, one confining foreign vessels to direct trade, another excluding them from domestic traffic.

Shipping Always Needed Protection.

History shows, and experience demonstrates, that no nation either ancient or modern has been able to build up and maintain a great foreign trade without resorting to protection for the ships engaged therein. The laws enforced by the older nations, especially England, made it necessary for the young American nation to foster and protect its shipping. The great statesmen who made the early history of this nation, and who do not appear to have any worthy successors, needed not to be convinced of this necessity, as most of them were familiar with the encouragement given to shipping by their own states. It was quite natural for them to be disposed to promote shipbuilding, an art long established in our states, to foster shipowning, a business reaching back to the youth of the colonies, and to extend commerce, an ambition that had been cherished through fifty years of struggle, and this desire at the beginning of this country's history was just as general and as strong as that to advance agriculture and establish manufactures, for they seemed to know then that these three interests when joined and supporting each other, were and always will be the power to develop the strength and fortify the independence of the country.

Discrimination in favor of home vessels was incorporated in most of the colonial charters. Virginia had a rate of 2½ per cent. on all goods imported by British subjects on British vessels, and 5 per cent. on all goods imported by foreigners on foreign vessels. Even discrimination was resorted to in the regulation of trade between the colonies themselves. In 1649 an act of Massachusetts provided for retaliatory duties against ships from other colonies. Virginia also enacted them against Maryland vessels.

From 1715 to 1774 Massachusetts imposed double duties on all goods not imported directly from the place of production.

Early Tonnage Duties.

The first tonnage duties were levied by Virginia in 1641, and by Massachusetts in 1645, other colonies followed their example, and nearly all of them exempted their own vessels.

The northern colonies came to have agreements for mutual help, thus the Massachusetts law exempted British ships and those of Pennsylvania, New Jersey, New York, Connecticut and Rhode Island. British ships were

taxed at first but owners complained to the home government and the colonies were all commanded to cease the distinction between British and colonial ships. These early laws for the protection of shipping show how strong the desire was in colonial days for an American merchant marine.

During the Revolutionary War duties were waived, shipbuilding practically ceased, intercourse with England was forbidden and all other trade was hazardous. Virginia alone continued her external policy. After the war tariff duties were again imposed except in New Jersey, and tonnage duties were generally levied for ship protection in connection with tariff rates.

New Hampshire declared in her tariff act of 1788 that one of its principal objects was "To insure a favorable balance of trade and to prevent large sums of money from being drawn to foreign countries." In fact the distress and ruin which overpassed the states from 1783 to 1789, inclusive, was directly due to adverse balances of commerce arising from foreign transportation as well as trade and which largely influenced the legislation of the period causing it to take the form of discriminatory duties. Between 1784 and 1789 the following laws were enacted:

New Hampshire, Massachusetts, Rhode Island, and Connecticut: extraordinary tonnage duties on all foreign vessels entering any of their ports, and American vessels free.

New York: double duties on goods by British ships, whether brought direct or through other states.

New Jersey: tonnage duties on foreign ships. Pennsylvania: tonnage duties on ships, treaty nations \$1.41 per ton, on those of other nations \$1.88 per ton; home ships free. Discriminating tariff duties on Asiatic goods by foreign ships 2 per cent. extra, on home ships 5 per cent. rebate; teas direct from China on American vessels free, but dutied heavily if brought indirect or by foreign vessels.

Maryland had tonnage duties of \$1.00 per ton on British vessels. French or Dutch vessels sixty-six cents per ton, American vessels free.

Virginia: tonnage duties on French or Dutch vessels, fifty cents per ton; British vessels, \$1.00 per ton; American vessels free. Brandy by American or French vessels free. Rum by British ships taxed.

South Carolina: thirty-two cents per ton on all foreign vessels; American vessels free, and 2 per cent. ad valorem extra duty on goods in foreign vessels.

Georgia: tonnage duty of forty-two cents per ton on all foreign vessels.

In 1789 the tonnage duty against foreign ships averaged in all the states sixty cents per ton. At this time the regulation of commerce was vested in the moderate government and Congress began its work of regulation.

First Action by Congress.

The first step taken by Congress for the encouragement of shipping was when Mr. Fitzsimons of Pennsylvania on the 18th of April, 1789, introduced a tariff measure that was forthwith adopted. It moved a list of discriminating duties on Asiatic goods calculated to secure the trade of the far East for American ships. He stated that under similar legislation by Pennsylvania that state already commanded the direct commerce with China and India. At the same session Mr. Masson's tonnage resolutions were taken up, but the Senate disapproving of discrimination between foreign countries, the matter went over, but a separate tonnage bill was soon enacted, making an even tonnage rate on all foreign vessels of fifty cents per ton.

This was a great session for the shipowners. Mr. Smith of Maryland, a merchant, moved an amendment to the tariff bill, then nearly completed, to add a clause "allowing a rebate of

10 per cent on duty payable on all goods imported in American vessels" which was carried. In 1794 this rebate to American vessels was changed to an extra duty of 1-10 on all goods imported on foreign vessels. This, with the tonnage tax discrimination, forms the original system of ship protection in this country.

A registry law was enacted on September 1, 1789, defining ownership, under whose provisions it was evidently better to build ones own vessels than to buy them at the risk of having their nationality disputed in foreign ports. Such were the measures comprising the "navigation laws" of the United States as enacted by the first congress.

Stimulating Effect of Ship Protection.

These laws began immediately to have an effect on the shipbuilding and shipowning business of the states. The stimulating effect on American shipping was wonderful, notwithstanding the hard fight that England made against them.

In 1789 the foreign trade shipping of the United States amounted to only 123,893 tons, exports and imports forming 17 1/2 per cent. of the imports and 30 per cent. of the exports. In ten years (1799) the foreign trade shipping of the United States had increased to 657,142 tons, forming 90 per cent. of the imports and 87 per cent. of the exports carried in American ships. During the War of 1812 the percentage of the foreign trade carried by American ships fell to 71 per cent. of the imports and 51 per cent. of the exports.

In 1825, under the original navigation laws,

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the United States carried in her own ships 95 1/2 per cent. of her imports and 89.6 per cent. of her exports. This marks the highest point reached by American shipping in the foreign trade.

The navigation laws were effective in producing the result desired at the beginning of the history of the United States and a good many of the friends of American shipping think that the restoration of these laws would again give to the United States her fair share of the foreign transportation of the country.

Efforts to Revive Navigation Laws.

A bill was introduced before the last congress for this purpose, entitled "A bill to equalize the footing of ships in foreign trade by constitutional regulation." The author of this bill was Mr. W. W. Bates, N. A., president of the Shipping Society of America and formerly United States Commissioner of Navigation. The headquarters of the society of which Mr. Bates is president, curiously enough, is located in Denver.

I doubt if such a bill can ever find support in the congress of to-day. While there could be no doubt as to the effect of a return to the old navigation laws on the shipping of this country, there is grave doubt as to the possibility of this country with such laws in force keeping up pleasant relationship with other maritime nations.

When these laws were enacted they were retaliatory measures, effective under the conditions then existent to fight against similar measures in use by other nations, in fact they had the effect of finally breaking up the system of discrimination so long and so successfully practiced by England. The conditions of day need other treatment and that will appear when we come to consider what other nations are doing to stimulate their foreign shipping trade.

The old navigation laws failed because they involved this country in a continual struggle with other nations who were also seeking foreign shipping trade. From the first beginning of protection to American shipping in the foreign trade, Great Britain was active in her opposition and she continued to antagonize every effort of America to become a great sea power. This is still to be expected and must be considered in the application of any remedy to our sick shipping. Immediately on the passage of the act of 1789—forming the navigation law of America—Parliament appointed a committee, under Lord Liverpool, to note the acts of Congress and to report measures for their counter action in regard to ship protection. For twenty-five years the British ministry watched and waited, at one time to persuade, at another time to force the United States into an abandonment of discriminatory duties in the carrying trade between the two countries. This course on the part of England began to show results in the making of the "Jay" treaty in 1794, which stipulated that for twelve years the United States government would not increase her duties against British vessels and would permit her to countervail those in force. This treaty, not having the desired effect, in 1802 Parliament passed an act providing for the perpetual non-protection of shipping. It was expected by the British Parliament that Congress would respond with a similar act, but it failed to do so. In 1806 a treaty favoring the same policy was brought over by the United States commissioners, but President Jefferson returned it as too one sided to submit to the Senate. Failing to accomplish anything that would secure the American trade the British determined to provoke a war which would result in the "Yankee" ships being swept from the sea. The United States accepted this challenge in 1812. What took place during the course of this war opens a new chapter in the history of the American shipping trade in foreign commerce and will form the subject matter for our next article.

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The term "sandlappers" was invented by the late State Senator Fowler, an eccentric character of Tulare and Fresno counties, and he applied it to the grain farmers who first ventured into the cattle country of the Upper San Joaquin valley. The name stuck to them, at least locally, but intensive and diversified farming have done much to reduce it to dust. The "Sandlapper" is a story, not a history, and, while typical of a critical period in the development of interior California, and somewhat identified as to place, it is wholly arbitrary as to characters and as to most incidents. Any attempt to identify any of the characters as real persons will result in unprofitable confusion. (The Author.)

THE big six mule team, with wagon and trail wagon, and, however, water wagon behind that still, drew out of the dusty road in front of a river ranch house. The huge brakes hissed and scraped against the tires, the steady chuck, chuck, chuck of the hubs against the shoulders of the axles ceased to sound and the team came to a stop.

Directly behind the big team was a spring road wagon, covered, drawn by a span of large bay mares and driven by a dark-skinned, plump little woman in sun-bonnet. On the seat beside her were two tousel-headed boys of five and seven years, respectively, and, in a little padded box, especially contrived, immediately back of the seat, nestled a bright-eyed, rollicking baby girl just big enough to toddle.

Bringing up the rear were half a dozen cows of good breed, with their calves, kept from lagging behind or straying away by a ship of a girl seated on a smallish horse, manifestly little more than a colt. When the big team came to a halt the rest of the caravan came up and stood, dust-begrimed, under the friendly shade of two or three spreading oaks.

The proprietor of the ranch house, who had been sitting on the veranda with chair tipped back against the wall, laid down his newspaper, knocked the ashes from his pipe, and came swinging down to the front gate over which he stood leaning expectantly.

"Can you give me the direction I should take to fetch that section sixteen?" asked the driver, half turning and throwing his leg across the saddle of the big wheeler mule he was riding, naming at the same time the township and range. "I know where the land is from the railroad station out there on the plains, but I ain't a sure how to come at it from this direction."

"Bear to the right as you pass my corner and make for a gap in the timber you'll see low down on the horizon. There ain't any road, but the cattle trails all lead in the direction you took the lake. There's a slough out there a piece, ought to be deep except for a few water holes you can easily keep out of and you'll have no trouble in crossing. I suppose when you get to the land you'll know it if you've been to it."

"Thank you. Now what's my last chance to fill my tank with water it to use while I'm getting a well bored and pump in? I've got the implements with me and will go at it as soon as I can get the tent up and can pick up a man or two to help."

"Well, stranger, I expect this is about your last chance. There ain't no water out there no God can make rivers and ain't never likely to be much that's good. You can drive up by the windmill. Here, Gabe," addressing a stripling who had come around the corner, "pass that garden hose through the fence, so this man can fill his tank, and then turn on the water."

The traveler straightened himself in the saddle, pulled the brake strap releasing the wheels and, calling in stentorian tones, "Gee there; gee, Toby," slapped the jerk line against the mules and drew up a length or two opposite to the place where, just inside the fence, stood the windmill and tank, and presently the water was gurgling through the hose into the tank on the water-wagon.

Meantime, the rancher had walked along up to the town outside the fence and, drawing his jack-knife from his pocket and picking up a stick from the ground, stood leaning against the fence contemplatively whittling. The traveler, having set the brakes and hung the jerkline over the hames of the saddle mule, passed around to the rear of the wagon and took a position against the fence by the

THE SANDLAPPER

BY

ARTHUR J. PILLSBURY

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side of the rancher.

The conflict between the two men was striking. Both were large and powerfully built, but on different lines. The river rancher was above medium height but so stockily built as to make him appear shorter than he was, and there was a manifest prospect, as the years multiplied, of his having to resist the taking on of adipose tissue. His dark beard covered his face almost to the eyes and was closely cropped and bristly. His eyes were black and, when aroused, had the faculty of glistening.

The teamster stood taller by more than half a head, though he might not have said higher. His arms were long and bony and his hands were huge. He appeared to be stoop-shouldered, but this was mainly because of the depth of his chest, and a habitual forward incline of his head. His hair verged on red and his beard, which was full and came half way down his bosom, was broad, thick and curly. His eyes were blue as azure and laughed with good-nature even when his features were grim.

"I am not watering you up because I am glad you have come into the country," observed the river rancher dryly, "for I am not; but I suppose you 'sandlappers' will not be content until you give those plains a try-out, and in you ought to get on one of those mules."

"You think them a hard proposition then, do you?" inquired the traveler.

"That's what I do, and it appears to me that a man of sense, such as you seem to be, could discover that for himself, if he'd look about a bit before driving stakes, instead of letting some sharper of a real estate dealer rope him in. You ought to get on one of those mules of yours and ride around among those water holes down along the sloughs and see the skeletons of the cattle that have died of starvation, leaving their bones to bleach in the sun. I have seen that land you are going to mighty near as bare as the middle of that road, and for two years in succession, too."

"I noticed some likely looking wheat back here a piece as I came along," returned the teamster, "and the soil looks to me to be uncommon good."

"Yes, the soil is all right, and this year there was some rain, but maybe there won't be any to speak of next year or the year after; and if there ain't, people won't be able to see your coat tails flopping for the dust you will be making in getting out of the country. I tell you you won't be doing yourself nor anybody else any good by setting out there on that waste where the sun and the sand are a-kissing of each other the live-long day for more than three hundred days in the year. It's a stock range, and a stock range is all it ever will be fit for, and it ain't more than half the time that it is fit for that."

"Well, stranger," drawled the teamster, "Silas Singham generally comes pretty near to knowing what he is doing and why he does it, and he ain't coming down here from Yolo with both eyes shut tight. He rather thinks he'll drive on, set stakes and hold down a half section of that desolation awhile anyhow. Much obliged to you, though, for your advice. I suppose it is all for my good and not two words for your own to one for mine. You've been here a long time, I take it, and ought to know, I reckon."

"Forty acres in by the river, with a little ditch of water on it, would be worth more to you than 640 out there on the plains without water," was the reply.

"Perhaps there may be a ditch of water taken out on the plains some day," ventured the teamster, with an expression of countenance that implied that this was not the first time the subject had entered his mind. "It looks to me as though that land would take to water as naturally as a duck."

"Perhaps it would if it had the chance," returned the rancher, "but there ain't no chance and ain't never goin' to be none, either. The river folks want all the water there is in the river, except in flood time, and even then it does more good than harm, for the flooded lowlands grow good feed for two or three years after. First in time, first in right is the law of it, and we river folks haven't been here twenty years ahead of you for nothing."

"May there not be another principle of the law that might cut some figure in the case?" ventured the teamster. "Seems to me I have heard something about the 'greatest good to the greatest number,' and it would not surprise me if the water that would irrigate forty acres in here on the river, after coming down through thirty miles of sand, lost an acre or two on hard ground higher up, and run in ditches right meadow, irrigate 640 acres out there on the plains."

"Well, that ain't never goin' to be done," returned the rancher with increasing warmth. "It ain't never goin' to be done; so don't build on it. We river folks were here first, and we are goin' to stand for our rights, every man of us. The water that comes down as far as my place is mine, just as much as my land is, and if I can't have what's mine I don't care to live, so when I say that we river men are going to fight for our rights, I mean fight, and we are going to fight just as hard and as often as it is necessary in order to hold on to our property. We've expected an inrush of sandlappers sooner or later and we've got their work cut out for 'em. They ain't never goin' to be allowed to touch the water in our ditch. They have made trouble enough down the valley, and we propose to let them know what's what the first rattle out of the box. The appropriation law ain't worth shucks unless it catches the river folks sleeping on their rights, and the men on this river are not goin' to be caught asleep for no live years at a stretch, until adverse user stops them from complaining."

"With this the river rancher squatted close to the ground and, reaching out for a splinter of a fence board, took off a few large shavings and then proceeded to eat the stick into short bits in silence, while the teamster only gave vent to a prolonged whistle.

"I hope my cattle won't be bothering your crops out there on the plains, if you should ever happen to have any crops," the river rancher never observed, as if half talking to himself. "They ain't an order at all, and I am more inclined to follow their appetites than their consciences."

"Oh! I am not looking for any trouble on that score," cheerfully responded the teamster. "You seem to know a good bit of law yourself and you are not a man to be around your cattle that there is a no-fence law in this state. A man with a taste for law isn't likely to let his cattle grow up in ignorance of that fact."

"They don't know any more about that fool law than the fool legislators knew that passed it," returned the rancher. "Besides, that section you have located on is right in the middle of my range on the road betwixt this ranch and my lake ranch, between which they are migrating back and forth a good share of the time. Every trail runs straight across it, so if you want to be on the safe side I reckon you'd better fence."

"Not if Silas Singham knows himself," was the emphatic rejoinder. "I can't afford it, and if I had ever so much money I wouldn't do it, for I don't sanction the principle of it. If my crops threatened to eat up your cattle I'd fence right away or get out of the country, as any good citizen ought to do, but as it is a case of your cattle eating up my crops, I reckon you are the one who will have to do the fencing. Ain't there something in the law

about 'so using your own as not to injure another's property.'

"Look here, stranger," exclaimed the river rancher, rising to his feet and lifting his voice proportionately, "we may just as well understand each other now as later. I'll see all the sandlappers this side of Tophet safely over the rim into it before I'll fence my cattle, or herd them either, and we river folks are all of the same mind. Those plains out there are fit for nothing but stock range, and stock range they will remain, fence law or no fence law. We've got God Almighty on our side in this business, for if he'd intended those plains to be made farms, he would have supplied them with either rivers or rain, and if you squatters will govern yourselves accordingly you'll be saving yourselves and us a heap of trouble. That's what you will."

As the rancher delivered himself of this final outburst that glitter for which he had long been noted, and which had caused him to be looked upon as a dangerous man to antagonize, came into his eyes and caused them to gleam like a pair of black diamonds. It had been said of Moses Brayton that he had two pairs of eyes, one pair for ordinary use and a second pair, behind the first, for occasions when he was thoroughly aroused. At such times the second pair shone out through the first and indicated the true character of the man. His neighbors said that they were "devil's eyes!"

For an instant the two men confronted each other in silence, but with looks that plainly told the frightened little woman in the wagon that they were taking each other's measure against an event not unlikely to take place some other day if not on the spot. Neither was afraid, but each saw in the other an antagonist that, whether or however the issue were tried, would put him to a final test of either mental or physical prowess.

"Come, Papa!" the woman in the wagon called, "don't you see that the tank is full and running over?"

Recalling himself to the duty in hand, Silas Singham tossed the hose over the fence, and lightly springing over after it, shut off the faucet, and as lightly vaulted back again. Notwithstanding his huge bulk and length of limb he still was, as he had ever been, an athlete.

"Look here, my man," he said, with a restrained coolness not without emphasis. "You haven't extended to me the sort of welcome I expected for one who comes here as head of a colony to develop the country, and you are not the sort of man I want to be beholden to right at the start. I want to pay you for that tank water."

"I ain't reduced to selling water by the tankful," was the reply, "and you'd better hold on to all the money you've got. You may need it before you get to sell anything off that horned tooth ranch of your'n."

"There isn't any good way for me to get that water but up into that tank where it came from, or I'd put it right back and drive on, so you'll take a dollar for it or it goes upon the ground before it leaves your land," declared the teamster.

"Let her squizzle then," was the rejoinder.

With that Silas Singham strode to the water wagon, opened the faucet full wide, swung himself into his saddle and, with a resounding crack of his whip and a "gee, Toby," led the way for his caravan to the newly established railroad station, where he could refill his water wagon without being beholden to any "condemned riparianist," he explained to the big wheel mule he was riding.

The river rancher stood leaning against the fence whittling viciously and watching with glittering eyes the receding procession until it was well-nigh lost in the dust of its own making, and until the chuck, chuck, chuck of the heavy hubs against the axles, as the wagons wobbled through the ruts, could no longer be heard. When he had turned toward the house to resume his chair and newspaper his boy overheard him muttering to himself, "That sandlapper is going to make a heap of trouble first and last—if he lives, but if Moses Brayton does not hold his own with him it will be the first time he has met his match. He is husky, though, there's no getting around that."

Chapter II. AMITY AND COMITY.

Having poked the end of the garden hose through the fence and turned on the water as directed the lad addressed as "Gabe" slipped through the gate to inspect the big team, then the smaller wagon with its contents, and, finally, sidled along to what had been his objective from the first, the half grown girl on horseback watching the cows and their calves feeding on the dry grasses by the roadside.

"Huh! Those calves of your'n look pretty well fagged out," he observed, casting a shy look up into the face of the girl.

"You'd look pretty well fagged out, too, if you had hoofed it all the way from Yolo," was the reply.

"Huh! How long yer been a comin'?"

"Two weeks this morning since we started."

"Huh! That's a pretty likely looking broncho you're ridin'."

"It isn't any broncho at all, at least not more than half. It's a Kentucky thoroughbred."

"Huh! I'll bet we've got a horse that will beat him all hollow for a half mile dash, if he is a thoroughbred."

"Now, I'll just bet you haven't. There ain't anything that goes on four legs that can beat Roanoke for a half mile, if he is only a colt."

"Huh! I'll bet you anything you want that Peacock can."

"Pshaw! Peacocks can't run."

"Huh! Peacock ain't no peacock. Peacock's a horse, four years old, and he can throw dust in the eyes of anything in Tulare county. You ought to see him. He's a bird."

"Thought you just said he was a horse and now you say he is a bird, but, bird or horse, he can't beat Roanoke. Can he, Roanoke?" As the girl ceased speaking she flicked the horse lightly on the breast with her riding whip and he shook his head as decided a "no" as any horse could.

"Huh! Can he do any more tricks?" demanded the lad.

"Can you, Roanoke?" she asked, and immediately the horse nodded three vigorous assents.

"Huh! I'll give you a good trade for him."

"No you won't," affirmed the girl.

"Huh! What'll you take for him then?"

"Roanoke isn't for sale, are you, Roanoke?" and again the horse gave an emphatic negative. "As long as we both live Roanoke and Helen are not going to be parted. Nobody ever feeds him but me. He has been mine ever since he was born, and he is going to be mine until one or other of us dies."

"I had a sister once named Helen, but the diphtheria took her two years ago. It came mighty near taking me, too, and Ma says that Pa hain't never forgiven me for not dying and leavin' her. Anyway he hain't never been just the same to me that he used to be before Helen was took. He used to say: 'Son, don't you want to take a ride with Dad out on the range?' Now he says: 'Gabe, catch up my boss and fetch him round'; and if I say: 'Pa,

can't I go, too?' he says: 'Now, you stay 'long with Ma. She might be lonesome and the cattle'll be plenty of company for me.'

"Do you know," the lad continued, "you remind me a heap of Helen. She had just such snappy eyes with fun in 'em, and just such wavy, brown hair. She'd a been just about your age, too, if she had a lived, I reckon, for she was ten when she was took and that was two years ago."

"I am twelve past," remarked Helen solemnly, for the earnestness and evident emotion with which the boy spoke touched her sharply.

"Huh! I was fourteen a month ago," the lad replied. "What's your whole name?"

"Helen Singham."

"Sing-ham, that's a funny name. Seems to me I'd rather sing something else besides ham."

"You don't have to sing it if you don't like it. You're so smart, now what's your name?"

"Well, folks mostly call me Gabe, but that

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ain't my name, nor Gabriel ain't neither, though they call me that sometimes when they want to be real nice to me, so I'll do something for 'em."

"Well, what do they call you Gabriel for if it ain't your name, though I think it is a pretty name, only it is more fit for a girl. It is too nice a name to waste on a boy."

"Huh! That's because they call me Gabriel because I am always tooting my own horn, but Ma says it is because I am full of the Old Harry."

"But what is your real name—you haven't told me yet?"

"Huh! It's Clayton Brayton." "Clay-ton! Bray-ton! That's such a funny name. One can't help singing that." And immediately she began to sing it half at the top of her voice, up the scale and down, at which they both laughed heartily. "I tell you what, though," she said, "it is most a wonder that they did not call you 'Huh.' You say it almost every time you open your mouth. If they'd a let you alone you'd have named yourself." And then they both laughed again.

"Will you be goin' to school at the station when it begins next fall?" asked the boy.

"Oh, I expect so, Roanoke and I. Will they let horses come to school?"

"There's more'n a dozen horses there every day, staked out, or under the shed if it rains, but the kids are apt to pester you some at first. I won't let them, though, I'll be darned if I will. If you were a boy it would be different."

"Oh, I can take care of myself, I guess. I wasn't born in a hospital."

"Huh! I didn't say you were," said the lad, "but anyhow if I catch any of 'em making off with your saddle, blanket, or tying your bridle reins into knots, I'll thump 'em to sleep. They know me, and if they see that I'm on your side they'll go mighty slow; but if you was a boy somebody would lick you the first day. You know I kind of like you right at the start."

"Don't know whether I'm going to like you so awfully well or not. You are pretty fresh, I must say." With that they laughed again as only young folks can.

So absorbed had the youngsters been with each other that they had not taken note of the less fraternal conversation that had taken place between their respective sires, but the well-known "Gee-up there, Toby," of Silas Singham, and the renewal of the steady chuck, chuck, chuck, of the big wagon, recalled the girl to her duties, and so, with an exchange of hearty good-bys, the two children separated to meet again in school at the station early in the fall.

"Clayton Brayton," the girl hummed to herself as she rode along. "There is no danger of forgetting that name."

"Ma'd a had a crying spell if she'd a seen that girl," the boy thought to himself as he walked toward the house after Helen had gotten fairly out of sight. "I'll bet Peacock can't stand that horse, though, and I mean to give him a try some day when Dad's gone to the city with cattle and Ma ain't payin' much attention."

(To Be Continued.)

(**"That Tahoe Contract."—Concluded.**)

point on the Truckee river below all these Clark's Station, has built a head gate to divert the water to supply the Truckee-Carson irrigation project, which has been carried through by the reclamation service, a bureau of the Department of the Interior.

A controversy arose over the right of the government to a stated share of the water, the electric companies claiming that the prior claims were jeopardized by the reclamation project. As the Truckee River General Electric Company owns fifty-four acres and the dam at the outlet of Lake Tahoe at the head of Truckee river, the government, in turn, felt that its water for the reclamation project was insecurely guaranteed. Out of this controversy the contract in question was agreed on as a compromise. It may safely be said that the Truckee River General Electric Company is now a firm believer in compromises, for it gets an astonishing lot of concessions as its share.

By this contract the government gets one solitary thing; it gets the assurance that after all the vested rights of, and the new rights acquired by, the electric company are satisfied the government shall have the right to the amount of water which it has gotten in the past for the reclamation project if that amount of water is left.

The Truckee River General Electric Company gets:

1. The government to pay half the expenses of rebuilding the company's dam at the outlet of Lake Tahoe.

2. The government to pay half the expense of dredging the bed of the lake near the outlet so as to improve the free flow.

3. The government to assume the expense of operating the dam at the outlet, and to pay one-half the cost of all necessary repairs and renewals, and

4. The government to guarantee that the flow of water in the Truckee river past the various power plants shall always be sufficient to the current necessities of these power plants as they now exist. (Mention is considerably made of a collateral contract with an overruling Providence by which the government is relieved of responsibility for failure to provide such flow in case of the acts of God or the public enemy.)

This is not all that the Truckee River General Electric Company gets. The contract stipulates that, by going through the paper formality of relieving the government of its responsibility for providing such flow—but not relieving the government of the cost of operating the present outlet of Lake Tahoe—the company thereby automatically receives from the government a perpetual franchise permitting it to divert the waters of Lake Tahoe at any other point on the lake rim that it chooses for any power purposes it may desire. Furthermore, with this privilege, the company gets the right to select any power sites or storage reservoir sites it chooses on the entire Lake Tahoe watershed or on the entire Truckee river watershed that are on lands owned by the government. The company is not limited as to number or location of these power sites, and it is given five years in which to select them, five more years in which to build on them, and eternity in which to occupy them—all of them, if it chooses. This sounds too preposterous for belief, but that is what the contract says. The Truckee River General Electric Company is given an absolute, perpetual monopoly of all the remaining power possibilities of the Truckee river and Lake Tahoe water-sheds, with the one stipulation that certain vested private irrigation interests shall be protected in their present status, and that the waters for the reclamation project shall never be less than what the government has been in the past receiving.

A remarkable feature of the contract is the fact that the government could have condemned the dam at the present outlet of Lake Tahoe and fully protected its rights at the cost of a lump sum in the neighborhood of \$100,000 without making any of the sweeping concessions that are described above. In fact, such condemnation proceedings were undertaken by the government and have not even yet been withdrawn. They have merely been allowed to rest while the present contract was being made.

The great value of this contract to the Truckee River General Electric Company, besides the fact that it gives it a complete monopoly, is that it permits the company to divert the waters of Lake Tahoe at another point so that, in a distance of five miles, it acquires a fall of 1100 feet, capable of developing at a most conservative estimate 40,000 additional horsepower. And under this second diversion, another fall permits the development of another 20,000 horsepower. And under the rights on the Little Truckee, acquired under this contract, it can develop another additional 15,000 horsepower. For this concession and for its monopoly it pays no one anything and inveigles the government into standing one-half of the expenses of most of the operation and construction.

Employer: You put that note where it will be sure to attract Mr. Smith's attention when he comes in, didn't you? Office boy—Yes, sir; I stuck a pin through it and put it in his chair. —St. Louis Globe-Democrat.

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Differences Between the New and the Old.

It was promised last week that some essential differences between the new constitution of California and the old one would be explained. These differences are so many and so important that more than one lesson will have to be devoted to them, so this time we will devote ourselves to the legislative department.

It has been explained that the People of California had become suspicious of their legislatures, largely through the baneful influences exerted by the Central Pacific people in securing such legislation as advantaged their enterprises. Making money hand over fist, they were not parsimonious in paying some of that money out to lobbyists and legislators who would subscribe their interests. To curb this evil the constitutional convention set itself to the task of tying the hands of the legislature not behind its back or tight to its side, but with so short a rope as to keep its hands out of its pockets to some extent and in plain view as much as possible.

The old constitution declared that "all laws of a general nature shall have a uniform operation." The new constitution declared, in effect, that **all laws shall be of a general nature.** It prohibited specifically three particular kinds of special legislation wherein abuses had resulted, covering almost the entire field of ordinary legislation, and then, to clinch the matter, added a thirty-third, which prohibited special legislation "where a general law can be made applicable."

Great abuses grew up under the old, wide-open system of legislating specially to fit particular cases in particular places, but they were not all prevented by constitutionally forbidding special legislation. For instance, the different counties were specially legislated for or against (not infrequently the latter) as their representatives in the legislature could make shift to get bills through. This is still being done through the device of making nearly as many classes of counties as there are counties and then legislating specially for each class. In most cases one county constitutes a class. The supreme court has "winked the other eye" and gravely held this not to be special legislation, although every man in his senses knows that it is. Its seeming necessity has excused the overriding of a fundamental reform attempted by the framers of the new constitution.

Again, Section 32 of Article IV plainly prohibits the payment of any claim against the state "under any agreement or contract made without express authority of the law," yet such claims are paid at the order of every legislature that sits, through the device of not stating in the appropriation bill what the basis of the claim is. All such claims are paid through "An Act to Pay the Claim of," without reciting what the claim is for, and the supreme court has held, in effect, that a perfectly unconstitutional claim against the state may be constitutionally paid if the reason why it is paid is not stated in the bill. Many hundreds of thousands of dollars have by this shallow device been paid from the state treasury since the adoption of the new constitution, whose payment that constitution expressly forbids. In many cases these claims were just and deserved to be paid, but others have been no better than graft, having neither moral nor legal validity.

Section thirty-three of the same article sought to prevent public service corporations overcharging the public by authorizing the legislature to enact laws governing their charges. The legislature sought to make this provision effective by giving boards of supervisors and city trustees power to fix rates of charges for gas, water and other public service corporations. The general result of this policy was to precipitate all these corporations into the politics of every city in the state with the view of securing boards of supervisors or city trustees who would agree to let the public service corporations and enough higher, while they were about it, to reimburse those

companies for the cost of "fixing" such boards of supervisors or trustees.

If this ruse in any instance failed to serve the interests of such corporations they generally appealed to the courts on the ground that the rates fixed were confiscatory, and, by procrastination in the courts (collecting meantime such rates as they felt inclined to impose) deferred the issue so long as to make it unimportant how the case was decided when decided.

To put it in a nutshell, thirty years of effort to fix rates at once just to the public service corporations and to their patrons have proven futile. If fair rates have been obtained it has been for reasons outside of the efforts which the constitution and legislation have made. Public sentiment and a disposition to be fair on the part of the corporation managers are to be credited with such good results as have been obtained.

Great efforts were made by the new constitution and attendant legislation to stamp out bribery in official life and to abolish lobbying in legislative halls. There was need of it, but little enough has been accomplished. It is open and notorious that, since the New Constitution was adopted, the Southern Pacific and other corporations have maintained lobbies at every legislative session and it is openly and notoriously known that hundreds of thousands of illicit dollars have been passed into the pockets of legislators in senatorial and other contests, yet only two persons have undergone imprisonment in consequence of such malfeasance.

Another protective measure imposed by the new constitution was that prohibiting public officials, on pain of forfeiture of their offices, riding on passes over the railroads, yet legislators have ridden miles innumerable without paying their fare. Tickets, on slow trains, have been slipped into their hands without cost to them at every session. Only here and there a legislator refuses the courtesy. Sergeants-at-arms, in charge of junketing committees, have drawn from the state the value of the full fares of all the traveling members and handed the amount to them to be pocketed by them while turning in to conductors tickets to cover the expenditures supposedly paid for out of the committee fund, but in reality furnished without cost by the railroad lobbyists.

These facts, so open and notorious as not to be questioned, show the futility of attempting to legislate men and corporations into honest ways when they are essentially dishonest. The fault, as often pointed out, lies in a low standard of public and private morals in this commonwealth among rich and poor, officials and citizens. The public sentiment will never get better service than it unequivocally demands.

It is reported that Mr. Etsuo Etsuo, a wealthy resident of Omi province, Japan, will present 30,000 fireflies to the Emperor. These fireflies are said to have been caught by himself and his mother and wife.

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The Unconquerable Soul of Man.

The north pole has been reached, and an American flag has been planted where the pole ought to be.

There was nothing there. It was not anticipated that anything would be found there, save a shifting sea of purple ice, with the possible addition of one or two scientific facts of some significance. Then why the century and a half struggle to get there at the sacrifice of hundreds of human lives and money running into the millions?

To demonstrate the unconquerable soul of Man! There is no task too hard for him, no risk too dangerous, no jumping-off place that he will not brave, no land forbidden him, no flaming sword that can turn him back. A little lower than the angels, he crowns himself, again and again, with glory and honor. He has even had the hardihood to face Eternal Majesty with a demand for justice for his race.

All honor to Dr. Frederick A. Cook! He has carried the emblem of human freedom farther than any other man, and what though he has set it up in a voiceless solitude to wave unseen in razor-edged air, the fact that it is there will stimulate the imaginations of millions and make appeal to them to make that banner worthy of the celebrity that has come to it.

If character building be the purpose of life then is Dr. Cook one of our master builders.

What About the Fourth Man?

Probably Mr. Heney can be elected district attorney of San Francisco no matter who, or how many, make the race for mayor, but his chances would be improved, and the welfare of San Francisco would be immensely advanced, if the movement for Heney could be associated with a similar movement for a first-class head for a good government ticket. Has San Francisco the manhood to fetch out such a candidate for such a ticket?

To put up with a choice out of three admitted evils is craven. It would better befit an old people's home or an orphanage than an American city. Unless civic virtue in San Francisco is dead or gone aishing the fourth candidate for mayor, if he be made of the right stuff, should sweep the town, and there is little reason for thinking civic virtue either dead or aishing. It is tired, but it is alive. It was feared by many that the last national campaign was going by default, but when the votes were counted it looked different. The people had made up their minds and were quietly waiting for the 3d of November. They are now waiting, like so many spinsters, for the right man.

We have felt that Walter Macarthur possesses more points of "rightness" at this time than any other man of the hour. He is honest, capable, has few downright enemies and a host of friends. He has the negative strength that nothing can be said against him, with the positive strength that everything can be said for him that can be said for any man, except that he can not afford to finance a race.

The kind of mayor that James D. Phelan would make we all know because he has been mayor three times, serving with credit every time. He has enemies. His negative strength

THIS NUMBER CONTAINS

Hydro-Electric Power in California

(THIRD ARTICLE.)

By E. French Strother

Readers of The California Weekly will, in due time, find in its columns every important public issue explained by some person whose special knowledge gives him a right to be heard.

is not as great as that of Mr. Macarthur, but his positive strength is not exceeded by that of any man in town. He can win if he will run, and he can afford to make the race.

With either of these men placed before the people they will have the alternative of accepting a positive good instead of a Hobson's choice among three admitted evils. To offer the Men of San Francisco less than such a freedom of choice would be a disgrace to the forces of civic reform.

The Guilt of Gold.

That the world's supply of gold is increasing at a tremendous pace can not be questioned. The addition of \$420,000,000 to \$450,000,000 a year in the yellow metal to the world's well-boarded supply can not go on forever without wonderfully cheapening the metal itself. When the metal is cheapened it takes more of it to be worth a day's labor, a sack of flour, a ham, a barrel of sugar, a bolt of muslin or a suit of clothes. In other words, other conditions remaining unchanged, prices must rise. The cost of living must be increased as measured by gold.

This is what is going on all over the world. The cost of living is increasing, prices are going up, land is worth more this year than last, taxes are higher because it takes more money to buy the things that government has got to have. Transportation rates are increasing, interest is higher and when merchants sell off a stock of goods they can not take the proceeds of their sale and go into the market and replace the stock for the same money that the old stock cost. There is no getting away from this condition of affairs except to plug up the mines and keep the miners out of them, and this can not be done. Government is not to be blamed for the situation, courts are not and neither are political bureaus of greedy corporations. Gold is guilty.

But it does not follow that the increase of gold is the only cause of increase in the cost of living, although the press controlled by the interests fair would make it so appear. Excessive tariffs, combinations to "cinch" the consumer, the raising of freight rates 10 per cent,

merely because they can be raised, the sequestration and monopolization of nature's sources of wealth, all these help to raise prices, too. They are particeps criminis. Never forget that, and when some representative of the interests would make you believe that gold is the only cause of an increased cost of living tell him "nay, nay, not so, good sir." We can not fight gold, but the other conspirators we can and must. Up and at 'em.

A Prodigy of Power.

The reader who desires merely to be entertained may find this week's instalment of our "Hydro-Electric Power in California" dry reading. Unavoidably it is mainly a category of the communities and corporations that go to make up two main power generating, distributing and consuming groups covering the greater part of Southern California.

But the reader with a mind to be concerned for the welfare of the commonwealth will find the article profoundly suggestive. There are little communities gathered about a manufacturing concern whose life or death, prosperity or adversity, are altogether bound up in what befalls "the company." It is coming to be so with the whole of California, as related to the Southern Pacific Company and affiliated corporations.

This has come about not unnaturally. What more natural than that the railroads should desire to own and control the interurban electric lines that, otherwise, would come into competition with such railroads? What more natural than that those who own and control the interurban car lines should desire to own and control urban car lines as well? What more natural than that those who own and operate all these car lines should desire to own and operate the power generating and distributing plants by which they move?

Finally, what more natural than that the community of interest that owns and operates railroads, car lines and hydro-electric power plants should wish also to control the government that is to control all these corporate activities? Having all these sources of control in their hands, what more natural, aye inevitable, than that "The Cinch" should be applied to the people of California in accord with Mr. Harriman's fundamental philosophy that every man is entitled to all he can get? There is growing up in this commonwealth a giant of such prodigious stature as will make the Espee of old look like a Tom Thumb by comparison. Its growth has been natural, logical, perhaps inevitable, but so is the growth of a cancer.

If now the committee representing the League of Independent Republican clubs will call Mr. Leland into counsel they will learn from his own lips that in the event of his election Gavin McNab will not control Leland, that he will be a free man solicitous only for the good name of his city and the untarnished reputation he can leave to his posterity. And then let them call in McCarthy and apply to him the better test. It won't melt in his untold mouth. Was that league led by spring chickens, and from the incubator at that, that the leaders are so gulgiply gulgible?

HOW FAR HAVE WE COME?

The Morning Echo, of Bakersfield, (Hon. S. C. Smith's paper) takes the Imperial Standard to task for uttering a "wail of despair," in stating that, during the last quarter of a century, the people have made complete surrender to powerful corporate interests; that it can not recall one instance, during that period, where the corporations wanted anything they did not get, no matter how completely the interests of the people were ignored.

Per contra, The Echo, in a spirit of exaltation, points to the fact that, during the last quarter of a century, it has become established that public service corporations are public servants; that the right of government to supervise and adjust their rates is no longer questioned; that, a quarter of a century ago, street railway franchises were given away while now we take a share of their earnings for public use, and franchises are now taxed.

Our contemporaries are both right. Looking back over the last quarter of a century the verdict of history must be that some splendid principles, then in dispute, have become theoretically affirmed. It is only in their application that we fall short of realization. No sooner was the principle of governmental control established than the allied corporations took control of that department of government which did the controlling, the people got the principle, the corporations got the proceeds; the people made the platforms, the allied corporations named the candidates. Instead of subjugating the corporations an incorporated plutocracy has subjugated half the states in the American Union and dominated the Congress lately adjourned. No complete victory has yet been won.

There is no justification for the spirit of despair, yet whoever does not know that free institutions were never in greater danger than they are today is both deaf and blind and should have the grace to remain dumb. The danger is not that the forms of free government will be overthrown, or that sound principles of government will cease to slip glibly from the tongue. The danger is that the form will lack the substance, that the spirit will lack a material body which it may make effective for the common good. Venice continued to be known as the "Republic of Venice" near a thousand years after it ceased to possess a single attribute of popular government and had become as pitiless a tyranny as ever cursed the children of men.

Our time calls for courage, steadfastness, the inspiration of hope and the determination to achieve victory over incorporated greed and an associated lust for power, selfishly to be employed; but whoever is not concerned for the future of free government in this country, profoundly concerned for it, is either a trifler or so wrapped in self as to be blind to public concerns.

James J. Hill lately applied four tests to our time. They were equality, simplicity, economy and justice. Have we equality? Never in our country has class consciousness been so pronounced as now, or the man who "goes back on his class" been so derided. Have we simplicity? Ask of the more than baronial splendor of the American nabobs of today? Ask of Harriman with his \$2,000,000 castle and 50,000-acre preserve in the heart of agricultural New York. Have we justice? It is a purchasable commodity, dear it is true, but to be had, or not to be endured, as those who are able may choose at the price. If free, then only of, for and among those of no political or social significance. Have we economy? Ask, we have—in the homes of the people where a rising cost of living has enforced it for the further aggrandizement of men already rich beyond the avarice of kings of a former age.

THE STAFF

A. J. PILLSBURY.....Editor and Manager
A. J. WATERHOUSE.....Assistant
E. F. H. STROTHER.....Assistant
O. BLACK.....Business Manager

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Yet we must and will believe that the rise of the common man is to be continuous, that unselfish, capable leadership will not be wanting as it is in San Francisco today; that the deadening inertia of the mass that has just suffered San Francisco politically to temporize with the hosts of a soulless materialism will be cast aside whenever some Moses speaks to the people that they go forward.

Looking backward, we have not, all along the human front, come so far as the Echo would have us believe or marked time as the Standard seems to think. At certain points we have advanced. At others ground has been lost. After all, a quarter of a century is not a day in the world's history, nor half a day. As the 2,000-year-old sequoias are too short-lived to tell us of climatic changes on this coast, but only the geologic strata or perchance the glaciers, so centuries are too short wherewith to measure in exact terms the progress of the Common Man, to whom this continent was dedicated.

WHO IS BEING FOOLED?

William Crocker was taken up by a committee of twenty-five and his nomination for mayor secured at the hands of the Republican party. That committee of twenty-five was openly and notoriously constituted in the interests of persons under indictment for graft and with the view of electing a municipal ticket that will put an end to the graft prosecutions, so setting the rascals free.

A certain League of Independent Republican clubs was formed for the purpose of putting before Republican voters a municipal ticket that decent men could support, a ticket that, if nominated and elected, would stand for the equal enforcement of the laws against rich malefactors and poor alike and for the continuance of the graft prosecutions until those connected with crime are either acquitted or convicted. Byron Mauzy headed this ticket and Republicans very generally voted for him, but, by the use of Union Labor and Democratic votes, galvanized as Republicans, the Committee of twenty-five ticket triumphed and William Crocker becomes the putative Republican candidate for mayor of San Francisco. The issue so fought out at the primary was as plain as the difference between white and black, daylight and darkness, heaven and the other place.

Now comes a self-constituted committee representative of the League of Independent Republican Clubs and, after a two-hours' conference with William Crocker, proclaims to the parent body that Mr. Crocker's views are in full harmony with those of the League of Independent Republican clubs. Who is being fooled?

Unless Mr. Rudolph Spreckels and Mr. Patrick Calhoun have buried all differences and have fallen upon each other's necks in an

ecstasy of brotherly affection, unless Mr. Francis J. Heney and the bunch of seven odoriferous attorneys who sat over against him are now in complete accord and concord, unless the forces of decency and of indecency can no longer find differences between them, unless right is wrong and wrong is right and licentiousness and chastity are one and the same thing one person can no more be representative of the sentiments of the League of Independent Republicans clubs and those of the Herrin-Hellman committee of twenty-five than any one person can represent, and be acceptable to St. John and Iscariot, vice and virtue, God and Mammon. Who is being fooled?

Having made friends with the Mammon of unrighteousness and obliged himself to do their bidding, is Mr. Crocker now seeking substantial favors from the children of light? Can one servant serve two masters? Or has Mr. Crocker discovered that his original backers procured his nomination merely to divide the decent element while they slaughter him at the polls in favor of the more servicable McCarthy? This gives Mr. William Crocker credit for a political sagacity of which his best friends have not deemed him capable. Who is being fooled?

Have the committee representing the League of Republican clubs played false to their constituency and compromised with Crocker the principles of their League in the interests of party regularity? Not so. The thing is unthinkable. They are all of them honorable gentlemen and if they say that they have received satisfactory assurances from Crocker it is because they have received them. Has the Committee of twenty-five fared less well?

It can not be denied that the Political Bureau over which Mr. Herrin presides, and which avails itself of the activities of Lynch and Sullivan, and such allies as Hellman and the rest of the Calhoun crowd, does occasionally slip up on its men. It did so in the case of State Treasurer Williams, who proved true blue, and it appears to have done so with Surveyor General Kingsbury, who refused to be a thief, but it is dollars to nickels, twenty to one, that those people know their man as most men know their own back yards.

Who, then, is being fooled?

A SCHOOL FOR STATESMEN.

The California Weekly is not ashamed of its School For Citizenship, a department that finds new friends from week to week, but what California needs fully as much as a training school for citizens is a training school for statesmen. It has not had such a school since the advent of the old Central Pacific in politics in the early 70's. Nor has California, since then, had in either branch of Congress a representative of first class character and abilities, unless we except Newton Booth, who served in the United States Senate from '73 to '79, and Thomas R. Bard, whose term in the senate was not long enough to give him an opportunity fully to develop that statesmanship of which his friends believe him capable. Senator Stanford was a consummate political manipulator, but his statesmanship was well measured by the financial vagaries with which he refreshed the faists. Good men California has sent to Congress, but not men big enough to rank as statesmen.

And for the reason that the political powers that have ruled California for more than thirty years have had no use for public men of first class abilities and independent spirit. The measure of manhood applied by the political bureau of the Central Pacific Company and its successors has been that of capacity for "taking orders", whether in the assembly or senate of the California legislature or House or Senate in the national congress. No man

has gone to any one of these august bodies, with the hearty consent of the political bureau mentioned, without satisfying that bureau that, at crucial times, he will not prove disobedient.

This political status in California has made political life uninviting to men of first class abilities and independent spirit, and, lacking that forgetfulness of self that should have actuated them to fight a public enemy without hope of private advancement, men of first class ability have devoted themselves to other than public careers.

There is but one remedy for this untoward condition, and that lies in the emancipation of California from corporate control. Take the state out of the hands of Herrin and his hirlings and public careers will be open to men whose self-respect will not permit them to "take orders" or cool their heels in ante-rooms of great corporations that the further pleasure of those corporations may be learned. If the insurgent movement in the Republican ranks achieves no other good than this of opening the way into public life to a self-respecting and capable manhood, it will be worth all it can cost, and in helping to open this way no better "School for Statesmanship" can be devised. The call is for volunteers. Who is ready to enlist for the war? If the movement win, a way will be opened whereby the fittest may rise. If it lose, there will at least be the consolation of having fought in a good cause.

THE LINE OF CLEAVAGE.

That there is a distinct line of cleavage running through the Republican party no observant person can deny. It is easily followed through such issues as the emancipation of the party from corporate control, such a revision of our criminal procedures as will give The People the rights and privileges regarding venue, challenging of jurors and appeal which defendants have, the non-partisan nomination and election of the judiciary, state-wide advisory vote at the primary election on the selection of United States senator, the non-alienation in perpetuity of water rights and power franchises, the power of the national government to levy an income tax, the conservation of our national resources as opposed to their exploitation by greedy corporations, the upholding of the Roosevelt policies in general.

Few if any independent, progressive Republicans will hesitate to take the affirmative of all these issues. The organization wing may as certainly be counted on to take the negative, if not openly in specific resolutions, then covertly and implacably, in congress and legislature, with the purpose of defeating or retarding every step toward the realization of any of these purposes. Of these things we may be as certain as though the allied iniquities had assembled in solemn convolve and formally resolved against every such forward step.

No doubt this line of cleavage might be further extended as, for instance, for and against non-partisanship in municipal elections, the abolition of wards and election of city officials at large, the initiative, referendum and recall in cities.

It is equally plain that the same line of cleavage would run through the Democratic party from end to end. On the progressive side of this line of cleavage Republicans and Democrats would be found working in harmony for the progressive policies above outlined. On the reactionary or "organization" side Democrats and Republicans would be found cheek by jowl sitting in stolid hostility to every forward movement.

The Man from Mars might ask why, in view of this condition, all the progressive Republicans and Democrats do not unite to form a single party of progress and all the "Organization" Democrats and Republicans to form a

conservative or non-progressive party. There are two reasons why. The principal reason is that the associated villainies are strong only as they are on the inside of both political parties. If they stand up to be counted they are lost. The other reason lies in the inertia of political affiliation and tradition. We were Republicans or Democrats long before and continue to be long after, we are able to give any good reason why we should be either.

Therefore the contest must be in both parties and for the control of both parties. Shall the contest be waged all along the whole line of cleavage or only upon one issue—the emancipation of both political parties from corporate domination? This is an issue which the progressive elements in both parties must decide for themselves respectively. The "organization" will have to go to battle on any battle ground the progressive element may choose. All advantages of position and time may be had by the insurgents. Only in choice of weapons are the progressives limited. They must be content with organization and publicity. The reactionaries are confined to cash and duplicity. Their supply of both is ample.

The Lincoln-Roosevelt Republican League made its light mainly upon the emancipation of the Republican party from corporate control. While that was, and is, the paramount issue, the movement probably lost something from the narrowness of its expressed sympathies. It should be broadened this time to include, not only the making of California a free and independent commonwealth, but the revision and reform of our criminal procedures, non-partisan election of judicial candidates, state-wide advisory vote on the selection of United States senators, the non-alienation of power privileges in perpetuity and the conferring upon the general government the power to levy an income tax.

It would be well, however, to stop about there. There are other issues of public importance such as grow out of the liquor traffic, woman suffrage, revenue and taxation, ceding to the states control over rights of way and reservoir sites on government land. These would divide the progressive forces themselves and whatever divides them from each other, and not all of them from the common enemy—the incorporated plutocracies—should be shunned.

There is some guessing going on as to which would be most likely to make Francis J. Heney governor of California, his defeat for district attorney of San Francisco or his election. His election would give him the prestige of having carried the city against all the forces that civic iniquity can mobilize. His defeat would justify a prompt appeal to the state to vindicate its own fair name by repudiating the action of its chief city. If elected he will be too busy with the prosecutions to make the race for governor. If defeated he will be just the man to head a state movement for reforming the criminal procedure. District attorney or governor, which? It looks as though choice would have to be made betwixt the two.

William Bradbury has donned prison garb and taken up his quarters at San Quentin prison, convicted of little else than downright meanness. Had he been a whole-hearted, generous man he might, with his money, have defied the prosecutor for perjury, grafted right and left and held his head high in the society of San Francisco's four hundred. Other such men are doing it, but, being merely rebellious, obstreperous and mean, he was rendered helpless in his old age, as many another has been. The worst that The California Weekly wishes him is that, during his seclusion, he may come to himself, soften down and come out from thence humbled and forgiven.

The Deeper Significance : : : : of Living : : : :

A larger employer of high grade labor stated that he regarded half the desirability of an employee as dependent upon his ability to get on well with other men. Being the coast representative of a very large enterprise, those who enter the service of his company are called upon to meet and influence, not only a large clientele, but a great number of fellow servants of the same corporation, and, however well a candidate for a position in that company may be equipped for the performance of one particular service, his ability to get on with other men must prove of equal value or no place can be found for him.

What this employer has figured out, after painstaking observation and investigation, in terms of percentages of value, other employees have arrived at in a general and perhaps inchoate way. Personality counts for half the value of a man, or, to state it differently, technical fitness for an occupation is doubled in value by adding to it address, tact, atmosphere, the ability to get on with other men.

These things are not to be taught in schools or colleges, and yet, in many cases, must be acquired in schools and colleges if acquired at all. Without them a man is only half a man with half an earning capacity, half as many places open to him, half as large a share of prosperity as another, better equipped in that particular, may enjoy, also half as great a satisfaction in living, for, in the final analysis, society roughly estimates us, and we undiscerningly estimate ourselves at as real a value as this exceptionally careful employer has painstakingly figured out.

And what is this thing we call personality, the thing that opens all doors and hearts to some and closes them all with a slam to others? Must one be born with it in order to possess it? Is it a question of heredity, or, as my father was or a question of cultivation, self control, deliberate training for a vocation?

Second perhaps to our lack of a merchant marine is our national lack of gentility, good breeding, that fine courtesy that enables men to get on with other men. One who has been much abroad, and in many countries, with which we should be doing business, brings home the unwholesome truth that the people of those countries say of us: "We do not like to deal with your people. We are not comfortable in their presence. They insult us. They don't know how to behave toward us." And so our foreign commerce languishes, especially in Latin and Oriental countries, where the inartistic, the rude and the unbecoming give pain and arouse antipathy.

Again, what is the quality of this courtesy, this personal atmosphere that attracts or repels, that makes our value or halves it? For one thing it is so subtle, and of such quality, that one incapable of being counterfeited. No assumed suavity or put-on urbanity will serve as a substitute. It must be genuine.

It comes of an honest heart, of the spirit of kindness, of a modesty in the estimation of self, and it does not come of seeking the balance let the other see what it may. Born of sincerity, kindness and modesty, it needs to be reared in an atmosphere where sincerity, kindness and modesty may flourish. It needs an environment of good breeding, and where, if not at college and university, is good breeding to be looked for? There are those who seem to feel that to do a kind act in a kindly way betrays a taint of effeminacy, so they do it with a brusque lack of grace that robs the deed of half its charm. One whose habit it is to do even kind things boorishly can not double his earning capacity by doing kind things. We have splendid men in America, but we have not a relatively large proportion of splendid gentlemen. This lack has made, with countless thousands, all the difference between a large earning capacity and a small, a well rounded life and a life that was meagre, hungry, half starved

WHAT THE WORLD IS DOING

Development of Rural Routes.

When it is borne in mind that the first rural free delivery routes of the postoffice department were established but thirteen years ago, their development in the meantime seems nothing less than startling, a phenomenal demonstration of the rapidly with which the national government may respond to a popular demand. Five of these routes were established, in West Virginia, in 1896, and within three years their number had been increased to 391, while their cost thus far had been about \$450,000. Time considered, this was a fair start, but since then the growth of the institution has been by leaps and bounds which make such a start seem insignificant. Ten more years have elapsed, and now in every state and territory in our country there are such routes, their entire number being 40,919, on which 40,804 carriers are employed. Their total cost thus far has been about \$170,000,000. Illinois, with 2,284 routes, has the greatest number, while the number in each of seven states exceeds the 1,841 in New York, our most populous commonwealth, the need of the routes being greater where the population is less condensed.

Price of the Warring Privilege.

There are in the civilized world nine nations which are supposed to be ready to fight "at the drop of the hat," or, if not on that provocation, then whenever the provocation may be deemed sufficient. These are the nations currently described as "the great military powers of the world." They consist of Great Britain, Germany, France, Russia, Austria, Hungary, Italy, the United States and Japan, and that they pay high for their warring distinction let statistics attest. Here are the figures: Great Britain annually pays for her army and navy, in round numbers, \$315,000,000; Russia, \$260,000,000; Germany, \$255,000,000; the United States, \$240,000,000; France, \$205,000,000; Italy, \$80,000,000; Austria, \$75,000,000; Japan, \$48,000,000; and Hungary, \$40,000,000. This is a neat little total of \$1,518,000,000, or let us say, sufficient to measure the distance from starvation to humble plenty for 5,060,000 people. Certainly the privilege comes high, and it might not come amiss to beat the sword into that plowshare. These taxes for the maintenance of army and navy amount to almost 40 per cent of the taxes paid by the peoples involved. That is to say, of every five dollars thus paid two are devoted to keeping the chip on our shoulder. It is an expensive chip. Great Britain is the nation that buys the most of this luxury.

The "Canned Voice" and Consumption.

The "canned voice" which is frequently mentioned as the gramophone, graphophone, or phonograph, has been set to a use which far exceeds, in value, its ordinary function of exuding tinnny music. This is no less than instructing the people concerning tuberculosis, its cause and prevention, and already it has done much service in this line. The New York state charitable association has been using the instrument for this purpose, and it reports that during the year terminating August 10, 1909, it by this means addressed 2,433,135 people on the subject of their health and the best method of maintaining it. Of course these seemingly accurate figures cannot be absolutely so, but they probably approximate accuracy. For instance, it is claimed that about 754,000 persons passing through the museum of natural history in New York paused last year to hear the preserved voice say, "Don't live or work in rooms where there is no fresh air; such rooms are dangerous. Always keep your windows open." The admonitions are varied, but their general trend is in the direction of increasing public knowledge of the laws of health, and every means is adopted to reach the people with these health guides in gramophone form.

Directors Who Do Not Direct.

The controller of the currency not long ago sent letters to all directors of national banks, in which he endeavored to ascertain the manner in which they discharged their duties. The answers to his letter were not encouraging, indicating, as they did, that a large proportion of the directors do not discharge their duties at all. Their name is a misnomer, for they direct nothing. But one-fourth of these directors knew the real conditions in the banks they were supposed to direct. The next number of the currency number admitted that they knew absolutely nothing of the situation in their banks. Only 31 per cent of them approved loans, while the remaining 69 per cent left that important matter entirely to the discretion of the officers of their banks. Six per cent made of objection to overdrafts, and 80 per cent knew nothing of the genuineness of signatures on discounted notes. In short, the great majority left the undirected management of the banks to their officials, with a beautiful, if sometimes misdirected, faith that all would be well. It should be remembered that this is a showing made by the directors themselves, and so, if at all prejudiced, that prejudice cannot be against them.

The Shipping Commerce of the World.

To return to peaceful ways, if Great Britain pays the most for the chip on the shoulder, she also has most to do with the tranquil paths of commerce. The latest Lloyd's Register recently issued, reports the entire number of steamships and sailing ships now on the world's waters as 30,540, and of these 11,565, or more than three-eighths, belong to British owners. This is a fine showing for our cousin of the right little tight littleisle, but further investigation of the facts demonstrates that finer (for them) still is to come. The total tonnage of the world's shipping is 41,449,767 tons, and of this 18,826,442 tons, or more than 45 per cent, are owned by Britons. Great Britain owns three and one-half times as much tonnage as the United States, and four and one-half times as much as Germany, while Norway, which comes next, has scarcely more than a tenth as much as the Britons. There are at the present time 101 steamships capable of exceeding twenty knots per hour, and of these sixty-one are British owned. On the whole, the Register shows a pleasing condition of affairs—for Britons, but it should be less satisfactory to the people of other nations.

The American Exposition in Berlin.

In a magnificent palace much larger than Madison Square Garden, New York, in the heart of Berlin, an American exposition will be held during the months of May, June and July next year. The idea which gave birth to the exposition was that of presenting a high-class exhibition of American industries, inventions, arts, etc., where Europeans best could see them, and already it is apparent that this idea will be carried to an effective issue. Prince Henry of Prussia will be the honorary president of the exposition, and prominent German business men will co-operate with him, while Thomas A. Edison and J. Pierpont Morgan will be members of the American honorary committee. Of course, these notables may serve rather as figureheads than as active participants, but the fact that they have permitted their names to be used indicates that they foresee success for the enterprise. Steamship companies will give freight rates reduced by 30 per cent, and all things indicate that Europeans are to see American wares under most favorable circumstances.

The Latest Man-Killing Device.

Will man never cease to dream of the day when he can satisfy the brute within himself by slaughtering his fellow-beings in battalions? Whether he will or not, it is certain that he still is exercising the cunning of his intellect

in devising new and more wholesale means of killing. The latest of these devices is that of a German officer who has invented a torpedo which, he claims, will, when dropped from an airship, go far toward annihilating an army. It explodes with a tremendous concussion and at the same time emits an immense sheet of flame. Experts, who are inclined to look upon the invention with favor, now are attempting to decide whether the explosion would be likely to terminate the career of the airship, a consummation which to some might not appear wholly objectionable. Perhaps, after all, the final, great day of universal peace will be hastened by these manslaughtering devices, little man becoming so dangerous to himself as to treat himself with utmost consideration.

Newest Ships Smaller.

Perhaps the limit has been already reached. The next new Cunarders for the north Atlantic service will be smaller and slower than the Lusitania and Mauretania.

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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THE PLAYERLESS PLAYERS."

When Edwin Booth founded the Players' Club in New York he intended to provide a social center for the fraternity of actors, but the wideness of his own range of sympathies caused him to allow a clause in the constitution of the club that has well-nigh defeated its purpose. This clause, relative to the qualification of members, allows the election of members of any profession. The result is that the beautiful clubhouse, in quiet, aristocratic old Gramercy Park, receives within its doors as many lawyers, doctors and writers as actors.

The theatrical atmosphere is preserved in many ways, to be sure. The rooms in which Booth lived his last years and died are as he left them, kept as he last arranged them, as a memorial of him. On the walls throughout the clubhouse are playbills of famous casts, portraits of famous actors in their great roles, and "properties" used by them, swords and the like. And, of course, many actors still belong to the club.

But the majority of actors have felt irked at the intrusion of such non-"professional" people. They enjoy herding with their own people, and they have founded new clubs to satisfy this desire. The Lambs, though not wholly limited to actors, is much more representative of the profession than the Players'. It has grown in recent years to a very large membership, and its annual "gamboles" net sums of money well up in the five figures. This money is spent on the clubhouse and for the benefit of disabled or superannuated actors.

The Greenroom Club is even more representative of the profession. Its membership is limited exclusively to actors, managers, and playwrights. Outsiders who have the courtesy of a card to the club extended to them see here the genus actor in propria persona at his pleasures, especially on Saturday nights after the theaters are closed, when everybody is at the beck and call of the master of ceremonies for the evening and must, when called upon, execute an impromptu "turn" for the amusement of his fellow members.

At these gatherings are exhibited the qualities of actors that are the most admirable—their unaffected comradeship and unconventional freedom in the social intercourse. It is possible that the chill atmosphere of the more austere and reserved professions is the principal thing that has driven the actors from the Players'. The Players', as a theatrical club, is rapidly becoming a tradition, a tradition that will be forever hallowed by the memory of Booth and Jefferson. It seems likely soon to lose all vital connection with the contemporaneous history of the stage.

STORIES OF TENNYSON

The London correspondent of the New York Sun has compiled the following list of about Tennyson that have come to light in connection with the recent celebration of the centenary of his birth:

Once a young woman who had been just introduced to Tennyson at Freshwater was left alone with him on the seashore. She had immense awe of the poet and therefore did not interrupt him as he sat speechless, gazing straight ahead of him at the sea.

The long silence was broken at last in an astonishing manner by Tennyson. He was going to open his lips and utter some lovely thought, the young woman imagined. Instead he opened them and in gruff and gloomy tones gave voice to this remark:

"You creak."

Tennyson added as explanation:

"You creak. Your stays creak."

This so startled the young woman that she ran away and went indoors, where a large company, she found, was gathered together over tea. In a little time Tennyson appeared, a vague expression on his countenance, as though something had gone wrong with him. The girl, now accounting him possibly mad and certainly impotent, tried hard to hide away from him.

In vain His eagle eye found her out. He threatened his way among the other guests toward her, took her hand and said in resonant tones before the whole company of them: "My dear, I beg your pardon. I find it was my braces."

The feelings of the young woman and the astonishment of the guests may be left to the imagination.

Once Irving was discussing a play with the poet and ordered a bottle of port to help in the discussion. Tennyson drank glass after glass until the bottle was finished and then turned reproachfully to the actor and said: "Irving, how fond you are of port!"

At Aldworth an American woman once penetrated into his garden and was gratified to observe the poet walking up and down, apparently in the agonies of composition. Suddenly he stopped and gazed with a vacant expression at a bed of lettuce. His lips began to move and his still hidden admirer whipped out her note book to record the pearls of wisdom from the master's mouth. What he actually said after prolonged cogitation was:

"Damn those rabbits!"

PERSIAN POETRY.

Too few people realize the beauty and richness of Persian poetry, wrapt in its veil of mysticism. Of all this poetry, that of Jelaluddin is as a child. He was a seer, a builder of religious ecstasies. When five years old his parents were made fugitives and his life was sorrowful and melancholy. The following exquisite apologue is from the pen of this poet mystic:

"There came one and knocked at the door of the Beloved. And a voice answered and said, 'Who is there?' The lover replied, 'It is I.' 'Go hence,' returned the voice, 'there is no room within for thee and me.' Then came the lover a second time and knocked, and again the voice demanded, 'Who is there?' He answered, 'It is thou.' 'Enter,' said the voice, 'for I am within.'"

GHAZELS.

From the Diwan of Hafiz.

From the storm, wind of chance it is not possible to see that on this lawn grew once the wild white rose or the red.

The hot breath of the simoon which hath passed across this garden, makes it marvelous that the color of the rose should remain, or the scent of the jessamine.

Better than eternal life is union with the Beloved; grant me that, O Lord, for that is best.

Whether I be virtuous or sinful, go thou thine own way, for in the end every one will reap according to the seed he has sown.

If my heart draws me to the musk-scented grape, so be it! From austerity and hypocrisy cometh no sweet smell.

The world is a bride of surpassing beauty—but remember that this maiden is never bound to anyone.

In the morning I strayed to the garden, drawn by the sweet scent of the roses, that, like the desolate nightingale, it might find balm for my brain.

MONTHLY NOVELS AGAIN?

Book buyers and collectors of first editions will be interested in a revival of the practice of issuing novels in monthly parts. Fifty or sixty years ago the practice was common enough, most of the popular works of the early Victorian novelists were so published and the appearance of installments of Thackeray in yellow, that of Dickens in green was eagerly looked forward to by hundreds of thousands of readers.

If a story really arouses public interest this method of publication is very profitable to the author and the publisher, but it is by no means certain that the production of any living writer will rival the popularity of any of the classic novelists.

OUR FIVE-FOOT SHELVE.

Mark Twain Before "Joan of Arc."

Before Mark Twain listened to the siren song of "serious literature," almost anything he wrote would go on our little shelf of books that really are ours by right of absolute absorption. The luckless day when he abandoned his inimitable circus tent for the "legit" in literature marks the day we parted ways with the Mark Twain of our joyful boyhood and sadly recognized the fact that the author of "Huck Finn" was dead. William Dean Howells may think "Joan of Arc" is high art, but give us "Tom Sawyer," "Roughing It," and "Innocents Abroad." Here is the American genius speaking, new and clear and distinct, seeing with the young eyes of a young nation and writing in the broad humor of a people who had learned to laugh without malice.

In these precious earlier books the writer discerns a quality of true greatness; universality. In his boyhood, no incident occurred nor any subject was broached but he could quote something from Mark Twain that was to the point as criticism or parallel. Shakespeare has this quality, on a higher plane of literary expression, to be sure. I doubt if he has it in greater degree than Mark Twain, and surely Shakespeare's expression and "modern instances" are nowhere near so close to the homely life of mankind as Mark Twain's.

Of course, two of his characters are immortal. Tom Sawyer and Huck Finn are flesh and blood with the everlasting heart of childhood. Age will not dim nor custom stale their intimate appeal. To boys, they are the most alluring pictures of that most alluring word in boyhood's vocabulary—"Adventure." To men, they are the joyful re-creation of "remember the time you and I did—" everything that the lapse of years has gilded with the priceless gold of youth.

Dear old Mark Twain! Let us be patient with his recent stuff—he's near to Shakespeare's seventh age, remember—let us forget his recent whims and oddities, and, in some precious hour, drag to the light the well-thumbed, old, familiar volumes, steal a glamorous ride back to the mirthful, carefree, adventurous days, and praise God that He made Mark Twain to make us laugh.

A WAGNER THEATRE BILL

A theatre bill has recently been discovered which was issued by Richard Wagner in the days when he was the leader of the orchestra at the Riga Theatre, and in that capacity had a right to a benefit performance. It reads:

SUNDAY, DEC. 11, 1837.

will be performed for the benefit of the undersigned for the first time.

"NORMA."

grand romantic opera in two acts,

by Bellini.

The undersigned believes that he cannot prove his veneration for the dilettante public of this town better than by choosing this opera for the benefit accorded him in recognition of his efforts to encourage and improve the youthful musical talents belonging to the theatre of this town. Among all Bellini's creations "Norma" is the one that unites with the richest harvest of melodies the most intimate spirit and profoundest truth. Even the stoutest adversaries of the neo-Italian school have recognized with justice that this composition, which speaks to the heart, gives proof of mental effort and sacrifices nothing to modern platitudes.

As everything has been done as regards rehearsals and the mounting of this work I can venture humbly to invite the public which loves the theatre, and I do so with the joyful hope that my efforts to fulfil as far as it is possible the duties of my position will find kindly and sympathetic approbation.

RICHARD WAGNER.

Kapellmeister.

Riga, December 8, 1837.

HOW SHALL WE RECEIVE MR. TAFT?

THE EXAMPLE OF THE RECEPTION TENDERED GENERAL GRANT.

Appropos of the imminence of the visit of President Taft, former receptions to Presidents of the country are being discussed and incidents thereof are being recalled. It has been claimed that where there exists a warm feeling of welcome in the hearts of the people, that feeling usually manages to find expression somewhere, and where it is genuine and strong, the personality of the recipient in a great degree inspires or dominates much that is said and done.

Not to recall the incident of President Harrison's visit, which it is said Oakland still remembers, the two best remembered receptions are the one accorded to Ex-President Grant on his return from his triumphal tour around the world and that accorded to President Roosevelt toward the end of his first term. Both men had in an extraordinary degree won the admiration of the people, for widely different reasons, and toward both men personally was extended the warmest expression of welcome.

We give below the address of welcome to General Grant delivered by Henry Edgerton, which was reprinted in the "Sacramento Bee" of May 16, 1903. Next week we shall give the address of welcome to President Roosevelt, delivered by John F. Davis, taken from the San Francisco morning dailies of May 15, 1903. The first was upon the occasion of the reception at the state capitol in November, 1879, as General Grant was proceeding on his way eastward, and was one of the most splendid receptions ever given to anyone in California.

Those who remember the eloquent Edgerton at his best will seem to hear his resonant voice rounding out his splendid periods as of yore. The younger generation, reading the address, will be easily persuaded that in those days there were orators in California. Grant and Edgerton are at rest, but Roosevelt and Davis, not unworthy successors, still live; but of them in our next. [Editor California Weekly.]

HENRY EDGERTON'S WELCOME TO GENERAL GRANT.

General Grant: The citizens of Sacramento, in union with the representatives of numerous other communities, near and remote, in behalf of the people of California, cordially welcome you with your family and suite to the freedom and hospitalities of their Capital City.

They desire thereby to interpret and emphasize their profound respect for you, and their gratitude for illustrious service rendered to our common country. The muse of history will in due time fix the character and extent of those services in permanent and philosophic view. Poetry and art will celebrate them in animating and enduring form. May the day be far distant when the voices that praise may indulge in the fullness of utterance that belongs to the sanctity of the grave.

It is a generous pride that intertwines a consciousness of liberty with veneration for its defenders. It is therefore at all times decorous and graceful in the generation that has witnessed your achievements to assert their splendor and beneficence, and by public acclamation and ovation to attest and solemnize the legitimate homage of its admiration and love.

We congratulate you upon the felicity of life spared to witness the coincidence of your patriotic deeds with the grandeur and prosperity of your country. We possess a territorial domain embracing many zones of climate and flora, and extending in almost continuous cohesion to meridian lines that include a third of your journey around the earth. We exhibit the civilization bearing a genuine American stamp, which has mani-

fested itself as strong enough to give admission to the diverse characteristics of many races, and to transmute all it admits into original forms of civic and social life that clearly reflect its own nature. We live in the shelter of a Government in which the beauty and harmony of free institutions are embodied in visible stability and order, in societies that move regularly and tranquilly to the music of the Union, in a Republic where the unchecked impulses and powers inherent in an ingenious and ingenious people essay and solve as they rise all social and political problems.

In these glowing realities, in the fixed station and destiny of a noble and puissant Nation, in the amplitude and perfection of its liberties, in the multiplicitous variety and indomitable vigor of its popular life, and in the inspiring story of its perils, its struggles and its triumphs, the discriminating judgment of the age has discerned the fair and imperishable monuments of your own fame.

We contemplate for a moment a military career which, presaging its splendor at Molino del Rey and Chapultepec, and made immortal by the memories of Donelson, of Shiloh, of Vicksburg, of Chattanooga and Richmond, was consummated and glorified by a magnanimity that lifted up victory to a sublime moral height, and led a heroic people without bitterness of recollection across the threshold of a new and better era. We challenge a military renown that has cost less to justice, less to humanity, less to the human conscience.

We advert to a civic career in the great office of President, attempted without previous civic experience and running to the full limit yet allowed to the most illustrious of your predecessors, and

"In that fierce light that beats upon a throne, And blackens every blot," we see clearly mirrored the lofty patriotism, the calm, immovable character, the incorrupt, acute mind, the "chastity of honor."

We retrace your tour around the globe, marked at every point of the circumference by unexampled demonstrations of respect, and everywhere, in the pomp and pageantry of the courts of Europe and in the rigid forms of the ancient theocracies and empires of Asia, we behold the unostentatious Republican citizen symbolizing the dignity and the honor of his country and drawing it more closely into the great life of the world.

As Americans, we dwell upon these resplendent deeds with feelings that surpass enthusiasm. We group them upon the background of a life that reveals no unseemly pursuit of office, no trust violated, no confidence betrayed, no friendship broken, and trustfully lay them at the feet of history.

As Californians, we remember that our state, its unrivaled domain, its polity, its prosperity and happiness attained, and its fair prospect of future greatness and power are the fruits of a conquest in which you bore a conspicuous and brilliant part. California, always loyal to the ancient faith and traditions of the Nation, her blood and treasure in perpetual pledge to its security and honor, her great heart ever bowed in tender reverence of the memories of its statesmen and warriors dead, always delights to exalt its heroes living.

Today her sons and daughters crown you with a garland woven of their gratitude, their confidence and their love. There is not a Californian whose patriotism is unmixed with a grateful affection for you. There is not in California a community or party, a sect or a class which, in the hour of its peril, would not confide the glory of the Republic to the guardianship of Grant. Her hospitality to you is as boundless and sincere as the sentiment and feelings from which it springs. Every miner's cabin, every peasant's cot, and every rich man's palace in her borders, with "doors on golden hinges turning," is thrown wide open to you. Come in and abide with us.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Never Mind the Needle's Eye.

His pa had made some millions while he lingered here below,
Then received an urgent summons to the court that's held up stairs,
And his funeral was a triumph of most fashionable woe,
And the parson gave him honor in the neat-est of his prayers.
Yet a camel, don't you know,
Through a needle's eye may go—
But I think you know the balance, and perhaps it is too thin,
For the parson in his prayer
Shoved him up the golden stair
To the very gate of heaven, and I guess he showed him in;
And who am I, and who are you, to balance up his fate
And dwell upon a passage that is likely out of date?

The mourning son was neatly dressed—outside, of course, I mean—
Though the human vase he shattered, still the scents of dollars cling;
And so the public came at once upon the heir to beam,
And sadly sighed, "The king is dead," and chirruped, "Live the king!"
For although a camel's show
Through a needle's eye to go
May be classed as rather narrow, still we need not really mind,
For we find on contemplation
That it doesn't jar the nation,
Since the camel, being thoughtful, always leaves his load behind,
And well you know, and so do I—'tis true, as all allow—
That not to camel or its heir, but to its "stuff" we bow.

Concerning Coleoptera.

The Smithsonian Institution, which its founder established "for the increase and diffusion of knowledge among men," has, by way of such increase and diffusion, published "A Monographic Revision of the Coleoptera Belonging to the Tenebrionide Tribe Eleodini Inhabiting the United States, Lower California and Adjacent Islands." For a long time now I have thirsted for knowledge relating to the coleoptera belonging to the tenebrionide tribe eleodini. I might have got along without the tenebrionide, but my yearning soul would not be content without at least a fair allowance of eleodini; so I have been coying with the book. Throughout it reads very much the same, except that it is more same in some places than it is in others. One forceful and eloquent passage particularly impressed me, and so I republish it for the benefit of any other person who hitherto has hesitated whether to order his coleoptera with or without trimmings:

"The body is oblong to ovate, rarely oval; apertures; head prominent, slightly narrowed behind; the eyes; epistoma covering the base of the mandibles at the sides; labrum prominent; mentum small, inserted upon a gular peduncle; maxillae slender, slightly curved; maxillary palpi with the last joint securiform, not very large; eyes transverse, reniform, tolerably finely granulated; antennae eleven jointed; elytra embracing widely the planks of the abdomen, epipleurae narrow to moderately wide, middle coxae with large trochantin, side pieces attaining the coxal cavities; metasternum very short, episterna narrow, epimera quite distinct; hind coxae widely separated; lateral process of abdomen rectangular; third and fourth ventral segments not prolonged behind at the margin."

I should have read the foregoing more than once if it had not been for the headache, but, vaguely and dazedly, I already feel that my knowledge has been more diffused than increased. Yet I do not deny that the announcement is true, for I guess it is, or else it isn't, and, anyway, you can't prove it by me. Who am I, that I should doubt that the critters are apterous, and that the epistoma get mixed with the mandibles, and that the labrum has a front seat on the gular peduncle, and that the palpi are securiform in spots, and that the elytra and epipleurae are all right, and ain't it awful,

Mabel? And who am I to negative assertions that may be true, and then, again, may be merely the result of the English language having been struck by lightning? No, I cannot do it. I dislike to tender advice to the Smithsonian Institute, of course, but if I were in its place I should diffuse my "diffusion of knowledge" a little less diffusive. Such a course would be far more unlikely to result in wrecked intellects.

The Opinions of Rufus.

If you don't b'lieve that our judgments depends a lot on circumstances try to remember if you've ever heered a woman that was takin' anti-fat say that she was an admirer of directorate gowns.

The doctors are some excited over a disease called pellagra they've discovered in this country, but I don't b'lieve they'll find it 'll 'mount to much—it can't be cut out.

I've noticed that it's gen'ly the smallest idee that needs the biggest cuss-words to carry it through.

We may be grateful, brethern, that paresis ain't a common disease, but when we look 'bout us we can't c'nside it strange.

Ef ten men was wuth \$10,000 among 'em, an' one of them was wuth \$9,500, you could figger out that some of 'em would be middlin' poor, couldn't you? But I s'pose you can't see any connection 'twen multi-millionaires an' pauperism, can you? It's a queer world, my bloved.

I don't like to say a word 'gainst fashion, fer I realize that if it wan't fer it lots of my sisters would lose interest in life, but when I see thirtyn ounces of brains topped off with thirty-nine ounces of hair I can't help wond'rin ef 't wouldn't be better of the situation was reversed.

We yell, "Don't knock," but this here bouquet's fer one kind of knocker—the man that 'knocks' evil. He's like a carpenter that knocks the nails he drives; the knockin' is necessary to good buildin'.

I've heered men brag 'bout their ancestors when it seemed to me that an apology to 'em would be more fittin' under the circumstances.

Thoughtful Man on the Illogical Public.

"The public is illogical, not to say unreasonable," the Thoughtful Man remarked, "and, of course, many of its newspapers must be the same. We deprecate this fact exceedingly, but what can we do about it? Already we have bought all the publications we can afford to keep on our payroll, and as this leaves us with a considerable number still unpurchased, there we are. Naturally we are proud of our consolidated Post and Globe (as it be well shaken before taken), the Oakland Tribune, the Chronicle, the Los Angeles Times and other papers against which we fumigate, but, alas! they are not enough; the public still remains illogical."

"For instance, take that little billet doux which Mr. Calhoun sent out to the papers of the country. I feel that I describe it inadequately when I say that it was a triumph of critical reasoning. In it we proudly demonstrated that Mr. Heney was guilty. We did not say of what he was guilty, for we didn't know, but we showed that he was guilty; anyway, and it followed as the night the day that Mr. Calhoun was innocent. With your clear intellect, you see it immediately, do you not? You must, for not to see it interferes with business."

"Well, how can I make you believe that that triumph of argumentative art reacted? It seems impossible, but it did. The unpurchased publications, East and West, took it up, and insisted that Mr. Heney's guilt or innocence was not at issue, but Mr. Calhoun's was. The shame of it! The dark disgrace! And this at a time when we couldn't afford to buy another paper!"

"Then a man named Wigmore, an unknown person who had done nothing except to make

himself the highest living authority on evidence, emerged from his shameful obscurity long enough to insist that Mr. Calhoun's letter had a tendency to demonstrate his guilt. Oh, the black ignominy of it! And if there were any color blacker than black I would mention it, too. Yet such are the shameful creatures that interfere with business! I don't know what we can do now, although the editor of the Tribune suggests that we empty another pot of ink. But ink costs. You ought to see the bills we charge to non-interference with business. Ah me, the public is so illogical! Let's bury our sorrows."

So we stepped down to the corner, and buried them.

These Are Our Brothers.

I have played the game, and I know right well
The price that the player full oft must pay,
I have lived my hours in a self-made hell,
When peace had rewarded a better way.
I have fallen, to rise, and risen, to fall,
Have bartered for shadows the sunlight's glow,
But this I have learned from my stumblings
all,
And I thank my God that it e'en is so:
In midst of sinners my brother I know,
Brother in weakness and brother in might;
Had I known the temptation that laid him low,
Haply I, too, were astray in the night.

Lost in the fog and imbedded in mire;
"Thank God," we murmur, "I am not as he!"
Ay, but the muck on our better attire
Proves that his kinsman forever are we;
Kinsmen with pebbles we willingly cast,
Or kinsmen with blessing we fain would bestow;

And some of us sink to his station at last,
And some, looking upward, a better fate know.

Brothers in darkness and brothers in light,
Wayfarers, all, in the earthly maze,
Had we known the temptation that brought him light,
How had we fared, and what were our ways?

There where the tenement litters and spawns
(Price of the millionaire—bow to the name)
Think you that ever the light of the dawns
Shineth all fair for their children of shame?
Yet they are brothers, poor, pitiful ones,
Born to the terror that walketh by night
And to the evil that mocketh God's suns,
Needing man's pity to set them aright.
Brothers by might of humanity's claim;
Souls that the specters of evil pursue—
Had you been born to those purities of shame,
How were it, brother, how were it with you?

"Bob" Burdette.

Rev. Robert J. (better, and most lovingly known to the world as "Bob") Burdette injured his spine by a fall last spring, and it is feared that the injury will be permanent. There are tens and hundreds of thousands throughout the English-speaking world who will trust that this fear is baseless, for, whether or not they have met him, they count him among their friends. Long years ago, when, in the columns of the Burlington Hawkeye, he was adding to life's sunshine, they learned to know and love him. Since then he has delivered his gospel of good-will and brotherly love, and the world has been the better for it. So it is that much grateful sympathy goes out to "Bob" Burdette in his misfortune, and so it is that we will venture to hope that his invalidism will not be enduring.

Gossip—Your expressed opinions of your neighbor.

Slander—Your neighbor's expressed opinions of you.

Electric Railroad Company, which operates the street railways of Stockton. William F. Herrin is vice-president of this company.

The Southern Pacific owns the Northwestern Pacific Railroad Company, which connects San Francisco by ferry and trolley with Sausalito, Larkspur, Mill Valley, Ross, San Anselmo, Fairfax and San Rafael.

The power for all these roads is purchased from the Pacific Gas and Electric Company, which was described in the second article of this series.

The Pacific Light and Power Company has located, and is holding for future development, about twenty new power sites in the Sierra Nevada. These sites are capable of developing about 1,000,000 horsepower.

The San Joaquin Light and Power Company controls several additional undeveloped power sites.

The Southern Pacific Company, through its various subsidiary power and trolley companies, has acquired power sites, developed and undeveloped, sufficient to provide power for an electric railroad from Los Angeles to San Jose and San Francisco by way of the San Joaquin valley. The engineering problems, such as the necessary construction and equipment of the power plants and the extension of transmission lines to feed such a road, have all been threshed out. The route of such a road has been surveyed. It is impossible to venture an opinion when the road will be made complete, but there is no doubt that it is a part of the plans of the Southern Pacific. The process of completing it will be by connecting

existing lines now under the company's control. The present part of the policy is to complete the local systems first, as at Fresno, so as to provide ample radiating freight-feeding local lines before completing the trunk-line connections.

As this article is limited to Southern and South Central California, no account is taken of other Southern Pacific power developments, such as are contemplated for the electrification of the Sacramento division, or such power sites as are being held in Siskiyou county by doing just enough development work on them to hold the appropriation rights to the water.

PERSONALIA

David Warfield's new leading woman in "The Music Master" is Miss Janet Dunbar, who has been on the stage only one year. In private life she is Miss Nettie Gallagher, of Kansas City.

Napoleon will appear as a baritone in a new opera based upon "Mme. Sans-Gené," Sardou's comedy. Giordano is now finishing the work. Verdi pointed out to him the possibilities of the Sardou drama.

Mme. Sembrich has the distinction of being the first honorary member ever elected to the metropolitan opera company of New York. This honor was conferred on her at the time of her farewell appearance in February.

John Bunyan has a rival in Henry Weidenbach, an artist serving four years in the Ohio penitentiary for grand larceny, who has been commissioned to redecorate some of the valuable paintings in the Ohio State House.

Paderewski has lately received the cross of the Legion of Honor, being the only musician besides Liszt and Rubenstein to receive it without first passing through the grade of chevalier. Paderewski, by the way, is now nearly fifty years old.

Prof. E. C. Griffin, recently engaged to head the chemistry department of the Kansas State Agricultural College, is spending his vacation at Brighton, Col., as a hoad carrier. He is not trying to solve the labor problem, but likes hard work. He is earning \$1.50 a day there.

Gen. Daniel H. Rucker, U. S. A., retired, was recently notified by a life insurance company that under its rules he was dead, and that they were ready to pay his policy in full. The General, who is ninety-six, accepted payment, though he denied the assertion that he was dead.

Edwin Markham, author of "The Man With the Hoe," is coming home. Of California he says: "Once the charm of that golden climate gets into a man's veins, he may roam all over the earth, but he will always long to return to the sunset land. My best inspirations came to me there."

Frank N. Meyer, one of the "plant explorers" of the department of agriculture, will soon leave on a long tour through Turkey and China in search of new varieties of grapes said to grow in those regions. Mr. Meyer has brought back many valuable new plants and fruits from previous expeditions.

General Allen, chief of the signal corps of the United States army, is quoted as saying that a wild tale sent to the press from London about a wonderful Yankee inventor at Fort Omaha, who has provided our army with an electrical machine capable of defeating any enemy, is "completely without foundation."

During his recent visit in London Harrison Grey Fiske discussed with Sir Herbert Beerbohm Tree the idea of Mrs. Fiske's appearing in London, with the result that tentative arrangements were made whereby Mrs. Fiske will play a joint starring engagement at His Majesty's Theater with Sir Herbert and an English company. One of the foremost dramatists in England has been commissioned to write a play that will provide Mrs. Fiske and Tree with an appropriate medium.



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POLITICAL TABLE TALK

By THE WATCHMAN.

Pretended Preservation Of Party Regularity

Political custom often lacks a great deal of being logical. Party regularity is an asset to a politician and most politicians are afraid of stepping over party lines even to save their party from disgrace. It is possible that George C. Pardee may be the only person in California who openly haunted a convention and still had a political career left open to him. It occurred in an Oakland city election a number of years ago. The Espee gang had made the Republican city convention its own to the promised injury of the city, whereupon Pardee bolted the convention, defied it to its teeth, headed a non-partisan movement and swept the city in the interests of decent government. What saved him was that he won out, for there is nothing that succeeds like success. When, afterward, the machine attempted to brand him as a bolter, Republicans of Oakland remembered that they bolted, too, and he wasn't hurt there or anywhere. Any strong man may bolt a bad ticket and not be hurt if he will only get out and whip the bad ticket before the people. The weak man with political aspirations will have to preserve an appearance of party regularity or be lost, although the appearance may be the shallowest that ever was. The Independent Republican League leaders in San Francisco no doubt feel that they must make a bluff at standing for the Crocker ticket because it carries the Republican banner, but they may not only vote independently at the polls, but pass the word down the line to do likewise and not suffer serious harm.

Give to the Voter A Free Man's Chance

It appears to extenuate little that William Crocker was nominated in opposition to a majority of the voting Republicans of San Francisco. The fact that he owes his nomination to renegades temporarily absent from the Rainey Democrat and Union Labor reservations lent for the occasion is held to count for nothing. Party regularity still demands a show on the part of Republicans of swallowing Crocker as the Republican nominee, no matter how he got his nomination. Anywhere outside of politics fraud vitiates all contracts and releases from all obligations, and in politics "everything goes" and a nomination binds no matter how that nomination was obtained. Title by theft, purchase, corporation domination, ballot box stuffing, or what not, is held as good as by the free suffrages of a regular party constituency. Fortunately, the party voter is bound by no such obligation as holds the petty politician to regularity. He may cure the rank product of a dishonest primary without being called to account by any political potentate who walks. In his little voting booth he fears only God and an accusing conscience. This should give his friends of good government in San Francisco courage to put before the people a good government ticket. Without such a ticket the conscience of the city can not find expression. With it the way is wide open for a splendid victory at the polls unless, indeed, the city is altogether steeped in sin and lost to shame.

Los Angeles Points The Better Way

Los Angeles, like San Francisco, is facing the danger and opportunity of electing a new city government through new methods. The state primary law, which controls in San Francisco, does not control in Los Angeles, because that city possesses a special primary enactment embodied in its charter, and it takes precedence of the general law. Under this special statute the voters of the southern city will, in a short time, go to the polls to nominate candidates, some of whom will be elected at the regular municipal election to be held in December. The greatest practical difference between the nominating primary as we had it in San Francisco and

as it will be worked in Los Angeles will be in the ballots, for in the latter city no party names or other political designations will be permitted; John Smith, candidate for mayor, will appear as plain John Smith—neither Republican nor Democrat, nor Socialist. The names of all candidates for a given office will be arranged alphabetically, and it will be necessary to stamp after the name of each candidate for whom the voter desires to vote.

Partisan Politics Probably Out of It

In other words, the Los Angeles scheme is the precise opposite of that with which San Francisco was supplied by the state statute. The latter was designed to perpetuate party control and to organize it on the right basis, by putting the power immediately in the hands of the people; the Los Angeles charter aims at the extirpation of party in city elections. Whether or not the latter object will be accomplished can not be told until after the experiment has been tried, and most new schemes in government have a trick of disappointing both their advocates and their opponents; but it appears intrinsically probable that the voter who finds on his ballot no labels to tell him whether the candidates are Republicans or Democrats will vote with a good deal less regard for party than he would manifest under the old plan of party tickets and labels. The Los Angeles primary will be an elimination contest, for of all the candidates voted for at what time only two for each office can go on the ballot at the December municipal election; these two will, of course, appear without party designations, and both may be Republicans, or both Democrats, or they may be Republican and Democrat, respectively.

Parker Trying to Hoist The Party Banner

And now what are the Los Angeles politicians doing to give effect to the letter and spirit of the no-party primary law? The contest between the political reform law and the unreformed politician is traditional, like that between the gun-maker and the maker of defensive armor; a cannon capable of piercing any existing armor is no sooner built than armor to resist it is invented, and then comes a more powerful gun, and so the contest goes on indefinitely. In line with this traditional policy the Republican City Committee of Los Angeles, which is accused of being dominated by Walter Parker of the Southern Pacific political bureau, has called a Republican city convention of 2,000 delegates, to be elected at informal precinct caucuses. The effect of such a tremendous convocation of delegates is supposed to be to stoke the party enthusiasm to fever heat, and to send the convention's nominees into the primary contest with an irresistible impetus. But whether this bright scheme will work out as its promoters expect is a question involved in considerable doubt, and it is reported that some of the candidates who intend going before the voters at the primary are now debating whether or not they want the indorsement of Mr. Parker's convention—in other words, whether it will help more than it will hurt to be so indorsed.

Pre-Primary Conventions Are Probably Inevitable

The present mayor of Los Angeles, Mr. Alexander, was elected by the reform forces at a special election brought about through the recall provisions of the charter, which forced the resignation of Mayor Harper. It appears to be the wish of his supporters that Mayor Alexander has "made good," and he will be a candidate for re-election. City Auditor Mutchet, who also was put in office by the reformers, is another aspirant and he may go before the Republican convention, although Mayor Alexander will not. Ex-Councilman George A. Smith is an eager candidate, having put up his street-span-

ning banners some time since. In addition to the mayor and a few other executive officers there are to be chosen nine city councilmen; they are to be elected at large, the ward basis of representation having been abolished. As for the reform Republicans, they, too, are planning to indorse certain candidates in advance of the primary, though they will not hold a formal convention, and presumably will not think of going into Walter Parker's convention. It seems to be a fact that by no kind of direct primary law is the necessity for organization obviated, though it is to be hoped that organization will never again be so compelling or so absolute as it was under the old convention method of nominating. Pre-primary conventions, caucuses or mass meetings for naming tickets are probably inevitable under any and all direct primary laws, but in city elections, they need not, and should not be, on party lines or engineered by party bosses.

Theodore Bell Comes to Town

The fact that Theodore Bell has moved to San Francisco, this time with lures and penates, signifies more than a little. He is to be reckoned with hereafter. His party needs him. His regeneration is not unlikely to be largely in his hands. He, more than any other, may set the pace for it. He is progressive, sincere, capable and buoyed with a boundless hope for freer conditions and better things than we have known. He is not of that wing of the Democracy that reveres day before yesterday and mortally dreads day after tomorrow. He has good sense and an enthusiasm that does not grow weary because it finds hard sledding. Theodore Bell has come to town, which is good for the town.

Another One Out For Secretary of State

The bunch of "organization" candidates for Secretary of State does not appear to be complete as yet. To Stafford, Hilborn, Jordan and Price, a detectable set of Herringized odd-jobs men, has lately been added one H. S. Morrow, of San Diego, employed in the office of Surveyor General Kingsbury. His sponsor is Col. D. C. Collier, what a handicap for a young man with aspirations! For, be it remembered, this San Diego Colonel Collier, at the last Republican convention that ever was, made his round form wonderfully conspicuous in facilitating the efforts of George Knight to run the convention in the Herrin interest. Next to the unapproachable Shasta-tongued, galvanized Republican, Tom Dozier, this man Collier was the noisiest purveyor for the "organization" boss at the convention. Good morrow, Mr. Morrow. You are not in it.

A Sizeable Man for the Place

Speaking of candidates for Secretary of State, coming from the capitol building, some minds us that that ample roof does shelter at least one man big enough, broad enough and true enough to make an ideal State Secretary, and it is an office that needs a big, broad, capable, honest man. It ranks in importance next to the office of governor, and the man who is State Treasurer William R. Williams. He is not after the job. He wants to stay where he is, and, as long as he does stay there, the state's money will be safe, but he ought to be promoted. The good of the service demands his promotion, and it is not impossible that the people will demand it of him. The salary is no greater than that of treasurer, while the work, and even the responsibility, is immensely greater. Mr. Williams is thoroughly competent. None of the others spoken of is so except in a clerical sense. The competence of Mr. Williams is adequate, whether from the standpoint of clerical aptitude or broad minded state craft. He is a good man to keep in mind. As for the other men, it is improbable that Mr. Herrin has any objection to their frolicking around the state under the impression that

they are candidates for the office of Secretary of State, but they are not. They are not sizeable.

Hobson's Choice The most striking characteristic of the political situation in San Francisco is the "where am I at?" state of mind of the friends of good government. They see no representative of their hopes for better things in any of the three candidates for mayor. The result is that they are likely to follow either of two tendencies: to resign themselves to making the best of a bad situation, which they define as "taking the least of the three evils" (which means, swallowing Crocker if you are a Republican, or swallowing Leland if you are a Democrat); or to hope against hope for a fourth and entirely independent ticket. The public is looking to the Good Government League for the latter solution. The Good Government League is considering such a move, and it may name such a ticket. On the other hand, it may accept the inert view and endorse Leland. Altogether it is a disappointing field that is presented to the voter.

Crocker's High Bid for Independents' Support. Crocker, when interviewed by the informal committee of leaders of the Municipal League, Independent Republican Clubs, unequivocally declared that he would not be influenced by Sullivan and Lynch in the naming of members of the commissions of the city government. He declared with equal directness that he would not interfere in any way with the pressing of the graft prosecutions if the people signified, by

the election of Heney, their will to have them continued. By these assurances, and others, Crocker satisfied this committee, and they publicly indorsed him.

Leland's Bid for the Same Support Leland has made almost identically the same assurances to the independent bodies to whom he has applied for support. Presumably—on the same almost identical basis—F. H. McCarthy would give exactly the same assurances. McCarthy's assurances were undoubtedly disbelieved by any sophisticated person. Leland's professions are derided by the independent Republicans who have accepted Crocker. Crocker's professions are derided by the people to whom Leland's seem good enough. I. W. Hellman, Jr., is reported to have said in private conversation last week that it made no difference to him which was elected as between Crocker and McCarthy. An independent Republican leader who has not swallowed Crocker, and probably will not, says he would as soon see the devil mayor as Leland.

Confusion as to When one considers the other All Candidates candidates on the several tickets, equal confusion is met. Not even the sordid Chronicle can stomach the supervisory ticket that is on Crocker's ticket. There are eight names on that list for supervisors—the men named by the Independent Republicans. Of the other ten, a Republican leader said that he could not vote for them if they were pickled in disinfectants. This leader, and most of the other Republicans who know the facts, will vote for eight Republican supervisors and ten Democrats. The sophisticated Democrats will vote for exactly the same men. The danger of the situation is that the uninformed and careless rank and file of the Republican party will interpret the Independents' indorsement of Crocker as an indorsement of the whole ticket, and vote it straight.

Heney's Fight in Good Shape The Heney campaign is in good shape. His independent petition will be complete in a few days. Heney himself will return to San Francisco tomorrow night and will at once address a meeting for the purpose of formally placing himself before the people. The Heney Women's Club has been formed with a large and enthusiastic membership. The Heney League is a rapidly growing organization. Heney's campaign fund will be collected by popular subscription, and contributions for this purpose are coming in encouragingly.

Will Macarthur Try for It? The hopes of those who look for a fourth man to save the day are centered on Walter Macarthur, editor of the Coast Seamen's Journal, independent Democrat and independent union labor man. He has the respect and confidence of the soundest men of all parties in San Francisco. He would make a splendid mayor. And he will make the run, if he can be convinced that a representative part of all the parties really want him to do it and that they will fight for him if he does. At this writing he is not convinced of these things, but there is a hope that the undoubted sentiment that exists in his favor will be crystallized in time to properly assure him of support early enough for him to make an effective campaign.

Equalize the Other Fellow The State Board of Equalization stirred up a hornet's nest in Southern California, whereat the San Francisco newspapers treated their southern brethren very ungenerously. If only those counties that have not sinned against equality of state assessment were to throw stones the atmosphere would be strikingly free from debris. The San Bernardino Sun has a hunch that the effort to raise all the property of the state to a 60 per cent level of valuation owes its inspiration to railroad influence for the equalization of its own larger burden of taxation which it has been minded, in recent years, to pay. The source of inspiration may not be far wrong, though the reason given is not genuine. The assessment of the railroad has small relation to how other property is assessed.

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HYDRO-ELECTRIC POWER IN CALIFORNIA

III. SOUTHERN CALIFORNIA; AND THE SOUTHERN PACIFIC'S RELATION TO CONTROL.

By E. FRENCH STROTHER.

Two companies control the electrical business of all California south of Tehachapi. These companies are the Edison Electric Company and the Pacific Light and Power Company. They have not now any rival whose competition cuts any figure at all in the control of the market or in the fixing of prices. These companies have divided the richest market in this section—Los Angeles city and county—about evenly between them. They have divided about evenly the business of supplying current to the great urban and interurban trolley systems in this district.

Both of these companies develop enormous quantities of electric power in hydraulic plants. The Edison Electric Company generates three-fourths of its entire output in this way. The Pacific Light and Power Company develops about half its output by water power. The balance, in both companies, is generated by steam.

These two companies do not compete in their common market in the matter of charges for service. There is a rivalry between them for the control of sources of hydro-electric power in the mountain streams of Southern and South Central California. Until recently no one has shared in this rivalry because of the monopoly of the market by them. Now, however, the Los Angeles Aqueduct, which is a department of the city government of Los Angeles, expects to utilize the fall of the water it is bringing from Owens Lake to generate electric power. Whether this power will ultimately do more than light the streets of Los Angeles, or whether it will be put on the general market in competition with the present companies, remains to be seen.

At this time, and for the purpose of this article, the municipal plant is negligible, for two reasons: It does not yet exist; when it is complete it will be able to supply only the limited amount of power possible to be developed from the limited amount of water from the one source controlled by the city.

The Edison Electric Company.

The Edison Electric Company succeeded the West Side Lighting Company. It absorbed other companies, thus obtaining the control of local markets by acquiring the local medium of production and distribution. In this process it absorbed the Santa Monica Gas and Electric Company, the Santa Barbara Consolidated Electric Company, the Mountain Power Company, the Redlands Electric Light and Power Company, the United Electricity, Gas and Power Company, the Southern California Power Company, the Santa Ana Gas and Electric Company, the Pasadena Electric Light and Power Company, the Whittier Light and Fuel Company, the Pomona and Ontario Light and Fuel Company, the Redlands Gas Company, and the Riverside Light and Fuel Company.

This company operates in Tulare, Kern, Santa Barbara, Los Angeles, San Bernardino, Riverside and Orange counties. It covers the following cities and towns in Southern California: Los Angeles, Pasadena, Riverside, Redlands, Santa Barbara, Santa Ana, Santa Monica, Long Beach, San Pedro, Redondo, Pomona, Colton, Whittier, Monrovia, Claremont, Orange, Inglewood, San Fernando, Fullerton, Sawtelle, and Fuentec.

The largest hydro-electric plant of The Edison Electric is on the Kern river, in the Cassitas mountains, sixteen miles east of Bakersfield. Another plant is on Lytle creek, near Rialto, San Bernardino county. There are also three plants on Mill creek, in the San Bernardino mountains, near Craftonville (southeast of the city of San Bernardino), and two plants on the Santa Ana river. These plants have an aggregate total rated capacity of 41,000 continuous electric horsepower. The remainder—17,000 horsepower—of the prod-

uct of The Edison Electric is generated by steam.

The transmission of this power illustrates the possibilities of wide usefulness of electricity developed by water power remote from the place where the electricity is needed. The Edison Electric transmits power 118 miles at 66,000 volts, 109 miles at 33,000 volts, 42 miles at 17,000 volts, and 320 miles at 10,000 volts.

This company has issued something over \$11,000,000 of its authorized \$13,000,000 of capital stock, and has outstanding nearly as much more in bonds.

The Pacific Light and Power Company.

The other company, the Pacific Light and Power, rose to its present magnitude by a process of absorption and growth similar to that of The Edison Electric. It owns the Kern River Company, the San Bernardino Gas and Electric Company, the Mentone Power Company, the Sierra Power Company, the San Gabriel Electric Company, the Ontario and San Antonio Heights Railway Company, the Domestic Water Company of Ontario, the Union Power Company, and the Riverside Power Company. The officers of the Pacific Light and Power Company also control the San Joaquin Light and Power Company, the Fresno City Railway Company, and the Fresno Traction Company.

The hydro-electric plants of the Pacific Light and Power Company have a rated capacity of about 20,000 continuous electric horsepower. The largest of these plants is in Kern county on Kern river, near Vaughn. It is rated at 13,000 horsepower. The other plants are in Southern California. The largest is near Mentone, the next near Azusa, and two of 900 horsepower capacity each are, one in the San Gabriel mountains near Ontario and the other opposite Arlington.

The Pacific Light and Power Company is capitalized at \$10,000,000. It is authorized to be bonded for \$10,000,000, of which \$5,000,000 is outstanding.

Largest Customers of Companies.

The urban and interurban trolley systems of Los Angeles and vicinity are the largest customers of the Pacific Light and Power and The Edison Electric. These trolley systems are:

Los Angeles Railway Company, which operates the entire street railway system of the city of Los Angeles, and which owns 134 miles of track.

Los Angeles Interurban Railway Company, which operates 102 passenger cars and 20 freight cars over sixty-seven miles of track, connecting Los Angeles with a number of the adjacent towns.

Pacific Electric Railway, which operates 300 passenger cars and forty freight cars over 216 miles of track, connecting Los Angeles and Huntington Beach, Alhambra, Dolgeville, Altadena, Mt. Lowe, Pasadena, Garvanza, Long Beach, San Pedro, Arcadia, Whittier, Monrovia, Compton, Glendora, Azusa, Covina, Watts, Ramona, Beach, Manhattan Beach, Duarte, Echo Mountain, Dominguez, Laguna, Bolsa and Chica.

Los Angeles-Pacific Company, which operates 168 passenger cars and 184 freight cars over 210 miles of track, connecting Los Angeles and Santa Monica, Ocean Park, Playa del Rey, Harmon Beach, Manhattan Beach, Shakespeare Beach, Redondo, Hollywood, Colegrove, Verona, Venice, Ivy Park, Inglewood, Sawtelle, Palms and Soldiers' Home.

The customers of the Pacific Light and Power and The Edison Electric are as follows: **Pacific Light and Power Company**, Los Angeles Railway Company, Los Angeles Interurban Railway Company, and Pacific Electric Railway.

The Edison Electric Company: Los Angeles-Pacific Company.

At this point, the official organization of these companies becomes significant. Consider first the Pacific Light and Power Company and the three trolley systems that buy their power from it. The Pacific Light and Power Company has for years alternated in control between H. E. Huntington and E. H. Harriman. Huntington has at last decided that he has had enough of the fight, and will retire this winter from all active business, leaving the Southern Pacific interests in control of the Pacific Light and Power Company. This Southern Pacific interest has always been in evidence through the fact that I. W. Hellman, of San Francisco, has been the treasurer of the company. Hellman is a director in a half dozen Southern Pacific enterprises, such as the Wells-Fargo Nevada National Bank of San Francisco.

Now note that the president, vice-president and treasurer of all three trolley systems that buy power from the Pacific Light and Power Company are the same, and who they are. H. E. Huntington is president, William F. Herrin is vice-president, and I. W. Hellman is treasurer, of all three companies. William F. Herrin is general counsel for the Southern Pacific Company.

In other words, the Southern Pacific Company controls one of the two power producing companies of Southern California, and three of the four largest trolley systems of Southern California.

On the face of it, the other power-producing company, The Edison Electric, is free of Southern Pacific influence. But the Los Angeles-Pacific Company, which is the largest customer of The Edison Electric, is a Southern Pacific concern. The vice-president and treasurer of the Los Angeles-Pacific Company is M. H. Sherman, who is E. H. Harriman's personal representative and the Southern Pacific attorney in Los Angeles.

To revise the second paragraph preceding this, the Southern Pacific Company is one and has a strong business grip amounting to control of the other of the two power-producing companies of Southern California; and the Southern Pacific controls the four principal trolley systems of Southern California.

These facts raise, in specific terms, the question that has been in the public mind for some time: What is the connection between the railroads and the tendency toward a monopolization of the hydro-electric business in California?

The following facts may serve to throw further light on this question.

Other Southern Pacific Interests.

The Pacific Light and Power Company, as noted above, controls the San Joaquin Light and Power Company. This latter company has developed very valuable power sites on the San Joaquin river in Madera county, and transmits electricity for light and power purposes to Fresno, Madera, Hanford, Armona, Corcoran, Fowler, Dinuba, Laton, Orsi, Reedley, Selma and Sultana. It also controls and supplies power to the Fresno Traction Company, which operates the street railways of Fresno, and which is preparing to penetrate the suburban agricultural country adjacent to Fresno. Of course, this chain of control leads back directly to the Southern Pacific Company.

The Southern Pacific owns several other municipal and interurban trolley lines in the state. It owns the San Jose and Los Gatos Interurban Railway Company, which operates over forty miles of track, connecting San Jose, Campbell, Los Gatos and Saratoga. The president of this company is Jere T. Burke, who is, after William F. Herrin, the head of the Southern Pacific legislative lobby.

The Southern Pacific owns the Santa Clara Interurban Railroad Company, which now operates in Palo Alto and which, when extensions now under way are completed, will connect Santa Clara with San Francisco.

The Southern Pacific controls the Stockton

UP AND DOWN THE STATE.

The "Pittsburg Syndicate" has purchased 7,413 acres of the Glenn estate, in the county of that name, for a sum said to be in excess of \$500,000. This comprises the entire estate except 640 acres retained by each one of the three heirs.

From asphalt beds on a ranch near Los Angeles the skull of an animal of the feline family was exhumed. It was larger than the skull of any existing lion or tiger.

Earl Wilson, a fourteen year old boy of Santa Cruz, is dead from lockjaw caused by the scratch of a mountain lion which he received about six weeks prior to his death.

The Whitney house, known since early days to sojourners in Truckee, was destroyed by fire last week.

Senator J. B. Sanford, who has been in a sanitarium and under treatment for nervous prostration ever since the adjournment of the legislature, has returned to his editorial labors on the Ukiah Despatch-Democrat.

But five dollars a ton is being offered for wine grapes, and growers in the Sacramento valley assert that they will feed them to hogs rather than accept that price.

The Byron Times has purchased a cylinder press, and celebrates the fact by publishing a neatly printed paper in two colors—which is not so slow for a paper printed in a small town.

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Mr and Mrs. G. E. Plye, of Willits, have attained the unique distinction of being twice formally married in one day. They secured a wedding license in Ukiah, went to Santa Rosa, went through a marriage ceremony before the city recorder, returned to Ukiah, discovered that their license was not valid in Santa Rosa, and were again married by a clergyman. It is trusted that the double ceremony is so binding that not even divorce ever will disturb the bond.

The Niles Washington Press is eighteen years old, and there has not been a day in the eighteen years in which it has not stood for the betterment of the community and the right as it saw it; which is higher praise than can be extended to some papers published in much more populous centers.

Now comes the rumor that the Los Angeles consolidated committee will work for state division, with Pasadena as the capital of the southern state. Pasadena is much too beautiful to be thus invidiously distinguished, and it is not improbable that the story will terminate as it began—as a mere rumor.

The Orange Post has issued a handsome illustrated supplement which would be a credit to a town several times the size of Orange.

It is believed that a wagon road in Glenn and Mendocino counties will be completed before winter sets in, thus giving the first safe passage for teams and automobiles from the Sacramento valley to the Northern California seashore.

Californian Poets' Corner

It is said that Mary Austin, the novelist and essayist, does not esteem her poems very highly; but, nevertheless, they do not discredit her literary reputation. The following lines appeared in *Out West* about five years ago:

NIGHT WIND, WAKE!

By Mary Austin.

Night Wind wake! now the cattle leave the

trail for us,

Huddled on the hill slope by the stony water

scar,

Get you down along the steep

Where the moon-cyed gillies keep.

To go walking in the meadows—

Silver runnels in the shadows and the

hidden waters are.

Night Wind wake! now the laden vine is call-

ing us,

Calling with the incense of its green and misty

blooms.

Now the milk-white alders quake

Where the dark lies like a lake

On the musky scented meadows,

On the many-lilied meadows,

On the chilly mountain meadows where the

throaty hylas blooms.

Night Wind wake! I am coming up the trail

to you,

Up and past the gullies where the midnight

shadows lair,

Past the tangle by the creek

Where the trail is all to seek.

To the damp and dusky meadows,

To the willow-skirted meadows,

To go walking in the meadows with the pleas-

ant Night Wind there.

Independence, Cal.

THACKERAY'S BEATRIX.

John Lane will publish shortly a volume of historical memories by John Fyvie. These memories are concerned with some of the wits, beauty and beauties of the Georgian era. One personage written about is Elizabeth Chudleigh, Duchess of Kingston, who was the model for Thackeray's Beatrix.

"The Honorable Peter Sterling," by the late Paul Leicester-Ford, is now in its fifty-second edition

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Attorneys—J. C. McKinstry and S. D. Murphy.

Geo. A. Story, Cashier, C. B. Holson, Assistant Cashier, A. E. Curtis, Assistant Cashier.

AN apparently level plain lies between two paralleling ranges of mountains with summits sixty to seventy miles asunder, as the crow flies, and trending from southeast to northwest.

A river, with bed and brink, but little bank, debouches through the mountains and piles its debris high and wide where it enters upon the plain, forming a triangular, elevated swamp filled with willows and twining briars and hemmed in on either side by the spreading walls of a foothill canyon. From time to time, diverging channels are cut by raging waters through this elevated swamp to the open plain and, through it, in irregular courses, to the trough of the valley where rests, out somewhere in the shimmering distance, a shallow saucer of a lake indistinguishable from any marauding mirage that may come dancing into the field of vision.

Along these wet-weather channels from river to lake stretch lines of straggling oaks, not dense enough to be forests, yet comprising groves of considerable extent and great beauty. A half-day's drive either northerly or southerly will fetch one to another river, another swamp, another series of radiating channels, some of them filled to the brink with the drifting sands of ages and known as "sand-streaks," whose natural office it is to under-drain where the over-drainage of the open channels fails fully to perform that office.

Such is, or was, the Upper San Joaquin valley of South Central California.

Of the mountains volumes might be written, without the subject, but only the reader, being exhausted; Pelion upon Ossa, ridge upon ridge, the Sierra Nevada lifts its huge bulk more than a day's drive either northerly or southerly and rock crested, the granite pinnacles of a thousand peaks silhouetted against the morning sky give the range that serrated appearance that suggested its name. It is a region locked in snow and ice during winter, but during summer, the peaks with the light gray water of the snow, and the great valley below lay blistering, save as it was partly veiled from the sun by a canopy of impalpable dust suspended from range to range half way up the sides of the Sierra, and through which only the tallest peaks of the Monte Diablo range on the farther side of the valley stand blue and clear.

As for the valley itself, if it be seen between the beginning of the rains in the fall and their cessation at the end of the season, generally about the first of May, no land could wear a more luxurious look, provided always that it really has rained, which it has not always. Carpeted with a velvety mat of vine-like grasses, covered with wild flowers in kaleidoscopic variety and unsurpassed profusion, a surfeited animal life is invited literally to lie on flowery beds of ease. But if it has not rained, or if the rainy season has been a failure, there, closed in by the expansive walls, at the time of which we write, lie as brown as late autumn and sometimes as bare as a turnpike. Nowhere else is the transition from affluence to poverty more savage, or from poverty to affluence more swift and unstinted than here, conditioned upon whether the rains come or go, whether the waters of the insufficient rivers are utilized for irrigation or are allowed to sink unused in the sandy sieves of their swampy debouchments.

At the time when our story begins this great upper valley was a common of pasture, except along the narrow margins of the streams where the overflooded rivers, caused by the melting snows on the mountain summits, overspread the adjacent plain with nature's spendthrift irrigation. Along these streams stockmen had made some settlements and had done some stake-and-ridered fencing, but all the rest of the valley was as unsexed by division walls as the open sea. If there were orchards the trees were seedless; if there were vineyards the vines were of the varieties which the Mission padres brought from Spain a century before. The dwellings were roomy, rather than conveniently or architecturally arranged, and had for a background, great, half-open barns, surrounded by coral fences high and strong. Not invariably there was a small corn field

THE SANDLAPPER

(Continued.)

BY
ARTHUR J. PILLSBURY

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and vegetable garden.

Not many weeks of camping on the ground under a spreading tent had elapsed before Silas Singham and his family were living under their own roof. At the start a well was bored and windmill set up to pump water into a capacious tank set high enough from the ground to permit water to be piped to all the rooms in the house.

The exactions of the Tulare climate are not severe with regard to house construction, and pioneer ranch houses were built accordingly. The merest skeleton of a frame set up, enclosed with rough boards set on end, cracks battered over, the inner walls first lined with cheese cloth tacked on and then covered with wall paper; ceilings covered with a heavier lining and then kalsomined, outside either whitewashed or suffered to be given such a weather-worn stain as a nearly tropical sun and a bone-dry atmosphere lose little time in imparting to wooden surfaces—such was the method of construction of Silas Singham's "White House" home, for it was by that name that, by the application of whitewash, it came to be known far and near.

Silas Singham's home was exceptional, too, in that it was larger than usual with this type of habitation. The main part was rectangular, two stories high, face to the road and porch across the front. To the rear of this a long and narrow dining room and kitchen all in one, one story high and with narrow porches on either side. Back of this, and joined on, was the windmill, tower and tank, with the tower framework boarded in for a milk house.

Twenty rods to the rear stood a big skeleton of a barn open to the weather, with stalls ranged along either side and a great open space between in which many tons of hay could be stacked. Alongside the barn were sheds for the protection of farm implements, and a little, portable smithy, for Silas Singham was a thrifty man and believed in taking care of what he possessed. In this, too, he was an exceptional "sandlapper." Around the house a lath fence was thrown, leaving room for a few orchard and shade trees, as soon as they could be planted, and for a small garden to be watered from the windmill and tank. This was home, dubbed by the river men the "Horned Toad" ranch.

CHAPTER IV. THE SCHOOL AND THE STATION.

There had been one of those early passings, "never-known-before" September rains, which nevertheless happen in the Upper San Joaquin valley about three seasons out of every five. They clear the air of dust, dampen the dry heat, and narrow, dingy the sacks of grain piled up unprotected in the field and astonish the people with their unexpectedness. A first shower would do all these things if it did not come until Thanksgiving.

The shower had come Sunday, after nearly five months of rainless summer, and school was to open for the fall term at the station Monday morning. Helen, at bedtime, on the qui vive of expectancy, had gotten her books together prepared for an early start for her ten-mile ride in the fresh morning air. Only one thing distressed her. She could no longer ride boy-fashion with her father's saddle as she had done all summer out on the plains, so she was forced to cinch on the side-saddle,

which Roanoke disliked and she abominated, and make the best of it.

Never had she seen the mountains look so beautiful as they did that morning, standing high and clear in the purified air. She had not seen them before except through an atmosphere more or less obscured with a dusty haze. They looked to be scarcely farther away than the station, and yet their summits were a good fifty miles beyond. She longed to go right on up into the mountains and see what they were like and meant to do so some day, but now there was nothing ahead of her but school and a twenty-mile horseback ride each day.

She expected to be frightfully early, perhaps the first one there, but quite a little way before reaching the rambling building with its one-story additions, put on to meet the temporary needs of a fast-increasing population, her eyes fell upon an advancing figure that had often passed before her vision since that memorable day in the road. The boy's father had been unkind to her father that day, and now she did not think that she should like him at all, but his face shone so eager and bright that her resentment passed for the moment even before either had spoken.

"Come over this way," he called, taking the way toward the sheds, "I have got a stall picked out for you. It is the end one and mine is next, so that I can keep you both tidied up easy as not, and if any 'kid' makes off with your horse blanket or ties your bridle into knots I'll swat him to sleep."

"Well, you are pretty fresh, sure enough," said Helen with a pout. "How do you know what I would rather be clear at the other end of the shed? It is not very old plug of a horse that I want my Roanoke to associate with." But she followed him to the sheds without further protest.

"If you let Clay Babe hear you speak of him as an old plug he'll kick a lung out of you. There is only one other horse in the place that can beat him a half-mile dash, and that is Peacock, and he can beat Peacock for a quarter."

"Where is that precious Peacock? Why didn't you ride him?"

"Dad won't let me, until after the fair, except just for exercise up and down the road in front of our house. He is being trained for the races. Shant I help you down?"

"No, thank you, Huh! Roanoke will help me."

"Don't say 'huh' any more every time I open my mouth. You made fun of me so that time last spring that I have been sitting up nights with myself ever since breaking myself of the habit."

"Well, you are easy, I must say!" was Helen's comment. "Kneel, Roanoke, kneel, I say. I want to get down." With a few flicks with the riding whip across his knees the horse knelt, Helen slipped from the saddle, and the animal bounded to his feet again.

In a moment Gabriel had the saddle off Roanoke's back and hung in its place, the horse stabled by his own volition, and he up across the entrance way; then, taking Helen's books, he led the way to the school-house.

Gabriel had three several reasons for desiring to make himself agreeable to Helen. One was that he had concluded that she would rank as quite the prettiest girl in school, and to be her friend would make him the envy of all of the other fellows. Another was that he wanted very much to see how fast her educated horse could go, for, although the horse was evidently no "scrub," he had his doubts about the value of higher education for a horse. Finally, the boy was indescribably lonely. His father, while kind enough, had shunned companionship ever since sister Helen had died. His mother was much comfort to him, but rarely left the home, and as for the vaqueros, well, aside from the horses and cattle, endless cards and gun practice, in which he was as proficient as the best of them, there wasn't anything left but whiskey, and he would rather try to chew up carpet tacks than to drink that stuff.

When Helen no longer had the classification had been completed, much to Gabriel's joy, he found that Helen and he were in the same classes, a little way along in the eighth grade.

The school was overcrowded, the teachers were too few and the erection of a brick building preparatory to the opening of a more advanced school was already under way, for the station was rapidly growing into a town and was ambitious of becoming a city.

For the reasons given the advanced eighth graders were thrown much upon their own resources and Helen and Gabriel soon found themselves almost in a class by themselves, Helen leading and Gabriel determined to keep up if it drove him to an asylum. Never before had he done so much studying or found so little time for making the lives of other pupils miserable.

The lines of travel which Helen and Gabriel had to take to and from school were divergent. Each lived ten miles away, Gabriel to the north and Helen to the west, each, as Gabriel explained it, at the corner of a full piece of pie with the school house at the center, but by cutting off "slaunchwise" right through the woods, about a third of the way from town, he could come in on Helen's road a mile from school without losing much time or going very far out of his way. A principal object in doing this was that at the point of intersection of the two lines of travel there began a half-mile straight-away race track that had been somewhat improved, where all the scrub races gotten up in the town had been run ever since the railroad station was established and the first saloon had opened. Gabriel was fairly aching to see Roanoke run.

On the second morning after school opened, as Helen drew near to the race course, she caught sight of Gabriel cantering swiftly along a trail converging upon the main road and soon he was by her side. "There are the starting posts," he called, "and it is a half mile straight-away to the wire in front of the judges' stand. Now let us see what that educated horse of yours can do."

Clay Babe knew what was in his rider's mind, for he had run races over that track with every pony that came to school and could go at all, but Roanoke was not quite in the secret, although the presence of the horse by his side had no mean inspiration. "Now!" exclaimed Gabriel and was away on the instant. Roanoke lost a length or so at the start, which was increased to two lengths by the time the quarter post was reached, but from there on he gained rapidly, closed the gap and passed under the wire at least a good length ahead.

Helen was triumphant, and Gabriel seemed to, from being real sorry. "That colt has got go in him, sure enough," he said, as he dismounted in front of the shed, stripped the saddle from his smoking horse and turned him into the stall. A moment later he had unsaddled Helen's horse and was vigorously rubbing him down. Throwing his own blanket over Roanoke, he turned to and rubbed Clay Babe down and covered him with a saddle blanket. "He is a half-mile horse and I am blest if I don't believe he'll be a miler when he gets a little older, but he needs training. He didn't get away good, and you need to ride him boy fashion. What do you say to a run every morning when the track is good? I'll come by that way. It'll be good for the horses and more fun for me than a basket of monkeys."

And so the youngsters and their horses had their morning dash whenever the weather was fine and the track in fit condition for the training of Roanoke to the rules of the game. The rains, though, came in good quantity the first year of Silas Singham's experience as a "sandlapper." It did the heart of him good, with his six strong mules, five-gang plow, seeder attached and harrow dragging behind, to tear up the rich, virgin earth, for sod it was not. The native grasses, being all annuals, made no sod, such as must be broken and rotted on the prairies of the Middle West before the land becomes workable and productive. Each day saw seven new acres plowed, seeded and harrowed down betwixt sun and sun, and Silas Singham was happy in his prospects and full of faith in the country.

The remainder of the colony of Yolo county farmers had joined him, too, and Enterprise settlement had grown apace. Others

also had come in and settled, and a primary school district had been organized and school-house built for the accommodation of children too young to ride to Tulare for attendance upon the graded school. As a particular mark of enterprise, justifying the name given the district, a tower had been erected above the schoolhouse roof and a bell hung, big and loud enough to awaken the whole neighborhood if a fire broke out in grass or grain field, or other event occurred warranting a night summons. No resident of Enterprise but felt a possessory pride in that bell, for it had been placed there by popular subscription.

Moses Brayton's cattle came around occasionally, wonderfully curious it seemed, to see how farm work progressed in the settlement. They watched their opportunity to paw and wallow in the loose earth and would spend the night on it if unmolested; but Silas, or some of the neighbors, patiently drove them off, attributing their trespassing to that "ornerness" with which their owner had characterized them. Word was occasionally sent to their owner that it would be well for him to take care of his cattle, but no attention was paid to the notification.

When the grain began to grow the trespassing of the cattle became less excusable and more serious, for the whole plains were green and the cattle were surfeited. Sometimes the settlers would retire at night without a horned beast being in sight, to awaken in the morning with several hundred head of cattle scattered over the fields and not a vaquero to be seen. Men wondered at this until Helen, at school, received a hint from Gabriel that helped to clear the mystery.

"Did you ever see a cow-brute that had a solid hoof just like a horse?" demanded Gabriel of Helen one evening as he was putting the saddle on Helen's horse for her.

"No, nor you either," was the reply. "Well, I've seen the tracks they made in the soft ground, anyhow," declared the boy, "and you can see them yourself if you will ride down toward the lake the next time Dad's cattle come pestering around you, but don't you ever say that I said so, or my back will get basted a plenty."

"Clayton Brayton, what are you giving me? You must think I'm a silly."

"Well, if you don't believe me just go and see for yourself is all I have to say, but be careful not to say I ever gave you the hunch," urged the lad.

Pondering in her mind Gabriel's enigmatic observations Helen resolved that, next time the cattle came, she would ride around that way to see if she could find any footprints of horses among those of the cattle where they crossed spots of bare ground. Accordingly she rose exceptionally early and followed the retreating cattle trail several miles toward the lake, and, sure enough, there were horse tracks among the split hoof prints, and she reported the fact to her father, but kept her own counsel regarding the origin of her discovery.

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The next time the cattle came, a bunch of them were corralled and held for damages, but Brayton's vaqueros came while Silas was in town and took the cattle away, leaving a threatening message instead of the money claimed as damages. Other ranches were visited in like manner. From time to time, the cattle revelled out of possession, a jury trial demanded and the juries, being summoned by a river-sympathizing sheriff, either found for the defendant or failed to agree, so that the people despaired of the protection of the law.

Along toward the lake, where the wheat should be in the stage of the harking of a dog, and the indiscreet bellowing of a cow that had become separated from her calf, reached the ears of Helen sleeping by an open window upstairs and she aroused her father just in time to find a great herd of cattle moving in a body toward his grain. Helen sprang upon the bare back of Roanoke and dashed to the schoolhouse, where she rang the great bell with all her might, arousing the whole neighborhood, who joined in driving the cattle far back toward the lake. As they passed through a network of sloughs, several pistol shots were heard in the near distance and bullets went whizzing over the heads of the cattle drivers, but in the darkness they saw no one and pressed forward unafraid, accepting the incident more as a warning than as an attempt upon their lives. With the coming of morning horse tracks were found among the tracks made by the cattle, showing clearly that they had been driven toward the grain fields deliberately.

Then a man was hired to patrol the settlement at night for the protection of the crops, with instructions to ring the schoolhouse bell if the cattle approached, but, within a week, this man was found leaning against a hummock of earth, dead, with a bullet hole through his brain and his own pistol, with one chamber empty, lying by his side. His left shoulder was broken and his face was much bruised, as though he had fallen from his horse, but no powder marks were found on his skin, and a citizen of the neighborhood, who chanced to be up at night, asserted that he heard two shots fired with a considerable interval between them. However, the cattle had not made their appearance that night. There were many who doubted the commonly received theory of suicide, and, anyhow, a case of Winchester rifles and a thousand rounds of ammunition were ordered from San Francisco that day by telephone.

(To Be Continued.)

SAN FRANCISCO ENTERS HER PLEA OF GUILT.

(Seen From Outside the City.)

Editor Weekly: Looking over the primary results in San Francisco in the light of the recent campaign waged there, it is easy to see that the issue presented was whether the graft prosecution should go on or be discontinued. There may have been various prospective scenes in numbers with a platonic banking after fight, but this was the district attorneyship over which the fight was in reality made. Will Henry in Langdon's place the movement to take the "higher-ups" San Quentinward will be carried on, no matter how slowly, to success at last. Without him there that movement is bound to come to nothing. And briefly put, the verdict of the primaries is that Henry shall not discontinue attorney and graft prosecution go on, and no farther shall the graft prosecution go. Of course, if he runs in November independently or upon the ticket on which he has been nominated, it may happen that there will be enough votes in his favor east in San Francisco to insure his election. But suppose he does not before the electorate of that city for the office, if the primary balloting is in all indicative of what the election returns will be this fall, these millions of taxpayers have no fear of the sloughed and barred windows, doors, and ramparts.

The fact is that there is a rotten state of public sentiment existing in the city of San Francisco. By her action taken the other day in turning Henry down, which action may well be regarded as final, this municipality has assured the world that the latter's impression that justice is to be bought and sold in the big city of the Pacific coast has nothing groundless about it, whatever. But San Francisco does not seem to care what the world thinks about her. Nor are we nor anybody else concerned in the thing as to the reputation she bears in other parts of the planet or how that reputation becomes her. What she does is her own business, so far as it concerns her self alone. It is not to be forgotten, however, that outsiders are going to accuse California of sympathizing with and condoning the graft prosecution of the most populous city of the commonwealth are in the habit of doing that reprehensible thing. Hence it may be regretted for the people of this state to clear themselves of San Francisco's reflected shame by making Henry governor of California. HOWARD ERICKSON.

Santa Rosa, Cal., August 28, 1929.

SHEAR WIT

Mother—Johnny, I see your sister has the smaller apple. Did you give her her choice as I suggested? Johnny—Yes, ma. I told her she could have her choice, the little one or the big one, and she chose the little one—Christian Science Monitor.

"What makes your youngest son so eager for athletics?" "Filial admiration," answered the worried-looking mother. "He believes all the stories his father tells about the wonderful things he did when he was a boy and is trying to equal the record."—Washington Star.

Solicitor—And I am sure you will find, madam, that this is the best course to adopt in the event of your friendly letter failing to produce the effect we desire. Client—Yes, by fair means, I must put the matter unreservedly into your hands.—Chicago Record Herald.

A passenger on a New York and Chicago limited train, upon looking under his berth in the morning, found one black shoe and one tan shoe. He called the porter's attention to the error. The porter scratched his woolly head in bewilderment. "Well, an' don't dat beat all!" he said. "Dat's de second time dis mawmin' dat dat mistake's happened!"—Everybody's Magazine.

The new teacher was trying the class out on arithmetic. "Maggie Wilkins, if I were to divide three bananas among seventeen boys, what would be the result?" "A riot," said Maggie, speaking up like a little drum major in question. "Tommy, you may take the what I mean. Three bananas among three boys—that would be one banana apiece for each boy. Now three bananas among seventeen boys would be what?" "Three bananas, mimm," answered Tommy. "I know, but three into seventeen is—" said the teacher. "Three bananas would go into seventeen boys once and none over," said Tommy, confidently.

NYE ON THE JOB.

(From the Fresno Republican.)

It was State Controller A. B. Nye, who founded the assessor of Contra Costa county, the other day, by asking him to explain how he had to raise the assessment of farm lands in his county, when the \$1,000,000 franchise of the Pacific Telephone Company and the \$6,000,000 franchise of the Union Oil Company had been assessed at only \$5,000 apiece. Both these franchises had been assessed at full value in San Francisco and Los Angeles, when the companies had their offices there, and both companies had technically moved their books to Contra Costa county, apparently for the express purpose of evading taxes.

It was State Controller Nye who fought last year for the obvious principle of basing the railroad taxes on the income of the year for which the taxes were assessed, instead of on that of a previous year.

And it has been State Controller A. B. Nye who has, at every opportunity, stood between the rights of the people and the combination of predatory corporations and complainant officials who would destroy them. Nye has made, out of what might easily be treated as a routine office, one of the central facts of California administration. He has made a career out of a minor office—just as any man big enough can make a career out of anything.

And, by the same token, California could have no better governor than A. B. Nye. We are not saying that he would make an ideal candidate, for he is an unspectacular person, and candidates are sometimes needed (more's the pity) to fire the imaginations of the people. Neither are we trying to boost him, willingly, to an office which probably he does not want. But, just for speculation, if we were entrusted with the temporary dictatorship of California, with power to appoint the next governor, we would appoint A. B. Nye, the man of all men in California who best knows the job. The people might do worse—and probably will.

"Where's your watch?" "Here it is." "But that watch is silver. The one you used to carry had a fine gold case." "Circumstances alter cases, you know."—Yonkers Statesman.

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The New Constitution and Capital.

The new constitution was charged with being socialistic, anarchistic, and in open warfare with capital. It was charged with attacking property, the foundations of social order, with attacking wealth "by the application of violent and dangerous remedies for a disease that ought to have been treated by a gentler method." That there were diseases in the social order was not denied, but these were looked upon as inevitable and to be borne with stoical philosophy, but to be resisted very cautiously if at all. As Mr. Theodore Hittell declared in his history of that time, "Capital was no more tyrannical and corporations no more unconscionable than by their very nature they are compelled to be." Let us see what some of these bad things which the new constitution undertook to do to capital really were.

Partly through Spanish grants, partly through swindling the state out of its swamp and overflowed lands under pretense of a reclamation that was never more than a pretense, partly through dummy locators on government lands (paid for at \$1.25 per acre in greenbacks then worth half their face value), and partly through purchase from land-grant railroads, not only had land monopoly become a menace to the commonwealth, but the burden of land taxation was thrown in unequal portion upon the smaller holdings.

To meet this difficulty section 2 of article 13 provides that "land and the improvements thereon shall be separately assessed. Cultivated and uncultivated land of the same quality, and similarly situated, shall be assessed at the same value." This was looked upon as a species of agrarianism, but is it? Could any policy be more just if justly applied?

The most that can be claimed for this provision, in actual practice, is that it has tended toward a more equal taxation of land values and encouraged a tendency to subdivide large holdings, but whatever discrimination has persisted to this day has been in favor of, and not against, large holdings of land. It is fairly safe to say that there may not now be in California a thousand-acre ranch that, quality and situation considered, is assessed at the same proportionate value with a forty-acre home in the same locality. Great landlords have either so seduced county assessors or boards of supervisors from their sworn duty, or procured the election of those who have proved partial to great interests, as practically to negate this wise and just provision of the new constitution.

The worst of it is that the people themselves have not effectively resorted to the partiality against themselves. Their own moral obtuseness has stood in the way of their appreciation and denunciation of official perfidy. If taken to task for a culpable lack of interest in the issue the common answer has been: "Oh, that is politics." The people have recognized and, by negligence if not acceptance, have consented to a low standard of official and political integrity and have deservedly paid the price every time they have paid their taxes. It is as certainly, if not as greatly, immoral to submit to fraud as to commit it, and the paramount truth the writer of these lessons wishes to drive home to the inner consciousness of his readers is that California has all along suffered, and is now suffering, from low standards of civic morals held by the people themselves. As long as official thieves are received as social equals with honest folk, while horse thieves are not, we shall have more official thieves than horse thieves.

The extent to which promotion enterprises had "worked" counties, cities, and even the state, to secure subsidies in aid of corporate or private enterprises, to the burdening of taxpayers, led the makers of the new constitution to prohibit gifts of public moneys or credits, or exemptions from taxation, in aid of any private or corporate enterprises, and the percentage of public debt to assessed wealth was strictly limited. It was feared by financial interests of a certain class that these

restrictions upon the discretionary powers of a free people would discourage enterprises, and perhaps it has, of a certain character which the more it is discouraged the greater the public welfare. It is like the kind of business that the prosecution of graft in San Francisco is especially hurting—the kind that most needs to be hurt.

Another provision of the new constitution which capitalists stoutly resisted at the time, and have since practically overthrown, was that which regarded a mortgage interest in property as property and subject to taxation in the hands of the holder of the mortgage. If one owned a mortgaged farm, when he came to pay his taxes, the value of the mortgage was deducted from the assessed value of the farm and he paid the taxes on the remainder, while the holder of the mortgage had to pay the tax on the value of the mortgage. This was perfectly just, but not perfectly practical in application. As a horse can be led to water but can not be made to drink, so a money lender can not be made to lend his money on terms not satisfactory to himself. He can keep his money or lend it elsewhere. In theory this constitutional provision was beyond criticism, but in practice it worked a hardship upon the borrower as well as an inconvenience upon the lender. The interest rate was always made enough higher than the normal rate to cover any possible taxpaying contingency. It is an economic truth, slow of comprehension, that most laws for the protection of debtors, or the prevention of usury, have no other effect than to make conditions more difficult for the borrower of money.

While the provision for the taxation of mortgages still stands in the constitution, the provision that made it effective (section 5 of article 12), which prohibited a debtor contracting to pay the taxes himself, in consideration of a lowered interest rate, was, in 1906, repealed by the people, and now the common custom is for the borrower to contract to pay the taxes and, by so doing, he gets his interest reduced an average of about 2 per cent.

This provision of the new constitution, severely denounced as hostile to capital, was, within itself, perfectly just and perfectly sound, but in application, not very feasible. It forgot human nature and did not take into account that the lender and not the borrower is generally in a position to dictate terms.

Former United States Senator Henry M. Teller, of Colorado, recently said that "the game of Politics is not a financial success. I was poor when I became a senator—the first public office I ever held—and I'm a poor man to-day. The salary paid to congressmen is too small for the great burden which they have to bear; and yet I don't know but what if I had my life to live over again I might do the same thing I have done, if possible. The lasting friendship I have made with the public men of the last thirty years is enough almost to compensate for the general financial loss one incurs."

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Mr. Heney the Issue.

Had the forces of civic righteousness in San Francisco made shift to head a municipal ticket with a first-class candidate for mayor, such a man for instance as Walter Macarthur, James D. Phelan or Hiram Johnson, it would have been possible to marshal all the forces that will stand for good government, a good administration of justice and a reputable reputation for our city at home and abroad, for enthusiastic fighting all along the line, but, inasmuch as no such head to the ticket could be found, the fight must now resolve itself about the person and the work of Francis J. Heney. Mr. Heney becomes the sole personality, and the further prosecution of the Big Grafters the sole issue, of the campaign. There is even some danger of losing sight of the need for selecting a square deal Board of Supervisors.

This narrowing and emphasizing of the issue may not prove wholly an evil. The people like to have clean-cut, concrete issues put up to them. There was a tendency to keep the real purpose in the background. The committee of twenty-five alleged business men kept their purpose to themselves, and only their organ, the Chronicle, blarneyed it out. Even the League of Independent Republican Clubs sidestepped it, and Mr. Maury did not give it particular emphasis. Mr. Heney, by virtue of his position and his personality, will make the issue so plain that the very gamins in the alleyways will understand it.

The contest will not be between Mr. Heney and Mr. Fickert. Mr. Fickert is a Pooh Bah. It will be between Mr. Heney and all the powers of evil this side of the adamant front gate to perdition. Nor will the contest be therefore unequal, for Mr. Heney will command the alliance of all the forces of righteousness this side of the Gates of Pearl that bar the way to Paradise. The battle will be of thrilling interest. The whole world will be looking on. A candidate for mayor who would have appealed to the imaginations and civic consciences of men would have been an aid to Mr. Heney and Mr. Heney an aid to him, especially in bringing out the last man on the great register. The danger now is that some will wish to wash their hands of the whole business by remaining at home. These would not vote for Mr. Fickert if they were to go to the polls. What man can do Mr. Heney will do, and to doubt his triumph will be to doubt the people of San Francisco.

Some Urbanities of Discussion.

One of the interesting features of the papers on Hetch-Hetchy read before the Commonwealth Club Wednesday night was the fact that neither side took pains to attribute frankness or honesty to the other. These papers were prepared by eminent engineers, scientific men, but they by no means reflected scientific calm and impersonality. Probably there is no help for it. A political question is still political, even when it is an engineering one. Our politicians do not attribute frankness or honesty to each other. And until the issue is finally settled, whether the peo-

THIS NUMBER CONTAINS American Shipping in American Ships

(SECOND ARTICLE.)

By G. W. Dickie

Readers of The California Weekly will, in due time, find in its columns every important public issue explained by some person whose special knowledge gives him a right to be heard.

ple's government shall control the public-service corporations or they shall control the government, these questions of public supply will necessarily involve as much politics as engineering. If one may have Christian or pagan science why not Republican or Democratic engineering?

Our Flag on the Seas.

The attention of the thoughtful reader is called to the second article in the series on "American Shipping In American Ships," which appears in this issue, written for The California Weekly by Mr. Geo. W. Dickie. One fact, stated by him, should be sufficient to challenge the attention of all patriotic Americans. It is that, during the period beginning with 1789 and ending in 1828, when discriminating duties favored American ships, 95.2 per cent. of American exports, and 89 per cent. of the imports, were carried in American ships, whereas now, and for many years, foreign owned, built, manned and operated ships carry almost precisely the above percentage of American shipping, leaving only the fractional part to American deep-sea commerce in American bottoms. This is both a national calamity and a national disgrace.

In the next article in the series, to appear two weeks hence, Mr. Dickie will consider the much vaunted panacea of "free ships," the doctrine brought out in opposition to a ship subsidy every time such a measure is brought forward as the one and only certain and all sufficient remedy—the allowing of American capital to buy ships where it can buy them cheapest and then sail them under the American flag. No little curiosity will be felt to see how Mr. Dickie will handle this issue.

To our way of thinking we shall have to do in relation to our shipping as other nations do in relation to their shipping until we can induce them to stop doing it. It is with the merchant marine as with the navy. We don't want a big navy and if others will quit building we will, and if they won't we won't. We don't want to subsidize our merchant marine and will not if other nations do not, but if they will we must.

That Pole.

Whoever got there first that North Pole is Uncle Sam's. We shall have to let that content us until the scientists have taken the data furnished by Peary and Cook and traced their courses out to a conclusion that scientific geographers themselves can agree upon. If they fail of agreement Peary and Cook will have to go back and do it over.

But let not the individual work himself into a passion over the pros and cons between Cook and Peary. That might turn black hairs white, but can have no other result. It is as with the atmosphere of Mars, nothing that we can do anything about. The astronomers must settle it.

Anyhow it is Uncle Sam's pole and with that assurance we may properly swell our hearts with all the pride the hoops will stand.

Equalized.

After six years of shilly-shallying with a much dreaded duty the State Board of Equalization has equalized the state and, apparently, with a vengeance. In the contemplation of the New Constitution this board of five discreet persons was expected to get good team work out of the county assessors of the state, cause them to pull together and on the level, but they have not done it. Tax shirking by counties has been persistently and systematically followed, with the result that the burden of state government has been unevenly borne.

The best thing to do about the whole business is to be rid of it. The knowledge that other counties are shirking puts a premium upon each county to shirk, and the assessor who does not shirk in the interests of his county is likely to be brought to book by his county. No system is defensible that needlessly takes human nature at its worst. The better way is to leave the taxation of property values to local communities for local purposes and support the state by indirect taxation.

The drastic character of the equalization raises an issue as to its fairness. Heretofore state controllers (ex-officio members of the board) have voted against all increases while each district member was held exempt from voting for a raise in his own district. These precedents were, to some extent, departed from in this instance. State Controller Nye voted for moderate, rather than immoderate, increases and, as his sanity of judgment is to be valued next to his unflinching loyalty to conscience, the rest of the board need not be surprised if the consensus of opinion accepts Mr. Nye's view as much nearer the right thing than that of the majority.

Whenever a candidate repudiates his own sponsors without losing, or expecting to lose, their support, it will be well to wait until he makes good before placing one's trust in him. Let those who were born yesterday take him at his word.

It is perhaps pertinent to inquire, of those who are "fired" of the graft prosecution, how long it took them to get tired of the graft?

HIS DAYS NUMBERED.

A little while he lived at his more than baronial castle at Arden on the Hudson, lordling of all he surveyed. A little while he wandered with feeble step through the marble halls, which his more than kingly wealth had supplied him, but the death damp was upon his brow and the dank breath of the grave blew in his face and he laid him down to die. So passed E. H. Harriman, the wizard of yesterday, the memory of to-day.

Let his obituary be brief and to the point, then pass to other concerns more important.

He was a great organizer and as such conferred advantages upon half a continent. That is half the story.

He was a great sophisticator-speculator and as such plundered like a Ghengis Khan, reaped where he had not sown and gathered where he had not sown. That is the other half.

The spirit of the jungle animated him, but, lacking physical prowess and a suitable period in the world's history, he became as subtle as a magician. His moral values were negligible quantities. As a force he was to be reckoned with.

He subjugated commonwealths as well as rival railroads and taught an incorporated plutocracy how to do it. Acknowledging no master but his own will, and no ally but Standard Oil, he rose from broker's clerk to the mastery of the transportation of half a continent, suzerain of many states he had reduced to dependencies.

And then he threw up his hands and made surrender to a stomach, a mere sack made of tripe. Alas! how feeble are they whom the world calls powerful.

The evil he did will long survive him, the success he achieved tending to give false values to similar careers. The good he did will scarcely outlast the turning to dust of his mortal part. Our time has learned quite enough of the Harriman form of achievement and learned the lesson quite too well. We have accumulated riches at the sacrifice of justice and gained power at the cost of a wholesome contentment and the living of lives worth while. His is not the type of success the coming generation needs to have set before it for emulation. Therefore let him not be exalted unduly, but rather suffer the attention to be turned to more important affairs. The civilization that produced such a character and career is not healthful. Let us therefore give the greater consideration to that pregnant truth.

What E. H. Harriman was as husband, father, neighbor, friend, those know best who were nearest to him, but there is no known reason for suspecting that, in these relations he was other than exemplary. It was only in the world of finance that H. H. Rogers was flint or that John D. Rockefeller is adamant. It is with his public character that we have to do.

The good he did was incidental rather than intentional. His powers of organization were not employed that the public might benefit but primarily that his properties might be built up and the value of his investments doubled. Instead of effecting economies that transportation rates might be lowered he raised them and raised them that his vast fortune might be made more vast. He worked like a packhorse that the proceeds might be spent in indulging the intoxicating satisfaction of success, just as many another squanders his substance in drink.

It is well to value such characters at their true worth. To gloss over and glorify and do the conformable thing is to mislead youth and misguide manhood, of which there has been too much. And this we may do without abating our sympathy for the sorrowing family.

It was characteristic, too, that the masters

THE STAFF

A. J. PILLSBURY.....Editor and Manager
C. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
O. BLACK.....Business Manager

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of finance have known of his condition for months, and so have forfended themselves against peradventure, while the investing public were kept in the dark until the last and for some hours after he had breathed his last.

TAKE ONE OR NONE.

For three hundred years the world has been putting up with "Hobson's Choice" and, in the present mayorality contest, San Francisco fares no worse than many another. "Where to elect there is but one, his Hobson's choice—take that or none." That is what the voter will have to do in this election.

Let us give ungrudging credit to political manipulators for their cunning in bringing about this condition. The thing did not come through inadvertence. It was done a purpose, and the men who did it had more than one conference before the consummation of their enterprise.

Let it be confessed, too, that the better element, as represented in the Good Government League, has lacked the political efficiency to bring out the man who could command the esteem, the confidence, the enthusiasm of straight voters. There has been more of negative goodness than of positive among available men and San Francisco suffers the humiliation of an array of unfit candidates because the fit man, with courage and self-denial equalling his fitness, could not be found.

The Good Government League is considering the matter of endorsing Dr. Leland as the least unfit of the three misfits. The endorsement, if made, will do the League more harm than Leland good. It will aid him little. There was one good thing the Good Government League might have done. Failing that it will best do nothing in regard to the mayorality.

This is not saying that there is no choice between the three candidates, but only that no one of those nominations was fit to be made. That we may judge wisely, where fine discrimination is necessary, we must look behind the candidates to see who their sponsors are.

Dr. Leland is vouched for by Gavin McNab, and Gavin McNab represents those materialistic financiers of San Francisco who are open to no considerations other than financial, with the saving grace that dollars must be made according to recognized rules, that is, legitimately. They are opposed to the prosecution, not because they believe in graft but because their friends and business associates are in the toils of the law. Were Mr. Heney directing his energies toward putting the members of the Boode Board into prison he would be heartily supported by McNab and his following, but to stand for imprisoning Calhoun, Glass, Drum, and the rest of the higher-ups would be "going back on men of their class" if not of their type, and this McNab's sup-

porters cannot bring themselves to do. In the event of his election Dr. Leland and his advisers will do all they can to thwart the prosecution and bring it to an inefficient end. It may be remarked also that Mr. McNab and Mr. Herrin are seldom out of rapport.

Mr. William Crocker was nominated, and is vouched for, by as raw a lot of political and financial jilbusters as ever sacked a city. They believe in the wide-open town, morally, financially, politically, and every other way. The men they named for supervisors afford convincing evidence that they not only believe in graft, but want the former conditions restored whereby the city may be looted in private interests. Especially they want a stop put to all attempts to fetch a municipal water service from Hetch-Hetchy, and, if given the power, they will see to it that nothing comes of any municipal ownership enterprise whatsoever.

In justice to Mr. Crocker it may be said that it is not very probable that this element will stand by him now that it has secured his nomination. It will prefer Mr. McCarthy as the greater of three public evils, but will put up with the lesser if it must in order to come in on the winning side. Mr. Crocker's candidacy was planned, managed and consummated by attaches of the political bureau of which Mr. W. F. Herrin is the presiding genius. It is possible that, if elected, Mr. Crocker might forbear to disgrace his party, his family and himself, but his is not a strong character and if he were to turn out well the sons of iniquity would be fooled.

Mr. P. H. McCarthy owes his nomination to himself. His putative backing is that element in labor unionism that is political first and laborious afterward if necessity heartlessly compels. The grafters and all their friends are for him. The associated villainies are for him, so is the redlight district and every dive and den in San Francisco. It was out of that ilk that the Boode Board was produced. In working harm to moral values he will be restrained by no traditions and deterred by no associations. He will be elected by the Incorporated Plutocrats, if they can bring it about, with an eye to use thereafter. They will restore primeval conditions and undo the labor of the past three years. The charge made by the Call, that McCarthy was in secret consultation with Herrin's hired men, was not disproved.

If the reader can find in this analysis of the three claimants for mayorality honors anything to enable him to make intelligent choice he is welcome to avail himself of it. As for us, we find in the three candidacies nothing to appeal to moral impulses, nothing to inspire hope, nothing to stimulate enthusiasm. Like Paddy, we would "rather have a good breakfast in the stomach than whoever gains the day."

WHAT KIND OF REPUBLICAN?

The direct primary is projecting candidates for governor very early into the foreground. That is very well, providing it does not lead to a confusion of the issue by pretending there is no issue. It might as well be definitely understood now as then that next year will be no time for merely personal candidates for governor. It will not be sufficient for any candidate for governor merely to proclaim that he is "a Republican," and then adduce his personal qualifications. The question, What sort of a Republican? is going to be asked of every candidate, and it must be answered, or else the answer will be taken by default.

There are two sorts of Republicans, and there will be no patience or silence under the pretense that there is only one sort. There are machine Republicans and anti-machine Republicans, and only an anti-machine candi-

date running as such, will get the anti-machine vote at the primaries. There will be no machine candidate avowed as such, but there will be one or more candidates who notoriously represent the machine. No one can get the machine vote away from them, and any candidate who makes the blunder of a merely personal, ostensibly neutral candidacy, will find himself slaughtered between the two fires.

It is perhaps superfluous to analyze the so-called "machine vote." Most of it does not really belong to the machine. It consists of those numerous voters who imagine that the sole purpose of a party, in going into an election, is "to win," and who have observed, quite correctly, that the machine has been an extremely efficient tool to that end. It consists of the multitudes of the indifferent, who follow whoever takes the trouble to go in front. It consists of those other multitudes, whose ideals have never risen above the mediaeval standard of personal loyalty. By the judicious distribution of personal favors, the machine establishes a whole feudal system of personal obligations, which it capitalizes into votes and offices. These, the good, the bad, and the indifferent, are the private. The officers belong to the machine, because they find it profitable. One of them, perhaps two or three of them, will run for the nomination for governor. No man who runs, under that sponsorship, should expect any votes except what his sponsors can deliver to him. These will be a very small part of the existing machine votes, if the intelligent and patriotic but hitherto inert among them can be aroused to a realization of the situation. To arouse them, and all others to that situation is the supreme purpose of the primary campaign, and there will be no clouding the issue.

MEN AND HORSES.

San Francisco has this week witnessed two master parades, one of men and the other of horses. Both were industrially employed, both make their livings by labor and both are dependent upon someone else to furnish them with work that they may get a living. Splendid men, splendid horses. The beer barrels many horses hauled were not as inspiring.

There are those who would like to carry the parallelism farther. A horse is worth what he can be had for. So, according to the Harri-man philosophy, is a man. The man is entitled to all he can get, the employer to get him for as little as he may.

The horse has some advantages. Most owners of horses are sufficiently prudent to refrain from using their horses up before they reach what should be their prime. Most large employers of men crack them through with the view of getting out of them as much as they can as quickly as they can and then turning them adrift to hunt more poorly paying jobs elsewhere. The great corporations have little use for a man of fifty. The reason for this discrimination in favor of the horse is that he has to be purchased all at once, while the man is bought on the instalment plan, a day or a week at a time.

The law has, it is true, been called upon to intervene in the case of the horse for the prevention of cruelty, while the man may contract away his immunity from cruel treatment if he will, and the employer generally insists that the man shall "preserve his freedom to contract" though he lose all else.

The employer is boss of the horse and wants to be boss of the man. If a horse does not suit him there is a free market in which to dispose of him and buy another, and, for the life of him the average employer cannot see why he should not get men in as free a market as he buys and sells horses. Is not labor a commodity?

Those two thousand horses were well groomed, well fed and well content with their

lot. It was to the interests of their masters to have them so, for so they would serve them longer and better and prove the more profitable as an investment. The twenty-five thousand men were well groomed and well fed also, but they had fought for that as the horses had not. It is a painful admission to make, but not one upward step has been taken by labor that was not fought for, and fought for hard, because resistance against it was hard. While self interest tends always to make the condition of the horse better, that his life of usefulness may be prolonged, self interest on the part of the employer has made him fight every progressive step that labor would take. Scarcely one device for saving life and limb of the employed, preserving his health or morals, has been adopted without the command of the law or the open warfare of laborers and their friends. The cry for dividends has drowned the cry for justice. There are some advantages in being a horse.

But the horse is not a living soul! The man is, the workman as certainly as the employer. Neither employer nor employed appreciates this fact to the full. The employer too often thinks of labor as a commodity. The employed too often restrict the sentiment of brotherhood to their fellows among the employed, whereas, in truth, both employers and employed are brothers in one humankind.

The two thousand horses which paraded the streets of San Francisco Thursday meant nothing to the other horses of the city, but the twenty-five thousand men who paraded the streets on Monday meant everything to all the rest of the workers in the city. They meant as much to the stay-at-homes as the union soldiers, who went to the Civil War, meant to the stay-at-homes in that crucial trial of the nation for its life. They are fighting battles for the good of all who work with their hands.

We fear much more of the tyranny of labor than of the tyranny of capital, because it is a newer thing. Capital has been tyrannous so long that tyranny at its hands is accepted as a matter of course, while labor has only lately dared to look its employers in the eye without cringing, and, like other persons who have newly found their liberties, it has found them often to abuse them.

The "scab" is the person who wants his share of the victory without doing his share of the fighting. He wants the shelter of the industrial umbrella without supporting any of its burden, but he does not deserve to be killed and he must not be bludgeoned into doing his part. As God Almighty does not compel any soul to be saved, so unionism cannot compel any unwilling person to become a unionist without tyranny, and what cannot be done without tyranny must not be done at all. Everything to persuasion, nothing at all to compulsion.

When organized labor forgets this it forgets its own best interests and loses ground. When organized capital forgets this truth it forgets its own highest interests and makes enemies as implacable as itself. There are grounds for hoping for better relations between capital and labor than we have known, but the degree of progress will be measured by the ability of organized capital to humanize its attitude toward men as it has humanized it toward horses. Organized labor, being better drilled in thinking out hard problems, and less oppressed with a dreary Bourgeoisism, will be ready to meet capital more than half way in every upward movement.

This talk of dismembering the state because it has been equalized, even dubiously, will come to nothing. The wound will feel so much better after it is done hurting that the wounded will be glad of the hurt.

The Deeper Significance : : : : of Living : : : :

There is a man in this state who might have had almost any position of honor or profit within the gift of a grateful people if, as child, boy and young man, he had not been mentally more acute than any of his fellows. By reason of his greater mental dexterity he was able to "fool" them all and, inasmuch as he could not resist the temptation to fool them, he became thoroughly insincere, untrustworthy and discredited. He possesses some notoriety but no renown.

There is in this state an orator, a man of splendid physique, fine abilities, and, but for one thing, he would be now, in reasonable likelihood, have reflected credit upon this or some other commonwealth in the United States Senate where he could easily have made himself among the foremost in debate and very likely in statesmanship. He, too, has more of notoriety than of renown, and the honors that have come to him have been few and not very important. All for the reason that he attached himself to the selfishly powerful, and loaded to their interest under the mistaken impression that his bread would get the most butter on that side.

There was a politician in another state having great powers. He had a brain fertile in resources, possessed that subtle quality known as magnetism, enjoyed the gift of leadership and, allying himself with every unhealthful element in the public life, was, for a term of years, politically invincible. But he had his day, his power was by and by broken and with it his spirit and he became a "has been." In bitterness he decry in a speech: "They have called me everything except a fool," whereat a newspaper writer retorted: "They saved that for you to call yourself for not having been honest, sincere and true to the common interest."

And what a fool he was, to be sure! And what fools these other men referred to have proven, in that they have not stood, stanch and strong for what they knew to be right! It is with integrity, or the want of it, something as it is with profanity. Of all men who can least be excused for employing profanity we must designate those to whom heaven gave a fluency of speech, an ability to express themselves adequately. What need have they for profanity? With one who emits words with travail a few round oaths may go far in facilitating expression and if this be not excuse enough, as it is not, at least it must be held a mitigating circumstance.

That there are tricksters who do get on and/or forces us to admit, but scarcely one in a thousand of them falls of being known for the trickster he is, and the publicity of that knowledge should make a self-respecting person miserable the rest of his days.

Therefore, young friend, if you do find that you are smarter than others, and that you can make that seem to be true which you know is not true, and so beguile your associates or the people at large, put that temptation behind you as you would flee from the wrath to come. There are a thousand chances to one that the trick will do you more harm than it will do anyone else and it may send you to your grave a disappointed and embittered soul.

Per contra, there is no grace like that of sincerity, that sincerity which makes one as open as all out-of-doors, transparent as the sunlight, true as the ethereal blue. Many a man of mediocre abilities has capitalized frankness, with courtesy, and made it the stepping stone to fame and fortune. He may come to be known as "Old Reliable," and his friends may wish that, for his own sake, he could now and then dissemble, just a little, in the name of tact perhaps, and yet he goes right onward and upward, gaining new friends and holding the old ones more closely because, as the world expresses it, "he will do to tie to." The person who, as boy, youth and man, will do to tie to somehow never yet became a mere hitching post.

WHAT THE WORLD IS DOING

Man's Progress Toward the Pole.

Now that two American explorers—Cook and Peary—are reported to have reached the north pole, it is of interest to note the slow and painful steps in that direction which have been taken during, say, the last two decades. It was during 1892 that Robert E. Peary, one of the two men who have stood on the north end of the world, charted the northern coast of Greenland, thus making a known region of a theretofore terra incognita. Three years later, or in 1895, Dr. Fridtjof Nansen of Norway, with one companion, reached latitude 85 degrees and 14 minutes. In July, 1897, Salomon-Auguste Andree demonstrated that the trade winds blow to the pole by traveling 200 miles due north of Spitzbergen in a spherical balloon. In 1900 the duke of Abruzzi attained latitude 86 degrees, 33 minutes and 49 seconds, or 19 minutes and 33 seconds beyond the farthest point reached by Nansen. In 1903-06 Captain Roald Amundsen, of Norway, discovered and passed through the northwest passage in the Gjoa, now in Golden Gate park, San Francisco, and in 1905 he established the location of the magnetic pole. In 1906 Robert E. Peary discovered fertile land, on which flowers were growing, in an island which he found north-west of Grant Land, and in the same year he reached latitude 87 degree and 6 minutes, or 32 minutes and 11 seconds beyond the duke of Abruzzi's utmost point. Thus slowly—not to speak of expeditions farther back in the past—have we progressed to double possession of the pole.

Ashes of the Buddha Found.

An event of unusual interest to all civilized mankind is the alleged finding of a portion of the ashes of Gautama, the Buddha, by Dr. Spooner of the Indian archaeological department. For some time past the doctor has been excavating on the site of the Emperor Kanishka's great pagoda, near Peshawar, and there he has made his discovery. From a casket of rock crystal, which was found beneath a bronze casket, were taken three small pieces of charred human bone, and the seal of the casket, as well as various inscriptions, are supposed to indicate that these bones were of the ashes of Buddha. It long has been established that Buddha's body was burned, and the ashes distributed among eight claimants—this nearly twenty-four centuries ago. Is it one of these allotments which Dr. Spooner has discovered? There does not appear to be much doubt of it. At any rate, so eminent an authority as L. D. Barnett, head of the department of Oriental books and manuscripts in the British museum, says that there is no reason to doubt the genuineness of the discovery.

"The Beneficence of Swearing."

Probably the quaintest, not to say the most absurd, theory recently aired in public is that of a doctor who, in a recent issue of the London Mirror, advocates swearing as a preventive of disease. According to this savant, there is a profound reason for the cursing habit, as it acts as a safety valve for the rending emotions. When a man is annoyed, the doctor says, he starts to produce superfluous mental and physical energy, and, if he does not rid himself of it by smashing things and swearing, blood poisoning follows and he does not recover from it for a day or two. Moreover, he continues, resolute suppression of temper puts a serious strain on the brain. The direct inference from all this is that he who ruleth his own spirit is not better than he that taketh a city, and that the foul-mouthed blasphemer is the wise man. The whole thing sounds farcical, and must be considered so, and yet it is said that the theory is being discussed with more or less solemnity. Verily, when little man is at his theories, he sometimes also is at his funniest.

Big Warships for Little Brown Men.

Japan certainly shows a tendency toward "going some." The government of that island empire has announced its intention to build cruisers of 36,000 tons each. Now bear in mind that the British Dreadnaught is a vessel of but 17,900 tons burden, and it will be realized that the little brown men are aiming high in the field of warlike competition. Moreover, the superdreadnaughts are vessels of 20,000 tons or less, while the British invincible class of cruisers are of but 12,750 tons. Uncle Sam has been talking of building a war vessel of 25,000 tons, and he flattered himself that that would be pretty hard to beat. And now comes this small brown person and raises his highest by 11,000 tons! And this from a party who barely was on the world's map two decades ago! It is hard to realize. A 36,000-ton cruiser would be larger than any vessel now afloat except the Lusitania and Mauretania. The fact that Japan is hard up financially does not appear to be interfering largely with her world-wide plans.

Growth of Church Membership.

Whatever may be the fact in relation to church attendance in the United States—and some doloed reflections upon the situation in this respect have been heard—it is a fact that church membership is increasing more rapidly than is our population. This assertion is made upon the highest authority, that of the United States census bureau, which, in a recently issued summary, compares the church membership according to its census of 1906 with that of its census of 1890. In these sixteen years the total church membership has increased from 20,597,954 to 32,936,445, or 60.4 per cent. The increase in Protestant membership has been from 14,007,187 to 20,287,742, or 44.8 per cent.; in Roman Catholic membership from 6,241,708 to 12,079,142, or 93.5 per cent. In this connection it should be said that, as the Catholics include all baptised infants, while the Protestant membership is mostly adult, the census bureau has deducted 15 per cent. from the returns made by the former in order to equalize the returns as nearly as possible. In 1890 32.7 per cent. of the population were church members; in 1906 the percentage had increased to 39.1, a gain of 6.4 per cent., of which 4.4 per cent. was Roman Catholic and 1.8 per cent. was Protestant. In sixteen states and territories the Roman Catholic church population is in the majority. These states and territories, with the percentage of Roman Catholics to their entire church population, are the following: New Mexico, 88.7; Rhode Island, 74; Montana, 73.1; Massachusetts, 69.2; Nevada, 66.7; Arizona, 66.2; New York, 63.6; New Hampshire, 63; Louisiana, 61.3; Connecticut, 59.6; California, 58; Vermont, 55.9; Maine, 53.3; New Jersey, 51.5; Wisconsin, 50.5; Michigan, 50.1. Roman Catholics also outnumber Protestants in Colorado and Wyoming, although having less than a majority of all church members. During these sixteen years the membership of the Church of Christ, scientist, increased from 8,724 to 85,717, or nearly tenfold. The total church membership of the country is 43.1 male and 56.9 per cent. female.

Depletion of Our Forests.

Heretofore, in this department, has been considered the rapid depletion of the forests of the United States, a depletion which threatens us with a lumber famine in a not distant future, but certain facts brought to the attention of the public by the forest service are entitled to further consideration. For instance, says the service, white pine, which once was considered practically inexhaustible, has fallen off 70 per cent. in cut since 1890, and more than 45 per cent. since 1900. The cut of the most valuable hardwood lumber has decreased 16 per cent., and that of yellow poplar 22 per cent., and these are but samples of a

general trend. We have become careless with our timber, and how largely so is indicated by the fact that we take 250 cubic feet of wood per capita annually, while Germany uses only thirty-seven cubic feet and France but twenty-five. Moreover, the Germans and French see to it that theirs is replaced by new growth, while we do not. It certainly is full time that a halt were called, and, as the forest service says, "to reach the necessary condition of equilibrium between timber production and consumption will take many years of vigorous effort by individual forest owners, by the states, and by the national government."

Widespread Posts of the Grand Army.

Although Time is working his will with the survivors of the civil war, and they are but thinning ranks of veterans who gather about the camps of the Grand Army of the Republic, the posts of that organization to-day are more widespread than they ever before have been. Quite recently, at Oldham, in Lancashire, England, where twenty former union soldiers reside, a post was organized.

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "craft" by paying the physician a percentage of your prescription?

The Perry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a square deal plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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WILLIAM WINTER'S RESIGNATION.

His Statement of the Cause.

William Winter, the Grand Old Man of American dramatic criticism, has resigned from the staff of the New York Tribune after nearly forty-four years of continuous service. The public has been made aware of the fact that his resignation was due to friction with Hart Lyman, acting editor of the Tribune in the absence of Whitelaw Reid. Mr. Winter's own statement of the causes of that resignation appears below in the form of a letter to Mr. Lyman. If his statement is not so greatly charged with personal feeling as to give a wrong coloring to the facts, those facts are a reproach to modern journalism and a blot on the fame of the Tribune that would make Horace Greeley turn in his grave. They indicate, furthermore, that the commercialization of dramatic criticism is now practically complete.

But whatever the merits of the dispute, with Mr. Winter's resignation comes the passing from a position of unparalleled independence and influence of the shrewdest, most idealistic and the best all-around dramatic critic America has produced in two generations. Mr. Winter has venerated the art of acting as few men have done. He has done a vast deal to dignify it as a calling and to raise it to its just respect in the public mind as one of the nobler fine arts. A great career is coming to a close. The pity is that it should be embittered at the end by a dispute with an unimportant nobody who happens to be for the moment the chief functionary on the Tribune.

Mr. Winter's letter to Mr. Lyman is, in part, as follows:

Since July, 1865, up to about two years ago, I opposed and denounced in the Tribune every bad, vulgar, indecent play, and every person and every proceeding in the theatrical world injurious (in my opinion) to the public welfare. In doing so I not only did not incur censure from the editor, but I was often encouraged and sustained in that, obviously, right course.

About two years ago there came a change. Many articles of mine, dealing with manifest abuses in the theater, have been, within that time, rejected altogether. Many others (some of the same kind; some containing critical condemnation of plays) have been cut or modified in important passages.

In protesting against that injustice I wrote to your managing editor, Mr. Brown, January 17, 1909.

"My articles, relative to indecent and therefore reprehensible plays have been, and are, framed for the purpose of doing as much injury to the business of the persons exploiting them as is possible; of informing respectable persons of what is going on in the theater, and of keeping as many readers as possible away from obnoxious and injurious plays."

In reply to that letter your managing editor wrote (January 20):

"In making the decision which I did I acted under instructions in the carrying out of a distinct and unmistakable policy, laid out for me by Mr. Lyman. . . . I might have gone much further than I did in literally complying with my instructions. . . . Your policy of placing, on the Sunday theatrical page, beside our theatrical advertisements, matter 'framed for the purpose of doing as much injury as possible to the business' of some of our advertisers (business, that is, of advertisers of indecent and therefore reprehensible plays), may or may not be the right one, and the publication of such articles may or may not be the duty of the journalist to society. I do not attempt to decide the question. All I say is that my instructions with regard to that page are that the articles are not to be framed with any such purpose, and the excisions which I strike are in accordance with the necessary accordance with those instructions."

That appears to be as explicit a statement as the English language can be made to convey. On January 26, you, referring to the

same articles and to my protest, wrote to me: "I have a duty to this paper, which I must discharge according to my own judgment and conscience, however fallible. . . . It is my opinion that the theatrical news published on Sunday should not be condemnatory. . . . That a play is well attended, that there has, or has not, been a change in the cast, etc.—these are facts which can be properly stated, whether the play is good or bad, and the paper does not demean itself or do an injustice to its readers when it records them, and does no more."

I am not a reporter; that is one reason why I declined to write such "notices." I told you then, and I repeat now, that it is my explicit belief that plays of the kind specified by me should never be mentioned except with condemnation, and in such a way as will arouse and stimulate public contempt for persons who are responsible for their production. In my judgment the Tribune does demean itself whenever it mentions such plays, or their producers, in any other spirit.

I have never questioned your technical right to cut or reject any, or all, writing offered by me to the Tribune. To allow me freedom of expression on week days, when the circulation of the Tribune is small, and to forbid anything condemnatory on the Sunday page, when the circulation is much larger, marked a vital change in policy, and practically took the dramatic department out of my hands. The one thing I now regret is that I did not resign my position instantly upon receipt of your letter of January 26.

Californian Poets' Corner

This tender poem by Mrs. Mary H. Field has long been a favorite with those who know it. Some time ago, I received it, making the first and last lines rhyme as well as the second and fourth, in each stanza, but the original version seems to us the best, and we give it in preference to the other.

MOTHERHOOD.

By Mary H. Field.

Far, far away, across a troubled sea

My wistful eyes espy

The quiver of a little snowy sail,

Unfurled against the sky.

So faint, so far, so veiled in soft obscure

Its quiet shimmering.

Sometimes methinks no mortal thing it is,

But gleam of angel's wing.

And yet the currents of my life so set

Towards this vision fair.

I know, I know for me it pales and glows;

It will not fade in air.

With my own heart-throbs, throbs the tiny sail.

My sighs its pennons move;

And hither steadfast points its magnet to-

wards

The pole star of my love.

What precious gifts do freight this mystic bark

There is no sign to show;

What frail, small mariner is there enshrined

No mortal yet may know.

I only know the soul divine moves there,

'Mid two eternities;

Before the secret of the Lord I bow

With veiled and reverent eyes.

And vainly does my restless love essay

To haste the coming sail;

Dear God! Not even to save from sunken

reefs

Can love of mine avail.

Yet, will I keep my vigil, and in peace,

Like Mary, "dwell apart"

Close to the mysteries of God art thou,

My brooding mother heart.

Ah, heavenly sweet will be thy recompense,

When, every fear at rest,

The little bark all tranquilly shall lie

Safe anchored on thy breast!

PERSONALIA.

A revival of the play made out of Bret Harte's "Miss" is planned for the autumn, with Nellie McHenry in the title part.

Sir Arthur Pinero has completed his new play, "Milk and Honey," which will be produced in this country, with Miss Ethel Barrymore in the principal woman's part.

Miss Mabel Taliaferro, the very popular actress wife of Frederic Thompson, will hereafter be featured on the stage by only one name—Nell, not Nell Taliaferro, but just Nell.

Frank A. Vanderlip, once newspaper man, later secretary of the treasury, and now a New York bank president and society man, has adopted Mark Twain's style of white evening clothes.

David Belasco, after many experiments with the male kind, has engaged a woman press agent. She is Miss Dorothy Richardson, for eight years a member of the staff of the New York Herald.

Charles Klein is now working on the third of a cycle of plays dealing with problems of present-day interest. The first two plays of the series, already produced, are "The Lion and the Mouse" and "The Third Degree."

Mark Twain's new country home near Redding, Conn., is modeled largely after a famous Florentine villa, La Cafoncella, in which he and his family lived while Mrs. Clemens was in search of health in Italy. This villa is now occupied by Gabriele d'Annunzio, the Italian dramatist.

George Lincoln Walton, M. D., is the latest of the Woods Hutchinson type of doctors who are popularizing medical knowledge. Dr. Walton has a gift for selecting titles for his books that challenge attention, such as "Character-Leave," "Why Worry?" and "Those Nerves."

Booth Tarkington and Harry Leon Wilson, joint author of "Cameo Kirby" and "The Man from Home," will see four of their plays staged before November 1st. These are "Foreign Exchange," "If I Had Money," "Springtime," and "Your Humble Servant." Ouis Skinner will appear in the last-named play.

The story by Elizabeth Stuart Phelps, which the Harpers are to issue this month, will be called "Jonathan and David." It is a village story, with an old man's gentle character, a dog's devotion, and a woman's sympathy for the governing motives. A novel with no dog in it would hardly be characteristic of Elizabeth Stuart Phelps.

Miss Carolyn Wells, when about to begin a new book, buys a five-pound box of chocolates and a pint of ink. When she has used up the pint of ink and eaten all the chocolates she knows that her manuscript is long enough. She then packs the manuscript in the empty chocolate box and mails it to her publishers. At least, all this is the story that Harpers' press agent tells.

S. R. Crockett, who with his "Stickit Minister" followed J. M. Barrie so closely into fame as a leader of the "kall yard movement," has written little of late, but he has now a new novel ready which the Harpers will publish soon. It is called "The Men of the Mountain," and is a tale of the Swiss mountains and neighboring regions in the darkest days of the Franco-Prussian war.

Mr. Clemenceau has spent a good part of his life in journalism, so that there is nothing mysterious to explain in the fact that he had offers from five important Paris journals within forty-eight hours after his fall as premier. His case is the most notable one on record of a journalist showing great ability to govern a country as well as to advise others how to run it.

A TRIUMPH OF PERSONALITY

THE UPLIFTING INFLUENCE OF MISS BRIGGS' WORK.

Many a reader who was reared in the country or in a small town will recall some one family in the neighborhood around which centered the most enjoyable social life and from which radiated the strongest influences for better things. The neighbors all looked to this family for leadership. They brought to it their perplexities, their weaknesses, and their sorrows. Usually that family centered around a woman who had the time, the force of character, the skill in housewifery, and the imagination to project her interests beyond her own home after the demands of that home were fully met.

The reader who recalls such a character will remember the influence that such a woman had. By her tact, she was able to dispense charity without touching the tender self-respect of spirited people in misfortune. By her intimate acquaintance with every person in her community, she was able to obtain a more harmonious social life among her neighbors. Because of the affection and respect with which she was regarded, she was able powerfully to influence the boys and girls who frequented her home, in morals and in directing their studies for their life-work.

Then imagine this woman in a large modern city, trying to make herself useful, in a similar way, with the difficulties presented by a dense population in which the lines of race and wealth and social class are sharply drawn. Instantly she loses her most effective weapon, the intimate personal acquaintanceship by which she formerly inspired respect and confidence. If you would realize how completely this type of woman has been routed by the conditions of modern industrial cities, look at the character of the channels through which the gentler acts of life are performed in cities. These channels are "institutions," founded on the example of old industrial institutions, in which an exact "system" provides for handling large charitable works as the executive of a great business handles a large commercial mechanism. These institutions do a great service in the cause of humanity. They lack one thing, the intimate personal touch of the woman first spoken of in this article.

And this is not a small thing. It is vital. Institutions can and do relieve immediate wants and supply immediate deficiencies. But an institution cannot and does not become a member of the community in any such way as to be a force for moral building up. It can never be near enough a human being for that purpose.

All this long introduction leads up to the work of the Nurses' Settlement in the Potrero district of San Francisco. It is something new in "settlement" work. Ask a resident of the Potrero where the Nurses' Settlement is, and he will probably shake his head. Ask him where you can find Miss Briggs, or Miss Haggerty, or Miss O'Connor, and he will direct you at once.

That illustrates the difference. Miss Briggs and her assistants have a home at Iowa and Nineteenth Streets, where they actually live—cook their own meals, do their own housework, sweep their own rooms, eat, work, and sleep—and keep open house to their friends and neighbors, the inhabitants of the Potrero. Each of these women is a trained nurse, each is at the call of any person in the district, at any hour of the day or night, for any useful service they can perform for their neighbors, from nursing a mother at childbirth to getting a job for one of the men out of work.

These women know practically every man, woman, and child in the Potrero. They know them not merely by sight; they know Mrs. Smith's personal peculiarities, and Mrs. Jones's dislike for the Russians, and Mr. Johnson's weakness for whiskey. The chances are good that one or another of them has seen one of the children through scarlet fever or nursed the man of the house through a

seize with a broken back, or, in some desperate case, literally bossed the house-keeping and finances of a whole family during a period of stress when sickness and lack of work had broken the executive nerve of them all.

Miss Briggs has lived amongst working people for twelve years, as she now lives amongst them in the Potrero—nine years in Tehama Street and three years at her present home. In that time she has made 16,000 calls as a nurse. That fact alone means that she has had a wonderful training in dealing with people who labor. It means the possession of an understanding of their point of view, of their household economy, of their ambitions and their needs. If any one could be useful in helping these people to a higher plane of morality and a higher usefulness, surely such an equipment should make her that one.

She has chosen, as the best means of attaining these ends, the making of a home amongst working people, where any woman or man is made as cordially welcome to call as sincerity could make them. By her work, and that of her assistants, as nurses, she has inspired that confidence and respect and personal intimacy with her neighbors by which the exceptional woman of the country town made herself a powerful influence in the community.

The result is, that the residents of the Potrero have come to look to Miss Briggs for guidance in a thousand and one ways in the emergencies of life. They bring her their sicknesses, they look to her to relieve distress, she arbitrates family and neighborhood disputes where tact and a Christian spirit can prevail to heal the breach.

In other ways her influence is potent for better things. She saw certain deficiencies in the life of the neighborhood. There was no free library. She organized a neighborhood women's club, and pointed out to them that lack. The club asked for a sub-station library, and got it from the city, the club paying part of the expense. Miss Haggerty pointed out to her that the foreigners in the district were unable to get work because they could not speak English. Miss Briggs pointed out this condition to the club, and the club got the board of education to start a night school for foreigners. This suggested the necessity of a night school for American children. The club obtained this. Park facilities are needed in the Potrero. At Miss Briggs' suggestion, the women's club called a mass-meeting of the men, which resulted in the formation of the Potrero Promotion Club, which will, in time, undoubtedly get, not only a park, but other civic advantages for the district. The settlement maintains a free kindergarten.

The settlement is not an institution, although, since the fire, it has incorporated. It has no regular fund for its maintenance. It is simply the home of four unselfish trained nurses to whom people who have become interested in their work, from time to time entrust the expenditure of money for the betterment of the nurses' friends, their neighbors of the Potrero. It is a family, consecrated to the work of doing whatever they can to be useful to these neighbors. It is a centre of personality from which radiates the influence of an example of unselfishness and workday helpfulness to a working people.

This work is hampered by a lack of funds. More nurses could be employed if the money were available to pay them. A social hall could be built, if a few thousand dollars were to be had, in which the social life of all the young people of the district could be centred and so wholesome that the depraving influences of the public dance halls and cheap amusement places would be neutralized. Any one who wants to be a factor in the development of a better life for a large share of the population of San Francisco could do no better than

(Concluded on Page 671.)

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

The Automobile Ride.

The vine-clad cots of Stoughtonville were smiling to the sun
When William J. Bloxam told his wife he guessed they'd take a run;
So Mrs. Bloxam donned her hat, with hair to match its shade,
And Bloxam got his auto out. The gentle zephyrs played
As down the valleys the auto ran, a thing of life and glee,
And Bloxam said, "Now this is great!" and madam said, "Te-hee!"
And swift they flew, and glad they flew, along an airy track—
But, oh, it was so different when they went limping back!

So fast they flew, as flies a bird that seeks its waiting mate,
That scarce it seemed their equipage could for its shadow wait.
Ten miles from home, another mile, another still, and then
The auto gave a dying gasp and never moved again.
Oh, drip of tears, and haunting fears, and woe we cannot rout,
How spoke you all in Bloxam's words, "The gasoline's give out!"
Still shone the sun, and laughed the world, but, oh, alas! alack!
It was so very different when they went limping back!

Ten weary miles, twelve weary miles, ('twas even more, they said)
And every mile was salted down with tears the lady shed,
And every mile seemed all ablaze with words that Bloxam spoke.
Yet sang the wind, and every song was as a taunting croak;
Still shone the sun—yet bet it shone, the skies a fiery blur!
And sometimes Mrs. Bloxam walked, sometimes he carried her.
His friends all cried: "How's walking, Bill?"
Ah, gay the outward track—
But, oh, it was so different when they went limping back!

Probably a Clear Case.

"The court decided that he had paresis."
"On what grounds?"
"Oh, sufficient."
"Yes, but what were they?"
"Well, if you must know, it was proved that he lent me money."

An Invitation Respectfully Declined.

"Let the skeptics who disbelieve my story go to the North Pole."—Dr. F. A. Cook, in an interview.

Dear Doctor:

I am writing this
Brief note of declination
To breathe the elements that I cannot
Accept your invitation.
My winter overcoat's in pawn—
'Tis an unpleasant topic—
And I have heard the polio dawn
Is really none too tropic.

I hear the walking 'round the Pole
At times is far from pleasant,
And, as my shoes are thin of sole,
I cannot go at present.

It must be nice a pole to find,
Whate'er the effort cost one,
And yet I'd fain be left behind,
For I have never lost one.

Yet your expression, I admit,
Is full of good suggestion;
If wicked men gave heed to it
'Twere well, beyond a question.
For oft such men bad language throw
That shocks and pains the ladies,
And better "To the North Pole go!"
Than sinful, "Go to hades!"

The Opinions of Rufus.

I b'lieve that energy an' persistence orto be praised—but with some limits. Frinstance, the gigler showed he had 'em when he broke into the bank vault.

The devil got tired an' didn't want to work one day, so he tossed a lot of dollars into the world. "There," he says, with a restful sigh, "my business 'll be tended to all right." And I've never heered that he had to complain that it wan't.

I don't b'lieve that goin' to church hurts any man, but I've knowed some cases where I thought p'raps it strained the church a leetle.

Es I understand it, after listenin' to sev'el arguments, the reason saloon-keepers are opposed to prohibition is because it don't prohibit. It wrenches their hearts to feel that it might fail.

They's one feller that I never try to convert to the wimmen-suffrage idee, fer I've found out it's useless. He's the chap that has a dark suspishun that his wife knows more'n he does.

They's such a thing es bein' too kearful of a child. The oak that's stronger than God's winds ain't a hothouse plant.

I b'lieve it's every man's duty to vote first, an' then use a disinfectant afterwards.

I b'lieve in risin' with the lark—of the lark has been given chloroform or a good, strong opiate the night before.

I reckon that the predatory int'rests' demand to be left alone orto be complied with—say, by solitary confinement or somethin' like that.

The Automobile and the Airship.

The man with the receding forehead is out for a joy ride, and, to the throbbing of his mighty machine, is blithely cleaving the ambient atmosphere. (I do not know what the ambient atmosphere is, but poets almost uniformly use the expression, and so I follow no hesitation in doing so.) "Whoop!" says the joy-rider, "we're making sixty. Let's touch 'er up to seventy till we get to the next roadhouse!" At this psychological moment he runs into a wagon, and scatters Ezra Jones, his wife and seven beautiful children, in various stages of dissolution, over the sword. The wagon had no right to travel in the road, and so the chauffeur pulls the string that reverses the number of his machine, and hilariously chugs away.

"'Tis pitiful!" the people say, and they earnestly hope that the joy-rider will be caught and haled before some just and discerning magistrate, who will fine him fifteen dollars.

Sometimes, however, the man with the receding forehead miscalculates, and hurls himself, instead of Jones and family, into eternity. "This is undurable," the people say, and they mean it.

'Twill be different in the use and abuse of the airship. To be sure, its manipulator occasionally may drop a sack of ballast on your head and cause you to be carried to the hospital when you are least able to pay for the operation of removing your vermiform appendix which the doctor will consider essential to your salvation; but the fields are broad, and your chance of being hit is proportionately reduced. 'Tis not the same with the aviator. "Oh!" he will cry, "let's speed 'er up!" Then the incubator will buckle, the foldase will sidetrack and collide with the pollihinkus, there will be a sickening thud, and it will take several days to pick up all of the air-irider.

This is the difference that I foresee between joy-riding on the earth and in the clouds. The former too frequently kills the wrong person; the latter rarely will. Therefore, brethren and sisters, let us welcome the aviation which will divorce some fools from the automobile. Occasionally it may be hard on the aerial joy-rider, but it will be a great deal easier on the individual who feels a hesitancy about becoming mixed with a hilarity-buggy of either the heavens above, the earth beneath or the waters under the earth.

A Talk With Lyncurgus.

It is a fairly safe proposition, my Lyncurgus, that the world will not be ridden to death to gratify the selfish pleasure of any man. He may wish to spit it for a time, quite regardless of the feelings which it expresses in laws, but sooner or later it is likely to rebel against the goading, buck and kick, and leave its rider lying on very rocky ground.

The case of William J. Bradbury is in point. He is that thing of general envy, a millionaire, and much of his million, more or less, of dollars was made in ruthless disregard of the rights and feelings of others. He whipped and spurred the horse right mercilessly, and the horse bucked. Now, old, broken and despised, he toils behind the locked gates of a prison, and I would sooner be the humblest laborer who earns scanty living, yet allows some regard for his fellow-men to touch and glorify his life, than William J. Bradbury, millionaire. You feel the same, do you not? Then suppose you make a note that the privilege of goading the horse sometimes comes high.

Another instance: There is a man named Patrick Calhoun. He comes of a line of ancestry which should have made noblesse oblige the rule of his life, but somewhere in his veins—perhaps inherited from some nameless ancestor—was a current of off-colored blood which prompted him to hold dollars higher than honor. He stooped to criminality that he might be registered among financial magnates. His best friends do not deny it, although they dignify his bribery by the name of "hold-up," and so we need not hesitate to say it. In other words, Patrick Calhoun set at defiance the laws of mankind in furtherance of a selfish end. What has it cost him to goad the horse? Let us see. He may, or may not, go behind prison bars, but he has earned that which he has, the knowledge of that large proportion of Californians who feel no doubt that he belongs there. Thick-skinned though he be, the dread of what might be before him must have been as a constant nightmare to him, and that first \$200,000 of bribe money has been followed by a senseless stream paid to lawyers, newspapers and others in an effort to avoid at least a part of the price. Ah, his goading of the horse in the interest of self has come high.

So, the man who runs might read the moral. There is such a thing as an over-reaching greed, a callous indifference to the rights of others which reacts. In the long run it pays to be regardless of the feelings and privileges of those about us. Goad the horse too much, and he bucks. Better have less than the more which is paid for in tears and misery. Does the proposition seem sound? Then govern your life accordingly.

Worry Is a Phantom.

Oh, I don't know why, and I can't say why. Though I guess that the good Lord knows, But I know it's true, as I sing to you,

That Worry is a phantom that goes.
We have worries to-day, then they go away,
And we wonder whence they came,
For the skies are bright with a tranquil light,
And life is a cheery game.
When a worry's dead, then its ghost is sped,
But a good deed's blessing stays
To give us light in the darkest night,
And its memory cheers our days.

Why Cook Discovered the Pole.

"Did you hear why Doctor Cook discovered the North Pole?"

"No; why was it?"
"He thought he had better. You see, he had been away from home all night the night before, and the night was six months long, and he knew he would have to tell his wife what he had been doing, and—are you a married man?"

"Yes."
"Well!"

HOW SHALL WE RECEIVE MR. TAFT?

THE EXAMPLE OF THE RECEPTION TENDERED MR. ROOSEVELT.

Last week, in referring to the forthcoming visit of President Taft, we called attention to some former receptions to visiting presidents in this state, and to the statement so often made that where there exists a warm feeling of welcome in the hearts of the people, that feeling usually finds expression somewhere. We referred to the great reception to General Grant, at the capital in 1879, and quoted Henry Edgerton's splendid address of welcome upon that occasion.

When President Roosevelt was the city's guest in 1903, a like outpouring of feeling greeted him on every hand. We give this week the address of welcome delivered by John F. Davis upon the occasion of the farewell banquet accorded the president by the Union League Club, at the old Palace Hotel, on the evening of May 14th. Here is another example of how the personality of the recipient inspired and dominated almost every sentiment.

President Roosevelt had been in San Francisco four days and was about to depart for the Yosemite. A citizen's banquet had already been given him in the same banquet-

room upon the evening of his arrival four days before, the elaborate golden setting of which had been intended to be in every way emblematical of the golden wealth of California, and this was the allusion in the sly comparison of the rival color schemes of the two banquets contained in Judge Davis' address. As the president's visit was toward the end of his first term, before his triumphant renomination and re-election, the sentiment that in the clear vision of that evening political destiny was as manifest as political duty was prophetic. Is it possible that in these days of controversy concerning the conservation and control of national resources, there may be still a latent prophecy in the last line of the address?

JUDGE DAVIS' WELCOME TO PRESIDENT ROOSEVELT.

Mr. President: Words are feeble things in which to express the welcome to you that is in the mind and on the lips and in the heart of every man in this room.

Mr. Toastmaster, when the Union League Club of California welcomes the President of the United States it welcomes him, first of all, as an American. We who live upon the soil of California feel a more intense state pride than any other section of our favored land—more intense even than Massachusetts, New York, Virginia or Kentucky—yet when the call comes for volunteers in a war in the Orient, California is the first state to answer the summons and send to the Philippines the first California Volunteers. When you travel through this country you will find that in some places the bands play "Yankee Doodle," and in others "Dixie," in some places "My Maryland," and in others "Marching Through Georgia," but put them all to the touch, and every last man of them will play "The Star-Spangled Banner." And so it is, when we welcome the President of the republic to our hospitality, while we might have decorated our tables with the golden hue of our poppies and laden them with the gold of our mines and the golden oranges and the golden wine of our soil, the old paramount feeling of loyalty to the flag wells up from the depths of our heart of hearts, bursting all other bonds, and we garland our feast and make radiant our banquet-board with a gleaming glory of red, white and blue.

We greet our guest as the President of the nation—the of the republic in the zenith of its power. In honoring him we pay our tribute to the exalted office, than which there is none of greater dignity and, within the limit of its term, none of greater power on this earth. No other civil ruler holds his tenure under theegis of a constitution of checks and balances where, in practice as well as in theory, the sanction of the executive is equal to the sanction of the legislative power. In every constitutional monarchy the ministry depends for its tenure on the last vote of the last parliament, and no ruler dare more than once or twice at the risk of his crown resist that mandate. High as is the dignity of this great office, awful must be its responsibility; yet with such wisdom have the people exercised their choice that the proud boast of every American is that it is the only seat of power in the world's history that has never caused humanity to blush for the private life of any of its occupants.

And while our welcome is to our President, none the less earnestly it is extended to the man. We would make it impossible for him to say that he accepts our cheers simply as a tribute to the dignity of his high office. Beyond all that, we tell him that he is in the house of his friends, and we desire him to know it. We greet with gladness a President who personally knows that the United States

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(Continued on Page 671.)



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POLITICAL TABLE TALK

By THE WATCHMAN.

Work him off On to Congress

San Diego hardly knows what to do with Leroy Wright. The better element regards him as a thorough "organization" man, very subtle and keen, capable of donning the mask of an independent Republican the better to serve the organization interests at the crucial moment, as he did in regard to the direct primary law and the railroad regulation bill. They do not want him to go back to the state senate where he will prove dangerous, and, to keep him out of the senate, they are inclined to further his ambition to go to congress in S. C. Smith's place, thinking that he cannot do very much mischief there anyway and may do some good for San Diego. Wright has the congressional bee in his bonnet and can have the full strength of San Diego county if he wishes to make that fight. If, on the contrary, he makes a fight to go back to the state senate, the better element will see to it that he has all the fight he can attend to. He is a first-class explainer, and, if the people will let him tell it, he will square his record with the public interest and prove that he was the most effective enemy the Herrin organization had to contend with. Although at the tip end of the state, San Diego is not out of the world, and the status of Wright toward Herrinism is too well established in the state to leave San Diego in the dark regarding him. If he is returned to the senate it will be because San Diego people want to be governed by a railroad.

Some Herrin Idiosyncrasies

There are those who marvel that William F. Herrin should permit his own men, such as Lynch, Crimmins and Tim Sullivan, to whet their knives and go after each other's lives when there are many good men that they might be fighting, but how is Mr. Herrin to judge of the relative merits of his men-of-all except as they prove out on each other? Besides, a bit of rivalry, and a hearty scrap with one another, warms their hearts for taking the scalps of Herrin's political enemies. It is with the Big Boss as it was with Weyler in Cuba; by permitting his soldiers to accentuate the mortality of the reconcentrados by sniping, they warmed to the work of fighting Cubans in arms. That Lynch and Sullivan are making each other's fur fly no one can question, and the more of it that floats out upon the bay breeze the more delighted reputable persons will be. Moreover, if the Sullivan knife reaches the seat of biliousness in candidate McCarthy, and that of Lynch becomes imbedded in the political vitals of Crocker, what harm has the "organization" sustained? Is not McNamara's man Leland left to comfort the Big Boss? Finally, Mr. Herrin has been in Europe during the preliminary campaign, and when the cat is away the mice feel especially free to frolic. This much we can count on, Lynch is for McCarthy and Sullivan for Crocker. Who the Big Boss is for and, consequently, will get the controllable redlight and barroom vote, cannot definitely be known until a night or two before the election, though it is not likely that Lynch's man will be thrown down unless a fourth man, likely to prove dangerous to the worst of the bunch, is put up.

Same With Candidates As With the Bosses

Mr. Herrin does not always designate the winner in a scramble for nomination or election. Often he is sure of his man however the election goes, and, in such cases, it is good politics and good policy to let the boys fight it out in a fair field with no favors. As likely as not it may prove so regarding the pending scramble for Secretary of State. Mr. Herrin is not unlikely to say to Stafford, Hilborn, Jordan and Price, in effect: "You are any of you bad enough to suit me, go to it and may the worst man win." Unless, of course, some really reputable candi-

date for the office takes the field, in which case the Big Boss will take action very suddenly. That office is too important to the "organization" to allow it to fall into reputable hands if such an eventuality can be prevented. Its patronage leads that of any other state office except governor. Curry has not worked it up all these years to no purpose. There is little question that, with any one of the four persons above mentioned in the office of Secretary of State, this patronage would as certainly be used to advance the interests of the "organization" as it has been so used during the incumbency of Charles F. Curry.

Machine Gets Left Once In a While

While the people select many men who fail them at the crucial test and/or compels the admission that the "organization" men occasionally get fooled, too. No doubt Hardy, Herrin boss of San Diego, found it embarrassing to explain to the Big Boss how it was that Assemblyman Hinkle made a perfectly clean record in the last legislature, but he did. He was on the right side of things from beginning to end. Nor could the Herrin government have been more surprised at this than was the better element in San Diego. To this day the minds of clean citizens are haunted with the fear that there must be something up somebody's sleeve regarding it, some deep laid scheme, some bad reason for being good. Yet the record is fine nobody questions, but how came it so? Was not Hinkle always a Hardy man, and a very active one, and was he not nominated by "organization" influence and elected by "organization" votes? It is not well to be too suspicious. Of course a man will occasionally make a fine record in senate or assembly, as one. N. Gillett is known to have done, only to go over body and soul to the incorporated plutocracies at the crucial moment, but one seldom comes out of the "organization" camp to do a thing like that. The people of San Diego will do well to take Hinkle by his record. That record is unlike Leroy Wright's in that it does not need any explaining.

Something to Make A Good Laugh Come

A certain "Esquire," writing to the Los Angeles Times under the purloined penname of The Watchman, declares that Mr. Patrick Calhoun is not only not opposing the election of Francis J. Heney for district attorney but, so far as the city election interests him at all, he desires to see Heney elected. He wants an acquittal of the charge against him and wants it when Heney has done his worst. That, he thinks, will restore him to favor socially, financially and morally, in fact, will prove a complete vindication. Passing over the fact that nothing on earth can ever vindicate the reputation of Patrick Calhoun except his taking the stand and telling exactly what became of that \$200,000, and proving that it was innocently used, the action of Calhoun's subsidized press and the activity of his next of financial kin speak louder than any words that Calhoun himself, or the "Esquire" watchman can utter. Not one man whom Calhoun or the hosts of Mammon in this city can influence will vote for Heney for district attorney or fail of working and voting against him. In fact, the whole Crocker, Leland, McCarthy primary election was engineered with a primary purpose of putting an end to the graft prosecutions by making it impossible for anyone to prosecute. A secondary purpose of at least two of the three campaigns was to open the way for some "good graft," for which there was been a positive hungering now these three years.

The South Was
Caught Napping
Los Angeles has been making something of an uproar concerning the State Board of Equalization which has been expected to

increase the assessment rolls of that and other southern counties. But if the southern portion of the state believes it has a grievance, why does it not reach forth and grasp an available remedy by securing more representation on the board? There are five members of the board, four being elected from districts and one (the controller) at large; but the fourth, or southern district, which includes all of the territory south of San Francisco and San Joaquin counties, is so populous that it casts not very far from as many votes as the other three districts combined. For example, take the vote cast last fall for justice of the supreme court; it aggregated 365,308 votes, of which 56,749 were cast in the First Equalization District, 72,647 in the second, 68,840 in the third, and 170,072 in the fourth. An average of the four was 91,327; so it may be seen that, on the basis of votes cast, the fourth district was pretty nearly entitled to two members of the board instead of one member.

How it All Came About

And here is a rather singular chapter of political history. It was by the constitution of 1879 that the State Board of Equalization was created, and at the time California had only four congressional districts. As an easy way of distributing the membership of the Board of Equalization it was provided that one member should be elected from each of the congressional districts as they then stood, although it might be supposed that the framers of the constitution knew the state would grow and would eventually be entitled to a larger number of congressmen. We now have eight congressional districts but the four elected equalizers still continue to be chosen from the districts as they were constituted in 1879. Not long after the constitution was adopted the justice of providing for a reapportionment of the equalization districts engaged attention, and in 1884 the constitution was so amended as to authorize the legislature to make a reapportionment. But it has never made it, and the strangest part of it all is that Los Angeles and the rest of the south appear never to have raised any clamor for the larger representation to which they are entitled. If they had clamored, and clamored long enough, the legislature would have given them what they asked for.

Victor Woods Not the Man

Now cometh Victor H. Woods, ex-Surveyor General of California, and announces himself a candidate for another term in that office. We say that he has done this, because we have read of it in the newspapers, and Mr. Woods has not arisen to challenge the statement, which seems to be in all respects probable. Now it is to be supposed that outside of the limited number of people who know Mr. Woods there is much interest in his personal political ambition; if that sort of ambition were all there is to it, Mr. Woods might be as good a plug as any other to fill the hole. But it is most probable that there is more to it. Mr. Woods held the office from 1903 to 1907, and during that time the Hydes and Bensons and the other land grabbers never appeared to be dissatisfied with the way in which the office was run; they had no occasion to be, because it was run in just the same way it had been for twenty or thirty years before. But since the beginning of 1907 the land grabbers have been filled with disgust at the manner in which the office has been managed, because Surveyor-General Kingsbury has been so inefficient as not to operate it in their interest. Naturally they want a change; they desire a return to the good old ways, and they do not expect to secure this if Kingsbury remains in. The question is, are they backing Victor H. Woods in his efforts against the office of the "organization," slipped up on Kingsbury and that is why Kingsbury should be retained and Woods turned down.

Extradition Was The Object in View One of the best known writers for the San Francisco press, writing over his own name, recently made sarcastic reference to the last California legislature because it enacted a code amendment making wife desertion a felony, although most of us will be inclined to think that if the legislature never passes a worse law than that it will be entitled to be called blessed. What is the derided statute? Merely a provision that if a husband who is able to support his wife shall desert her (such desertion not being due to conduct on her part which would justify it) and fail to supply her with food, shelter and other necessities, he shall be guilty of felony and upon conviction he shall be punished by confinement in state prison or in county jail for not more than two years. Similar desertion of a minor child has long been a punishable offense, but it was not until 1907, if we recollect rightly, that the legislature recognized that he was equally base and criminal to desert a wife; at that time the offense was made a misdemeanor merely. In 1907 the grade of the offense was raised to a felony, and it was done at the request of some of our leading charity workers, who had seen so much misery caused by heartless desertion of wives by brutal husbands that they realized the need of severer penalties. The particular point made by the newspaper critic is that the law cannot be enforced, since, he says, deserting husbands will flee to other states, which will not return the fugitives because wife desertion in such states is not a felony. But this argument exposes a misunderstanding of the law of extradition; the

question is not what is a crime under the laws of the state which is asked to extradite a fugitive from another state; it is purely a question of what is a crime under the laws of the demanding state, and since wife desertion is a crime when committed in California, it follows that we can secure the return of persons committing this crime when they flee to other states.

The Whirlwind Candidate Judging by the Not the Man Wanted latest announcements of prospective candidates for the office of secretary of state, the notion still prevails that the office in question is mainly a clerical one and that any competent clerk ought to be qualified to fill it. We infer this from the calibre of the candidates offering themselves. The California Weekly has already endeavored to make it clear that while a great many clerks are employed in the office of the secretary of state, the head of the department is something vastly different from a clerk; that he is one of the two or three most important officers of the state government—perhaps only second in importance to the governor. This is so true that it will justify us in saying it all over again. Through his membership of the board of examiners, the lunacy commission, the forestry board and other commissions, the Secretary of State becomes a large factor in the government of the commonwealth, and according as he is able, independent and honest, or weak and time-serving, the state is helped or is injured. Judgment and character are the qualities needed in a secretary of state, and the people should select him with as much care as they would exercise in choosing a governor. If during the next few months the reader of this paragraph should chance to encounter, as he well may, a wild sort of harlequin going about making what he calls a "whirlwind campaign" for secretary of state, and soliciting votes in a manner which would better befit a candidate for constable, let him (the reader) pause and ask whether that is the guise in which the character and judgment of a statesman are most apt to reveal themselves.

No Fourth Man For Mayoralty

The local situation in San Francisco is no less confused than it was a week ago. The Good Government League has made strenuous efforts to decide whether or not it shall put a fourth candidate for mayor into the field. Everything indicates that it will not do so. Walter MacArthur has definitely refused to run, on the ground that his candidacy might confuse the Heney issue and offend Heney Democrats, Heney Republicans and Heney Union Labor voters, with the result that Heney would lose votes.

McNab's Hope of a New Machine

It is just possible that the Good Government League will be convinced by Leland's frantic effort to prove that he will abide by a platform which the League shall write, and that the League will endorse him for mayor. Leland's effort to effect this result is the only noteworthy political event of the week. The success of his effort would be sincerely regretted by a large body of people who look to the Good Government League for guidance and sound political advice. It is pointed out that Leland is a man of small calibre. He has always been McNab's man. McNab is the astutest politician in San Francisco. If McNab could control Leland's appointments to commissions, police commission, and board of education, he would be able to build up a political machine that would make him invincible in city elections for years to come.

TAG DAY FOR YOUTH'S DIRECTORY.

The California Weekly is glad to announce that a "tag day" will be observed in San Francisco on Saturday, September 18th, for the purpose of raising funds to liquidate part of the debt contracted in replacing the building of the Youth's Directory. This is the charity through which Rev. D. O. Crowley has rescued hundreds of boy waifs, and it deserves the hearty support of all citizens.

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AMERICAN SHIPPING IN AMERICAN SHIPS

II. ATTITUDE OF GREAT BRITAIN TOWARD AMERICAN SHIPPING.

By G. W. DICKIE.

We have seen that to secure the American shipping trade Great Britain brought about the War of 1812. At the close of this war an ultimatum was presented by Britain demanding that the United States discontinue her policy of protecting her shipping by commercial regulations or continue the war. In 1815 the United States government gave way and submitted to a convention for four years; the principal stipulation in this convention provided for a mutual suspension of discriminating duties in the direct commerce of the two countries but closed the ports of the West Indies and Provinces to American ships, as they had been since 1783.

In 1818 Great Britain insisted on a continuance of this convention for a further period of ten years and again in 1827 for still another period of ten years. From this arrangement a condition was brought about very unfair to American shipping and it resulted in a great decrease in the amount of American tonnage. A British ship brought such goods as the American market would take and, having discharged her cargo at an American port, loaded a cargo for the West Indies, whither American ships could not go; having discharged her cargo in the West Indies, she loaded for the United States again, where, having discharged the cargo she brought from the West Indies, she loaded a cargo for the British Isles or some European port and sailed homeward.

The American ship could take a cargo to Great Britain, but she usually had to return in ballast, as there was no discriminating duty in the direct trade between the two countries to induce the British merchants to give them cargoes in preference to their own ships. American vessels were further hindered in their employment by the fact that they could not take a cargo to the West Indies from either the United States or Great Britain under penalty of confiscation of ship and cargo. In 1819 Congress, discovering how hardly the convention bore upon the interests of America, repealed the act of 1815. This repeal was to go into force in 1824, but in that year the old convention was re-enacted, owing to some obscure understanding, hope, or promise that Great Britain would open the West Indies ports to the shipping of the United States. This hope was never realized.

Abandonment of Ship Protection.

Under strong pressure from outside interests, strongly urged by John Quincy Adams, Congress, which up to this time had sought to protect American shipping, at last gave way and in May, 1828, the United States offered reciprocity in shipping to any country desiring it. It is curious to note that the same notions prevailed regarding the impossible superiority of American workmen over all others, as prevail to-day. The passage of this first bill contemplating the abandonment of American shipping was managed by Senator Woodbury of New Hampshire, and in his speech he said:

"We are known to possess a skill and economy in building vessels, a cheapness in fitting them out, an activity in sailing them, which, without discriminating aid, would give us an advantage in coping with any commercial power in existence.

"Such are the accurate calculations of our merchants, the youth and agility of our seamen, and the intelligence of our shipmasters, that American vessels can, on an average, make three trips to Europe while a foreign vessel is making two.

"It must be manifest to all that circumstances like these, rather than any discriminating duties, must always give and maintain to us a superiority and protection which leaves nothing to be feared from the fullest competition."

In spite of this supposed wonderful superiority the removal of a protective duty of less

than one-fourth of the then prevailing freight rate on the Atlantic drove the American ships out of that trade. If the eloquent senator's claim for the superiority of his fellow-countrymen in the business of international trading were founded on facts it is hardly possible that the result of his measure would have been so disastrous to the interests of those whom he praised so lavishly. This is the kind of oratory that doomed the foreign shipping of America to an early death and is still indulged in over its grave. It is curious to note also that this confidence in the ability of American shipping to hold its own against any competition found its expression through the same men who enacted the tariff bill of 1828, and they expressed themselves loudest at that same session of Congress; here we find the statesmen eloquent on the helpless condition of the American industries in facing the fierce competition of the European factories with their generations of experience and with labor having more efficiency and less pay than that of America. Such is the strange inconsistency of law makers, ancient and modern.

Loss of Shipping Through Reciprocity.

From 1828, when the bill was passed abandoning the protection of shipping in the foreign trade and offering reciprocity to any country desiring it, to 1848 eighteen countries had made reciprocity treaties with the United States, and during that time she lost in the carriage of her own commerce 12.9 per cent of the imports, and 18.6 per cent of the exports. From the records of this period it does not appear that there was any one in the United States Congress competent to perceive the danger of the course then pursued. Britain, however, was not so destitute of far-seeing men. At that time there was in parliament a man, David Ricardo, noting the effect of American legislation on her own shipping, and he took occasion to point out that the indirect voyages paid best and that the British shipowner was losing a great deal of very profitable business in not being able, owing to her own shipping laws, to take advantage of the United States act of 1828, and share with other nations in the indirect carriage of American commerce. For generations British merchants had been established in every port of the world; when they wished to make shipments to America they were compelled by the law of 1817 to charter American vessels, for, by that law, British vessels could not enter and land cargoes in the United States from non-British ports. It was Ricardo's aim to get this protection to American shipping done away with as to British vessels, as it was already suspended as to eighteen other countries, and thus to give new life to British shipping at the expense of the foreign shipping of the United States. Ricardo took heed to the wise counsel of the United States government, and the famous old navigation laws of 1651-1656 were remodeled to suit the conditions of 1849. The United States promptly reciprocated; the Secretary of the Treasury issued a "circular" without even waiting for the President to comply by proclamation. Such was the extent of the Americans' fall into the trap set for them by Ricardo. From that date American shipping in the foreign trade went steadily down. In four years there was a loss of 10 per cent in imports and in twelve years over 21 per cent.

Shipping Always Needed Protection.

I have gone into this history sufficiently to show that the foreign shipping trade of the country never prospered, even in the wooden ship days, without substantial protection, and that this is true due to the fact that other nations were to be prominent in the carrying trade and were willing to pay for it.

I am not, however, advocating a return to the kind of protection that built up American

shipping in the foreign trade during the thirty-eight years between 1789 and 1828, when the shipping trade increased from 17.5 per cent of the imports and 30 per cent of the exports to 95.2 per cent of the imports and 89 per cent of the exports; today we have the small per cent of this American carrying trade that foreigners had then and they have the large proportion which our forefathers managed by their fostering laws to reserve for themselves.

I must state, however, that those who advocate a return to discriminating charges against foreign ships and their cargoes entering any port of the United States have done a very great service to the cause of shipping by removing, where they could get to the ears of the people, a false impression which has been held tenaciously and is still held in some quarters, that there was a time in the history of this country when no protection was needed for ships sailing to any port of the world under the Stars and Stripes. This belief has been fostered by generations of orators, political and patriotic, whose statements have nourished the pride of the people until they have become blind to the plain teachings of history. It is a pity that there should be any controversy as to the method or treatment that should be used to revive our shipping. As a citizen of this country, I like the plan of discrimination against the foreign ship, but, when I consider myself to a citizen of one of the family of nations comprising the commercial world, I hesitate to apply a remedy or stimulant obviously bound to stir up discord in the family.

Two Proposed Remedies.

There are two methods to which it is worth while to pay much attention, as one or the other of these methods must ultimately be adopted, and I will briefly outline the principles which form the basis of the proposed legislation.

First: It is proposed that government aid be given to the ship owners in the foreign trade sufficient in amount to enable them to buy American built ships and operate them in competition with cheaper built and cheaper operated foreign built ships and to insure them a reasonable profit.

Second: It is proposed to charge foreign built and owned ships at all American ports where they seek entry, extra tonnage rates on the ships and extra tariff duties on their cargoes, so that the cost of importing on the foreign ships will exceed the cost of importing on American ships and thus the carrying trade will be forced into the hands of our American shipowners.

In regard to the economic effects that would follow the adoption of either of the proposed methods I am convinced that either method if successfully enforced would produce the same ultimate result; the cost would have to be borne by the people of the country.

If government gives direct aid to its own shipping, as other countries are doing to theirs, that aid will have to be sufficient to enable the ship owners to run their ships in competition with foreign ships that cost less to build and less to operate and that receive substantial aid from their governments, and freights will be low on both foreign and American vessels, but the apparent advantage of this low freight would be offset by the increased federal taxes to provide the funds to pay the subventions or other aids given the American ships.

The People Pay Either Way.

If, on the other hand, discriminating duties were enforced against the foreign ships, the amount of discrimination would have to be added to the freight charges on all goods imported on a foreign ship, and the amount of the discrimination would have to be enough to raise the freight rate to a figure that would enable the American ship to figure profitably

operated against the foreign ship; but this higher freight rate would add to the price of imported goods and reduce the price obtainable for exports and thus indirectly the people would have to pay the same.

Of the two methods thus outlined the distinction is simply one of method with no difference in the result sought or in the final settlement of the cost of obtaining it.

I do not believe that any bill providing for the restoration of discriminating duties for the protection of American shipping can be passed unless the entire government as it stands today be changed. I have been assured by those Congressmen and Senators with whom I have corresponded on this matter that no such bill could possibly pass, and, if by some remote chance it did pass, then it would be vetoed. An effort was made lately to have discrimination favoring American vessels in the trade of the Philippine Islands; this was promptly quashed on account of the existing treaties with other nations, which treaties stand in the way for some time to come. Why should not the coastwise trade apply to this outlying territory of the United States? This country pays the cost of government those islands and should control the trade between them and all home ports as well as the interisland trade and coasting trade of the islands themselves. I am afraid, however, that want of enterprise on the part of ship owners has something to do with the conditions that obtain in the Philippine shipping trade. Generally speaking, the adoption of discriminating duties for the protection of American shipping

would require the abrogation of nearly all the existing treaties with other nations and would place us at variance with the rest of the world, and I cannot think that the American people would stand alone among the nations in regard to a method of fostering shipping when the cost of carrying out that method would be the same as that of another method which would be in harmony with the spirit and custom of our time.

Another method of helping our merchant shipping in the foreign trade which has recently been brought very forcibly before the public and ship owners of the Pacific coast in a speech by Mr. Robert Dollar, of the Dollar Steamship Line, is that of permitting the ship owner to buy his ships where he can get them cheapest and use them in the foreign trade only. We will consider the free ship question in our next article.

UP AND DOWN THE STATE.

At the recent convention of school superintendents in the Yosemite a committee was appointed to take steps to have the national educational association hold its 1910 convention in San Francisco. It also was arranged to co-operate with the state board of health in securing legislation for the betterment of health in schools and in general.

Although the duck-hunting season does not open until October first, already there are indications that the birds will be unusually plentiful.

M. D. Hall, of Galveston, Texas, has purchased A. G. Barmore's interest in the Hollister Free Lance, and henceforth that paper will be published by Stephenson & Hall. Although a tunnel in the Gold Canyon mine near Nevada City, was started but recently, already ore worth \$8,000 has been taken from it, and the mine gives promise of being very rich in the yellow metal.

Congratulations are in order, and are hereby extended, to Ed. M. Schorff, editor of the Willows Journal, who has joined the ranks of benedicts, his bride being a Miss Billiou.

The latest victim of the autoist who maims or kills his victim and then runs away is Edward Pierce, a Monterey poultryman. Mr. Pierce was left unconscious upon the ground, with a dislocated shoulder, and the driver of the machine did not know but he was killed. At this writing, it still is hoped that the cowardly criminal will be captured.

In order to demonstrate that fruit can be shipped long distances and reach its destination in good condition, the federal government has established a portable pre-cooling plant in Lodi.

The copper holdings of the Rudolph-Herman company, near Wheatland, will be developed, investigations having satisfied the owners that copper in abundance is there. The property adjoins the once famous Spenceville copper mines.

Andrew Kiser, residing near Calistoga, shot and slightly wounded Ernest Pickett, a neighbor, who, upon Pickett shot and mortally wounded him. A coroner's jury exonerated Pickett, Kiser apparently having acted under the influence of liquor.

A NEW MAP OF CALIFORNIA.

Just off the press, a revised edition of the map of California has been published by The California Promotion Committee, and copies are available at its headquarters in the Merchants Exchange Building, San Francisco, at the rate of ten cents a copy, including postage and mailing tube. The committee is prepared to send the map, as the orders are received, to those who not only wish copies for themselves but desire it sent to their friends in the East and abroad, whom they wish to bring to California, and who will be attracted by the resources as shown on the map.

Distinguishing it from the ordinary map, this publication has statistical tables showing, under headings of the products of agriculture, state that are of commercial importance, the chief producing counties, the classification being agricultural, horticultural, mineral and miscellaneous. A list of the counties and county seats is given, showing the distance of the latter from the metropolises.

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Chapter V. AN ACT OF TREACHERY.

IT was Gabriel's privilege and delight occasionally to ride to his father's lake camp Friday evening after school to remain with the vaqueros until Monday morning and a part of this pleasure was due to the opportunity for riding all the way home by the school of Helen and Roanoke. He always made that part of the lake ride a trial of the speed and endurance of the two horses, Clay Babe and Roanoke, with what joy only a horse-mad boy can ever know. If he was discomfited in the knowledge that Clay Babe was outmached by Roanoke he was still able to indulge a family pride in the belief that at least Peacock was unapproachable.

The maraudings of his father's cattle, and the death of the night guard, troubled the boy, and he knew that among his father's vaqueros were one or two thoroughly lawless men. These men said to the others talked often and boastfully of the trouble they would make for the "sandlappers" when their grain fields got along a little farther. Once, as they were riding along at an easy canter, Gabriel confided to Helen his belief that her father and the other settlers would never make anything out of those dry plains, and yet it was said, "Dad ain't doing right about the cattle, and there ain't nobody who knows it better than Dad."

The next afternoon, Saturday, the head vaquero called Gabriel to one side and said: "You've got to pike out for home. Can't have you here over Sunday this year. Ask me no questions and I'll tell you no lies. Hit the trail." And there was nothing for it except to do as he was bidden, but, as he rode along, he pondered the thing over with more of deliberation than was his wont. He knew that it was in the dark of the moon. He saw the beautiful grain fields of the settlement, and as he cut across lots along an old trail, and reached out his hand for some of the wheat heads, now nearly ready for the harvest, he found that he could tie the heads of the grain together right over the withers of Clay Babe. And there were hundreds and hundreds of stalks of it. It melted road to him and the rustling of the stalks in the gentle wind sounded good in his ears. Then he thought of the injury that several hundred head of cattle, ravenous for green feed, now that the plains grasses were dry as hay, might inflict; but he rode on home, ate supper and went to bed early.

Boy like, tired with his long ride, he fell off into a deep sleep almost as soon as he had touched the bed, so deep that when, before retiring, his mother came into his room to look upon his face by the light of a tallow candle, and stroked his temples and kissed his forehead, he knew nothing of it. Often, at such times he had awakened and thrown his arms about his mother's neck, and they had loved each other for a moment or two in sincere abandon. It was that that either of them was loved by both Helen and Clay Babe. With the boy there were other interests every waking minute. With the mother there was only her boy, the Chinese cook, her poultry and garden. Her husband's interests were all apart from hers and there was a little comradeship with him as with the Chinaman, who also was dogged, taciturn and did his work with the faithfulness and spiritlessness of a machine. But that night her boy was dead to the world and the mother dragged her dispirited footsteps to her own couch, the recipient of no love, taken for granted and left. And then the boy awoke and sat bolt upright in bed. What was it that aroused him? There was no sound save the tapping of the window shade against the casing as it was stirred by the gentle northwest breeze. Or was it the rustling of great fields of grain into Enterprise settlement ten miles away? Did he hear the lowings of an oncoming herd half way to the lake? Whatever it was, there he sat on the edge of his bed as wide awake as ever he had been in his life. He tiptoed to the door of his room and listened. The dogs were all asleep, but the breezes might course unobstructed through the house. His father's breathing was thick and disturbed,

THE SANDLAPPER

(Continued.)

BY

ARTHUR J. PILLSBURY

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but that of his mother was regular and faint. He slipped on his clothes and, reaching out of the window, grasped the upper limb of a walnut that grew hard by, stepped out upon a lower and stronger limb and made his way noiselessly to the ground. The hounds came bounding toward him, licked his hands and wagged their tails in greeting, and followed him to the barn, where he threw the saddle on Clay Babe and led him out into the pasture through a back gate, avoiding the road. There were bars at the far corner. He let down the top one, leaped the horse over the other and struck a cow trail leading to Enterprise settlement.

The boy swung well around the settlement between it and the lake, stopped and listened. All was still. He got off the horse and lay with his ear against the ground. A coyote called in the distance, the little night owls wheeled through the air and made a noise like the cracking of corn by the teeth of a hog. Clay Babe nibbled at the dead grass, and the three hounds that had followed lolled at his feet. Suddenly one of them sprang to his feet and gave a low bark. Clay Babe lifted his head and nickered. Horse and dog both poked their noses into the southwest. Gabriel mounted and rode forward at a trot. Presently his ear caught the sound of lowing cattle, for cattle will talk more or less, especially if there are cows among them. He rode into the dry bed of a slough and hastened forward, hitched Clay Babe to a willow, climbed the bank and listened. Now he could distinctly hear the murmuring of the herd and, after waiting a quarter of an hour, he could see shadowy forms moving between him and the sky line. There could be no mistake. Dashing back to where Clay Babe waited restlessly he called the hounds to him, pointed in the direction of the cattle and "sicked" them on. There was a dash, a yelping and, a few moments after, a stampeding of many hoofs and the voices of swearing men.

Mounting Clay Babe, the boy dashed up the opposite bank of the slough and halted a moment. A pistol shot rang out, two of the dogs came bounding back and Gabriel was off.

Arrived at the building, he sought for the bell-rope. It lay cut into fragments on the stoop and the remainder dangled out of his reach. Nothing daunted, he brought Clay Babe in through the gate and, standing upon his back, reached the bell-rope. The first twang of the clapper carried Clay Babe out from under him in a twinkling, but he clung fast to the rope and, going up it hand over hand, soon stood on the platform. The bell now rang with a furiousness it had not voiced before. The dogs howled. Clay Babe tried to find a way out of the yard, the boy came down the rope, dropped to the ground, mounted his horse and sped down the road like a whirlwind.

As Gabriel dashed by the first farm house the back door opened and the farmer and his son hurried toward the barn. The boy took to the fields at the first opportunity and made tracks for home. Arriving at the far end of the pasture he turned his horse loose there and, taking the light racing saddle on his arm, hastened to the barn, not noticing that only two dogs followed him. In a moment he had off his shoes, was in at his window and back in bed refreshed only by a good drink of

water at the garden hydrant. After tossing a little while he was asleep as sound as ever.

He was awakened some hours later by loud talking in the front yard. His father was furious about something. Lifting the shade slightly, Gabriel saw the head vaquero in the roadway, his horse in a reeking sweat and much jaded. He was cautioning his father not to say too much about what had happened lest they get into a worse trouble than losing a few cattle. The vaqueros were only armed with pistols, the foreman said, while the "sandlappers" all had rifles or it might have been different, but, anyhow, there were nearly fifty head of cattle dead on an alkali patch between the settlement and the lake and the "sandlappers" had captured one of the vaqueros and strung him up to a limb of a lone oak and held him there until he confessed to the herd having been driven there by Brayton's own orders. He was then turned loose and instructed to report to Brayton that the next time the cattle came in that direction there would be men in the camp, killed.

The boy remained discreetly sleepy until his father had mounted his horse, which the vaquero had brought in from the pasture. "Somebody must have been out on Clay Babe last night," the vaquero said. "He appears to have been hard ridden."

"Don't see how that can be," was the reply. "Gabe went to bed early last night, and, his mother tells me, was so sound asleep that he was dead to the world. I looked in on him when you called, and he was sleeping like a saw log. You don't think he suspects anything do you?"

"Well, he did not want to go home when I sent him, said he'd bet a hoss that I was up to some deviltry, and rode off in bad humor. How do you suppose that infernal schoolhouse bell got rung so? I cut the rope off up as high as I could reach from my horse I back, but I heard it before we were within two miles of the settlement. It sounded like a fire alarm. By the way, where's your other dog?" "I don't see but two about the place this morning."

"Don't know. I had to get up in the night to drive the low out of the garden. Recount Gabe must have left the gate open into the pasture when he came in, but there wasn't a dog in sight. I wondered at it at the time; they are all three always at my heels if I go into the yard at night."

"We shot a dog out there last night—came bounding at us out of nowhere and nearly stampeded the cattle, but Jack fetched him the first shot, so that he never even whimpered." With this the two men rode out along the road toward the open plain.

It was more than four hours before Moses Brayton returned, and when he did his countenance was black and lowering. The first thing he did when he swung from his horse and entered the yard was to demand to know where Gabe was. Gabe was out at the barn at the time the Chinaman was sent to fetch him. He came like a thief in the night, and his father collared him upon the instant.

"Where were you, young fellow, last night?"

"In bed, sir."

"Like hell you were! And you had Clay Babe in bed with you! I suppose, for somebody rode him half to death betwixt dark and morning. And where is Zip?"

"I don't know, sir."

"Well, I can tell you. He is out on the plains the other side of the 'sandlapper' settlement as dead as a mackerel. Explain how that happened, you! And what was it that you know is who rang that schoolhouse bell and let all those damned 'sandlappers' know my cattle were coming so that they could go out and shoot down fifty of them before they had touched their grain, and while my men were trying to round them up to drive them back."

"Your men were not trying to round them up and drive them back. They were driving them straight toward those wheat fields as fast as they could make them go."

"So it was you, was it, that rang the schoolhouse bell. And you was you, was it, that went interfering with my business, you infernal traitor!"

"Yes, Dad, it was I. I knew that you were doing wrong. I could see that our men had

deviltry on their minds and I know that those 'sandlappers' had got in a case of Winchester's right after their water was killed, and I wanted to save trouble. It all came to me in the middle of the night, and I did it."

"Well, I bet there's not nothing of that kind ever come to you again, day or night. I'll teach you to meddle with what's none of your business."

With that the father laid his riding whip over the boy's shoulders and back as though he were whipping a balky horse. The boy screamed with pain and there was an answering cry from the house, a rush from the veranda, and his mother had him in her arms. Still the blows fell alike upon mother and son until the son, breaking away, straightened up, with eyes flashing, and breast heaving with passion. "Dad," he said, "you strike me again with that whip and I'll shoot you dead."

Moses Brayton witheld his hand, drew back, turned black in the face, then white, sank upon the porch and buried his face in his hands. He had not meant to strike his wife, and the sight of blood trickling down her sleeveless arms unnerved him. "Go and get your gun, son," he said. "I reckon Dad deserves it."

For more than two hours mother and son, locked in her room, cried their troubles out in each other's arms, while Moses Brayton paced the fields alone. The boy had the satisfaction of being told by his mother that he did a brave and manly thing, but that he was too young to interfere with his father's affairs and that it was their duty to try to save father from himself if they could, for he had not been just the same since poor Helen died.

Never after that did Moses Brayton's cattle "pester" the "sandlapper" settlement. The no-fence law became thenceforth effective. There was talk of prosecutions, but none were instituted. There was also talk of the ugly taking-off of the night watcher. When in his cups in town one night one of Brayton's made some damaging declarations that went far, in the minds of many, to confirm the no-suicide theory. With much to conceal on both sides, it was perhaps not unnatural that common consent should keep the issue out of the courts. Anyhow, it was kept out.

Chapter VI.

A RACE LOST AND WON.

It was in the late fall of the bumper crop year that the people of Tulare county resolved to hold a county fair and thanksgiving harvest festival all in one. Roanoke had, by that time, been given more than a year of training at the hands of Gabriel and his own mistress. One morning Gabriel came cantering up to join Helen with a new light in his eyes.

"I say," he called, "I have a great idea. I want you to ride Roanoke at the fair. There is to be a premium for the best woman rider and a race between the best women riders at the close. The last dash will be only for a quarter, but I believe you can get Roanoke off quick enough to beat the best of them even for a quarter. It will be for the honor of the school, you know. I am going to win on Roanoke in the free-for-all and if you take the premium for the best woman rider, and I for the free-for-all, Professor Hamilton will be the proudest man in the county and we can do just as we please in that school for the rest of the year."

Professor Hamilton was a strange being. Born in mid-ocean on a stormy voyage of his parents to America, he was a man without a country that he cared especially for. His one love was for his school and he loved his school only that it might send more graduates to the state university, prepared to take its entrance examinations, than any other school of its size in the commonwealth. To this end he knew no mercy to his pupils, save as they performed some signal service, it mattered little what, to attract attention to his school and confer honor upon it and himself. Even the winning of a horse race by one of his pupils, "for the honor of the school," and not for money, would suffice to insure the winner an enlargement of liberty and special consideration until such time as some more signal achievement eclipsed the old.

Helen was dubious of so much publicity. She did not know, or rather, feared that she knew too well what Papa and Mama might say. Silas Singham's opinion of horse racing and horse racers, even under the most innocent conditions, was entirely unfavorable. That pastime did not comport with his essentially deep, although little cultivated, religious nature. However, she carried the project home with her that night, and after much persuasion, and with a solemn assurance that there was to be no betting in that race, extracted a reluctant consent. At once the work of preparation began. Gabriel devoted all of his intermissions to polishing Roanoke up and rubbing him down and in coaching Helen on how the fair would be managed.

The great day came and the whole county was at the fair at the county seat. An early start had to be taken, the family in the covered road wagon, Helen on all her Roanoke. It was, in those days, a slim enough excuse for a fair. The agricultural products could have been hustled into one wagon, the stock show was mainly of horses, but the fakers would have filled the county jail to overflowing if they had received their deserts. It was, however, the one great outing of the people for the year, unless a circus chanced along, and they made the most of it.

Gabriel lost no time in seeking out Helen and in providing a stall for Roanoke upon whom he fell immediately that the horse might be in trim for the riding contest and race. His glossy chestnut hide was rubbed until it shone like a mirror, and Helen's saddle was dusted and rubbed until it was faultless, after which Gabriel disappeared to look out for his own horse and the chief event of the day, the free-for-all.

It was mid-afternoon before the ladies' race came off. Gabriel was on hand to give his final words of instruction to Helen, "for the honor of the school," as he was careful to explain time and again, and to see that Roanoke was properly caparisoned. The girl took her horse out on the track with the others to warm him up, and as the contestants, a dozen or so, were being put through their evolutions Helen gave some exhibition drills in higher education for the horse. Roanoke answered "yes" and "no" to questions asked him, knelt for her

to alight and to mount, backed at the word of command, geed and haw'd as ordered without touching the reins, dashed forward at high speed only to stop stock-still within three lengths, and so won much applause without reference to the race with which the contest was to conclude.

But the crucial event came. They were to canter around the track in good order until they reached the home stretch when they were to come in under whip and spur for the final dash.

The track was too full of horses for comfort or safety and the eager crowd encroached upon the roadway. Helen, by preference, took the outside of the track, though it made farther

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to go. The quarter pole was reached, the starting pistol fired and off they dashed. Cries of "Here they come!" "Clear the track!" "Get out of the way!" filled the air, and then a wail of horror went up. A little 'sandlerapper, not above three years old, had somehow eluded his eager mother's grasp, dodged under the protecting make-shift for a fence and, far down the track, had run a third of the way across it. There he stood dumbfounded.

The horses were almost on him, Roanoke and Clay Babe, with a Visalia lady on his back, distinctly in the lead when Helen caught sight of the child. She bore directly down upon him as if to ride him down, brought Roanoke to a dead stop in three lengths, leaped to the ground, swung the child into the saddle, leaped into it herself, somehow, anyhow, gave the word to Roanoke and passed under the wire third in the race.

The cheers that went up from that crowd rang in her ears long after. The people poured into the track in front of the judges' stand to shower their congratulations upon her so that neither horse nor rider could move. Many mothers were crying, but not the mother of the adventurous boy. She made her way to the horse's side, took the child from the saddle, spanked him vigorously and with a "thank you, miss," made her way out of the crowd.

When the crowd stilled a little, so that the decision of the judges could be heard, they awarded the premium for the best horsemanship to Helen Singham, but the race to the rider of Clay Babe. This did not at all suit the temper of the crowd, who hooted and hissed the decision soundly. One tall man sprang into the crowd and demanded the making of a purse for the real winner. "Make it up, gentlemen," he called to the horsemen and stock owners around the judges' stand, and it was made up. By the time the crowd could be cleared away so that Helen and Roanoke could make their way off the track this tall man, who proved to be the sheriff of the county, dropped a purse containing more than a hundred dollars of shining gold into the hand of Helen.

It was now Gabriel's turn. Riding out into the track, which she could watch the race to advantage Helen waited with eagerness for the appearance of Gabriel and the far-famed Peacock to enter the free-for-all. She had not long to wait. Ever since Helen's race had been lost and won, much to the disgust of Gabriel, he had been warming up the pride of his family on the back stretch.

Peacock proved to be all that his name indicated. He was so light a sorrel as to be almost a cream color, with abundant mane, and a tail almost white, and the way he cavorted around, first on one side of the track and then on the other, with head down as though he had half a notion to buck, and then reared high in air as though he would fly, showed how eager he was for the test of speed. And through it all Gabriel sat him as unmoved as though he were some part of the animal. For the first time a sense of pride in Gabriel came into the heart of Helen. "I declare I like the boy," she said to herself; "he is not one bit like his glum old father, nor, not one little teeny-tanty bit, so there!"

There was a trouble in getting the horses off. There were a half dozen of them on the track and Moses Brayton was going about among the betting men, carrying a sack of gold in his hands and offering heavy odds on Peacock. As Helen watched him she liked him less than ever. He was of few words and only called: "Money, take it, gentlemen. Put up your money if you want to take a chance at mine."

After starting and being called back half a dozen times the horses finally got away. They came from end to end of the valley and the belief was widely entertained that a "ringer" had been imported to "do Moses Brayton up." It was a pretty race, but a very narrow one, with a bay in the lead, a dark sorrel next and Peacock third hugging the inside of the track. As they went down the back side of the track Peacock took second place, but he was a full length behind the bay and apparently not gaining. They were ready toward the home stretch. Helen could scarcely keep the tears from her eyes. She would have liked well enough for Moses Brayton to lose his money, so she did

want Gabriel to win, "for the honor of Tulare school," as she assured herself.

The horses passed out of view as they approached the turn, the great crowd intervening. Then came the cries of "There they come!" "Clear the track!" "Get back there, won't you," and Helen could hear the rhythm of the hoofs of the flying horses. The next instant Peacock shot by the judges' stand like a thunderbolt a full length ahead, and the "honor of Tulare school" had been upheld by Gabriel if not by herself, was the rueful way in which both of them looked at it. "If that mother had only given me that little 'sandlerapper to spank," Gabriel explained next day, "you bet I'd a fixed him a-plenty."

Gabriel had won as he deserved to, thought Helen, and, for the first time in her life, she doubted the ability of Roanoke to beat "anything that goes on four legs." Peacock seemed unapproachable.

(To Be Continued.)

(Welcome to Mr. Taft—Concluded.)

extends west of Buffalo, and who, though of the sixth generation born on Manhattan, belongs West of the Missouri river. We yield our heart's homage to one whom in public station and in private life we have found in every way so successful, always brave. We acclaim his exhortation to a higher and nobler conception of citizenship. When he preaches that we cannot raise the standard of our citizenship if in private life we shun the rugged ways, and cease to practice the old homestead virtues, he reaches every conscience. He stirs every soul that makes for righteousness. God bless him, God bless every man who sublimates from all the dross of earth and holds high—"high above the eternal stars"—the priceless love of home and wife and children.

And may I not, in this presence, also welcome him as a Republican? In no vulgar vaunting of party organization, in no bitterness of partisanship, but as the incarnation of the truth that he serves his party best who serves his country best, of that higher politics which puts above all things the betterment of his countrymen, we hail him as the leader of those principles upon which at this time that betterment rests. Those principles need not be repeated here. They are graven on the tablets of our memory. They are the banners beneath which we march. They are the signs in which we conquer. In the clear vision of tonight political destiny is as manifest as political duty. In your name, my brothers, Republicans of the strenuous and upbuilding West, I welcome as your guest tonight the leader of that great party to which we all belong, in the person of Theodore Roosevelt of New York.

And now, Mr. President, I welcome you to our hearthstone. Your visit will soon be over. We hope and trust your stay with us has been a pleasant one. And as the hour of your departure draws near I know of no better way of expressing our sentiment than to repeat that contained in the old Scottish song—"Don't forget the words—they come from full and loyal hearts by this Western sea:

"Better loved you will not be,
Will you not come back again?"

("A Triumph of Personality"—Concluded.)

to invest in this practical and established medium of influence upon the "other half."

Miss Briggs has in mind a plan that should be taken up by the hospitals of San Francisco. She needs more nurses. The nurses that are trained by the hospitals need one kind of training that they cannot get in hospitals, the experience of nursing in the families of the poor where they are called upon not merely to handle the technical problems of nursing under hospital conditions, but to handle the human problem of taking charge of a sick person in the conditions of poverty, ignorance, and obstinacy. Miss Briggs could use nurses from the hospitals, and at the same time the nurses would be gaining a month or six weeks of invaluable practical training. Some arrangement to make this mutual benefit possible should be made by the hospital authorities.

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The New Constitution and Corporations.

A prime charge made against the new constitution of California was that it "leveled attacks upon corporations." It will be instructive to see whether these attacks were justified.

The new constitution fixed the liability of each stockholder in a corporation for all its debts at the ratio which the shares of stock held by each holder bears to the whole subscribed capital stock. The old constitution expressed the liability as being merely "in proportion" without stating how that proportion should be arrived at. Certainly this was not "leveling an attack."

The new constitution went further in safeguarding both public and shareholders in corporations by providing that directors and trustees shall be jointly and severally liable to creditors and stockholders for moneys embezzled or misappropriated by the officers of a corporation. It has been too frequently the case that directors and trustees have allowed the officers of corporations to conduct the whole business of the corporation without any directing or trusteeship of any kind, whereas their fiduciary relation to the public and the shareholders should be of the most exacting kind. It would be hard to find fault with this provision of the constitution except that it may not have gone far enough in preventing dummy boards of directors and trustees.

Some fault has been found with Section 7 of Article XII in that it does not allow the legislature to extend charters and franchises after they have expired. The law does not confiscate the property of corporations when their charters run out. They may be reincorporated, but under such laws as the experience of half a century shall have determined to be salutary. Influence might be brought upon legislatures to induce them to extend charters and franchises that were opposed to the public interest in the first instance. Indeed, there is nothing more clear than that the future should not be greatly mortgaged to the present, that each generation should be free to deal with its own problems in the way that its own time to the end that the living may not be ruled by the dead, often greatly to their injury. Again are we unable to find in this section anything like "leveling an attack" at corporations.

Section 11 of Article XII prohibits the issuance of stocks or bonds of corporations except for work done, materials furnished, money paid or other property actually received. This was aimed at the practice of distributing stocks and bonds among promoters and fellow conspirators to be worked off on the public for the advantage of favored individuals and unconcerned interests of the corporation itself. That this worked against crooked corporation financing cannot be denied, but it has never harmed any bona fide corporation. Nor has that other provision which forbade the creation of corporate stock and bonded indebtedness without a majority vote of the stock held and after sixty days of public notice. This has tended to prevent the looting of corporations by insiders and for insiders to the injury of outsiders, but cannot be construed into an attack upon corporations.

Section 8 of Article XII forbids the public against the power of a corporation to resist the right of eminent domain, but places corporate rights in that particular on the same basis as the rights of private individuals, a thoroughly sound doctrine without mistake.

The latter half of the same section holds corporations to such a conduct of their affairs as shall not infringe the rights of individuals or work against the well-being of the state. There were cogent reasons why this provision needed to be written into the organic law of the state.

The reader may remember that, last week, a quotation was made from an utterance of Theodore Hittell, the historian of California, in which he declared that "corporations were no more unconscionable than by their nature they are compelled to be." This invites us

to a brief study of the nature of a corporation and in what it is different from a human being.

Whatever an individual does he is held accountable for, but a corporation savors of absentee landlordism. It is in a measure not responsible to the public. The acts of corporations are the acts of its officers, not of its stockholders, yet the officers of a corporation are held accountable to the stockholders for results obtained rather than for how they obtained them. The corps of officers that pays the largest dividends is most likely to hold places in the corporation, although those dividends may have been obtained in part by dodging taxes, debauching courts, securing special privileges by bribery, preventing effective regulation through controlling political parties and legislatures. The doctrine of moral responsibility of shareholders is being preached more and more and, sometime, will be fixed in the law and in constitutional amendment, but that consummation has not yet come. The ultimate ownership is irresponsible and the public is advised to look for redress to irresponsible officials who may be discharged any day.

The foregoing are the principal provisions which the new constitution contains, relative to corporations, that the old constitution did not. There are some others, relating particularly to railroads, which will form the subject of another lesson, but in all good conscience not one of those above mentioned can rightfully be characterized as "leveling an attack" at corporations.

There is a state, or quality, of mind that looks upon all regulative measures as hostile when they may be only defensive, or as revolutionary when they are only progressive, and the more wrong one has the more he seems to be inclined to that opinion.

SHEAR WIT.

"Moike, ye talk a lot about loife. What is loife, anyway?" "Well, Pat, all Oi know is, ut's jist wan dom thing right after another."

When William Travers, the stammering wit, was met in his own city by a Baltimore friend who said, "I believe you stammer worse in New York than you did in Baltimore," the wag replied: "B-b-bigger place."—Springfield Republican.

She (complainingly). "You said I had a silvery voice before we were married." He. "Well, I admit it's metallic still."—Boston Transcript.

"Pa, have you been up much in airships?" "No, never! Why do you ask?" "I heard ma tell auntie you were once quite a high flyer."—New York Herald.

Fat Man: What! Are you going to let this small boy shave me? Barber: Let the boy have his fun for once. It is his birthday, sir.—Fliegende Blaetter.

"He always stops and thinks before he speaks, doesn't he?" "No. He just stops."—Cleveland Leader.

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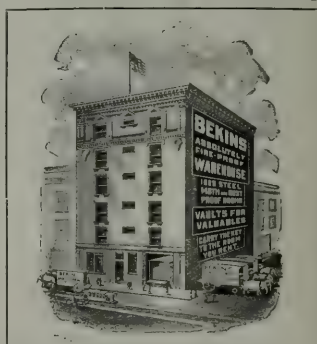
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No Successor to Harriman.

There has been much curiosity to know who will succeed E. H. Harriman as head of his great railroad system. No one will succeed him. No one can. Some other man may build up another system as strong as his, or tear his system to pieces and construct another out of the fragments of that system and others, but no one will step into his shoes and go right on doing the things that he did. Genius is not to be hired or to be found by looking for it. It grows on what it feeds on and is not to be constituted by election. What is more likely is that, in succession to Harriman, there will come to be a dead-in-the-shell bureaucracy which may be alive enough at the bottom but will die off at the top, with advancement in accordance with seniority of service. Such an organization, the foundations of which Harriman laid, will be stronger than Harriman ever was, but stronger to resist advancement than decay. It will be governed by professional traditions, whereas Harriman broke with all traditions in railroading. Peter the Great built such a machine for the government of Russia and no sovereign since Peter has been able to control the living-dead bureaucracy which he created. It has ruled Czars, grand dukes and the hundred million Russians with bars of unbending cast iron and, except some other Harriman rises to usurp the Harriman system, this will be the destiny of that system. The Vanderbilts have gone that road. We are to witness the evolution of some powerful railroad bureaucracies in this country, bureaucracies that will make other Harriman's impossible. Their termination may be in government ownership, which will then become the worst bureaucracy of all.

Westward-Ho.

President William Howard Taft has "done started" on his great swing around the circle. May no collision encounter him or flanged wheel dare to climb the rail. The good wishes of the nation will attend him all the way.

The nation will also hang upon his words. More than platforms, more than special messages to congress, will these train-end talks to the people, and after dinner addresses to frock-coated men, be looked to to furnish forth meat fit to set before a multitude hungry to know just what to expect from this administration. The people have not had their faith in their president shaken, but they have become distrustful of some of his advisers. They distrust Ballinger, they are questionable as to Wickersham, they look upon Hitchcock as nothing but a machine politician, and the situation has been further complicated by the attempt which the President made at Boston to give a certificate of character to Nelson A. Aldrich. All these things tend to make the people impatient for a heart-to-heart talk with their chief executive, and he is coming.

He has promised to listen, too, as well as to talk. Will he get a chance to listen to the right people? Very many of the titled functionaries with whom he will be brought into contact are not right people. The federal brigade of office holders especially are not right people. They were put into the places

THIS NUMBER CONTAINS

Hydro-Electric Power in California

(FOURTH ARTICLE.)

By E. French Strother

Readers of The California Weekly will, in due time, find in its columns every important public issue explained by some person whose special knowledge gives him a right to be heard.

they hold by corporate influence to do Roosevelt, and Taft himself, all the injury they dare. They are as unrepresentative a lot of persons as could be gotten together, take them as a whole. Will those who are a bit solicitous that the President shall stand firm for the Roosevelt policies have the courage to make their state of mind known, or will they shrink into solitude and suffer the opportunity to pass unimproved? The occasion is not one for negative righteousness, but for positive. Those who have faith in them should manifest the courage of their convictions when opportunity offers, with a courteous, clear and unmistakable frankness.

We, the people, really want to know what to expect from this administration.

California.

Of course the present ebullition in Southern California is to be looked upon as a tempest in a teapot. That portion of the state has been rather shabbily treated by an incorporated sovereignty, whose pleasure it has heretofore been delighted to do. If the smart of the hurt shall inspire it to throw off the yoke of corporate domination the gain will be worth the price.

But the carving of a new commonwealth out of south of Tehachapi and Arizona is another matter.

Why should the rest of California look askance at it? The increase of the assessment by the State Board of Equalization would not justify any such procedure, either as occasion or cause, but what of the idea considered upon its own merits?

We divide counties in this state, and rightfully enough, whenever the economy of doing business at an adjacent county seat overbalances, to the citizens concerned, the cost of maintaining two county governments instead of one. Why not apply such a rule to the dividing of a great and unwieldy state? California is such a state and Texas is another.

Fix the northern boundary of the new state at the thirty-fourth parallel of latitude and yoke it to Arizona, or Arizona to it, and there would be created a great and homo-

geneous commonwealth with two more senators representing the Pacific Coast. And "Calizonia" would not be a bad name for it.

There is a difference between Southern California and the rest of the state, a difference in interest, in spirit, in ideals, in industry, and in commerce. The people south of the Santa Inez and Tejon mountains are as much cut off from the rest of California as the rest of California is cut off from the remainder of the United States. They are living their separate lives south of Tehachapi as certainly as California, as a whole, is living its separate life apart from the Middle West. This does not make a federated union incompatible in either case, but there is too much of incompatibility to warrant north and south of Tehachapi dwelling together as one in body, soul and spirit. Pretense of any sort is not a likeable quality and when one butts up against anything as big as Tehachapi mountain and then has the assurance to declare that there is nothing there it is to laugh.

However, this is a matter that primarily concerns Southern California and Arizona. If they can come together in a bond of unity why should the rest of California, north of Tehachapi and the Santa Inez mountains, stand in the way of their happiness? California would then be as big as it needs to be, perfectly homogeneous in topography and character. What more?

But Southern California should not saw itself off in a spirit of rebelliousness. It has had its full share in the government of this commonwealth. It has, within less than thirty years, supplied the state with three very bad governors (Stoneman, Markham and Gage), beside one indifferent one (Waterman), all of whom served the Southern Pacific company first and the people afterward. It has filled many minor offices with men who did likewise. If it had a smaller representation on the board of equalization than it might properly have been accorded the fault was its own. It did not ask for more.

It is not very likely that anything will come of the movement toward state division, but supposing that something should come of it and a new state be formed as above suggested, who would be harmed? Certainly not California. If Southern California were to undertake to cut itself off and become a state without Arizona it might be necessary to prevent it for its own good and the good of the nation. The nation already has enough of pocket-boroughs masquerading as commonwealths, and a state government would be too costly for the people of Southern California to support.

With the atmosphere laden with the smoke of a hundred forest fires, and with many a living fortune reduced within a few days to blackened remains, it would seem that the policy of conservation should receive added impetus.

So the Man from Mars is a myth for the want of an atmosphere conducive to health. What a disturber of dreams these scientists are!

THE VINDICATION OF BALLINGER.

Nothing is more to be lamented than the failure of the facts to warrant statements made in the public interest by those who are battling for the public interest. There has been such failure in the case of Public Opinion vs. R. A. Ballinger. The word of the President will be accepted as final as to the facts.

Special agent Glavis jumped at conclusions. There were circumstances in relation to the Alaska coal lands cases which, upon their face, looked bad for Ballinger. His position was one of great delicacy, but he conducted himself with a sound discretion in the premises, whereas his traducer failed of acting in entire good faith toward the President. That was inexcusable and Glavis is properly to be dismissed from government employ.

In relation to the Montana power sites the facts failed again. The Forestry Service had wind of a movement to monopolize the reservoir and power sites of a district of Montana. In January, 1909, President Roosevelt hurriedly withdrew 1,500,000 acres of lands from entry to forestall the sequestering of these valuable privileges until the public welfare could be better protected by law. In April Ballinger restored this domain to entry. After restoring it to entry he caused investigations to be made as to suitable power sites, had them segregated to the extent of 300,000 acres and withdrawn in May. During this interval he ran the hazard of having these sites filed on. Here was a prima facie case against him. The act looked bad for Ballinger.

But none of those sites were filed on during the interim and the terms of the final withdrawal would have invalidated such filings if they had. This on the faith of the President.

It is up to Pinchot and Pardee to show how they came to be misled as to the facts. Both men are far above any intentional mistatement to the injury of any man or for the advantage of any cause. Someone has deceived them. Let the fault be placed where it belongs.

The California Weekly makes the amende honorable to Secretary Ballinger with the sincerest satisfaction, not that it cares especially for Ballinger, but because the clearing up of his reputation will give courage to those who hope for the conservation of the nation's resources in the interests of all the people of the nation, and not in the interests of a select group of multimillionaire exploiters. To feel that there is at the head of the Department of the Interior a traitor to the common good is to foster public discontent.

Let us repeat: If the facts are as the President has stated them the vindication of Ballinger, as to the specific charges made, is complete. It is not the President but the facts that vindicate him. If the facts are otherwise, then the President has himself been deceived, but it will take strong evidence to prove that the President's findings of fact are not to be relied on. The whole incident is lamentable in the extreme.

BUTTRESSED BY THE LAW.

The sole note in the letter of the President, vindicating the conduct of Secretary Ballinger, justifying a feeling of uneasiness in relation to the policy of the administration (in regard to conservation and the common wealth) is to be found in the concluding paragraph where the President affirms that "He is the best friend to the policy of conservation who insists that every step taken shall be within the law and buttressed by legal authority."

One cannot take exceptions to what this statement denotes, but only to what it connotes. It foreshadows what this paper has already pointed out as likely to differentiate

THE STAFF

A. J. PILLSBURY.....Editor and Manager
J. L. WATERHOUSE.....Assistant
E. B. BENCH STROTHER.....Assistant
O. BLACK.....Business Manager

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the Taft administration from the Roosevelt. Taft would have the conservation service "buttressed" by the law. Roosevelt required those who would make headway against conservation to be so "buttressed." The one would construe the powers of government strictly, with the view of preventing all trenching upon individual or corporate rights, under the letter of the statute. The other construed the law liberally in the interests of the common good, and would have those whose activities were inspired by zeal for special interests held to strictest legal account for every advance made.

The difference between these two views of governmental policy may easily prove the difference between zenith and nadir, equator and pole, conserving and not conserving the nation's resources. The Taft mind is judicial, not executive. The Roosevelt mind was executive, not judicial, and in an executive office the judicial temperament is as much out of place as the executive temperament is out of place in a judicial office.

We have learned to our sorrow that, for our government to be safely within the law, is to twist its fingers from the tips of their noses in derision of the law. We have learned that the profoundest inequities of our time are "buttressed by legal authority." We, here in San Francisco, now, see successful rascality successfully defending itself against a punishment whose deserving few will question for the commission of crimes practically un-denied, and all because that rascality is able to "buttress" itself, by "legal authority," in "constitutional safeguards," meant to be "thrown about the innocent," for their "protection against tyranny." In all its iniquitous history the Standard Oil crowd, in common with other organized rapacities of our time, have been able, with the friendly aid of such judges as Grosscup, of Chicago, and Anderson of Indiana, to "buttress" themselves to the same effect.

The California Weekly stands for the policy of a liberal construction of conservation and other laws for the protection of the public against organized rapacity, with the purpose of making those laws effective for tying the hands of rapacity rather than the hands of justice, which is not always "buttressed" as it ought to be. If the Taft administration shipwrecks it will be on that rock of a too strict construction of the powers of government, and a too liberal construction of the right of organized and successful rapacity to work its irregularities with pleasure. The fear is that our able President has surrounded himself with legalists of a temperament similar to his own, in which case they will prove as children in the hands of giants as often as they have to try conclusions with the Incorporated Plutocracies of our time.

THE RIGHT TO BE RICH.

In the earnestness of opposition to that money-madness that causes some men to trample upon the rights of others, and to ride rough shod over the moralities of industrial and commercial life, there is danger of taking the untenable position that no man has a right to become rich. As long as there is prodigality in the world there will be rich men, and as long as men leave unlearned the mysteries of co-operation, rich men—reservoirs of capital—must exist or universal poverty result. The right to be rich, if one may become rich honestly, is unalienable.

Upon any street corner of any city at any time may be found a man gazing with staring eyes out into vacancy, seeing nothing because he is doing nothing. In the midst of a human beehive he is a drone for the reason that no one has set a task for him. Give him something to do, with fair pay at the end of the day, and lustre will come into those unseeing eyes and energy into the slack muscles, the drone becomes a worker, happy in his employment, conscious of usefulness, an exemplary citizen. Whoever comes along and finds for this man a task, whereby he can earn two dollars a day for himself, and half a dollar a day beside for his employer, is a benefactor to his race.

This will not be questioned so long as the employer finds capital, and something to do, for one man, or for a small group of men, taking to himself an average of 20 per cent. of the full earning capacity of the man to cover the use of capital and the executive ability needful for keeping the group busy. Where then shall the line be drawn? Shall it be drawn at H. C. Frick, who, at the coke ovens, kept 23,000 such men busy and made them earn him fifty cents per day per man? Why was not the profit made upon the labor of the 23,000th man as honestly earned as that of the labor of the first? But that meant that H. C. Frick, by his ability for organization, made \$11,500 per day, \$69,000 per week, \$3,588,000 per year!

That wealth which is made, however great it may become, by so organizing the forces of industry as to furnish well-paid employment to those incapable of setting themselves profitably to work, taking for the service no more than a reasonable percentage of the worker's gross earnings, is as honestly accumulated as ever dollar was accumulated and, in the accumulation, as high a service is rendered to society as any man is capable of rendering.

It is just as honest and just as meritorious to fetch and carry to and from the markets of the world the products of industry as to create such products upon principles here set down. It is just as honest and as meritorious to facilitate these exchanges of products by banking as either to create or to fetch and carry them. In all cases the executive, the administrative and the financial services performed are worthy of a reasonable recompense and the magnitude of the recompense must be dependent upon the extent of the service. The Standard Oil company is as much entitled to a reasonable margin of profit on its thousandth million gallon of oil sold as upon its first gallon.

But the enormous fortunes of to-day, the fortunes that make the wealth of kings appear insignificant by comparison, were not created in this way. If work was found for idle men the percentage exacted for the service performed was usurious. If products were fetched and carried it was not done in obedience to the doctrine of reasonable rates, but for "what the traffic would bear." If vast fortunes were made in banking they were not compensatory for doing the bookkeeping of the business world. They were the result of

financing speculative ventures whereby paper evidences of wealth were sold to an unsuspecting public for more than they were reasonably worth.

These are the methods which now cause every person to ask, in relation to the accumulations of a rich man, "how did he make his money?" On the answer to that question depends the honor that is due to captains of finance and industry, the homage we shall accord them in life, the veneration in death. Of mere antipathy to wealth, of the spirit of enviousness toward the rich, there is little and that little comes only from the vulgar and the mean. But against that brigandage in commerce, industry and finance which has made our hundred-million millionaires the conscience and the self-preserving hostility of the civilized world is in open revolt. And none too soon.

Predicts War.

Lord Northcliffe, owner of The Thunderer, sojourning in Canada, is reported to have predicted war between Germany and England. He lives in an atmosphere where the fear is not to the thought, and yet it is improbable that these nations can go on creating huge armaments that are never to be used. The rivalries of nations were never keener than now. There is no sea or land where Briton and German do not come into rivalry. Only America and Russia, perhaps, among the great nations, are content to haul down the flag from the open seas without an attempt to make a place for it.

Lord Northcliffe lives and moves among those who will make the war if it is made. His set are quite capable of forcing a war to prevent a commercial rival gaining equal station with their own country, and pouring out their country's blood to that end. It has been done in past times and may be done again.

Our danger is different. It is that our own people may force our nation into a war against the judgment, the inclination and the interests of the political powers that be. In such an emergency unpreparedness will be no bar to forcing hostilities. In Britain's case unpreparedness would almost certainly bar the event.

Lord Northcliffe may be no true prophet. It is to be hoped that he is not. A war between Britain and Germany might stop the clock of human progress for half a century. No conceivable result could be worth that price to either nation.

Religion and Health.

Rev. Charles R. Brown, of the First Congregational church, Oakland, recently announced a series of six Sunday evening sermons on "Religion and Health" in its several forms of discussion. The initial sermon was delivered last Sunday evening to a church crowded to the doors. Nothing except an oratorio by a great chorus has so filled the church on a Sunday evening. This furnishes an edifying illustration of the state of the public mind in relation to a very interesting phenomenon. It is not quite clear whether there is in the popular imagination an inkling that the age of miracle may not as definitely have passed as generally supposed, or whether there is a seeking after a sane and substantial basis upon which to found a relationship between holy lives and whole bodies. The tendency to follow wonder-workers is world wide and as old as humanity, and the growth of many healing sects in recent years shows that that tendency has not spent itself. Those who go to hear Doctor Brown go knowing that there will be no wonder-working attempted by him, that his appeal will be to ascertained knowledge and carefully trained reasoning. While the medical fraternity were never more intent than now in seeking

material causes and cures for material ailments, there is a clientele that has grown impatient with their plodding ways and that looks trustfully to the substance of things hoped for and evidences of things unseen, yet clung to, regarding the possible relations between godliness and health, salvation and sound bodies. A thronged street as well as a crowded church may be looked for next Sunday evening.

The Central Bank Idea.

The idea of a great central bank of issue and discount is one that the experience of all the great nations, except our own, has proven to work well. This does not prove that it is the only way to create and maintain a currency at once flexible and sound, but it does prove that it is one way. It has the advantage over the independent treasury of being more responsive to needs for elasticity than the treasury can be, but far less responsive than national banks would be if permitted to issue an asset currency under safeguards as needful for governing the central bank as for governing the national banking system. There is but one place where the need for elasticity may be automatically and instantly supplied and that is at the counter of the local bank where the individual citizen comes with his needs for cash and with his cash for which he has no need. An asset banking currency the American people may sanction because they once had something analogous to it and, in the East, it worked well, but before they will consent to a central bank, to which all other banks must look for relief in tight times, they will have to unlearn all that "Old Hickory" taught them. Nelson A. Aldrich is not the teacher to help them to do that unlearning.

It is shrewdly surmised that the equalization cinch had for a purpose the making of the "lowest tax rate ever," in the interests of the candidacy of Governor Gillett to succeed himself. That card was played once before when the Southern Pacific Political Bureau undertook to renominate Henry T. Gage, of San Quentin furniture fame, but it did not work. Gage's method of securing a low rate by leaving the state without a working balance in the treasury was too raw to go down with the people.

If, as suspected, the purpose of the cinching of Southern California, by the three Southern Pacific members of the State Board of Equalization voting thereof, was to force that part of the state to vote for the constitutional amendment providing for a new system of taxation, it will be in order to scrutinize that measure with renewed care to see where the "bug" is.

The Pacific Rural Press notes that, at Sheephead Bay, New York, twelve California colts, only one year old, brought an average of \$1,488 per head and quite topped the market. That does not imply that the outlawing of racetrack gambling in this state has worked serious harm to the industry of rearing fine horses.

Men may smile at the disquieting observations of James J. Hill on farming in America, but the unpalatable truth is that not even James himself has skinned the farmers of the Northwest as artistically and effectually as the farmers have skinned the broad acres they have tilled.

Mr. Tomalty quite agrees with the Republican platform, and promoters of the Crocker candidacy, that "civic peace" is extremely desirable, and he looks with signal disfavor upon this raking up of old personalities.

The Deeper Significance : : : : of Living : : : :

"Whosoever loves the golden mean is secure from the sordidness of an antiquated cell and too prudent to have a palace that might expose him to envy." So wrote Lord Julius Flaccus some years before the dawn of the christian era. Many hundred years earlier than Horace, however, another wrote "Remove far from me vanity and lies; give me neither poverty nor riches; feed me with food convenient for me."

This is the wisdom of the ancients and, judging from the spirit of our own time, chiefly of the ancients. There are whole literatures today whose purpose it is to exalt the man who, from youth up, sought only to rise above his fellows, to hoist himself upon their shoulders, to reap where he had not sown that he might at length die in the midst of a four million dollar estate, "burnt out" at sixty, not a stranger to vanity and powerless to buy for "convenient" for him.

There never was a time when there was greater need for correct views of life than now, and if the wisdom of the ancients can contribute to that saner view by all means let us make their wisdom our own. Unfortunately, however, their precepts were more valuable than their practices, for both Horace and Solomon were "burnt out," dead and buried before they were sixty years old.

The world has need for men of executive capacity, but it may be doubted if it has greater need for Napoleons of finance than for Napoleons of politics and war. The Napoleons the world has known have left more sorrows than happiness in their track. It is not the land that has the highest peaks and the most of them that is most fortunate, but the land that has the widest expanses of arable, fertile acres. So is it with nations of men, the most fortunate is not the one that can boast of the most Rockefellers, Harrimans, Morgans and Sages, but rather the one that has the greatest percentage of well-to-do, self-reliant and self-sustaining citizens, equal before the law and facing an equality of opportunity. We are in error when we esteem great immoral forces as great human benefactors merely because they have wielded great instrumentalities. The world is not a pennyworth richer for the late Mr. Harriman's four million dollar home.

But poverty is as much to be dreaded as great riches, shiftlessness as an overweening ambition to acquire. If we would avoid poverty, as certainly as we should not give our lives wholly to money-grabbing, we must be diligent in business. Security from the "sordidness of an antiquated cell" (a poor house,) is not to be insured by financial carelessness. There will be no dearth of heartfelt ambition even if no American youth sets out to become a Carnegie, a Ryan or a Rogers. Better have in any community ten men each worth a hundred thousand than one alone worth a million. The thing that will make our land happiest, healthiest and best to live in is the thing upon which the youth of the land should fix their ambitions. We increase our national wealth by leaps and bounds to small purpose if ninety-five hundredths of it is to be reserved in the preserves of 5 per cent. of the population.

Let us teach our youths that they must, first of all, pull their own weight, then lend a hand to those who try to pull their weight cannot. Adjure them that they are not to strive to be masters of men, but soldiers for the common good; that the progress of the race is not to be measured by the achievements of a few, but by the moral and industrial uplift of the whole human level. If our father's days were happier than our own it was because the millionaires of those days could be counted upon the fingers, whereas, now, men who are millionaires a hundred times over can be so counted. Equality of opportunity is passing away. We have pursued false ideals, and the wisdom of the ancients may help us to correct our reckoning.

WHAT THE WORLD IS DOING

Savings Bank Deposits Increase.

On November 27th of last year the 2,011 national banks of the United States, having savings departments, reported deposits there amounting to \$331,562,688. On June 23d of this year, or less than seven months later, they reported deposits amounting to \$380,494,598, an increase of \$48,931,910, or 14 1/2 per cent. Applying this ratio of increase to all the other savings institutions of the country, which last year reported deposits of \$3,560,837,916, and adding the result to the amount of savings given above, the increase in savings thus deposited would amount to \$820,223,459. A pretty good record for seven months, being, as it is, an average of ten dollars apiece to every man, woman and child in the country, or fifty dollars to every family of five persons. Of course, that the ratio of increase is about the same in other banks as in the savings departments of national institutions, is assumed, but it is not probable that such a presumption is far wrong. At any rate, it gives room for faith that the cry, "hard times!" soon will be "heard to cease."

Sheep as Range-Regenerators.

Experiments made by the forest service promise to be of great benefit to stockmen, who have been injured by the disappearance of mountain bunch-grass on overgrazed ranges. The problem that has confronted the stockmen, and to which the forest service appears to have found an answer, is that of successfully reseeding the barren ranges. The service tried three methods. In the first the ground was seeded, and not otherwise treated. In the second brush or a harrow was dragged over the seeded tract. In the third a flock of sheep was driven twice over the treated area. The sharp little hoofs of the sheep produced by the best results. The growth on the ground which was seeded and not otherwise treated was scanty. In the beginning the other two methods showed quite equal results, but when drouth came the growth from the seed beaten into the ground by the trampling of many tiny hoofs was that which endured investigation revealing that the roots extended one-half to one inch deeper in the soil than those from the brushed or harrowed seed. The information thus obtained has been given out by the forest service, and the moral is so clear that all stockmen may profit. First scatter the seed of the bunch-grass over the depleted ground, then drive the sheep over it, and leave the rest to nature.

Sowing the World With Bibles.

The work of sowing the habitable globe with Bibles goes strenuously on, and whatever the attitude of the reader toward the old book, he cannot fail to be interested in data relating to that world-sowing which have been promulgated by the British and Foreign Bible Society. According to the society's report there were given out last year complete or partial Bibles to the number of 5,934,711. Of these 884,195 were complete Bibles, 1,116,674 were New Testaments, and 3,933,842 were other portions of the book. Note, then, that in a single year one Bible, or part of a Bible, were distributed to about every 250 people, civilized, barbarous, or semi-barbarous, on the face of the globe. The books thus scattered were in 418 different languages, six of these being new translations. Besides these, entire or partial Bibles were printed in embossed letters of thirty-one different languages for the blind. Portions of the report relating to the work of colporteurs were interesting, various of these Bible-disseminators having been arrested as spies in Nicaragua, robbed in Burmah, driven out of Peruvian villages by priests who burned their books, stored in the Philippines, mobbed by Social Democrats in Germany, and beaten by Moslems in Baluchistan. Perhaps, after all, it does not matter greatly

what our attitude toward the Bible, for, quite regardless of it, the world more and more is placing it on its "five-foot shelf."

Suppose the World's Iron Gives Out.

M. Sjogren, a Swedish expert, estimates the world's supply of iron ore at 9,250,000,000 tons. At first thought this may seem a rather liberal supply, but the international geological congress, which will assemble in Stockholm next year, will devote a large part of its session to an investigation of Sjogren's data in the none too justifiable hope that it may be able to demonstrate that he has largely underestimated the supply. We say "in the hope," for, if the Swedish expert is right, the finish of the world's iron ore is unpleasantly close. At the present time such ore is being used at the rate of 150,000,000 to 180,000,000 tons annually. Now divide the world's supply, given above, by the lesser of these numbers—so as to hold our iron as long as we can—and you will find that the entire supply will be exhausted in sixty-one years and eight months, or less than two generations of men. And "after that the deluge?" or—what? It is not strange that the geological congress will interest itself in the matter; it would appear to be advisable. Nor that the congress will tend to or subtract an ounce from the world's ore, but perhaps it could suggest something that could be done to relieve the situation.

Japan an Apostate from Vegetarianism.

Heretofore vegetarians have "pointed with pride" to the hardy Japanese, who perform have been almost exclusively vegetarians (except for fish) in their diet, as a peculiarly happy demonstration of the virtue of their theory. Go to the Japanese, thou meat-eater, they said, consider his everlasting rice, and be wise. Now their "striking example" is to be lost to them, and far as the Japanese diet is concerned, at any rate. During the war with Russia the little brown soldiers were much afflicted by the disease known as beri-beri, and since then Baron Takaki, a prominent Japanese scientist, has been investigating the sickness and has demonstrated by many experiments that it can be eradicated by a diet of meat and barley in the place of rice. Accepting the proof as conclusive, the Mikado has sent to England for stock cattle, and soon meat will be on the army bill of fare. It is expected, by some, that meat will increase the stature of the Japanese, but this remains to be seen. As to adding to their hardihood and endurance, the best Russian authorities claim that it cannot be done, and it is generally realized that they are qualified to give expert evidence on this subject.

What the Women's Clubs Are Doing.

Women's clubs, which were first organized, apparently, with the idea of endeavoring to ascertain what Browning meant, or to listen to essays on the Social Life of the Singhalese, to discuss the nebular hypothesis, have taken long steps since that early (although comparatively recent) day, and now have become an important factor in the betterment of mankind. Browning is growing dusty on the shelf, the Singhalese are allowed to lead their own social life, and women are doing the good things that men too long had neglected to do. So multifarious and variform are their helpful labors that it is impossible to enumerate them, but here are a few instances. Leave what they have done in San Francisco out of consideration, for we should know what it is, whether we do or not. In Dallas, Texas, which had suffered annually from yellow and other fevers, it was the women who put an end to them by seeing that pools of stagnant, mosquito-breeding water each spring are covered with oil. In Dallas, too, the excellent bill of health to the women. Pittsburgh and Allegheny are dotted by children's playgrounds and recreation parks practically all

secured through the efforts of women, and yet they began this splendid work barely thirteen years ago. In only less degree a similar work has been done by women in Philadelphia, Detroit, and, indeed, in a large number of the cities of this country. In Harrisburg, Penn., they went further, and began a work of street-cleaning which the men at the women's instigation, since have continued. In Carlisle, Penn., Cranford, N. J. and numerous small cities they have insisted on town-cleaning, and have secured it. It is reported that women's clubs have established more libraries than has Mr. Carnegie, although they have not so well advertised the fact. The list might be continued almost indefinitely, but this should be enough to convince the most Doubting Thomas that women's clubs, although a new, are a most potent factor in the betterment of conditions under which the people of this nation live.

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not put a percentage to any physician, and will discharge any clerk or employee that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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OUR FIVE-FOOT SHELF.

Hamerton's "The Intellectual Life."

Do not be frightened at the name. It is not a "high-brow" book in any sense, abstruse or austere. It is rather a series of gossiping letters, addressed to people in various walks of life who love books or pictures or science or any other intellectual exercise, whether they practice literature or art as a profession, or simply employ their leisure in adding to the riches of their minds.

To such persons Philip Gilbert Hamerton wrote the fruits of his own full experience as a student and bookworm, artist and author. He wished to help others gather the enjoyment he had achieved by the exercise of the higher powers of the mind. He told how various of his friends surmounted the obstacles of poverty, lack of leisure, unpleasant environment, and the like, in their search for the opportunity to enjoy "the golden books." He added his own experience and the helpful suggestions that this experience brought to his mind. He illustrated all with examples from the lives of the conspicuously successful artists and authors and scholars. The result is "The Intellectual Life."

Here is a book that is primarily entertaining. It abounds in anecdotes, witty, humorous, and wise. Its helpful hints to the student are in no way "advice" or moralizing. They are friendly suggestions, offered mainly by indirection as the obvious conclusions to be drawn from the experience of the great. Incidentally, the reader learns an amazing lot about the habits and personalities of famous men.

But best of all is the intimate acquaintance one makes with Hamerton himself, a sincere, generous, hard-working lover of the beautiful, whose life was an incarnation of the best of men in his own generation. He has a chair close by the fire where men of like minds meet to enjoy the gentle fellowship of books.

AN AUTHOR'S AFFECTIONS.

Maurice Hewlett, the English romancer, made a pregnant statement recently in the course of a newspaper interview. In effect, he said that the most vital prerequisite to the writing of a truly successful book is that the author shall have a profound affection for his subject.

This sounds like a truism. But consider the avalanche of production of books to-day, and try to imagine that the writer of each is an ardent lover of his subject. E. Phillips Oppenheim publishes two novels a year. Either he has an amazing breadth and depth of human sympathy, or else he hits only the shallows of affection for his characters. And the latter is the truth. And the same truth applies to most of the writings of the day—or of all time, for the matter of that.

Observe how nearly all the writings of all great authors, less than the superficially great, follow a recognizable channel which is easily associated, in each case, with the author's profoundest interests and fundamental affections. Walter Scott, to whom medievalism was the incarnation of poetry and chivalry—see how his works cling to the age. See how religious and moral in color the works of George Eliot's work. See Dickens always in his London and amongst his poor.

"A man of great passions, who knows his dictionary and grammar," is Taine's definition of a poet. Anybody with a moderate degree of talent can learn to write a reasonably clear and sound English prose. No man can learn to be a lover. A man may deceive a hundred women with false pretenses of love. But a writer, placing his record of affection for his subject on the printed page, submits that record to a million eyes in every stage of coldness, doubt or criticism. He need not think that he shall escape detection if he feigns affection. The human heart is a subtle and discerning member. It does not long mistake affectionation for affection. And it detects insincerity. It will only one reward for it, neglect and oblivion.

THE LITERARY CONSCIENCE.

The word "moral" has been so restricted in meaning by common usage that it now hardly signifies more to the popular understanding than the condition of being chaste in the person and observant of the Ten Commandments. Its full meaning is much more comprehensive. To be moral is more than to be merely in harmony with the generally accepted code of action. It is to be, in addition to this, in harmony with the dictates of one's own conscience.

Thus, it is immoral for a man to do less than his best. Great writers have been peculiarly sensitive to the voice of their literary conscience in this respect. They have realized that it is immoral to offer to the public less than the best work they could possibly do. They have listened to their literary conscience in other ways. They have felt deeply that it is immoral to attempt a deception of their readers by feigning a belief in pleasant lies instead of in the naked truth. The greatest writers have told the whole truth of life with a frankness so complete that it startles the reader into acquiescence.

The literary conscience, then, is an individual writer's code of ethics for his own guidance; a subtler and more difficult code to follow than conventional morality; epitomized in Shakespeare's "To thine own self be true."

THE POETS LAUREATE.

The complete list of poets laureate of England is as follows: Edmund Spenser, 1591-99; Samuel Daniel, 1599-1619; Ben Jonson, 1619-37; Sir William Davenant, 1660-68; John Dryden, 1670-89; Thomas Shadwell, 1689-92; Nahum Tate, 1692-1715; Nicholas Rowe, 1715-18; Lawrence Eusden, 1718-30; Colley Cibber, 1730-57; William Whitehead, 1757-85; Thomas Warton, 1785-90; Henry James Pye, 1790-1813; Robert Southey, 1813-43; William Wordsworth, 1843-50; Alfred Tennyson, 1850-92; and the present poet laureate, Alfred Austin, who was appointed in 1896 to succeed Tennyson.

There have been only three interregnums in the succession, the longest being the twenty-three years following the death of Ben Jonson. The other two were: two years between Davenant and Dryden, and four years between Tennyson and Austin.

It is interesting to note, from this list, how often a contemporaneous judgment of poetic worth—and a partly political judgment at that—has been sustained by posterity.

The character of Rebecca in "Ivanhoe" was drawn by Sir Walter Scott upon the description given him by Washington Irving of Miss Rebecca Gratz, of Philadelphia, who did a great deal of kind, unpretentious work among the poor.

Californian Poets' Corner

Emma Frances Dawson, who holds a recognized position among the versifiers of California, is best known by her more ambitious efforts; but some readers will probably prefer the following simple lines, which, however, abound in poetic fancy.

TEA-TIME.

By Emma Frances Dawson.

The kettle sings a sweet and ancient rune,
Gives gurgling hint of not recalling tune,
Tries diverse keys, to then ere long begin
A hum like giant top in dizzy spin.
Not sad like cricket's file, or wind's whist—hoos—
Or what the fire may be roaring impetuous
Of mine or forest till it fall a swoon—
Our cares float from us in its vapor thin.

The kettle sings—
With arm akimbo, cap awry, buffoon,
Of merry hompne mien, and jolly croon,
No hint of room outside the pane, wherein
Move mockingly our mystic shadow-kin
But home and mother's smile, this blessed
boon

The kettle sings.

IMAGINATIVE LITERATURE.

The function of imaginative literature is to amuse, using that word in its highest sense. A poem, a drama, or a novel is a mental diversion, designed to lift the reader or spectator out of himself and out of the shackles of actuality, to live for a few hours in a realm where speech is rhythmic and felicitous, where the dreams of an ideal life come true.

That this diversion may grip the reader's mind, the author must create the illusion of reality. His story must have a beginning and an end; it must move rationally through plausible actions in a manner to justify the end as a believable and natural conclusion. The composition must, in short, however preposterous the premises upon which it rests, "hang together" as a logical product of those premises.

In human affairs, nearly all the incidents of life rest upon the actions of individuals. Nearly all actions are the projections of human thoughts. Nearly all human thoughts are actuated by a motive. All actions affect the actor, and other people, for good or evil. Thus motives have a moral significance. Hence actions have a moral significance. So the illusion of reality in literature must take cognizance of moral forces in shaping the destinies of characters.

Every writer takes account of this moral element of life in proportion as it appeals to him individually. Not even the most frivolous writer of the lightest comedy can escape it entirely. His novel or play must be moral in the sense that it must not condone actions or motives that are destructive of society. This limitation makes it inevitable that every piece of imaginative writing shall point a moral lesson, that is, that it must always reflect correctly the profound result of human experience, which is, that virtue and justice must ultimately prevail. Any breach of this limitation is instinctively repugnant to the mind, and the work that sanctions it is quickly repudiated by the public as unfit for preservation.

On the other hand, writers of a serious cast of mind often subordinate everything else to the moral issues in their work, and grow bitter when the world refuses to read. These writers have not realized the primary function of literature, its mission of diverting the mind by creating the illusion of reality. Life is action, and morality appears in it only when we pause to contemplate the sequence of causes and effects as they are illustrated by events. So, to produce the illusion of life, it must be done by the presentation of action. To produce the illusion of the moral principle involved, the presentation of actions must be in such sequence as would, in actual life, compel the inference of the moral. But the moral itself must not arise from its natural position of an inescapable inference from the facts to a position where it predominates over the action itself. Where the moral issue overshadows the panorama of incidents the work ceases to be imaginative literature and becomes an abstract argument in philosophy. Such a work fails of public approval because it is fundamentally an imposture, it is morality in the guise of entertainment, with the element of amusement left out. That the author is sincere in his mission to reform is no remedy. He is, unconsciously, perhaps, but none the less actually, insincere in attempting to disguise morality as entertainment.

This is no argument that imaginative literature ought not to seek to be instructive. It should. Indeed, it must. But it is merely a statement of a principle, a principle that is too often overlooked by both authors and critics; that the diversion or amusement of the reader is the primary and inescapable function of imaginative writing, with instruction as a secondary and wholly inferential function. The public, in the long run, never fails to demand the recognition of this principle. It has relegated to oblivion every fiction that did not measure up to it.

AN APPEAL FOR THE PUBLIC SCHOOL

By MARGARET MAHONEY, M. D.
President San Francisco Teachers' Federation.

The Public School system is the most important and should be the most cherished institution of our country.

The schools prepare the citizen for his place in life. They mould the individual for good or bad. To them must the masses look for intellectual development. They set our educational standards.

It is an acknowledged fact in pedagogics that as the teacher is so is the school. She is the living, active factor in directing the destiny of our country in so far as it depends on the proper education of our children. The teacher in fact and in law is the class teacher, the one who does the instructing, the one who comes in constant contact with the pupil. Too long have the public schools of San Francisco been conducted in the interest and for the benefit of a few school principals, who have shaped the policy of the department none too wisely and who too often terrorize their assistant teachers.

This attitude that results in paralyzing fear is also adopted by school boards, the personnel of which seems to make little difference, so that we must look to those who shape the policy of the administration for redress.

There is in our schools a continuous reign of terror. Teachers trembling for the tenure of their positions are unfitted to properly fulfil their daily work, which should be carried on in calm and security.

The School Board claims the right to transfer teachers without giving any reason for so doing, personal spite oftentimes being the motive disguised by the phrases "discipline" and "good of the department." Transfers of this kind are often but a preliminary to a berth on the unassigned list, which in some cases amounts practically to dismissal. Unassigned teachers are paid only when they teach, are substitutes, and if the call is a long one they receive only the minimum monthly wage scheduled for the class.

There are two factors to be considered—the rights of the teachers as American citizens and as human beings and the welfare of the pupils. That teachers who ask for a leave of absence on account of sickness should be granted the same with a proviso that they be put on the unassigned list is a refinement of cruelty. It is scarcely necessary to mention that teachers receive no pay when out on sick leave.

If our teachers are to train honest, independent, fearless American citizens they must be untrammelled in the performance of their duty. They must be assured security in exercising the rights of American citizens without fear or favor as guaranteed by the Constitution of these United States, not hampered by petty rules made by despotic principals.

It is also requisite that the salaries of class teachers be advanced to a figure equal to that paid firemen and policemen. No class teacher of five years experience should receive less than \$1200 a year. An increase on a basis of 20 per cent means that those who already have large salaries will receive a substantial increase, while the poorly paid teacher will receive but a small advance.

It is the salary of the class teacher that should be increased, not the salaries of principals who are already receiving from \$200 to \$300 per month, although if the recipients of those salaries are qualified for their positions the amount is none too much.

Night Schools.

No branch of the service deserves more attention and receives less than do the night schools.

It is here that the young boy and the young girl who are forced to go out early into the world to commence the battle for existence have an opportunity to fit themselves to cope with the more favored children of fortune. It is here again that the heterogeneous

mass of foreigners who come from all quarters of the world to supply the manual labor needed to develop the country are moulded into American citizens.

In the night schools we need the very best teachers that the country provides.

The hours in the class room are necessarily short, but the outside preparation for the work is most important and takes long hours of study.

Pupils giving their leisure hours, after a day of hard work, to self improvement cannot afford any waste of time. Trained teachers of exceptional ability are indispensable, and such teachers deserve and must receive proper compensation, not the miserable pittance now paid. Night school teachers are the only teachers whose salaries were not advanced to meet the advanced cost of living in San Francisco after the disaster. If a night school teacher is absent from school for one night she loses one twentieth of her monthly payment, while a day school teacher for absence loses but one thirtieth. No reason for the discrimination has been vouchsafed those most concerned. To ask questions concerning such matters is looked upon as insubordination.

The plan is to keep teachers silent through intimidation and thus the only persons who know the workings of the schools are advisedly kept in a state of subjugation and fear that prevents their advocating needed reforms.

Anyone fitted to fill the responsible position of a class teacher is entitled to a reasonable discretion in methods of teaching and discipline of pupils.

As a proof of the intolerable conditions, I call your attention to the following resolution of the board of education which appeared in the San Francisco Call of September 9, 1909:

The rules regarding probationary periods for teachers of the department, which have been in effect for some time, were drafted yesterday into definite form. The resolution reads:

Resolved, That the following regulations are hereby added to the rules of this department:

Teachers assigned for the first time to regular positions in this department, and teachers of the department assigned, by promotion or otherwise, to positions in which their ability had not previously been tested, shall serve a probationary term of two years, and until their instructions and discipline in such positions are shown to be satisfactory, before they become eligible to rank as approved, regular teachers.

Probationers who have served a term of two years as such, shall be entitled to rank as approved, regular teachers, when their instruction, discipline and the example they set to their pupils, shall have been reported to the board as fully satisfactory by their principals, by the superintendent and the school committee, and said reports shall have been approved by resolution of the board of education.

In case the work of any probationer is reported unsatisfactory or poor, the board may, in its discretion, extend the term of probation, or discharge the person reported against.

Assistant teachers whose instruction, discipline or example is reported unsatisfactory or poor, by their principals, shall be transferred to another school. Teachers transferred for these causes, shall be on probation for at least one school term.

That means that every teacher is at the mercy of the principal whose report at once imperils her position. No matter how competent she is, no matter how satisfactory her work may have been for years, she is immediately on probation. No wonder that class teachers are nervous wrecks! No wonder that women of ability are seeking occupation in other lines! No wonder that our schools are falling into disrepute!

The position of every class teacher in the San Francisco school department is in jeopardy.

Miss Sophie Wright, founder of the first night school in New Orleans, is one of the few women who have received the loving cup which is annually presented to the citizen who has done the greatest public good for the city during the year. In this cup was a check for \$10,000, which had been subscribed by the citizens of New Orleans to pay the debt Miss Wright has assumed in enlarging her night school to make room for the pupils who were clamoring for admission.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

When Ma Cleans House.

She takes up carpets and the rugs,
And puts them down again;
Picks up old bottles, scraps and jugs,
And puts them down again;
And when my pa says, "Goodness me!
Where I shall eat I cannot see."
She turns upon him then, and sighs—
She puts him down again.

A cloud of dust is in the air,
To settle down again,
And wildly waving is ma's hair—
It may come down again—
And pa, he heaves a bitter sigh,
And seeks a place he knows near by,
And orders balls—the kind called high—
And puts them down again.

The bedsteads lie in scattered heaps.
For they come down again;
Ma's skirt above her ankles keeps,
And don't come down again.
And pa, he says he'd gladly pay
To hear the words that Job would say
Upon his wife's house-cleaning day.
If he came down again.

She gets up everything, does ma—
And puts it down again—
"Including of her back," says pa,
"Which don't come down again."
He really said it, yes, he did,
And then he dodged a kettle-tild.
I guess he's in the attic again,
And won't come down again.

New Test of Spiritual Character.

"George Sterling," says Michael Williams, "once said to me that he considered a man's attitude toward Ambrose Bierce a criterion, in many respects, of that man's spiritual character."

That was right, pretty and just that the bouquet passed by Bierce to Sterling should be thus lightly tossed by Sterling back to Bierce, but, George, dear George—with much admiration for the splendid imagery and magnificent verbiage of your finer poems—are we to believe that you meant the tommyrot which Williams attributes to you? Mind that you did not say that a man's literary taste might be judged by his attitude toward Bierce, but that it was a criterion of his spiritual character. Why, George!

Is the highest admiration of Bierce to be found only in heaven, the utmost condemnation only in hell? If a man esteems Bierce's intellect, but holds to an old-fashioned notion that it is unmanly brutally to attack and satirize women, (numerous poetesses then of California, from Charlotte Perkins Gilman down) and to besmear the names of the whose writings, if homely, have appealed to the better emotions of mankind (Riley, Wilkins-Freeman et al), does he thereby prove that he is fit for treasons, stratagems and spoils or does he merely show a readiness to be so fitted? Shine the gilt of high talent never so brightly on Bierce's coat, must we close our eyes to the smirch of grosser human clay upon it, and must we do this or so warp our spiritual character that it will be damned? What is the direct relation between Bierce and our spiritual characters, anyway?

George, I refuse to believe that you said it, or, if you did, it was on some occasion when you talked, and talked, and talked, until you emitted words that came from your tongue instead of from your back. There is no connection between any man's spiritual character and his attitude toward Bierce. Indeed, I understand—although you may not believe it—that there are several persons of very exemplary and admirable character who never have heard of Bierce. Perhaps, however, they are like the heathen, who, according to the old doctrine, were to be damned, not for their actions, but for what they didn't know. I fancy you would better call Michael Williams in, George.

The Opinions of Rulus.

Some men fool their teller mortals so easy they can't help feelin' an abidin' hope they'll be able to pull some wool over the Almighty's eyes, so they serve God on one day an' Mammon on six, trustin' their labors'll be duly recognized by the int'rested parties.

I haven't heered anybody say 'twas so, but I reckon Dr. Cook found the north pole by tracin' a line due north from the top of Mt. McKinley.

If you want to realize how transient earthly glory is jest reflect that three generations of Harriman's children may make them what the Vanderbilts now are.

I'm some int'rested in all this talk 'bout suppressin' fires, but I ain't goin' to reely wake up till the massaker includes Reas.

I b'lieve in wimmen's moral superiority, but 'tain't es noticeable es 't would be ef they hadn't 'sociated with men es much es they have.

Faith without works is dead, but works without faith want well 'nough to attend the funeral.

Concernin' the Fathers' Day that's proposed, I can't think of any better way to celebrate it than by chloroformin' some fathers we've all knowed.

'Tain't fer me to suggest to Mr. Roosevelt, but I calculate that, es between attackin' elephants in Africa an' the purgatory int'rests in America, the balance favors the latter sport. A "Anxious Inquirer" writes me to tell him how he can pick out them that are called "Christian nations." I don't know of but one reel certain way: Let him hunt up them that has made the most 'rangements to kill their feller men.

The Hopeless Imbecile Heard From.

"Who is this that is dead?" the Hopeless Imbecile inquired.

"It is," the Wise Man responded, "Edward H. Harriman, that peerless strategist, that financial genius, that railroad colossus, that—" "Is it for him that so many flags are at half-mast?" the Imbecile interrupted.

"Certainly. All men unite to honor his memory: to his shade, the people lift their hallelujahs of praise, while the newspapers unite in proclaiming his glory."

"Is he the same Harriman who was responsible for a 10 per cent. raise in freight rates a few months ago, regardless of the fact that he already was receiving double interest on his investment?"

"Well, yes, but he is dead now, and—" "And is he the man who floated the Alton deal on a flood of stockholders' tears, and did various things of the nature of—"

"No doubt he is, but he is de—" "And are the newspapers that now unite in proclaiming his glory the same that bitterly denounced him for these things that he did?"

"I guess they are, but he is—" "And are the people who are lifting hallelujahs the same people who had to go down into meagerly lined pockets to pay increased freights he had decreed or to offset a squeeze of stockholders?"

"Of course they are, but he is—" "Say," the Hopeless Imbecile interrupted, "I want you to notice that I am not lifting a single hallelujah. I had to choose between hallelujahs and memory, and I chose the latter." "Yes, but you are a hopeless imbecile," the Wise Man retorted.

"Sure!" said the Hopeless Imbecile, and he was so foolish that he looked as if he were glad of it.

The One Drawback.

"I hear that Mabel did very well—married a title." "Yes, it would have been very nice if it had not been for one thing." "What thing?" "Why, the man that was thrown in with the title."

Thoughtful Man on Mayoralty Situation.

"How true it is," the Thoughtful Man remarked, "that all things work together for good, especially if they have been worked by the right people and in the right way. Take the mayoralty situation, for instance. How delightful it is to see it fermenting. We have three candidates, and any one of them will do. Stand with me, in imagination, and watch their cohorts pass."

"The battalions of McCarthy march before us, having been placed first because the wind was blowing from the other direction. The sight is inspiring. Never have more stalwart companies been turned out of the tenderloin or adjacent districts. Proudly, magnificently, fearlessly, they march beneath their carmine banner bearing the patriotic slogan:

If Any Man Attempts to Interfere
With Business
Chloroform Him on the Spot.

"Now come the battalions of the peerless Leland, who resides in San Francisco except when a killing in high life does not prevent his going to Santa Cruz. How valiantly they march, how fearlessly, how—yes, how, beneath the lavender banner bearing the perumed wary of the people:

If Any Man Attempts to Interfere
With Business
Asphyxiate Him on the Spot.

"And now come the glittering cohorts of Crocker, each and every man of them guaranteed to serve both God and Mammon with phenomenal success. Glad in spotless white artistically shaven into black, they march onward, and ever onward, proud and unblinking, beneath the banner bearing their mystic shibboleth:

If Any Man Attempts to Interfere
With Business
Administer Gas on the Spot.

"Can't you see how all things work together for good? Who gives a whoop which one of them is elected? We don't, and if the blinded wretches who prefer justice to business have any choice they can take it. There was a time when we feared that the weak-minded justice-worshippers would put up a man who would back the unnatural Heney, but we unduly flattered them by the fear. You bet all things work together for good, don't they?"

"The Bible says, 'to them that love the Lord,' said I. 'Well, they're not working much in this case,' said he.

What Would You Expect?

"The 'interests' in Congress shot tariff reform full of holes, didn't they?" "Of course."

"Why of course?" "Well, would you expect them to have their Cannon on hand and not use it?"

When You've Made a Million Dollars.

When you've made a million dollars, and the public bows to you—Or, at least, unto your dollars—as the public's bound to do:

When you're feeling somewhat "chesty" at the thought that facta est res publica.

In the little game of grabbing you are counted of the best. Then oftentimes you feel a symptom which you look upon with dread. And the doctor, being summoned, feels your pulse and shakes his head. And a startling something happens which your heirs, perhaps, deplore—And no more you're worth a million when your hearse is at the door.

TALKS WITH OUR READERS.

Editor, California Weekly.

Some weeks ago you invited criticism from readers and that they might share in making the paper what it should be. Your invitation may excite a comment.

Coming as a human being, I was deeply offended by something on the line of your article, of September 10, in *Harriman*, and, particularly by one short paragraph, which seemed to show a strange lack of common sense, weakness and failure.

It is not by blaming and the restraint of decency that you can make a newspaper. Journalism can gain no honor from punishing people. Your public feels every thing that is done, and withdraws a corresponding amount of its confidence.

No one is not concerned with your summary of the "wreck" of the *California*. I do not even print against the *San Francisco* a vendor. But to have taken in respect for personal disaster and death is, I think, safe to have surprised painfully a great number of your readers.

Yours respectfully,

E. S. T.

N. H. Smith, Cal. Sept. 18, 1909.

There is no way of foreknowing just how the written word will impress the reader when it reaches him, but we anticipated more unfavorable comment, and less of commendation, than we have received on the article above referred to. It was extremely unconventional. By all the canons of propriety it was in bad taste and known to be so when it was written, but it was believed then, and believed now, that the end justified these faults. That end was to help to unmask the false ideals which an unregulated thirst for power has caused to be set up in this country. The literature of the last half century has over-exalted the kind of success that Mr. Harriman achieved and inspired emulation of men of his character. Our purpose was to help to shatter that ideal and to do it at a time when it would be most effective.

The particular paragraph to which our correspondent refers, the paragraph relating to the surrender of this mighty man to a sick stomach, was repulsive, almost brutal. It takes a good deal to justify it. Perhaps it cannot be justified, but it was penned with premeditation, not because of any lack of sympathy for a sick man, be he rich or poor, but to set out in a striking way the essential vulnerability of those before whom we too often stand in an attitude of submissive and humble vassalage.

However lovable E. H. Harriman may have been as husband, father, brother, friend, he was, to our way of thinking, an enemy to society. His life was a culpable mistake. His ideals were false, his influence upon the affairs

of men was pernicious. The time to say so is when syphantic prelates are lauding his character and hired eulogists are spreading a glamour of wizardry over his achievements.

Herodotus somewhere tells of a people who bowed themselves down in slavish idleness before an image that they had themselves made and set up. An iconoclast came along and, springing upon the shoulders of the statue, smote its head with a hammer and crushed it. The multitude would have torn him limb from limb had it not been that rats ran out of the holes his hammer smote and broke the idolatrous spell and the minds of a people were liberated. That was an ungracious task, but there is need for many a breaker of false images when a wrongly directed ambition has built for us Colossuses of Railroads and other Mighty Men whom we value beyond their deserts and fear beyond necessity.

We confess the impropriety and indelicacy of the article which our correspondent criticizes, and acknowledge his point as well taken, but, in avoidance, we plead the urgency of even a brutally frank treatment of the event in the interests of good faith toward those of the rising generation whose ideals are still in a formative state. Unless these considerations justify the article under discussion, then there was no proper justification for it and it must be conceded a mistake of judgment.

The Thing We Strive For.

Sacramento, Cal., Sept. 9, 1909.
The California Weekly,
San Francisco, Cal.
Gentlemen—Go on with the good work. The California Weekly has the highest tone of any secular paper it has been my privilege to read. The "Deeper Significance of Living" has frequently contained a personal message to the writer.

Yours very truly,

JOHN H. WENTZ.

We have received many, very many, assurances to the same effect as that one so frankly given us. We appreciate it. It is a thing we have striven for and we are rejoiced whenever we have reason to feel that we have been able to hit the mark. One disadvantage there is to the maintenance of an almost constant high tone of expression. When there is a fall from grace the effect is something awful to contemplate.

UP AND DOWN THE STATE.

The Gold Mountain mine, in San Bernardino county, formerly owned by "Lucky" Baldwin, has been sold by Joseph De la Mar to Thomas H. Oxman, who expects to work the mine on an extensive scale.

It is expected that the picking of cotton in the Imperial valley will begin next week. The work will be done by Mexicans from Texas and Lower California.

The Oroville chamber of commerce has decided that citrus fairs shall be held in that city annually, beginning in 1910.

E. B. Willis, formerly managing editor of the Sacramento Union, and more recently of the Auburn Republican, is about to begin the publication of a weekly newspaper in Sacramento.

Demetrius Constable A. E. Woods has been arrested at Chico on a charge of murder. Woods shot and killed an insane Chinaman while attempting to take the latter into custody, and it is alleged that the circumstances did not justify the deed.

The Sonoma and Lake County Railway company has reincorporated under the name of the Highland Pacific company. It proposes to build a line from Santa Rosa to Lakeport, with branches to Upper Lake and Kelseyville.

By a vote of nearly five to one, citizens of San Diego county decided to bond that county in the sum of \$1,250,000 for building a system of macadamized highways.

The state fish commission recently distributed 30,000 young rainbow trout in various creeks near Paskenta in the coast range mountains.

F. S. Granger has been granted a franchise for the construction of a railroad from Fresno to Hanford by way of Summit Lake.

Two sons of James Norrington, aged seven and five years respectively, recently were burned to death in a fire which consumed the family residence near Clovis, Fresno county.

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POLITICAL TABLE TALK

By THE WATCHMAN.

The Loyal Heart Of Gov. Gillett Governor Gillett is reported to have professed great indifference as to whether he, or another, is to lead the hosts of Republicanism to the polls in 1910, but one hope there is for whose realization he positively yearns. He wants the Republican party to stand united. So well he all, but under whose control? Aye, there's the rub. Does Governor Gillett's united party require obedience to the command of one W. F. Herrin, to whom Governor Gillett yielded the appointive power appertaining to the executive office? Does it contemplate handing over the institutions of the state to Warren Porter? Are Walter Parker, John C. Lynch and Tim Sullivan to be the grand marshals and cavort along the line of march bedecked with the regalia of authority and honor? The politician whose first thought is for harmony commonly has small regard for moral principles as applied to political affairs, and would as soon serve under a foreign over-lord as by the sovereign will of a free and independent state.

Peril of Party Disintegration The fear that direct primaries may tend to the disintegration of political parties is the burden of the report which New York's legislative commission is carrying back from the West where it has been making investigations. This fear is not groundless. Friends to the direct primary may as well confess the fact as to deny it in the face of cumulative evidence to that effect. Nor is that tendency to be looked upon with favor. Our government is, or should be, (more should be than is) by majority rule. If majorities are to rule there must be majority parties. If there are no majority parties then factions less than majorities must take their places, and factional control of government means government in the face of, and in opposition to, majorities. This is the fault with representative government in continental Europe. Every responsible government is made responsible to a temporary coalition of mutually antagonistic factions and is therefore unstable. Party government makes for stability of policy. Factional government for instability and irreconcilable opposition to control. But who made the direct primary inevitable? Those, and those only, who, by an intolerable manipulation of caucuses and conventions, rendered representative government misrepresentative. They were the Herrins, Parkers and Gilletts of this and other states.

Ballinger to Be Gently Bowled Out While there is much of political rumor that cannot be strictly verified bits of important public information have a way of leaking out from cabinet, executive session, or what not, and so filtering through the public mind with a close approximation to the truth. Therefore, the report that Secretary Ballinger will soon be allowed to bow himself out of the President's cabinet, vindicated, mollified and smiled upon benignantly, has a better foundation than fancy could give it. But he will probably go despite his vindication before the new year waxes old if not before the old year gives place to the new. At best he is a mere legalist, always indicative of a non-progressive if not a reactionary spirit.

That Tariff Commission Lately a down country journal took The California Weekly to task for making the blunder of stating that the Aldrich-Cannon congress cut out the tariff commission plan. It was not worth while to set our critic right because he knew better already, but it is worth noting that the tariff commission, such as it is, has already been constituted. The commissioners are Professor Henry C. Emery of Yale, James B. Reynolds of Massachusetts and Alvin H.

Sanders of Chicago, and their duties are to investigate foreign and domestic tariffs, not foreign and domestic industries, in order to assist the President in applying the maximum and minimum schedule of duties, not to assist congress, the President and the country in preventing higher rates of duty than will suffice to equalize the labor cost at home and abroad, together with a fair profit to American capital. It is specifically instructed not to do exactly what the tariff commission idea, and the good of the country, needed to have done. A tariff schedule constructed, on lines laid out by the Republicanism, in the light of exact knowledge instead of by logrolling methods, would look about as much like the Aldrich-Cannon iniquity as the latter resembles the Westminster confession.

What If Taft Were To Do It? It has been reported that the burden of the President's great swing-around-the-circle talk is to be the tariff, and squarely up to the people in concrete form. "Are you willing," he is to ask them, "to send men to congress who will stand squarely for the difference-in-cost-of-production idea of protection and have that test applied to the articles that you produce as well as those produced by other people elsewhere in this country?" The test is a fair one, and neither the lemon grower, blanket weaver nor wine maker has any right to dodge it. But what will that issue do to our present stand-pat California delegation in congress? As for The California Weekly, it is not only willing to stand by that test as a measure of the protection to be afforded, but it wants a commission of experts to find out what that difference in labor cost is in each instance.

State Printer and Supreme Court Clerk As good examples of state offices which should not be elective, take the state printer and the clerk of the supreme court. For years the state printer was appointed, and nobody was the worse for that, except possibly the candidate who failed to get the appointment. But along about 1890 there arose a clamor to have the state printer elected, and we were told that this desire was very strong on the part of the labor unions. There are as many politicians in labor unions as in any place on earth, and these politicians can manipulate the unions just as easily as politicians who do not belong to unions succeed in managing the rest of us. So the labor union politicians said the state printer must be elected, in order to give the toilers a chance to say by their ballots who should hold this job, and of course the next legislature changed the law. Since 1891 the state printer has been elected, and how much have the toilers had to do with the matter? Just as much as we did in the terse expression of a distinguished political boss, who, referring to his party's selection of a candidate for printer, remarked: "It is a paper house fight"—meaning that the issue would be fought out by the wholesale stationers who desired to sell paper to the state. As for the election of a clerk of the supreme court, that absurdity has existed since the earliest days of the state; the constitution of 1849 called for the election of the clerk, and the 1879 constitution retained the provision, though nobody can give a reason why the supreme court should not be allowed to appoint its own clerk, or, if not that, why the governor should not appoint. Still, the election of a printer and of a clerk is not much more unreasonable than the choice in the same manner of some of the other state officers.

The Short Ballot A New York magazine is carrying on a campaign for what it calls the short ballot—meaning a reduction in the number

of officers to be elected by the people, and of course, a corresponding increase in the number to be appointed. Its best argument is the example of the United States government, which calls on the people to elect directly only members of congress and indirectly the President and senators. All of the other tens of thousands of federal officers are appointed, but practically the people elect them when they elect the President, and, on the whole, do it better than they could if they should have a multitude of names on their ballots when they go to the polls. The argument for the short ballot is that by concentration on a few officers, and to a still greater extent on one, the people are able to enforce their will, while, on the other hand, every increase in the number of officers to be elected means lessened ability to concentrate the popular will in an effective expression.

The Direct Primary Compels Short Ballot It is in point to compare with a presidential election what happens in a state election in California. From governor down to clerk of the supreme court, the people have ten executive or administrative officers to elect at large; seven others—three railroad commissioners and four members of the board of equalization—they elect at large; then they must renew some of the judges of the supreme court and elect superior judges, besides state senators and assemblymen and a dozen or fifteen county and township officers. The full list makes a very long ballot, and not one voter in twenty can obtain a clear idea of the personality of more than a few candidates. It is not too much to say that in a combined state and county election there is not a single voter in California who is posted on the merits of all of the candidates of all the parties. In the days of the nominating convention, when the politicians kindly took care of making the nominations for us, this multiplicity of offices to be filled by election was an evil, but it promises to be still more of an evil now that we have the direct primary and responsibility for all nominations is taken home to the mass of people.

Good Government League's Good Government Ticket After wrestling with the political issue in San Francisco as Jacob wrestled with the angel of the Lord, and coming out of the scrimmage rather worse crippled than Jacob did, the Good Government League of San Francisco has given to certain candidates on various tickets the high sanction of its approval. In most cases it has done what sane voters throughout the city will inevitably do on election day, and, if sanity be in the majority on that day, the Good Government League's candidates will be elected. The endorsement will help to that end. That is the purpose of it. Of Republicans it has found unobjectionable, if not in all cases positively and aggressively satisfactory, H. L. Mathewson for auditor, John F. McDougall for treasurer, David Butler for tax collector, John J. Griebner for county clerk, Percy V. Long for city attorney and John T. Dare for police judge. Out of the Democratic party, Edmond Godchaux for recorder, M. J. Hynes for public administrator, Frank T. Fitzgibbon for coroner and Robert Ferrell for the other police judge. So far so good. That much of the ticket ought to win. It probably will win if the voters all turn out on election day.

Its Supervisorial Endorsed Candidates The Board of Supervisors is to be the citadel of power during the coming two years. Without a sound board no good thing can be accomplished no matter who is elected mayor or district attorney. Of the existing board ten out of the eighteen have been renominated by their respective parties and endorsed by the Good

Government League. Their record speaks for them. They are Paul Bancroft, James P. Booth, Geo. A. Conolly, Oscar Hooks, Thomas Jennings, James A. Johnston, Charles A. Murdock, Daniel C. Murphy, Henry Payor, W. W. Sanderson. From the names suggested to the people by the League of Independent Republican clubs, and selected at the primaries, there were chosen Edward L. Cullen, Fred L. Hilmer, Matt Harris Sr., and Thomas S. Williams. Out of the Democratic nominees were selected Edgar Apperson, Henry Colombar, J. Emmet Hayden. To finish the ticket Geo. W. Bell, the one Republican suggested to the people by the "Business Men's" primaries, was thought fit to sit on the board. By what mischance so good a man came to be selected by those "business men" has not been divulged. It is to be doubted if the most discriminating voter will be able to make up for himself a better supervisory board than this one endorsed by the Good Government League. It is a good list to take into the election booth to stamp from when election day comes.

Where the League Made Its Mistake

The work of the Good Government League has been conscientiously done. It has been governed by the material at hand to select from. But when it had nothing fit to select from it ought not to have done any selecting at all. It should either have found an independent candidate who was fit or washed its hands of the matter. The strength of the Good Government League

lies in commending the clean, common-sense course to clean, common-sense voters, and in giving sound, common-sense advice for sound, common-sense voters to follow on election day. In endorsing the nominations of Thomas B. W. Leland for mayor, and Lawrence J. Dolan for sheriff, the Good Government League hurt itself and probably has not helped either Leland or Dolan. Both Leland and Dolan were McNab candidates and to be a McNab candidate is to receive a certificate of character to the extent of not being a thief. The quality of McNab's sensibilities is not strained, but he draws the line at larceny. This does not imply that rascals of quality and station, influence and social and political prestige, will not be protected if they blunder into the toils of the law and are not common, ordinary, unvarnished larcenists. While it is to be doubted if McNab's ancestors ever went hungry for meat as long as their lowland neighbors remained in the cattle business the assumption that the McNab race has progressed beyond the larceny stage is not violent. So much of endorsement to the two McNab candidates were properly entitled to, but not more.

Francis J. Heney Heads the Ticket

The Good Government League endorsed, but did not procure, the nomination of Francis J. Heney for district attorney. The Heney Club attended to that. None the less the Heney issue was, and is, the dominating factor in the making up of the Good Government League ticket. Its board of supervisors will presumably furnish the sinews of war for carrying on the graft prosecutions if Mr. Heney is elected district attorney. The candidacies of these gentlemen will be bound up with Mr. Heney's, but it may be doubted if any man will vote for Mr. Heney because the Good Government League endorsed Dr. Leland, or that any friend of Mr. Dolan will vote for Mr. Heney because the Good Government League endorsed Dolan for sheriff. Mr. Heney is the issue and the event will prove of tremendous importance to San Francisco, the state and the nation. If the people here stand firm they will stand firm elsewhere whenever successful rascality undertakes to break down the law and to secure immunity from punishment merely because it has been successful in acquiring great wealth. Give San Francisco Francis J. Heney for district attorney, and a board of supervisors that will support him, and, despite the want of a mayor and a sheriff to co-operate with him, headway will be made against graft and it will be a long time before another set of alleged "business men" will have the effrontery to offer a ticket of "negotiable instruments" to a San Francisco voting constituency for nomination to office.

POINTS IN CLYDE FITCH'S CAREER.

His full name was William Clyde Fitch. He was the son of Capt. William Goodwin Fitch, an officer in the Union army in the Civil War and of Alice Clarke Fitch, a daughter of the Confederacy, born at Hagerstown, Maryland. The meeting of his mother and father during the war, and their romantic courtship and marriage, furnished Clyde Fitch with the theme of one of his plays. He was an only son. He was known at Amherst College as Billy Fitch. In college theatricals he was active, preferring to play feminine parts. His plans for a career wavered between architecture and interior decoration. They were compromised on book writing, from which he branched into play writing. A story, "The Knighting of the Twins," and a novel, "A Wave of Life," were published in 1889. His first play was "Betty's Finish," which ran two months at the Boston Museum.

His first highly successful play was "Beau Brummel," written for Richard Mansfield. Edward A. Dithmar, a Boston dramatic critic, suggested Fitch to Mansfield as a good man to write the play.

Fitch wrote two other books, "Some Correspondence and Six Conversations," and "The Smart Set."

We was a bachelor. His father died some years ago. His mother lived with him at his New York and summer houses.

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HYDRO-ELECTRIC POWER IN CALIFORNIA

IV. FEDERAL REGULATION WITHIN THE NATIONAL FORESTS.

By E. FRENCH STROTHER.

The first article of this series (published July 30th) described the magnitude of the hydro-electric power industry in California. The second and third articles (published August 13th and September 3d, respectively) pointed out, by the example of the three largest companies, the characteristic tendencies of the industry toward monopoly.

These tendencies toward monopoly suggest the necessity for safeguarding the public interest.

All the power sites have been acquired by the companies by filing upon waters that belong to the people at large as represented by their state government. The privilege of using these waters has been the free gift of the people to the companies. Every company has capitalized this free gift, franchise, at its commercial value, and has exacted from its customers, the public, interest upon this commercial value as if the company itself had invested the money equivalent of that value in the business.

The Necessity for Control.

Since, then, the companies are doing business upon an asset freely given them by the people, and since the people are being charged for service as if the companies had created that asset by their own efforts, it would not seem that it were either a startling or a revolutionary suggestion that the public should share in the profits derived from the development of these great natural resources which the public freely gave the companies. And yet, until very recently, nobody proposed such a thing. Not until more recently has either California or the national government tried to charge the companies for the use of these resources. The state government has not yet done so. Many power promoters still complain that it is an injustice to make such a charge and that it deters capital from investing in the business.

The purpose of the present article is to explain the methods by which the national government maintains the public's interest in the development of electricity where such development is made possible only by the use of the common heritage of the people. Its purpose is further to explain the principles upon which the government bases its right to exercise such control, and to explain the arguments of some of the power people against such control.

Jurisdiction of the State.

It should be understood that all the streams of the state are under the jurisdiction of the state government, and that all water diverted for power purposes is so diverted by appropriation under state laws. Even the United States government, where it wants water for its reclamation schemes, as at Lake Tahoe for its Truckee-Carson project, must acquire its water rights by filing claims under the laws of California.

But the national government owns forests within the state, which it has bought (or always owned) and set aside for the conservation of the timber and water supply. Within these forests the jurisdiction of the national government is supreme except over the water in the streams flowing through them. This water is under state control.

But electric power is hardly ever generated directly from the stream. The water is taken out of the stream at a suitable place and piped or ditched to a point where the longest, steepest drop is available, and there piped to the generating plant. The water is then returned to the stream. Thus it is necessary that a power company shall acquire, not only the right to use the water, but land on which to build a power house and other land over which to flume or pipe the water.

Federal Control.

Here is the opportunity of the national government to exercise control over power com-

panies operating in the national forests. Before the national government (represented by the Department of Agriculture, which, in turn, is represented by the Forest Service) will issue a permit for the use of lands within the national forests by power companies, it demands that the companies shall sign a contract by which the government limits the rights of the companies in various regards and compels the companies to pay certain fixed charges for the privilege of generating power.

The principal provisions of this contract are as follows:

Provisions of Federal Permit.

The company receiving the permit to use government land for power purposes must agree to keep records of the amount of power developed, or the forester shall charge on the basis of an estimate to be made by the forester.

The company must pay for all government timber destroyed or used in the construction of the company's works.

The company must replace all roads and trails that are destroyed in the construction of its works.

The company must not enter into any unlawful combination in restraint of trade.

The permit received by the company shall expire at the end of fifty years, after which time the government may renew the permit upon the same terms, or upon new terms then to be named by the government, or it may issue the permit to another company, all at the discretion of the government.

The charges that must be paid to the government in consideration of its permission to use government land for power purposes are computed as follows:

Charges for Power Generated.

Gross operation charge for power generated, not to exceed for

Year.	Per 1,000 k. w. h.
1st	2 cents
2d	4 "
3d	6 "
4th	8 "
5th	10 "
6th to 10th	12½ "
11th to 15th	15 "
16th to 20th	17½ "
21st to 25th	20 "
26th to 30th	22½ "
31st to 35th	25 "
36th to 40th	27½ "
41st to 45th	30 "
46th to 50th	32½ "

It should be understood that 1,000 k. w. h. (1,000 kilowatt hours) is used as a unit of measurement of power generation thus: if a company is developing 1,000 kilowatts continuously (1,333 horsepower), the government charge could be estimated in that case by computing the number of hours during which that rate of generation is maintained and multiplying the result by the cents per hour. If the rate of generation rises, say to 2,000 kilowatts, the above total is multiplied by two, and so on.

For instance, suppose that all the plants of the Pacific Gas and Electric company came at once completely under national control and subject to these charges. The gross charge received by the government the first year would be about \$20,000, and the gross charge received by the government the fifth year about \$350,000—from this one corporation.

From the above gross charges, the government agrees to deduct annually the following sums:

1. A sum bearing the same ratio to one-half such gross charge as the area of unreserved lands and patented lands bears to the whole watershed.

2. A sum bearing the same ratio to one-half such gross charge as the length of conduit on

unreserved or patented lands bears to the total length of conduit.

3. A sum bearing the same ratio to the balance remaining after deduction of (1) and (2) as the quantity of electric energy generated from water stored artificially by the permittee, over and above that generated by natural flow, bears to all energy generated.

These deductions are made to release the permittee from paying for something that the government does not supply and to reimburse the company for what its own expenditure adds to the value of the government's property.

Further Provisions.

A nominal construction charge is exacted by the government, only until the beginning of the use of the works, of one dollar an acre and five dollars a mile per annum for all lands occupied by such works.

Actual construction of the works must begin within a stated period from the granting of the permit and the construction work must be completed within a stated number of years, extension of time being given only because of physical obstacles.

The permit is non-transferable.

The main contents of the Forest Service in support of its charges for water power privileges are: that the government, by conserving the forests, thereby conserves the water which the companies use, and should be reimbursed for this service; that the government has the right to charge, for the use of its land, not merely the rental based on its value as raw land but a rental based on its value as a commercial possibility, i. e., its advantageous slope for the development of a commercial commodity—power.

In this connection, the following quotation (the writer has mislaid its origin at the moment) is much to the point:

"Those who want national forest timber for commercial purposes are required by law to pay for it at a price fixed by competitive bids. The grazers of stock in national forests are required to pay a reasonable charge, and so are all persons and corporations who use the land or resources of the forests for commercial purposes. It is not a defensible proposition that wealthy corporations should get privileges of immense commercial value free, while others who receive the benefits of the national forests are required to pay for them."

Objections of Power Companies.

The first objection that was raised by the power companies to the Forest Service permit was the limitation of the life of the permit to fifty years. The companies claimed that the fee simple title passed by the government to a homestead was exactly analogous, and that precedent should be followed. The fallacy of comparing the gift of homes to individuals and the gift of vast natural resources to corporations was soon exposed, and the companies next pleaded for perpetual franchises on the ground that capital could not be attracted to the development of water powers on any other basis. It soon appeared that this was not true, for in a conference held in Washington beginning February 27, 1908, between representatives of the Departments of Interior and Agriculture on the one part, and representatives of the more important power companies and of banking houses in New York and Boston, interested in financing power projects in the West, on the other part, it appeared after full discussion that the limitation of permits to a fifty-year term was not seriously objected to by the bankers—since bankers who raise capital for projects of this kind make such a wager in any event that the bonds will mature and be redeemed before the expiration of the fifty years.

A further proof of the fact that capital is not so hampered is the fact that the Forest Service receives an average of one application a day for permission to use forest lands for

power purposes under the stipulations of the above permit. The truth is, most objections to the time limit clause now come from speculators or from men who are inherently impatient of restraint and oppose regulation of any sort.

Objections to Charges.

The next objection that was made to the form of permit was that the charges are prohibitive and confiscatory. This complaint was effectively met by the government representatives at the conference mentioned above, when they made the following offer: That the power companies should submit their business to the investigation of the Bureau of Corporations for determination of the question whether or not the rate of charge was unreasonable. No response has ever been made to this suggestion.

The legality of such a charge was affirmed by Attorney General Moody and Bonaparte, both of whom cited Supreme Court decisions in support of their conclusions.

One valid objection has been raised by the power companies. As the law stands, the Secretary of the Interior has the power to revoke a permit at any time, merely in his discretion. Though it is inconceivable that a Secretary of the Interior would ever abuse this power, none the less he ought not to have it, and the Forest Service itself has recommended that Congress pass a law relieving him of this power and making all permits irrevocable, except for breach of contract, during the fifty years.

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An Example to California.

The regulation of power companies on national lands by the Forest Service is important not only because by such regulation a certain proportion of the power companies are restrained from getting perpetual rights and restrained from entering into monopolistic combinations. Many more power sites exist outside the national forests than in them. The action of the national government thus becomes an example to the state. California has not yet made any provision to restrain or regulate the impending power monopoly. It must do so, or it will find itself woefully at fault. A study of the national regulatory measure may prove of great value to the state legislature.

Probably many more than half of all the commercially feasible power sites in California have been appropriated under the state laws. Those laws are very defective, and they have been so nearly unenforced that speculators have been able to control power claims for years without developing them. To foster legitimate development, to prevent monopoly, and to discourage fraudulent and speculative appropriation, the laws should be revised and enforced.

To conclude, the policy of the forest service, which, in some modified form must ultimately become the policy of the state, is as follows:

Policy of Forest Service.

1. There should be a limited or carefully guarded grant in the nature of an option or opportunity to develop within reasonable time for development of plans and for execution of the project.
2. Such a grant or concession should be accompanied in the act making the grant by a provision expressly making it the duty of the designated official to aid the grant if the work is not begun or plans not carried out in accordance with the authority granted.
3. It should also be the duty of some designated official to see to it that in approving the plans the maximum development of the navigation and power is assured, or at least that in making the plans these may not be so developed as ultimately to interfere with the better utilization of the water or complete development of the power.
4. There should be a license fee or charge, which, though future or nominal at the outset, can in the future be adjusted so as to secure a control in the interest of the public.
5. Provision should be made for the termination of the grant or privilege at a definite time, leaving to future generations the power or authority to renew or extend the concession in accordance with the conditions as they then exist.

THAT TAHOE CONTRACT AGAIN.

The California Weekly, through the courtesy of Dr. F. A. Lacey, is privileged to publish the following interesting letter in connection with the remarkable contract whose terms were recently published in these columns, by which the government appeared to be giving a monopoly of the Lake Tahoe and Truckee river watersheds to the Truckee River General Electric company:

The Secretary of the Interior, Washington, September 9, 1909.

Dear Sir:—I am in receipt, by reference from the President, of your letter of September 1st, enclosing clipping regarding the proposed contract with the Truckee River General Electric company, as recommended by the Reclamation Service. The execution of this contract has been held in abeyance pending a careful investigation of its provisions.

Very truly yours,
(Signed) R. A. Ballinger, Secretary.

Dr. F. A. Lacey,
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Chapter VII.

LEAN AND HUNGRY YEARS.

NO one who has not lived in a semi-arid region can appreciate what a dry year means to a farmer who has made no adequate provision for meeting it, and it was ever the weakness of the San Joaquin valley "sandlapper" to farm upon the hypothesis that he was living in a wet country, whereas he was living in one of the driest in the world that makes pretense of being agricultural. The watching for the fleecy flocks drifting up out of the southwest and across the azure field to the summits of the Sierra, in the hope that they may concentrate there, condense and be turned back to deluge the valley; the measuring of every hundredth of an inch of precipitation of moisture, as an anxious physician takes the temperature of his fever-smitten patient; the awakening out of a sound sleep by the pattering of rain upon the roof, to dash out of doors in one's night clothes to see if the prospect be for a down-pour or only for the dimpling of the dust with peck marks in the morning; the wetting finger thrust into the soil to see if it has veered with the view of following the sun around a boxed compass instead of holding hopefully in the southeast; the scanning of the newspapers to see if it has rained in San Francisco and the calculations made to know when, if it has, the storm may be expected to reach Tulare; the confusion of prayer with profanity, of supplications with imprecations, and the strain upon the heart-strings as the grain droops from day to day, yellows, fires—dies for the want of such a little moisture, as compared with other countries, to make it thrive and yield sixty, perhaps a hundred fold! How it all does wear away at one's life! But when it is all over and the grain is dead, how lifted is the burden of care! Anything is more easily to be borne than the waxing and waning of the "ferry season," for it is that which wrinkles the visage and prematurely whitens the hair and beard.

The bumper crop year, a crop that sent out enough grain from Tulare county so that, if corded in two and a half buel sacks along the side of the railroad track, it would have reached unbroken to tide-water, more than 200 miles away, was succeeded by a half-crop year, and that by a drought that scarcely started the grass, and that by another dry year that nearly reduced the country to primal conditions.

Silas Singham had been more provident in the years of his prosperity than most of his fellow "sandlappers." He had set his header as low as he could that he might take as much of the straw as possible, and, with the straw as it came from the thrasher, he had filled his barn to the brim and stacked the remainder in long ricks outside. Moreover he had combed the thickest of his stubble with a hayrake and the proceeds, heavily loaded with wheat heads, he had carted stacked up for poultry. The typical "sandlapper" pastured his stubble until it was time to plow and then burned it over to get rid of the straw.

Silas Singham also did better work than his neighbors. He harrowed lightly and cross harrowed, after the grain had come up, and then ran a big roller over it to prevent evaporation, so that his grain remained visible during the entire succession of a hundred rainless days that followed the inadequate mid-winter rains, for he knew his study must be to retain in the ground what moisture there was in it, as well as to hold all that fell upon it, but his efforts were of little avail. He had done his part and felt certain that nature would do hers, but she didn't. When, toward the end of April, belated and scanty showers did come, the grain sent up little, spindling stalks that headed out scarcely six inches above the ground, whereas, in a corner of the garden, where water from the overflowing windmill tank had run to waste, a few stools of chance wheat stood six feet high with heads half a foot long. This set him to thinking.

The "sandlappers" generally lived up the following year what they had gotten ahead the year before, or, in the greater number of cases, drew against their credit at such stores

THE SANDLAPPER

(Continued.)

BY

ARTHUR J. PILLSBURY

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as were brave enough to "carry" them from crop year to crop year. The need for farm machinery, with which to harvest their bumper crop, and for making payments on the lands they had bought from the railroad, had absorbed most of the profits of the good seasons, and the bad years plunged them into debt to the limit of their debt-contracting capacity.

When at last summer set in the vast fields were as bare of vegetation as a sea-beach, and the prevailing northwest winds drifted the impalpable dust like fine snow. The uncultivated areas were as bare and hard as a traveled road save where the perennial grasses had scantily grown and these the famishing horses and cattle ate into the earth.

The stockmen fared worse than the farmers, for they had more mouths to feed. The loss of the open country caused by the remaining range over-farmed so that the green stuff the river men were able to grow upon the overflowed lowlands was eaten to the roots before the winter was half over, and the cattle entered upon the summer almost too weak to go to the Sierra mountain pastures when the melting snows made them accessible. For it does not enter into the plans of the range cattle raiser to bring his herds through to the coming of new feed in good condition. It suits him well enough to have them able to take hold of the feed when it comes. Whatever is given the poor brutes more than will suffice to do this is accounted loss, and there is, or was, full many a stockman who will get no more than his deserts if his feeling shade be clouded through the realm of shadow interminably by gaunt herds of famished cattle.

When, in this heart-breaking year of unmitigated drouth, the coming of summer brought no feed the story of the cattle was soon told. The ablest were hustled off to the over-stocked mountains to struggle with starving stock and horses for a precarious pasture that would not have sufficed for half as many. Others were shipped by rail to Utah or Oregon, but the aged mothers of herds and their young progeny take the hair off each other's backs to the hide, staggered to the water holes to quench a raging thirst in stagnant water, sank to their knees in the ooze, laid them down and died, leaving only vultures and coyotes to live prosperously in an unprosperous country.

Chapter VIII.

A DITCH OF WATER.

Silas Singham was not an adherent to the rule of thumb, the besetting sin of the typical "sandlapper." He worked as he thought and thought as he worked, and that he might think the better he habitually wore his big pith hat, during the hottest term that the sun might not bake his brain into that enduring, torpid, desert-dullness which seems to characterize many condemned to a daily round of routine unrelieved by storm or shower. With every day just like every other day he set out and every thought like every other thought, each train of thinking making a complete circle and failing to rise above the common level even spirally. To become a thinker a man must needs have new problems pressing in upon him. With dry farming on the

plains the range of thinking was narrowed to seedtime and harvest, if there chanced to be a harvest, and futile speculating on whether or not it would be a "good" year or a "dry."

Silas Singham found problems enough. He had faith in the country and, without pretense to a religious life, he had faith in God and could not permit himself to believe that God made all those tens of thousands of fertile acres to prove an agricultural mirage for the beguiling of good people to finance him. His first problem was to conserve the moisture, and he solved it, but when there was no moisture to conserve the next problem assuredly was to find moisture to be conserved. No sooner had the second season after his advent among the sandlappers betrayed its quality than he began to plan to bring a ditch of water into Enterprise neighborhood.

Without being an educated man in the modern acceptance of the term he was ready with figures, was a fair mechanic and full of resources. To save the cost of employing a civil engineer he procured a carpenter's level, mounted upon it at either end a short tube of the size of a lead pencil, and across these, a little way from the end, he firmly fixed silken threads at right angles, up and down and across, at exact equal distances from the surface of the level. With a tripod on which to affix this instrument he was equipped for ascertaining differences of level with reasonable correctness.

With axes and shovels, a well-stocked "grub box" and blankets, Silas Singham, with one or two of his neighbors, started for the point where the river debouched from the mountains. They first measured the flow of the river there and at intervals through the swamp until it forked into the four creeks that went to form the delta of the river, which it reached the lake in the trough of the valley. They also measured every ditch that had been taken out of the river and concluded that three-fourths of the water of the stream sunk in the sands without doing anyone good. If that was so, the water coming out of the main channel of the swamp there would be enough water to irrigate all of the plains country between that river and the watershed of the next, and Singham determined to have some of it for his neighborhood.

Across one end of the reach there ran an old slough, sometimes narrow and deep, sometimes broad and shallow, but nearly always dry. This he followed to its head in the upper swamp near the river. An examination of the ground showed that it had once been a part of the river, but some flood had closed its mouth, debris had filled it and the river had made a new channel a quarter of a mile away, so that it was only during very high water that this slough was filled from the parent stream. Why not clear out that slough to a connection with the river and so become a riparian owner as well as Mr. Moses Brayton and his river folks, in addition to being an "appropriator" under the law? His improvised level was brought into play, the differences of level taken, calculations made, and a proposal formulated for submission to the neighborhood.

But the "sandlappers" of Enterprise had more enthusiasm than means and it costs money to excavate earth. They all had teams, but not many of them had feed for their teams, or food for their families, and there was little money left in the community. Silas Singham's barn was well filled and he would venture that much upon his proposition anyhow, but not many of his neighbors were as well provided for, and except horses eat they cannot work.

In his perplexity Singham went to Isidore Joseph & Co., the leading merchant at Tulare. This firm entered heartily into the project and agreed to advance needful provisions for the camp on credit, if Singham would pledge his faith for the repayment. The canal farmers were accordingly formed with the company as stockholders, each farmer taking as much stock in the corporation as he could work out with his teams. Silas Singham furnished the feed for the work animals for shares in canal stock and Isidore Joseph & Co. kept the grub box supplied.

Thus equipped, every able-bodied man in the community fell to work, but that they

might do so unhindered the stockholders in the company raised money enough between them to buy eighty acres of land where the headworks of the canal were to be. They could not well be stopped from doing what work they wished on their own land.

It was hard tugging with the briars, the willows and the young forest that had sprung up in that old channel, but by early spring of the second "dry year" a way had been cut and excavated through the river. However, it could not be deep enough by full two feet to draw off any of the water at a low stage, and so the easiest and quickest way to get it was to throw a low brush and rock dam across the river and thereby divert a part of the water into the new canal.

There was where trouble began. The river folk were at once up in arms. Moses Brayton was furious. An injunction was quickly sued out and the whole neighborhood was haled into court, where the law was laid down succinctly as follows:

The code of California had made the common law of England the law of California, except where specifically ordained otherwise, and there had been no ordination otherwise in case of the riparian law, which, therefore, made the water laws of a very wet country applicable to one of the driest countries on earth. This law guaranteed to the land owner lowest down on the stream the flow of the river "unpolluted in quality and undiminished in quantity," and therefore virtually prohibited any irrigation in a country that was nearly worthless, even to the riparian owners, without irrigation.

Thus it was that the riparian law which forbade irrigation was invoked for the purpose of securing water for the very purpose of irrigation, but only for the river folks. It looked bad for the people of Enterprise, but Silas Singham sent them all home to make ditches over a portion of their lands leading from the slough already referred to. Perhaps the river might come up far enough so that they could get enough water for some acres of corn land and so be able to sustain themselves through the season. Anyhow, they had made a beginning. As for himself, with one or two men, he remained on the ground getting out material for completing the dam at short notice.

The little ditching that was needful on the plain was soon completed, a sudden rise of the river came, the brush Silas Singham had collected on the bank was tumbled into the stream and weighted down with rocks and, triumph of the engineering skill of the "sandlapper," a good half of the water went booming down to the thirsty plain lands.

There was great rejoicing when the water came and men were out irrigating night and day, but the rejoicing was short lived. The flow of water stopped. Silas Singham and three or four of the men went to the river to see what the trouble was. It was easy enough to guess. The river folks had torn out the dam. Singham put his back to it. It was torn out, only to be put back again. One day there would be water, the next day none. The river folks had irritated what they cared to by flooding their cultivated lands, but they wanted their low-lying grass land to overflow. This could only be done by leaving the full flow of the water in the river. The law gave it to them, they declared, and they were going to have it. If they allowed an inch to be taken, the "sandlappers" would surely take an ell, and the safest way was to prevent their wayward way at all. The issue had been fairly joined at last.

(To Be Continued.)

THREE MEN IN A BOAT.

Whatever Jerome K. Jerome may write he seems destined to be regarded primarily as the author of "Three Men in a Boat." That book has just had its twentieth birthday, and a new edition is being brought out in England. It has been reprinted every year since 1889, and the English editions amount to 207,000 copies. In addition the sale of the story in America has been roughly estimated at a million. "Three Men in a Boat" has been translated into every European language except Turkish and also into some of the languages of Asia.

A HISTORY OF EQUALIZATION.

In the earlier years there was no lack of zeal on the part of the State Board of Equalization in applying the constitutional remedy for unequal assessments. During the first ten years, 1891 to 1899, there were eight years in which counties were either raised or lowered, and nearly always raised. In the second ten years, 1891 to 1900, there were seven years when the board equalized, but in two of these years there were only reductions and no raises. In the following nine years, up to date, the present year is the second in which equalizations have been made. Both years provided for increases in county assessment rolls.

The very sweeping reduction made in 1895 and 1897—twenty-six counties being reduced in the former year and forty-two in the latter—were merely an indirect method of raising the assessments in the counties not reduced. That the general effect of this action was bad is proved by the fact that, for a series of years, the grand assessment roll of the state failed to increase with the increase in population and wealth.

But the raising or lowering of assessment rolls has had no permanent effect. This is illustrated by the fact that though San Francisco's assessment roll has been raised nine times since 1879, the increases ranging from 8 to 30 per cent, and totaling 150 per cent, and though its roll has twice been indirectly and once directly reduced, none of these changes has been effective after the year in which it was made. For example: San Francisco's roll was raised the first year to \$239,000,000 and the second year, being let alone, it fell to \$202,000,000. During the three following years constant raises by the board kept it at about \$254,000,000, but the first year the board removed its hand, down it went to \$230,000,000. In the next four years, with no compulsory raises at all, it went up to \$301,000,000 through the operation of natural forces. Then, in 1891, the board ordered a raise of 30 per cent, which brought the total up to \$399,000,000; a little of this must have stuck, because next year a raise of only 20 per cent brought it up to \$412,000,000. Then came a year of no forced raise, and the roll dropped to \$342,000,000. In 1903, the board made the sensational raise of 30 per cent, causing an increase of \$126,000,000, but in 1904 much of this was lost.

This saw-sawing is seen to be typical, as is illustrated by the history of equalization in Alameda and other counties besides San Francisco. So, in order to be maintained, readjustments of assessments must be made yearly. The objections to this practice are that the state board has never had data sufficiently accurate to justify it, and that the practice emphasizes the inequalities of assessments as they are made by the county assessors.

In recent years the state board has done little or no equalizing by the method of raising or lowering the entire rolls. It has done a great deal of equalizing in other, and, on the whole, better lines.

In the most advanced states the tendency is altogether toward state supervision of the work of assessors while their work is being done, rather than the correction of it after it has been finished and long.

During the last five years, in which no county has been arbitrarily raised or lowered, the state roll has not suffered therefor, because the aggregate increase has been far greater than in any similar period. In the five years between 1884 and 1889, after vigorous equalizing, the state roll increased \$300,000,000. During the next five-year period, 1889 to 1894, there was an increase of only \$98,000,000. In the succeeding five years there was no increase at all, but a loss, for in 1899 the roll was \$14,000,000 less than it had been in 1894. From 1899 to 1904 there was a handsome increase of \$331,000,000, although in this period there had been less compulsory equalizing than in earlier years. But between 1904 and 1909 the roll, without equalization, swelled to the sum of approximately \$300,000,000, an increase not paralleled in any other period of five years. The last two assessments have been made since the great panic of 1907, but last year the roll increased \$107,000,000, and this year \$122,000,000. During the years im-

mediately following the panic of 1893 there was a heavy falling off in the roll.

All these comparisons are based on the county auditors' figures, excluding railroads assessed by the state board.

APRIL 21ST, 1909.

(For The California Weekly.)

How many millions and millions of years,
Desolate, dead and chill,
Bound on this wheel, with my frozen tears
Grist of the northern mill.

Ages and eras the tale repeat,
Epochs I have lain,
Ice for my bed and my winding-sheet,
Ice for my coffin-pane.

Weary round of the centred heaven,
Tiresome northern star;
Boom of the ice-pick thunder-riven,
Voice of the grinding bar.

Wheeling groups of the polar hosts;
Heedless, hollow sky;
Maddening, beautiful, speechless ghosts
Mocking as they fly.

Pallid gloom of the moonless nights;
Wash of the under-sea;
Flickering glow of the lambent lights
Dancing over me.

How many aeons of sloping sun,
Over the rim asance,
Branded me as the banished one,
Dreading this grim expanse.

Flaming fruits of the golden zone
Gathering instead,
Leaving me and my heart alone,
Disinherited.

Long! How long! Before time began
Threading the vault and aisle,
Waiting the voice of my lover, MAN,
Waiting his lifted smile.

"Yes," I have said from my ancient grave,
"Yes," from my modern tomb,
"Yes, he will come with the joy I crave,
"Ending my endless doom."

"No," said the wind on the southern rift,
"No," said the pitiless
Barrièred bounds of the spinning drift,
"No." But I answered "Yes."

Strange sweet notes from the margined south,
Mounting the crystal brim,
"Hark! It is he! He will kiss my mouth!
"Rise! I will go with him!"

All arrayed for his warm embrace,
Beautiful I lay.
He came. He looked on my cold, dead face:
He turned. And he fled away.

—J. H.

SLANG WELL BORN.

Some diligent student contributes to Puck a list of striking instances of the use in famous books of slang phrases which came into vogue long after the writers who fathered them, often, it is true, in an entirely different sense, passed away from earth. "Forget it—cast it away" comes from Hawthorne's "Marble Faun" and "It's a sure thing" is found in Goldsmith's "She Stoops to Conquer." It appears that "Twenty-three," signifying the last, is in that wonderful and least Dickensesque of Dickens' novels, "A Tale of Two Cities." "Cut in and win" is traced to Thackeray's "Vanity Fair."

Further back, "Nothing doing" crops out in Addison's Letters, and "Gone to the wall" is found in John Bunyan's immortal "Pilgrim's Progress." In "Love's Labor's Lost" it is discovered that Shakespeare says: "Give Hector a gift—a gift unpeaked—a lemon." So one of the very best slang-born phrases of the day, "Make good," can be located in Deuteronomy.

The truth is that many slang expressions are merely the popular discovery or second birth of phrases and words of ancient and excellent lineage.

PERSONALIA

Ex-Governor Thomas M. Waller of Connecticut was once a newsboy.

Lily Langtry's first book, a novel entitled "All at Sea," will be out shortly.

Report has it that Booth Tarkington is going to give up his residence in Indiana.

A play by former Prime Minister Clemenceau is to be produced in Paris in the autumn.

The King of Siam rides in an electric victoria finished in ivory and adorned with silver, lace, silk and pearl.

Miss Alice M. Robertson, of Muskogee, Okla., is the only woman in the country at the head of a postoffice of the first class.

Mr. and Mrs. Peter Leys of Grand Rapids, Mich., had their thirteenth child on Friday, the 13th. The parents say that they consider this combination of day, date and baby anything but unlucky.

A woman, Miss Barnard, recently elected charity commissioner of Oklahoma, insists on the reduction of the salary of the place from \$2,500 to \$1,500, the latter figure, in her opinion, being enough.

Secretary Nagel has it in mind to appoint deaf mutes to run the tabulating machines in the Department of Commerce and Labor, on account of their training in concentration upon the work in hand.

Mrs. Edward C. Dodd, a widow of Laredo, Texas, is called the "Onion Queen." It is said that she raises more onions than any other woman in the world, cultivating 135 acres of them and making a net annual profit of \$400 an acre.

It is claimed for Morris E. Sterne, for many years a member of the Board of Education in the New York city, who died recently, that he was the originator of the system of fire drills for school children that is now in use throughout this country and in Europe.

Isaac W. Hallam recently completed the fifty-first year of continuous service as a telegraph operator, at Wilmington, Delaware. In the fifty-one years he has never been absent a day except for a week's furlough at the time of his marriage in 1864. He holds the record for telegraphic service.

Bishop Nicholas C. Matz, of the Catholic diocese of Denver, is in a fair way to become a millionaire. He has leased the property at Central City, known as the old Gorman mine, and Philadelphians who have begun to operate it have found it to contain the richest deposits of uranium in the world.

Mrs. Asher Richardson of Ashertown, Texas, has been appointed assistant general superintendent of the Ashertown and Gulf railroad. Thirty-two miles of the road has been completed and it is now being extended 100 miles more. Mrs. Richardson has charge of the employment and work of a large body of men.

Sir Arthur Wing Pinero's new play, "Midchannel," recently produced at the St. James Theater, London, met with the favorable reception which is generally accorded his works. But it is a gloomy, though powerful, drama. "Midchannel" is a story of the matrimonial tangles of a childless couple approaching middle age, in which the erring wife after refusal of forgiveness by the husband solves her troubles by suicide. Ethel Barrymore will play the leading part in the American production.

Mr. W. E. Pence, of New York, kindly forwards the following example of "Shear Wit": "The Cleveland Grays, a famous military company (of which I was a member) is in camp. The new guard is relieving the old guard. The retiring guard instructs the new guard and one of his instructions is to salute all officers according to 'rank,' and he adds: 'The more you salute them the ranker they get.'"

SHEAR WIT

"So he praised my singing?" "Yes, he said it was heavenly." "Really?" "Well, something like that. He said it was unearthly."—Lippincott's.

"Say, Joe, if you had \$497 and I asked you to lend me \$2.29, how much money would you have left?" "Four dollars and ninety-seven cents."—Yonkers Statesman.

"Half a sov. for you if you get me to King's Cross in six minutes." "It ain't no use, captain; you may bribe me, but you can't corrupt the old 'oss'."—London Punch.

"Physical culture, father, is perfectly lovely!" exclaimed an enthusiastic young miss just home from college. "Look! To develop the arms I grasp this rod by one end and move it slowly from right to left." "Well, well!" exclaimed the father; "what won't science discover! If that rod had straw at the other end you'd be sweeping!"—Success.

A Fourth Ward man went into a Yonkers drug store to buy a cigar. The only person he found there was the soda water dispenser. The boy was sweeping out the store. "Sweeping out, eh?" said the man. "Well, that's how I got my start." The boy looked him over and replied: "Aye, what do you want to discourage me like that for?"—Yonkers Statesman.

The ready-made clothes tend to abolish the dreadful custom of cutting down dad's suit to boy's size. I remember how in the distant past my little brother rushed whining into the sitting room one night. "What's the matter?" I asked sympathetically. "Oh," he murmured, "pa's had his beard shaved off, and now I guess I've got to wear those old red whiskers!"—Lippincott's.

Just before the celebration of the one hundredth anniversary of the birth of Abraham Lincoln a teacher in one of the lower grades of a Boston school told all of the boys and girls in her room to write a little essay about Lincoln. One boy of a dozen years handed in the following: "Abraham Lincoln was born on a bright summer day, the 12th of February, 1899. He was born in a log cabin he had helped his father to build."—Lippincott's.

An Irishman was sitting in a depot smoking, says the Kansas City Independent, when a woman came, and, sitting down beside him, remarked: "Sir, if you were a gentleman you would not smoke here." "Mum," he said, "if ye wuz a lady ye'd sit farther away." Pretty soon the woman burst out again. "If you were my husband I'd give you poison." "Well, mum," returned the Irishman, as he puffed away at his pipe, "if you wuz me wife I'd take it."

"We've had the most tremendous fun!" cried two lads, running into the room where their mother was sitting. "I am glad to hear that," she said, with a smile. "And what have my little pets been playing at?" "Oh," explained one, "we've been playing at postman, and we've been delivering letters all around the terrace." "That's very clever," said their mother; "but where did you get the letters?" "Oh, there was a packet of old letters tied around with ribbon we found in your desk, and—" The rest is silence.—Philadelphia Inquirer.

"Boggs was the first," she said, dreamily; "a ornery hound wot used to git drunk and come home and lambaste me all over the place. Arter Boggs died I married Skinner. He was a good-for-nothin' ornery critter wot ud turn me full and I'd lam him till he couldn't see." She chuckled with quiet amusement. "Well," said I, "the last was better than the first, at least." But the widow shook her head. "No, 'twant," she said. "I'd kinder got used to Boggs' little ways, and in Skinner's case I never cottoned to the idea of doin' a man's work about the house."—Exchange.

Out of a Job Now.
My existence is wholly his.
For him my great tears roll.
Who heretofore has made a biz
Of hunting for the Pole.

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The New Constitution and the Railroads.

For almost a generation the group of big men who built and operated the Central and Southern Pacific railroads constituted the Colossus engendering the industrial and commercial life of California going. No industry, no community and almost no individual could thrive without their co-operation and consent, and whenever they turned against was ruined. They were forces as unusual as the forces of nature and as immoral as the necessities of each case demanded. They never turned aside from any desired purpose, or withheld their hand from any enterprise, because that purpose or that enterprise involved any form of criminality short of murder, and many a life was sacrificed to their ambitions, if not with premeditation then as a not unlikely consequence of their acts.

In achieving their ends they debauched governments of states, cities and counties; debauched legislatures, courts and civil officers, and they allowed a public career to no man who would not subordinate himself to their interests. They purchased the influence of newspapers as they hired lawyers, and they sent their representatives to congress as they sent others to conferences and associations of railroad men. The people smarted under their lash and it was anticipated, and charged, that the New Constitution aimed at reprisals against them and their properties in a spirit of vindictiveness. It is important to know if this be so.

Section 31 of Article IV prohibits state, county and municipalities making gifts, lending credit or taking stock in corporate enterprises. This was to stop the securing of subsidies in aid of railroad extension. Its purpose was the protection of taxpayers rather than the penalizing of railroads. No one would now think of questioning the wisdom of that constitutional provision.

Section 17 of Article XII declares that all transportation companies are common carriers and subject to legislative control. It also gave every railroad a right to connect, or cross, every other railroad and compelled all railroads to receive traffic at every intersection and transport it without delay or discrimination. It would be difficult to find in this anything other than the soundest public policy and most even-handed justice.

Section 18 prohibits officers of any railroad corporation having any interest, other than as a holder of stock, in or doing work or furnishing supplies for any such corporation. This was to safeguard stockholders from such inequities as the Contract and Finance company had proven to be and sought to prevent the looting of railroad companies through the rapacities of their officers. No man dare say it is other than a perfectly sound provision.

Section 19 sought to prevent the bribing of legislators and other public officials through giving them free passes over railroads, but the railroads substituted free tickets for free passes and went right on with that form of petty bribery, violating the constitution in spirit if not in letter, a manifestation of a spirit of lawlessness thoroughly characteristic of railroading in this state.

Section 20 forbade railroads in this state forming combinations with steamship companies whereby one or other should be paid for not carrying traffic that the other might carry it at an enhanced profit, a provision that has been violated in spirit and fact every day since the constitution was adopted and is being violated at this time.

The last half of this section declared that when rates have been lowered to meet competition they shall not be raised again without the consent of the "governmental authority in which shall be vested the power to regulate fares and freights." This provision afforded the foundation for the celebrated "Fresno Rate Case" wherein an obliging Supreme Court deprived the provision of validity and permitted a rate to be raised without any consent except its own.

Section 21 specifically forbade discriminations in rates of freight and fare between

persons and places, and yet, confessedly, there have been such discriminations habitually practiced from the adoption of the provision until now, merely another display of a characteristic lawlessness on the part of transportation corporations in this state and country. They have recognized the validity of no law that they could not put to their own use. When a law stood in their way they overrode and crushed it.

Sections 22 and 23 provide for our State Railroad Commission through which the people had hoped that justice might be done between them and the great public service corporations they had permitted to be created. Its provisions are not inimical to honest railroading, but again were the people disappointed. By the efficiency of hired political managers, plentifully supplied with corruption funds, the Southern Pacific company made itself master of this commission from the first until now and it has been for thirty years a costly and exasperating disappointment, not rendering a public service the equivalent of the salary of the office janitor.

These, then, are the provisions of the New Constitution, alleged to have been inspired by Kearneyism and adopted by the people in a spirit of malice for the injury of railroad properties. Is there one of them against which any such charge can fairly be made? Had the railroads accepted them in good faith, and abided by them as the people have, California would have been far happier and more prosperous and the manhood of the commonwealth would not be, as it is to-day, in open revolt against corporate domination.

The conduct of the railroads had then, as it has ever since then, justified the securing of retributive and retaliatory vindication of the laws the people made for railroad control, but the spirit of the people is now, and ever has been, magnanimous, forgiving and full of self-restraint.

THE GRAFT CASES.

The mighty hush and notable immobility which have characterized the trial of Patrick Calhoun during the last month or more still are maintained, Stanley Moore yet being sick, and Mr. Calhoun's six other attorneys naturally disliking to minimize his chances of securing the justice he desires by continuing without Moore. The case has been continued until next Monday, and, as Judge Lawlor and attorneys for the prosecution and defense today will endeavor to fix a date for proceeding with the trial, it is among possibilities that the trial again will be under way at some not distant date.

William H. Scanland, of Benton, Louisiana, has just celebrated his "golden jubilee" as editor of the Bossier Banner, a newspaper founded by him in 1859, when he was seventeen years of age. It is probably the only instance in the South of a man who has been at the head of the same newspaper for fifty consecutive years.

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Heney On the List.

The necessary petitions have been filed and the name of Francis J. Heney will be upon the ballot as independent candidate for district attorney of the city and county of San Francisco. On that pivot the whole fight will hang.

The President of the United States has proclaimed to the whole world the humiliating admission that the administration of justice in this country is a disgrace to our civilization. It was a bold statement to make, but that it was a true statement no prudent man will deny. The admission was awful and awfully true.

Has it sunk into the consciousness of the people what this admission on the part of the head of the nation means? It means that democracy has failed, for, if we make a failure in establishing justice, we make a failure in everything that counts. We owe this failure to the fact that plutocracy, and not democracy, is in the ascendancy in this country. In fighting for justice we are fighting for the nation's life.

California is a part of this nation and San Francisco is the hub of California. This fight for justice is waging here and now. Francis J. Heney is heading that fight. Nowhere has the "disgrace to our civilization" been more flagrantly inflicted than here where guilt, practically undenied, goes unpunished because the forces of a corrupted plutocracy have proven too strong for a loyal but inefficient democracy. The fountain of justice—the hearts of the people—has been polluted and, under our system, a jury cannot be obtained that will establish justice. But the fight must go on and Heney, weary and worn though he is, must lead that fight. And a more gallant leader democracy never had in any of its battles. He must win. Humanity cannot afford to have this fight lost.

Those Idealists and Dreamers.

The platform proclaimed by the McCarthy party (it were a gratuitous affront to organized labor to call it a Union Labor party) has gone just as far as its makers dared to blurt out its advocacy of the immoral side of every important public issue in this city. It bears especially hard upon those "idealists and dreamers" who have fought for the last three years for the regeneration of San Francisco. What, then, are these ideals and these dreams that the McCarthy party so unreservedly condemns?

They are that rich criminals shall be punished as summarily and as certainly as poor, and that the city shall not be exploited for the benefit of its public service public servants. To the groveling McCarthy mind this dream shimmers with the quality of iridescence and the ideal seems utopian. So it must prove with the McCarthy party in power.

The McCarthy party stands for "civic peace," that peace which passeth moral understanding, and, in that interest, it proposes "to settle once for all," definitely and with honor to all concerned," the "many problems on which the people have seen fit to differ." If this does not refer to the graft prosecution

THIS NUMBER CONTAINS American Shipping in American Ships (THIRD ARTICLE.)

By G. W. Dickie

Readers of The California Weekly will, in due time, find in its columns every important public issue explained by some person whose special knowledge gives him a right to be heard.

it is mere language and has no reference to anything. Take this in connection with candidate Fickert's declaration that he is not "going into office to stop the graft prosecution," but "will prosecute all grafters," and the whole scheme is unfolded. In the event of the triumph of the McCarthy party the graft cases are to be prosecuted with a perfunctory and incapable going-through-with-the-motions that can have but one result, the acquittal of all the higher-ups, "definitely and with honor," to them if not "to all concerned." It is a nice plan and, if elected district attorney, Fickert can be counted on to do his incapable utmost to see that it goes through without a hitch.

But the McCarthy party is not without its attractiveness. It has already brought the united liquor interests to its support and the red-light district can be counted on to support the saloon. Where these two interests are found in co-operation the influence of the Southern Pacific company's political bureau is never far away. This makes a strong combination.

Denied by political inefficiency an opportunity to stand for a ticket headed by some capable "idealist and dreamer" the better element must, it would seem, take up, in very self defense, with that candidate who represents a sordid, cent-per-cent materialism and vote to make a Scottish chief political king of San Francisco. The alternative is a distasteful one, and one that should not have been forced upon the people, but this city is to be governed either by the McNab party or the McCarthy and, great as the lesser evil is, it is enough less than the greater to justify its acceptance, howbeit without enthusiasm for it or justification of it.

Taft on Labor.

The President's talk at Chicago to organized labor, and to organized employers of labor, has given as general satisfaction as anything he has said since he began his itinerary. He told those employers who refuse to deal with labor collectively that they were behind the times. He might with justice have gone farther and told them that they are Bourbons

if not chumps. Themselves the collective agents of innumerable stockholders, it is with a poor face that they can insist on dealing with their workers man by man. As well might the walking delegate insist on dealing with the stockholders man by man rather than with the manager of the corporation, who is nothing but a collective agent.

In defending the right of the non-union man to work for such wages as he may choose to accept the President stood on firm legal grounds and his language was not too strong, but he might properly have refrained from refraining from criticising non-union men for joining the unions. These are they who, by their inertia or their narrow selfishness, neglect or refuse to bear their share of the burden of defense of the common interests of labor. They are willing enough to be sheltered, but unwilling to help to carry the umbrella that shelters them. They are willing to share the benefits, but not the hazards and burdens of fighting the workingman's fight, for that there is such a fight the President freely admits, a fight without which the condition of labor, organized and unorganized, would be vastly different from what it is today. Perhaps half of it would be below the poverty line.

But the President was right in affirming that liberty must be preserved. At whatever cost, and no matter how much abused, liberty to contract must not be sacrificed. What cannot be done by persuasion must not be done at all until it can be done by persuasion. There is no other way of keeping liberty alive and without liberty we have nothing worth living for. It has been the conquest of the ages.

In deprecating the tendency of organized labor to reduce the productive capacity of the fittest to that of the average man the President showed himself to be a little behind the times. The best sentiment and practice in labor organizations stands for a minimum wage below which no one shall be asked to work, but those who have capacity are permitted to earn a premium over the minimum wage for doing more than the minimum modicum of accomplishment. It is not that the employer merely wants more work done by each of his men than the standard set by unionism, but he wants more done at the same price, a practice that constantly tends to put the man of average capacity below the poverty line.

To tie the hands of the especially efficient is wrong, but to make him the pacemaker for the man of only average capabilities, whose right to a living wage must be defended, is another wrong. The whole issue depends upon the fairness of the minimum wage as measured by the average standard of accomplishment. Where this is fixed at a just ratio, and the exceptional worker is permitted to earn and receive pay for all he earns, right prevails and industrial efficiency is not hampered.

The word of the President on the labor issue was not the final word, but it was, in the main, sound and bravely and plainly spoken.

TAFT AND THE TARIFF.

The President's address upon the new tariff law, delivered at Winona, Minnesota, was perfectly frank, perfectly intelligible and perfectly inconclusive. He was right in affirming that the Republican party did not, as viewed from a legalist standpoint, promise such a reduction in schedules as would result in a reduction of prices and cost of living. In failing to make such a promise the convention failed to meet the expectations of the country, and if that had been the only issue a different result might have been produced in the succeeding November. Nevertheless, the public expected such a reduction and the carefully guarded expressions of the Republican presidential candidate emphasized the expectation. That expectation has not been realized.

The President talks as though the fear in the public mind were that, unless the tariff were revised downward, it might chance, in the future, that certain manufacturers, not having the fear of the Lord in their hearts, might so combine and confederate together behind the tariff wall as to raise prices to American consumers above the necessities for paying an American standard of wages to American workmen, and allowing a reasonable profit to American producers. Bless his simple old heart! that is exactly what has been taking place for twenty years and it was to prevent the continuation, not the inauguration, of such a policy that the American people demanded a downward revision of their tariff. According to the President's own admission there has been no such downward revision as will force a reduction of prices to the competitive point, and every notch above that point means to the consumer just so much of extortion through unlawful combination.

The President accuses the downward revisionists of wishing to hurt American industries. When is an American industry hurt? If such an industry has been paying 40 per cent. dividends, and a new tariff has reduced those dividends to 20 per cent., has that industry been hurt? If so, The California Weekly desires to have every such industry hurt as quickly as possible. But if such industry has been paying only 10 or 12 per cent., after taking all risks, and a new tariff schedule should reduce its dividends to 4 or 5 per cent., or wipe them out altogether, that would be hurting the industry and The California Weekly would not favor such a tariff schedule.

This paper stands for the protection of American industries, stands squarely upon the old-time Republican platform, that the measure of protection should be the difference in labor cost of production at home and abroad. The "reasonable return to American capital invested in American industries," was an advanced step in the theory of protection taken for the first time by the last Republican national convention. Therefore it was the expectation that the return to American capital invested in American industries would be offset by the return to foreign capital invested in foreign industries.

Intelligently and honestly applied, the policy of protection, to which the Republican party has heretofore stood committed, would force every American industry to do business so near to the competitive point with foreign producers as to prevent extortionate prices to home consumers. Competition with foreign producers would not be fierce, but it would be fair and would force such a reduction from the non-competitive prices that have been maintained, with great injustice to our own people, as would help many millions to a lowered cost of living, and do it without "hurting" a single American industry.

The Republican insurgents, with whom The California Weekly joyously allies itself, stand for fair trade, not free, and, with all

THE STAFF

A. J. PILLSBURY.....Editor and Manager
J. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
O. BLACK.....Business Manager

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deference to the President, the Payne bill no more stands for fair trade than the contentions of the insurgent members of congress represent the policy of free trade. And this paper does not propose to be read out of the Republican party for advocating a Republican doctrine held to be orthodox for more than forty years.

The President's apology for the Payne-Aldrich tariff law is unfortunate. It will tend to reconcile the uninformed to that atrocity, but it will neither satisfy the conscience of the country nor fortify the protected interests against being "hurt" when an exasperated public sentiment shall turn upon the iniquity to wreak summary vengeance upon it. That kind of a tariff makes free traders with about the same facility that Rockefeller's and Harriman's make socialists.

TAFT ON JUSTICE.

When the President came, as he did at Chicago, to speak on the administration of justice in this country he knew whereof he spoke. He needed not to apply to Payne, Aldrich or Cannon for information. He is, above all else, a jurist and a lover of justice, as distinguished from a consuming admiration for those processes of ratiocination by which men set up whole rows of metaphysical idols before which they prostrate themselves, confound justice and bring civilization itself to the brink of the abyss. When he declared the administration of the criminal law in this country to be a "disgrace to our civilization," the President did not use stronger language than was warranted by the fact.

But the President did more than to find fault. He pointed a way to a possible betterment of conditions. That way was through a reformation of procedure and practice in the United States courts from which, he ventured to hope, the several states might copy to their advantage. He wants this accomplished through a commission constituted by congress. It should not be a commission of congressmen. That would avail little. It would probably be made up of men who, when not in congress, make their livings by keeping out of prison persons who should be in prison. Such men will not cut themselves off from a livelihood if they know it. But if the President were authorized to constitute a commission to perform that service it would be performed.

Furthermore, in proving that the problem is by no means unsolvable, the President did just what The California Weekly had already done—pointed to the methods by which British justice is established. That source of inspiration and encouragement has been fully exploited in the columns of this paper, and what John Bull has done Brother Jonathan can do if he sets himself to the task. The path has been abundantly blazed.

Will the President advert to this subject when he reaches San Francisco, or will he congratulate us upon our marvelous climate, our varied resources and our unquestioned commercial expansion, when we shall have discovered that there lies an Orient beyond where the brazen orb of day sinks nightly behind the crest of ocean?

Suppose that our present delectable kettle of fish had been stewing at the time President Roosevelt paid this coast a visit, would he have said anything about it? Well, wouldn't he! What a tribute would he not have paid to that morning Moral Idiot that has dared to characterize the most determined effort to establish justice in the teeth of the opposition of organized millions, as a "factional quarrel," and to commend the suspension of the graft prosecution "in the interests of civic peace?" And would he not have made that alleged "business men's committee" know what a drubbing feels like?

During his itinerant President Taft will find no better opportunity for striking a blow for justice than here at San Francisco where he may deliver a blow that will count for justice here and elsewhere. There are thousands in San Francisco whose hearts have grown weary with fighting against odds. They need a word of encouragement from a source that will count. If the head of the nation, himself a great jurist, were to make it clear that, in fighting for justice here, San Francisco is fighting for justice elsewhere—is really fighting the nation's battles—it would bring new courage into thousands of hearts, new energy into their nerves, new insight into their consciences.

Will the President speak of the establishment of justice in San Francisco when he comes to San Francisco? How anxiously will San Francisco wait to see!

TAFT AND THE RAILROADS.

The President's utterances, at Des Moines, on the issue of railroad control, were admirable. They were more than that. They were suggestive of a constructive statesmanship. They recognize that there is such a problem and that its solution is pressing. The laws enacted for the control of railroads have proven inadequate, for the reason that they have had to do with powerful, law-defying agencies, and the President wisely concludes that the laws, and their administration, must be strengthened accordingly.

His first, and perhaps most important, suggestion is that a competent court be created especially for the handling of cases taken to it from the decisions of the Interstate Commerce Commission. He would then make that commission less of a court and more of an administrative arm of government. It is difficult, if not impossible, to confer upon a single body both judicial and executive features. The proposal to divide the function, but centralize, looks feasible.

Having divided the power of control into its two functions the President would proceed to endow the commission with strenuous powers of rate-making, classification and for hearing and determining, either within its own body or before the high court of transportation, all issues needing adjustment without regard to whether complaints had been filed or not. In brief, the President stands first for finding out in a direct and expeditious manner what is just between carrier and shipper, then proceed, without delay, to have justice executed.

Doubtless with the example of the late Mr. Harriman before his mind's eye, the President has taken strong ground against one railroad corporation owning large blocks of stock in another and competing line and issuing its own securities, solely as it is minded to do,

and for any purpose that suggests itself, including the playing of the stock market as smaller men play the races. The wrongs that have been inflicted upon public policy by these methods, in which Mr Harriman was an adept, have been stupendous and should have been prevented before they began. In these measures the American people will support the President heartily, but it will not be an easy matter to bring congress to his way of acting, however it may think.

On the other hand the President desires to permit and legalize traffic arrangements between railroads, arrangements which do not amount to pooling, but subject to the approval of the Interstate Commerce Commission. This also is sane. The purpose of the law should be to prevent and punish railroads when they do wrong, and not prevent railroads from doing right, punishing the public through their inability to do right lawfully. The anti-trust law, to which the President also paid his respects, has had somewhat of that effect.

This paper agrees with the President, too, in holding that all combinations in restraint of trade and for the elimination of competition, with the purpose of maintaining a monopoly, are ipso facto wrong and in contravention of sound public policy. Yet there must be some way of so limiting the savageries of competition as to see to it that they stop short of working destruction to both public interests and private. The Interstate Commerce Commission must somehow be the buffer to so mitigate head-on collisions as to reduce them to shake-ups instead of smash-ups.

Taft on the Income Tax.

This paper views the President's utterances on the income tax proposal with mingled feelings. The paramount issue, as pointed out in these columns weeks ago, is not whether or not this nation shall levy an income tax for the support of government, but whether or not it shall be given power to levy such a tax if the nation shall need it. On that issue there should not be two opinions in this country, but there will be. There are thousands who would rather that the nation's hands be tied against any eventuality than that they should take the risk of having such a tax imposed, as a result of the government being given power to impose it, and the amendment is not to be won without a fight.

The President's objections to the tax itself, on the ground that its application is inquisitorial and tempts to perjury, have not so much to sanction them. All assessments are inquisitorial and, if our State Board of Equalization is to be relied on, all are productive of perjury. The honest man will give in his income tax assessment as unreservedly as his state and county assessment and the dishonest one will conceal the truth regarding both forms of taxation with equal facility and—go where perjurers go when the Devil claims his own at the shambles gate. A little less of temptation thrown in their way will scarcely snatch them from that burning.

Taft on Great Fortunes.

The President is not alone in viewing with alarm the placing in trust of great fortunes upon the deaths of the persons who spent their lives in heaping them up. If the channels leading from poverty to riches, and riches back to poverty again, can be kept open the stratification of society in America can hardly become as inexorable as in Europe, and in Asia, but wealth is doing all it can to dam those channels and reservoir riches against being dissipated by the dissipations of the inheritors.

The President regards this as a state rather than a national problem and perhaps he is

right. Many states, California among them, have imposed inheritance taxes, although the one in California is being maintained with difficulty. The cohorts of Harrimanism are against it and narrowly missed repealing the inheritance tax law at the last session of the legislature and they stoutly refused to perfect the law for the certain and speedy collection of the tax.

Leave the channels open up and down and the son of a mechanic has as good a chance of dying worth a million as the son of a man worth a million. Clog those channels so that the fool, the spendthrift, the inefficient, cannot be separated from the fortunes they inherit and equality of opportunity will take wings and every race for wealth will be a hurdle.

To be sure it does seem inconsequential for a man to toil all his days heaping up if the next generation is to be free to pull down, but let the money-grubber look to that. If he discovers the folly of it before he dies he will be the better for it.

Those Free Ships.

Mr. Geo. W. Dickie's article, in this issue, dealing with the free ships argument, is not exactly light, summer reading matter. Those of our readers, if we have such, who desire above all things to be amused, will find little satisfaction in that article, but to the serious minded person who really cares for the flag of his country, for the equal station of this nation with the great nations of earth, this article of Mr. Dickie's will make a strong, if not in all cases a convincing, appeal.

There are many parties in interest. There is the capitalist, the exporter and importer, the ship builder and the seaman, not to speak of the citizen who inevitably must share in whatever befalls his country whether it be good or ill.

If the capitalist is the only person whose interests are to be subserved then suffer him to buy his ship where he can buy it cheapest, officer and man it where he can do that cheapest and he will soon take the American flag into all ports of the world, but that flag will not fly over American ships or American seamen and, in time of war, the men, at least, will not be available for fighting America's battles. The victory will only be half won at best.

The complete rehabilitation of the American merchant marine can not be effected until American built ships, owned by American capital and manned by American seamen shall carry the American flag into all the ports of the world. A thorough discussion of the subject should open some practical means for reaching that end. The subject is before the house.

In Him We All Suffer.

There are few persons in San Francisco whose being hurt by an automobile would hurt so many other persons as Father D. O. Crowley of the Youth's Directory. He lies in a hospital seriously maimed and scarcely a man or woman in the bay district of California has escaped being pained because of the unhappy event. Protestant and Catholic alike lament the casualty. Father Crowley has been more than a priest of his church serving it loyally. He has risen above sectarianism to devote his life to a broad humanism, and all who know him, either in person or by reputation, will hail the day when returning health and strength shall return him to his labor and love among boys of all faiths and of no faiths but in need of a friend.

In placing the solidarity of his party above the solidarity of the consuming millions the President espoused the lesser solidarity in place of the greater.

The Deeper Significance : : : : of Living : : : :

According to the Fresno Republican, stated upon the authority of the animal world and uncivilized man, the most terrible sight on the earth is the face of a white man. Into that face countless generations of struggles with adversaries, human, inhuman and material, have graven power, cruelty, cunning and an unconquerable will to rule. From that face all other living creatures, except the rhinoceros and the peccary, flee, and these charge it and would eat it because of their terror of it. An intelligent Chinese declared that the first time he ever saw the face of a white man the sight nearly made him sick.

But it is not every face that has such a story to tell, except to those children of nature that are strangers to it. Compared one with another the faces of which men and women tell of weakness and inefficiency, of greed and covetousness, of licentiousness and sin, weariness and despair as well as of power and will. Not one face in a hundred challenges attention. We look as like to the Chinese as the Chinese to us, and only now and again do we come upon a face that betokens strength, character, capability, will.

One such face the writer saw on the boat crossing the bay one morning. It was the face of a woman. No sooner had the eyes rested upon it than there leaped into the mind the admonition of Macbeth to his lady: "Bring forth only men children. Thy undaunted metal should produce naught but males." Here was a woman who, whatever her life has been, should have been the mother of men. There was character in every line of her splendid face and in every wrinkle in her clothes. She was much advanced in her forties, wore her plumed turban as might a Scottish chief, walked and sat erect, half-composed and unflinching.

With back toward the front of the boat, looking into her face and then into fifty others, hers was the only one in sight that had a commanding story to tell. All the others spoke of immaturity, of weakness, of mediocrity. The eyes of one lacked lustre, the brow of another was low, the nose of many were weak, some leaned against or hung upon the backs of their seats as though craving support. She sat upright, and yet was not masculine. The poise of her head was intensely feminine. In her younger days she must have challenged the admiration of men as she now challenged their respect.

What a superlative advantage it must be to a man to have such a one for a mother unless, perchance (and the eccentricities of human attraction are quite capable of it) she had thrown herself into the arms of a husband of such inconsequential character that the very rabbits would not have fled away from him. It was not for nothing that the Arabs traced the pedigrees of their horses from dam to dam rather than from sire to sire. They knew the better line of descent. Of all the needs of human kind there is none to be preferred to that of a strong, sentient, pulsating motherhood.

The world is learning the truth of this. The out-of-doors girl is the hope of the race. The simpering, delicate, spirituelle became half fed girl is no longer the attraction she formerly was. It is only where the stress of greed presses need into small, ill-ventilated lofts, enforces long hours of standing behind counters, or longer hours of stooping over machines, that the right of coming generations to be better born is being denied. And yet, slow is the possible uplift of a race that it will be a thousand years before the better motherhood of the next generation will be made evident in a race of really superior men and women. And so, all down the ages, countless voices are calling like the wind song through the pines, to the industrial conscience of this age to afford opportunity for womanhood to become fit for motherhood, as fit as the exceptional woman who came across the bay on the eight o'clock boat.

WHAT THE WORLD IS DOING

Laudable Work of the Forest Service.

The Forest Service is doing excellent work for the people of California by establishing lookout stations whence the breaking-out of forest fires can be detected. Such a station has been established at Shuteye peak, with an elevation of 8,858 feet, whence a large part of Tuolumne, Madera and Fresno counties is visible. The station is connected by telephone with the various ranger stations below, and, although it has been established but a short time, the extinction of two fires already is due to it. Other and similar stations will be established as rapidly as possible, and it is hoped and expected that private owners will co-operate to make the service as efficacious as possible. Another Forest Service enterprise, which will prove of great value to stockmen, consists in steps being taken to increase the distribution of alfalfa on stock ranges which have been overgrazed. This plant has been recognized as both hardy and beneficial to stock, but a difficulty heretofore has been found in starting its growth. By repeated experiments the service has demonstrated that this has been due to the fact that nine-tenths of the seed sold by seed firms is worthless, having lost its germinative power. To offset this condition the service has arranged to grow and collect good seed which can be secured and planted by stockmen.

The Automobile Invasion.

Perhaps, in ten or twenty years from now, the Age of the Airship will have arrived, but that the present is the Age of the Automobile cannot be doubted. The automobile came by leaps and bounds; an experiment one day, the next day it was an established institution. At the beginning of 1895, or less than fifteen years ago, there were but seventy automobiles in the United States, and these were valued at \$157,500, or \$2,250 apiece. In 1904, scarcely ten years later, 20,000 machines were constructed and at an average price of \$2,200 apiece—not much of a decrease in cost, but a mighty increase in number. Just four years later, in 1908, 55,000 were built and sold, while the output during this year is placed at 82,000, at an average price of \$1,250, a great increase in number which is hardly offset by a notable decrease in price. It is estimated that 200,000 machines will be manufactured next year at an average price of \$1,200. When these have been built and sold, it is claimed that one person in every 250—or, say, one family in every fifty—will be the proud and happy possessor of an automobile. Yes, the former remark was justifiable; this certainly is the Age of the Automobile, and we who walk may as well keep our eyes and ears open.

You Talk, and the Box Talks.

There are moral problems to solve and social questions to vex, but, after all, it sometimes seems that the chief things which "the world is doing" in these days are in the line of mechanical invention. For instance, here is an inventor who comes forward with an invention that he calls a "dictograph"—the "dicto" part of the name being all right, as the machine both talks and is talked to, but the "graph" being all wrong, as the device does no writing, which suggests that the inventor probably was stronger on mechanics than on philology. You talk anywhere near a little box, some six by eleven inches in size, and at once it captures your words and transfers them—by the essential connections, of course—to any person desired. Neither mouthpiece, receiver nor any particular location is requisite to the success of the experiment; merely to be somewhere in the vicinity of the box—say, in the same room—is all that is needed. The enunciation is perfect, and it is claimed that the instrument will receive and transmit a whisper inaudible to an ordinary ear. If the invention is what is claimed for it telephone companies may find it to their

interest to "sit up and take notice," for it promises great improvement over the present system.

Balloon Trolley Line the Latest.

Thomas H. Norton, United States consul at Chennai, Germany, in a recent report tells of an enterprise which evidently is the latest and most "up to date" of all schemes in the line of locomotion. A well known engineer of Marburg is its promoter, and Consul Norton reports that he has secured sufficient capital to carry this idea into effect. Briefly stated, the scheme is to construct an aerial trolley line, to be run between Marburg and Freuenberg, a distance of five miles and up an incline of 1,200 feet. The car is to be supported by a cylindrical balloon attached to a cable beneath which the car will swing, and the motive power will be electricity. In other words, it will be a species of combination of electric railroad and dirigible balloon. It is estimated that it will cost \$28,000 a mile for construction, and that a speed of 125 miles an hour can safely be attained on it. Thus, it will be seen, the entire trip of five miles can be made in two minutes and twenty-four seconds. Let somebody else step forward and take the first chance.

Where the Mosquito Is Monarch.

The progressive and intelligent men of the Southern states are realizing that it lies in their power to put an end to the malaria which hitherto has been so great a curse to some parts of the South. They have learned that it is a question of exterminating the mosquito and thus terminating the disease, and they are acting upon the knowledge as rapidly as arrangements can be made to do so. Probably the injury worked by malaria, which is disseminated by the mosquitoes, is most forcibly illustrated in the Delta region of Mississippi, where the body of land extending from the mouth of the Yazoo almost to the Tennessee line, a distance of more than a hundred miles, which is said to possess the richest soil in the world with the sole exception of the valley of the Nile. And it is a wilderness! Surrounded on every side by populous communities, its primeval forests still are the haunts of bear and deer, and its puny human inhabitants are few in number and scattered over wide spaces. Why? Because of malaria, or, to state the same case in another way, because of mosquitoes. From this very domain of natural bounty man has been exiled, and the mosquito is reigning monarch. It is to terminate the evil which this region so potentially illustrates that the wiser men of the South at last are taking action. Had it been done years ago the Delta country now would be thickly populated; but, then, it is comparatively recently that scientists learned about "the tricks and the manners" of the mosquito.

Very Latest Man-Killing Device.

A Frenchman named Gabor has invented a "radio-automatic" torpedo which he calculates should be very gratifying to humankind, inasmuch as it will kill its members off with great celerity and certainty. His torpedo, which carries an explosive charge weighing 1,800 pounds, should be vastly more effective—and consequently, of course, more enjoyable—than the ordinary torpedo, which carries a charge of but 200 pounds. However, it is in the method of handling it that its particular effectiveness is displayed. In addition to a motor battery, it carries an apparatus for receiving Hertzian waves, while its operator, at a distance, has an apparatus for transmitting them. In recent private tests in the Seine it was demonstrated that the torpedo responds perfectly to the will of its operator, as expressed in the Hertzian waves. It has been officially tested next month, when the French government will decide whether it wishes to

use it in the future in cajoling mankind to be good.

The Holy Sepulcher for Germany.

Representative Young Turks who now are in Paris assert that their party is very anxious to secure the good will of the Christian nations of the world. In looking about for means to carry this wish into effect, the Young Turks have devised a plan which, whether or not it be consummated, will prove of deep interest to many. This is no less than turning the holy sepulcher, in which the Christ is supposed to have been buried, together with the contiguous domain, over to Germany. Germany has been tentatively selected for this trust because of the evident interest that her people have taken in Jerusalem. Thus, at this late day, if the plan is carried into effect, will the object of those long and bloody tramps known as the Crusades be attained through ways of peace.

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "grat" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will discharge an agent who would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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GOSSIP OF CURRENT LITERATURE AND REPRINTS OF OLD FAVORITES.

THE "NEW" THEATRE.

The New Theatre in New York is nearly completed. The idea of the founder of this institution is to provide an American Comedie Francaise, where a repertory of classical and new American plays will be produced at popular prices, without "stars." It is an attempt to make a really "national" theatre which will encourage good acting and good play writing. It is backed by financiers of high standing, and managed by artists of international reputation. Many people look to it as the most hopeful agency for the improvement of the stage in America.

Shakespeare's "Antony and Cleopatra" is to be the production with which the New Theatre will make its opening bow to the public. The opening night will be Monday, November 8th, and the season will consist of about thirty weeks.

Although the theatre will be devoted to the presentation of dramas, musical comedies, spectacles and the like having no place in its repertoire, light opera will be given at twenty evening and twenty matinee performances.

In addition to "Antony and Cleopatra" the repertoire of plays will be "The Cottage in the Air" by Edward Knoblauch; "The Nigger," by Edward Sheldon; "Strife," by John Galsworthy, and Sheridan's "School for Scandal." The presentations will be made by the New Theatre Company, the members of which have been recruited with great care and in which no player will be featured or starred.

Louis Calvert, who was brought from London to produce the standard dramas, is an actor as well as a stage director of long experience and will also appear in several important roles. George Foster Platt will be the producer of modern dramas and Wilfrid North and Frederick Stanhope assistant producers. Elliott Schenck is the musical director; Edward Hamilton Bell, art director. As is already known, the directorate of the playhouse comprises Winthrop Ames, director; Lee Shubert, manager, and John Corbin, literary manager.

It will be a new version of "Antony and Cleopatra" that will be used for the opening night. No pains has been spared to make the presentation of this one of Shakespeare's works everything that could be wished for in an artistic sense and furthermore to make it historically accurate. To this end Jules Guerin, the artist, and Costumer Bell have collaborated. According to the announcement Mr. Sothern will interpret the part of Antony and Miss Marlowe that of Cleopatra. Others to enact important roles are Messrs. Bruning, Anson, Gottschalk, Buckstone, Stamford, Wendell, Balsar, Johnson, North, Melick, and Cordoba and Mmes. Forbes-Robertson, Busley and Bateman-Hunter.

Edward Knoblauch's "The Cottage in the Air," the first new play of the season, according to the present plan will be produced four days later, on Thursday night, November 11th. This is a fantastic comedy of rather delicate texture and is based on a story by the author of "Elizabeth and Her German Garden." Mr. Knoblauch is an American, a graduate of Harvard University, and is remembered by the author of "The Shulamite." The presentation will serve to introduce several members of the company who will not appear in "Antony and Cleopatra."

"The Nigger," one of the next dramas due for production, is distinctly American in its theme. Edward Sheldon, the author, is the writer of "Salvation Nell," in which Mrs. Fiske won success. He has laid his scenes in an undetermined part of the South of to-day and dealt with a novel and unusual side of the negro question. The drama is described as being of the strong, emotional type and as possessing exceptional literary and acting merit. The cast will include Messrs. Sothern, Cartwright, Johnson and Melick and Mmes. Marlowe, Sitgreaves and Sol. Smith.

The managers of the New Theatre rather deprecate any idea that it is intended pri-

marily for the amusement of a small class and say that the hope is to make it as democratic as is the Comedie Francaise. Attention was called to the fact that but one-third of the repertoire will consist of so-called standard or classic works. The rest will consist of modern and popular plays on the theory that the cardinal function of the drama is to entertain.

"The standard works to be presented," says the announcement, "have been drawn from a field so extensive that a suitable selection was not difficult, and they as well as modern plays will continue in the repertoire for as long or short periods as their worth and popularity warrant."

"WE HASTEN TO CORRECT."

A typographical error in our last week's issue completely changed the point of view intended in the poem by "J. H." on the discovery of the North Pole. The author's purpose was to celebrate the discovery by Cook; the substitution of a 9 for an 8 in the year made it a "Pearlyite." We regret the unintentional mutilation of a really exquisite piece of verse. Without the author's knowledge or consent we print his despairing protest below.—The Editor.

Look at page Six Eighty Six

Of your last edition;

There an awful error sticks

Up like all perdition.

"April, Nineteen Hundred EIGHT,"

Was the way he sent it;

"Nineteen NINE"—a year too late!

That is how you print it.

Horrors! Spent a dreary night:

Saw himself, by hooky!

Painted as a Pearlyite,

Whereas he's a Cookey.

Author told me this himself,

Asked me to indite it;

Didn't like to write himself,

That is why I write it.

Author's feelings so irate,

Guessed he'd better state 'em,

Thus, he thought at any rate,

Righting the erratum.

Californian Poets' Corner

JUANITA.

By E. A. Brininstool

Drear are the prairies: the ranges are silent;
Mournfully whispers each soft, passing
breeze.

Down in the canyon an eddying murmur
Echoes the sigh in the giant pine trees.
Lone are the trails on the brown, dusty mesa
Up where the gems of the star-world peep
through.

Sadly, a night-bird is plaintively calling—
'Nita, Juanita, I'm longing for you!

Out where the herds dot the range in the
Springtime.

Out where the flowers you loved nod and
sway,

Memory brings me a vision of sweetness,
Brings me a dream of a once-happy day.
Over the trails you are riding beside me,
Under the canopy of heavens of blue;

Smiling the love that your lips have repeated—
'Nita, Juanita, I'm longing for you!

When steals the night with its grim, dusky
shadows,
And 'round the herd I am joggling along,
Your gentle face seems to lighten the darkness.

Each vagrant breeze seems to whisper a
song:

Whispers a melody sweetly entrancing,
Telling me, dear, of your love ever true;
Whispers an echo which sets my heart dancing—

'Nita, Juanita, I'm longing for you!

OUR FIVE-FOOT SHELF.

Wordsworth's "Intimations of Immortality."

No human being ever looks upon a landscape with eyes that see merely what is there. No human mind perceives a forest merely as a succession of trees. No man, when he views the ocean, says to himself "salt water." The visual image is accompanied by an emotional or mental impression conveyed so quickly by the imagination that it blends in the mind with the visual impression and the two combine as one thought. Thus, to the savage or the ignorant, the forest is the abode of evil spirits, the ocean is "the unknown," a symbol of boundlessness.

With the advance of culture, the mental suggestions aroused by natural objects have been refined and sublimated. The Greeks rose to a conception of pantheism, in which trees and streams and oceans, being personified, took intelligent part in the general scheme of life. The Christian poets followed this Greek ideal, not out of faith, but for its high value as a poetic fancy. Not until the early part of the nineteenth century did the poetic treatment of nature rise from a fanciful and artificial use as a background for narrative or moralizing to a use which reflected the genuine suggestions aroused by nature in a sensitive and sincere modern mind. These suggestions naturally have nothing to do with Greek gods. They are rather sensations of intense delight in harmonious outlines and colors, or, where the suggestions rise from the sensuous to the intellectual or the moral, they have to do with modern ideals of religion or science.

Wordsworth stands as the highest representative of this modern poetry of nature. In his "Ode on the Intimations of Immortality," the idea, that childhood's glamorous impressions of nature are a recollection of the glories of the immortal home from which he lately came, is not an ancient idea at all. Even the immortality of words which speaks of an idea of immortality that would have puzzled a Greek philosopher.

But, to turn from this train of thought, how vivid and how wonderful is the picture Wordsworth paints in a few swift strokes in this poem! How lines in a few brief lines, he pierces the heart of manhood with wistful recollections of childhood hours. How, in one sentence, sonorous, eloquent, magnificently rhythmic and impressive, he paints the whole picture of those first impressions and veils it in a golden-glorious haze:

There was a time
When meadow, grove, and stream,
The earth, and every common sight
To me did seem
Apparied in celestial light,
The glory and the freshness of a dream.

A HUGO ANNIVERSARY.

The dedication of a new statue of Victor Hugo by Rodin on September 26th at Paris, the fiftieth anniversary of the publication of the "Legend of the Sirens" ("Story of the Centuries"), is to be made the occasion of a week's literary celebration to the memory of the great novelist and poet. There will be a ceremony at the Pantheon, a revival at the Comedie Francaise of "Le Roi S'Amuse" with Silvain in the role of Triboulet, and a fete in front of Notre Dame with a big procession of vagabonds carrying colored torches.

Japanese actors in a theater in Kobe, Japan, recently presented "Hamlet." The result was described as "a wonderful mixture of the beautiful and the grotesque." Ophelia appeared sometimes in graceful kimono and sometimes in western evening costume. The king at one time wore the picturesque costume of a Japanese nobleman and at others a silk hat and a swallow-tail coat. The climax was reached in Hamlet himself, who in the earlier scenes wore the uniform of a student of the Imperial university, but in the third act made his appearance on a bicycle, clad in a bright blue cycling suit.

HOUSEKEEPING A FINE ART

MAKING IT AN INTERESTING PROFESSION INSTEAD OF DRUDGERY.

Housekeeping a fine art, housekeeping a monotonous grind, which shall be?

At last the University of California and many of the public schools of the state have declared that they will do all in their power to see that it shall be a fine art, that housekeeping shall become as interesting to women as business is to men.

It is because housekeeping has become uninteresting that it has become drudgery. It has been allowed to become a monotonous repetition of the same thing, day after day, and month after month—so many meals to cook, so many dishes to wash, so much marketing to do, so many bills to meet. There is no variety; worse yet, the things that the housewife has to do make no appeal to her imagination.

But right here is the opportunity to lift the curse of dullness, of stupid iteration, from the daily tasks of the home. Suppose, when a woman makes the daily menu, that she knows the history of every fruit and vegetable she puts upon the list, that she knows the life work of Luther Burbank who developed the lowly potato, that she knows the chemical elements of every article of food, that she is familiar with the marvelous processes by which each thing is transmuted in Nature's laboratory from the seed to the marketable product, that she is acquainted with the principles by which the products of her cookery supply nutrition to the body. Instantly the menu ceases to be a mere list of edibles to be cooked and eaten, with the inevitable conclusion of a stack of dirty dishes to be washed. Instead, the menu becomes a part of an orderly and reasonable scheme of life. Bread suggests more to her mind than flour and salt and water and baking powder and grease. It suggests the romance of early days in California as Frank Norris visualized in "The Octopus." It suggests wonderful chemical actions and reactions. It suggests markets, and transportation, the history of peoples hungry for wheat land and fighting for the possession of it. It suggests the outside, busy world.

Or, suppose that a woman is doing the family sewing. To thousands of women, that means nothing but another lot of cutting-out to do, so many seams to run. But suppose that they knew the history of weaving, from the hand looms of the ancients to the mile-long factories of the present; that they had read the story of Penelope's fame, in the Odyssey, a woman honored above all other women because of her skill in handiwork; suppose that they knew the scientific facts about colors, so that they would understand why some colors harmonize and others "fight"; suppose that they knew the historical origin of every kind of weave and cloth. Would sewing still be a mere drudgery, or would it stir the imagination to see the connection between the goods and the needle and thread, and the larger life of humanity struggling up to the modern facilities of commerce and industry by which the weaves and fabrics of all the world are at one's corner shop?

Carry the idea into all branches of housekeeping and consider how much interest would be added to it if the housewife were informed as to the possibilities of furnishings and of decorations. Instead of merely stockpiling the house with the inevitable necessities of furniture and utensils, every purchase would be planned out with beauty as well as utility in mind, and with a range of choice that would make the selection an attractive piece of mental experimentation. The writer of these lines is acquainted with a married couple who made in the purchase of a sideboard one of the most interesting affairs of their lives. They spent their evenings for a year reading books from the public library on the history of furniture, until they could tell every color and finish and make of furniture at a glance. Then they spent their Saturday after-

noons together for weeks searching second hand stores and the shops of dealers in the antique until they found the battered price they wanted. It did not cost a great deal more than a glaring piece of modern hand-me-down, and a few extra dollars invested at a cabinet maker's made the piece as solid and handsome as it was when it graced a colonial dining-room. And their purchase was economical. It will last them all their lives. It will always please, because they bought it with a carefully educated taste for the most graceful pattern.

And think how much more a house furnished with such interest and after such search—adventure it was to them—will be to them than a house furnished overnight without thought or interest. That piece of furniture means more to their eyes than a convenient place to put the glassware and table linen. It means months of comradeship in study and search, and careful economies, joyfully shared, to make the purchase possible. And what, pray, raises life from the level of a senseless routine to the dignity of a human occupation, but just such little interests and fellowships as these?

If every woman, by a little addition to her store of knowledge, received such a spur to her imagination that her household duties had such a background of interest and of connection with the lives of other people past and present, it is very unlikely that housekeeping would be considered a drudgery.

The part that the schools and colleges can play in lightening the burden of housework is to supply this knowledge. Several high schools in the state already teach the rudiments of cooking and sewing. Santa Barbara, most notably, has a very good department for this work. But, until recently, the University of California has not recognized the work done by high school students in household economics as counting anything toward entrance into the college. This has now been remedied, at the suggestion of the Alumnae Association. Under this new arrangement, nine credits, out of a necessary forty-five required for entrance, may be gained from high-school instruction in such subjects as cooking, sewing, dietetics, household decoration and furnishing, home economics, laundering, nursing, industrial arts, and industrial history.

This action of the university will undoubtedly stimulate high schools all over the state to establish departments of household economics. The effects will be of two different sorts. All that the high schools can successfully teach is the methods in use, say, in cooking or sewing or decoration. They cannot teach the historical background. That is the function of the university.

Thus, the pupils who study domestic economy in high school but do not go to college, will be equipped with a working knowledge of cookery and other branches. Those pupils who do go to college and follow up this course will fall naturally into one of the three following groups:

1st. Students desiring such knowledge of the facts and principles of household and allied problems as may equip them for efficiency in the home and in the community.

2nd. Students who desire to specialize on Domestic Economy in order to equip themselves as teachers of this subject in secondary schools and colleges. For these students, a more specific training is desirable. The student must acquire a knowledge of the broader facts behind technical subjects such as cooking, sewing, millinery, dressmaking and the like.

3rd. Students aiming to become sanitary inspectors, laboratory assistants or science workers in nutrition, textiles, hygiene, trained nurses, etc.

By the time students now entering the

(Concluded on Page 696.)

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Riddle of Countless Ages.

Riddle of countless ages that only the gods may solve
As they sit in their tranquil heaven past where the stars revolve;
Tied to his whirling planet and e'er of its ghosts afraid,
Yet his soul leapt out to the spaces where shadow is heaped on shade;
Grasping the yellow tinsel that fades when he lieth low,
Yet daring to ask the question whose answer but gods may know;
Feet in the dust enshrouded, but eyes that the heavens scan,
Riddle of countless ages, and petty and great, is Man.
Slave of his brutish passion, and monarch of realms untrod;
A pygmy who strives with pygmies for guerdons bestowed by God;
Talking in foolish prattle, or knowing the sages' theme;
A huckster who vends his chattels and dreameth eternity's dream;
Puny, and less than puny, the lightning he chains and owns,
While he creeps from his caves primeval to struggle for angels' thrones.
Jeered by the fiends infernal, and loved by the white-robed clan,
Riddle of countless ages, which ages shall answer—Man.
Ice-clad were the Northland spaces that mocked at his puny might,
But the old flag flies 'neath the sombre skies of the frozen world to-night.
He dallies with tinsel baubles, then turns to his ocean slave,
And his great steeds ride on the warring tide or rock on the tranquil wave,
And whether to worship or pity, to love him or loathe his way,
Look in your heart, my brother, and counsel us if you may.
Nay, but you cannot counsel, who also do blindly live,
For man is a riddle, and God in him the answer to it must give.

The Unfamed Poets Laureate.

Last week The California Weekly published a complete list of the poets laureate. These were the poets on whom royalty bestowed its special favor. They were its petted children. To them it said: "So far as lies in my power—and man recognizes my power as all but boundless—I will make you famous. Let us see to what extent royalty succeeds in enforcing its dictum when it passes in the domain of artificial distinction wherein it flourishes to that of God-given genius. What recognition is given these poets laureate in that most valuable and complete of similar compilations, "Bartlett's Familiar Quotations," remembering that few indeed are the quotations of worth which cannot be found in that book?

There are sixteen of these poets laureate, not including Alfred Austin, the present occupant of the position. Of these sixteen, four—Thomas Shadwell, Lawrence Eusden, William Whitehead and Henry James Pye—have not a line or a fraction of a line in "Familiar Quotations." Five others—Samuel Daniel, Sir William Davenant, Nahum Tate, Nicholas Rowe and Thomas Warton—barely escape a similar fate, the most quoted of them occupying less than a page in a volume of 851 pages. The seven that really live in the world of quotation are Edmund Spenser, Ben Jonson, John Dryden, Colley Cibber, Robert Southey, William Wordsworth and Alfred Tennyson. Seven live, and nine are forgotten, or so nearly forgotten that their forlorn ghosts might sigh that they live so little in the memories of men. Verily, genius is something that kings cannot bestow, nor can they remove one laurel from its brow. Yet, perhaps

it may as well be admitted that they might have done worse than to hit the bulleye seven times in a possible sixteen in shooting at its "shining mark."

The Opinions of Rufus.

Sence readin' the daily papers' 'bituaris 'bout Harriman my inquirin' mind keeps me wonderin' whether they lied then or now.

While us philosophers admit that both Capital an' Labor sometimes are unjust to each other, we can't help feelin' they's some diff'rence 'tween bein' unjust fer a steam yat an' fer a full stumuck.

The people wanted to stone the magdalen, but I haven't heered they made any anxious inquiries 'bout who the man was. They don't yit, an' they won't till wimmen themselves insist on what our wandrin' Teddy called the square deal.

'Neither have I seen the seed of the rightous beggin' bread. Anyway, whether they're that kind of seed or the other, what they allers ask me fer is "ten cents to git a cup of coffee."

I'm jest like you. I can't begin to tell my sorrow for the lost an' fallen condition of the feller that don't agree with me in my views.

You may be bright 'nough to see a thing ten or fifteen years 'fore your neighbors do, but you can't keep them frum feelin' that you are a fool an' a crank or you wouldn't have done it.

Sometimes I almost b'lieve I'd ruther not graft than to do it an' then have to hire seven lawyers to prove I didn't.

O' course heaven an' hell is fer them that deserves 'em, but I ain't never been able to find out what place theology provides fer us that deserve both places several times 'most every day.

"Mercy seasons justice," says the great poet. "Pass a little more of that seasonin'," says Mr. Calhoun.

If You've Nothing to Say.

Oh, a very nice thing are words at command.
As I think that perhaps you may know;
Rare, elegant words of a No. 1 brand,
With fire of your genius aglow.
It is great to spin words as a boy spins a top,
To sparkle in verbal display,
To write with a pencil that never need stop—
That is, if you've something to say.

I have known several folk in my time, my young friend,
Whose words were a volcanic flow.
A sort of eruption that never would end,
Or their hearers imagined 'twas so.
You might listen to them by the day or the week.

But your time would be frittered away;
In vain an idea from them you would seek—
Alas, they had nothing to say.

They weary us oft, do these voluble men,
As they talk, and they talk, and they talk,
Till we fain would escape the affliction, and then

Take a walk, and a walk, and a walk.
If you've nothing to say, don't say it, I plead.

If you do you may folly display,
And I think I should know, for I've written this screed
Because I had nothing to say.

Why She Wept Bitterly.

"I insist," said Mrs. Flittem, "that woman should have her rights."
"What rights?" Mr. Flittem inquired.
"Why, the—the right to have her rights."

And when Mr. Flittem merely smiled she wept bitterly and said he was a mean thing.

Wail of a Victim.

I love the blithesome chauffeur man
Who scares me wobble-kneed,
And yet I feel I'd love him more
If he were fricasseed.

Diogenes Transfers His Lantern.

The ghost of Aristotle met that of Diogenes.

"Hello, Di," it said, "You look lonely without your lantern. What have you done with it?"

"Surrendered it."

"Surrendered it?"

"Yes, parted with it; given it up, you know."

"How did it happen?"

"Oh, on account of San Francisco and its Good Government League. They have three candidates for mayor down there—Crocker, you know, and Leland, you know, and Mc Carthy, you smell. They all are in favor of the dear people and eternal justice if the price is not too high, and—"

"I don't see what all this has to do with your lantern."

"I am coming to that. The Good Government League started out to find and name a candidate among these three who would be honest to the interests of justice, regardless of the money or influence of bribers, and I was informed that they did it. Naturally, I saw that they were better than I fitted to carry my lantern, so I gave it to them."

"But why?"

"Why, they found that kind of a man where I never would have thought of looking for him."

An Obituary "Pome."

It long has been my fixed belief that the most cruel blow we can deal to our dear departed takes the form of the obituary "pome" which we sometimes have published and hurl after them into the land of shadows. Such an outburst of brief drifted into this office this week, as they do almost any week, and while, out of regard for the feelings of any mourners who may have feelings, it will not be republished, I will endeavor to give some idea of its quality in a paraphrase which, I think, is neither better nor worse than the original. Here, then, it is:

Our darling Millie has died and gone
And we shall not see her ever any more,
For with the angels she is playing a harp
Over on the golden shore.

Oh, do not sadly weep for her, dear mother,
Or let your tears fall down,
For we do not know what sorrows she might have had

If she had kept on till grown.

Two verses are enough, but think of how Millie must feel if she is of a sensitive nature and knows what is going on down here. It is terribly hard on the dear girl. Yet that paraphrase is scarcely worse than obituary verses which you may see any week if you have a wide acquaintance with exchanges. Ah, we sometimes are very cruel to the departed when they are where they cannot strike back.

When Baby Kisses Me Good Night.

When baby, in her nightie clad,
Comes toddling down to kiss me,
Ah, Time, although your face be sad
And still your blessings miss me,
Yet you have nothing to atone,
Since baby kisses are my own.

Her wee pink feet rose-petals twin—
From Fairyland the roses—
Her snowy gown a tent wherein
They hide while she reposes,
Her lips sweet wellspring of delight
When baby kisses me good night.

When baby climbs upon my knee
To woo me with her chatter,
Though Time may wreak his wrath on me,
What matter, and what matter?
I'm blessed as king upon his throne
While baby's cheek is 'gainst my own.

They say that Time is grim and gray,
Of pleasure e'er a miser,
But I forgive him as I may,
Since, growing old and wiser,
He brought, from mists that round us press,
My wee, sweet babe all days to bless.

LITTLE TALKS WITH OUR READERS

Editors The California Weekly.

Gentlemen—Permit me to express my approval of your editorial, "Butressed by the Law." It is the business of the leaders of enterprise to see that they are buttressed by the law, and of the national executive to run along the edge of the law, on its firing line, as it were, watching most jealously any overreaching as against the rights of the people.

Very truly yours,

DAVID STARR JORDAN.

Stanford University, Sept. 21, 1909.

The founders of The California Weekly hardly dared to hope to challenge the favoring attention of our citizens of first class minds and attainments. Accordingly they addressed themselves, from the beginning, to the Middle Class Man. To our disappointment we have not as yet challenged the attention of as many middle class men as we had hoped for and, greatly to our surprise, we have had more cordial and generous recognition from men of the very first culture, character and station than we had deemed possible. Our form of editorial expression is blunt, unpolished and, so we have felt, lacking in that exactness of statement and adjustment of balance which a trained culture has a right to demand. The kind words of Dr. Jordan are thankfully received and cordially appreciated. We shall not make more friends among those who live and move in the atmosphere and on the plane where he lives and moves than we shall need in order to make The California Weekly what we hope to make it—a power for good in this state.

Nevertheless, we shall still pin our faith to the Middle Class Man and shall not rest content until we reach many thousands more of him than we have reached so far. He counts. He does things. His political efficiency can be made the basis of a forward movement. Too often, those of the very highest intelligence and culture only think things and are content with a salutary state of mind. When an American Middle Class Man gets an idea digested he wants to see something done. So do we. Mr. Taft is coming westward talking splendidly at every important station,

but what is he going to do? The cultivated man wants to know what the President thinks of this, that and the other issue. The Middle Class Man wants to know what the President is going to do about the things that he thinks about. So does The California Weekly. It will seek to hold our big executive to a strict accounting for his stewardship. We want him buttressed, not manacled, by the law.

Editor The California Weekly:

Your publication is the ablest and the sanest put out in this country to-day. It stands unchallenged for the right in all things, and for the best interests of the state and the whole people. The corrupt and corrupting "interests," and the miserable creatures of those interests, nowhere in the whole country get such telling body-blows as your publication gives. I can usually endorse everything you say, but

San Francisco, Sept. 21, 1909.

We cut off a most interesting and valuable contribution to our columns at the "but" for the reason that our correspondent did not so far take us into his confidence as to give us his name that we might know who was responsible for it, or for a statement of facts which, if true, are important to the public in the highest degree. We shall avail ourselves of the statements for purposes of verification before publication, but it would be an imprudent journalism that would give them currency on a foundation of anonymity. We are particularly grateful for the opening sentence and hope that it is true, too, although a little rough on the other fellows.

Publisher's Announcement.

The Staff of The California Weekly finds pleasure in announcing a series of articles from the pen of Dr. Charles Reynolds Brown, pastor of the First Congregational church, Oakland, covering the labor problem. Dr. Brown is a member in good standing of the Labor Council in Oakland, attends the meetings regularly and participates in them loyally. His series of articles will undertake to interpret unionism as it is in inspiration and purpose, in personnel and character, to those whose lack of a sympathetic insight into this organized struggle for the uplift of the common man has put them in an untenable position in regard to it. He will also interpret that spirit and purpose to union labor people themselves that they may get a juster point of view of their relation to society as a whole. This outline is more conjectural on our part than specific on his, but we feel warranted in assuming this to be his general trend. Than Dr. Brown there is no man on this coast better qualified to handle this theme. The articles will not begin until sometime in November as Dr. Brown must first go to Cornell to deliver a course of lectures.

Democratic Religion.

Professor Charles Zuehlbin will deliver an address at Hotel St. Francis Sunday evening, before the San Francisco Materialist Association, his theme being Democratic Religion. The address will be delivered in Colonial Hall and an admission fee will be charged. Professor Zuehlbin is a brilliant and much talked of man and we find place for this notice in the belief that there are many who will esteem it a favor to be informed of the event.

Old Roman Wall of London Discovered.

While men were excavating, not long ago, on the site of Christ's hospital, London, they discovered, about twelve feet beneath the surface of the ground, a bastion of the old city wall of London. This wall was laid by Romans in England's early days. The work of unearthing the wall will be continued.

("Housekeeping."—Concluded.)

University have completed the two years of work in general culture which is required of all students, the university will have a department organized to take care of all three of the classes described above.

It is a pleasing prospect: home-making an art, housekeeping a science, life for the average woman of domestic instincts a thing that stirs the imagination. Nothing more sensible, or more necessary, or of more far-reaching benefits, has recently been undertaken by our schools and colleges.

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POLITICAL TABLE TALK

By THE WATCHMAN.

Camps of Allies Just how far apart the Are Being Formed

hostile armies are no one outside of headquarters really knows, but at least two parallel lines are unmistakably forming. Charles F. Curry heads one camp and James N. Gillett the other. On Curry's side, Frank C. Jordan has taken his stand and is doing the whirlwind act for the job of Secretary of State, aiding and abetting Curry's contest for governor all he can and Curry, by way of return, smiles benignantly upon Jordan's candidacy for an office he is, if anything, more unfit to fill than Curry, himself, is unfit for gubernatorial honors. On the other side of the division line H. S. Morrow is making common cause with Governor Gillett to help the latter to succeed himself as governor, while the gubernatorial influence is being thrown to help Morrow in his, at least tentative, candidacy for Secretary of State. Between these two candidates no one who knows both men has a doubt of the incomparable superiority of Morrow over Jordan, who comes nearer to typifying the individual with the cap and bells than anyone else in politics since Charley Shorthridge got out. Incidentally it may be observed that both parties to this gentle and joyous joust are "organization" to the core and the success of neither one can prove of public advantage. Walter Parker brought Morrow out.

What Caribuncle Will One of the bits of Succeed That Boil?

political news which drifts up from the south is that Walter Parker, chief executive agent for that end of the state of the Southern Pacific's political bureau, is sick and will be compelled to give up the trade of politics by which he has lived so long. Now the question is being asked, who will be the new leader for the machine? That question may interest Mr. Herrin, and likewise those close assistants who would be glad to be picked as Parker's successor, but there is no reason why the selection should concern anybody else. Railroad politics will continue to be done in the same way, no matter who does them, until there is a change in the Flood Building, and that will only come when Harriman has some successor who is bold enough to depart from the Harriman political policies. It is not to be expected that Judge Lovett or any one else who is a mere stopgap will order a radical change. Some day the Southern Pacific may have a responsible head who will believe in taking it out of politics, but that day has not come yet, and meantime Wm. F. Herrin and his merry men will go on doing politics in the same way they have done them so many years.

Oh, That He Had Stolen a Horse, Too

Governor Gillett, we regret to learn, has denied the first application made for an extradition warrant to bring back a wife-deserting husband. This absconder, a person named Oley, was charged with abandoning a wife and three children, who were left without means of support; he was arrested in New York as he was in the act of boarding a steamer for Europe, but since the governor refuses to extradite him, he will, of course, be left to go his way, and private or public charity must care for his family. It is said the governor's reasons for the expense of the proceedings, the uncertainty of securing recognition of the offense by the New York authorities, and the probability of prosecution being balked by a reconciliation of husband and wife if he should be brought back—three reasons which are not convincing. If the state can afford to extradite petty embezzlers it can afford to bring back brutes who desert helpless wives and children, and unless we mistake Governor Hughes he would be glad to grant a writ for such an offense. If the fellow had stolen a horse as well as left his family to beg or starve, the governor would have kept the wires

hot to catch him, but as he had only committed the gravest offense a man can commit, short of murder, he is permitted to escape unhindered. Our governor evidently suffers from intellectual screw worms.

Charles M. Belshaw The Watchman is States His Position under obligations to

the Pasadena News for the following declaration of the attitude, upon a very important subject, of Charles M. Belshaw, who is making his canvass before the people for the Republican nomination for governor. Asked to state his position he said: "I would not be governor other than the people's governor. This doesn't mean that I am an anti-corporation man—that I am against corporations because they are corporations. I don't believe in corporate money running the state. I recognize the rights of the corporations, and I would respect them. If a corporation had anything to bring up that was just and not detrimental to the interests of the people, I would favor it."

A Very Good Talk This statement of Mr. As Far As It Goes

Belshaw's is very good as far as it goes, but The Watchman misjudges the popular temper if it does not require that the candidate at votes for at the direct primary shall go farther. It has come to The Watchman that Mr. Belshaw has been disinclined to declare his particular brand of Republicanism and has been disposed to rest content with declaring his Republicanism in general terms. Will he proclaim, over his own signature, and publish in the most public manner, his belief that California has, for more than a quarter of a century, been, in the main, governed by a Political Bureau maintained by the Southern Pacific company and that, if elected governor, that form of government shall be brought to a full stop, so that the public execution of the concerned? Will he now declare that, if elected governor, he will permit no appointments to office to be made at the dictation, or by the advice and consent, of William F. Herrin or any of his handy men such as Parker, Lynch, Burke, Hutton, George Knight or Tim Sullivan? Mr. Belshaw's instincts are good. He can put up a good, stiff fight when aroused. Will he now come out boldly and declare that, if he is elected, he will do his best to whip the Southern Pacific Political Bureau to a standstill and to restore free government to the people of California? Will he strive to make California once again a free state? Nothing short of an emancipation proclamation will serve any candidate's purpose this time.

Napa Hospital In the Throes

A madhouse is not presumed to be a place of quiet, but in many of our state hospitals the patients have been rather more tranquil than the management. The explanation is politics. Dr. Stone, the superintendent of Napa Hospital, was given his position, not through any special fitness, but through politics, and he has been doing politics ever since. It is only a question of time when politics will "do" him. Given a position through political pull he has had to give positions under him in obedience to the will of others and, therefore, there is and has been, little of discipline in that institution. Its boards of managers have been made up of politicians. Tom Dozier is a member of the board now. Employees have felt that they could go over the superintendent's head to the power above, and are sustained in spite of the superintendent. They have generally slipped up on it because Stone has proven the better politician of the two, but in the most quiet times there has been a smothered volcano ready to go off without warning. When it goes off in good form Dr. Stone will find himself blown over into the next county. It isn't a good condition of

affairs. Local boards of managers should be done away with, and a Hospital Department created for a unified control of all the hospitals in the state, making the governor responsible to the people and the State Superintendent of Hospitals responsible to the governor. The Lunacy Commission is another joke.

Those Halcyon Days On the faith of the Before the Big Fire Examiner, which is not

likely to misquote or be unfair to P. H. McCarthy, that candidate told the "Business Men's League," (presumably saloon-business men) that, if elected mayor of San Francisco, it would be his aim to place the city's affairs in the condition they were in before the fire. No doubt McCarthy was in earnest and will keep his word if he has the opportunity. What fine days those were! Days when Schmitz and Ruef were shaking ducats out of the duds of all the iniquities in the town, yet giving them an unhindered opportunity to do likewise with every fly that could be caught in all the spiderwebs that could be spun. Gentlemen, too, desiring inside opportunities to thrive at the public cost, were not turned empty handed away unless they came empty pocketed to "distinguished counsel," at present having his offices, inconveniently but not improperly, in the county jail. McCarthy will restore those conditions if he can. The Examiner says that McCarthy says so, and the Examiner will do McCarthy no intentional wrong, for it also years for those same days and will give McCarthy all the aid and comfort it dares. Hoorsay for McCarthy. There isn't an unconvicted criminal in town who won't vote for him if he stands pat to the end for a restoration of the conditions in this city that obtained before the fire. The Morning Moral Idiot will sympathize with McCarthy, but will probably remain true to Crocker, hoping to reach the same comforting condition by another and more putatively respectable route.

Cost of Maintenance The good little moun- Must Be Considered town of Placerville,

El Dorado county, which holds a unique place in early California history, wants the new state trades school, and is asking other towns to aid in getting it. The subject was discussed at a meeting in Sacramento, and Mayor White, among others, is reported in the newspapers as favoring the proposal, though it is to be hoped the newspapers erred in their reports. This is the point: The new state institution, if we must have it, ought to be established at some convenient central point, where it will be least expensive and most useful; no odd little town situated in an out-of-the-way corner should have its whim humored by being made the seat of a state institution. Placerville is at the end of a branch railroad with few trains and high fares; every boy sent there from the date of the opening of the school to the end of time would mean so much additional and unnecessary railroad fare, and probably additional per-diems for attendants to take the boys there. California has had enough and to spare of this foolishness in the local and state institutions, in the wrong places. Public institutions should, as far as possible, be located near the centers of population in the interests of economy in maintenance and control.

To Heap Coals of Fire As a consequence of On Southern Heaters the state division

disturbance in the southern portion of the state, the Republican politicians are talking about the nice things it will be necessary to do for the south in the composition of a ticket for next year's election. For the time being, it is conceded that the south must have the United States Senator who is to be elected;

indeed it seems that no northern California man has even ventured to think of being a candidate. Then, inasmuch as it is assumed that the governor will come from the north, it is thought that it would be very nice and complimentary to hand to the south, on a silver platter, the nomination for lieutenant-governor, and invitations for bids have been issued. It is rumored that Senator Estudillo and Senator Roseberry have been given private hints that bids by them would be especially acceptable, but attached to this is a suspicion that the organization may desire to elect the successor to one or the other of them. A state senator has a vote while a lieutenant-governor, it will be remembered, ordinarily has none. There is also an indication that H. S. Morrow, of San Diego, is being encouraged to run for secretary of state. With these officers and a few more crumbs the organization politicians hope that the mouth of complaint in Los Angeles will be stopped.

Making Enemies For Isla's Creek

It was suggested last week by The Watchman that a reason why the Southern Pacific's Political Bureau may have desired to hit Southern California a smart bluff under one eye may have been to anger that portion of the state into voting for the new scheme of taxation, resubmitted after being doubtfully amended by the last legislature. It has been suggested since then that there may have been another and equally potent reason for wishing to administer a stinging blow to Southern California pride. This is that the Southern Pacific does not wish to see the Isla's Creek improvement bonds approved by the people. Just why not is not important to this story. Perhaps they think that the Western Pacific is getting closer to the proposed basis than the pioneer road would like to see it. Be that as it may the Herrin machine is opposing the Isla's Creek project and, through the San Francisco Board of Trade, induced Southern California to vote down the bond proposition upon which that project depended. To make sure of a second defeat, inflicted from the same source, it was only necessary to anger Southern California at San Francisco. Equalizing that portion of the state with an unequal vengeance was sure to produce the desired result. In this the San Francisco dailies made haste to aid and abet the Southern Pacific. Having accomplished its purpose the political bureau will hold out nothing but olive branches that the feeling of the southern portion of the state toward itself may be mollified, but what will San Francisco offer as a token of amity and comity?

The Campaign in Rumor in San Francisco continues to spread the story that the Republican vote will be heavily split by Leland and Mc-

Carthy, leaving Crocker pretty well stranded. The Republican platform, with its hazy and indeterminate stand on vital issues, has disappointed the Independent Republicans, who, it is said, will probably swing to Leland as the least objectionable candidate. The machine Republicans, the same report has it, have had the word passed to them that McCarthy is the man of the hour. Other evidences than this rumor point to Leland and McCarthy as being the leading candidates. All political signs that usually count for anything indicate that between them the real battle lies. Leland has played very diplomatically the game of attracting the doubtful voters. McCarthy is lavishing money on his campaign, if one may judge from the street and saloon signs he is placarding the city with. A well-informed observer of union labor conditions confides to The Watchman the information that union men are looking with amazement at the profusion of silk banners announcing McCarthy's candidacy at every turn, and asking, "Who's paying for them?"

UP AND DOWN THE STATE.

Hop-picking in Mendocino county was completed last week. The product is estimated at 10,500 bales of excellent quality.

Because of matrimonial infelicities Stewart Faudre, of Forestville, Sonoma county, shot and fatally wounded his wife, later committing suicide. The double tragedy took place near Ukiah.

By the overturning of a stage, near Redding, Samuel Dollarhide, the driver, was killed, and several of the passengers were more or less seriously injured.

The Eureka Californian has issued an artistic and handsomely illustrated edition containing a fund of information which will be particularly valuable at a time when the early completion of the railroad from that city to San Francisco has been announced.

The Riverside Press announces that "River-side county, under her no-liquor laws, has had no criminal cases in the courts for three months." It adds: "That seems to show that, although prohibition may not prohibit altogether, it is at least a mighty good thing."

On the fourteenth of this month forty-seven carloads of fruit were shipped from Lodi, thirty cars containing tokays and the remainder wine grapes and watermelons.

The Marysville Democrat tells of a man who passed his vacation (its length not mentioned) in prospecting on Lost creek, and found over \$600 worth of gold nuggets. The Democrat does not say why he failed to continue his vacation.

I. D. Standford, the editor of the Marysville Appeal, has resigned to accept a position with the Sacramento Bee.

The tariff on lemons and oranges having been raised, the railroads have felt that the "traffic will bear" an increase, and have acted accordingly. It is estimated that this increase of freight rates will take \$2,000,000 from the orange-growers of the state and \$7,000,000 from the orange-growers.

Superior Judge Warren Sexton of Butte county died recently. His death came suddenly and unexpectedly, and is deeply regretted by all who knew him.

The Chico Record now is established in a fine, new building of which it is the owner. Congratulations are hereby extended.

The Tulare supervisors have purchased, for \$15,000, the "Mooney grove," consisting of 100 acres of fine oaks on a tract situated between Visalia and Tulare. The grove will be known as Mooney Park, and a clause in the deed provides that timber never shall be cut from it except after it becomes dead wood.

THE GRAFT CASES.

The trial of Patrick Calhoun stands precisely where it did a week ago. Attorney Stanley Moore still is sick, and consequently no progress has been made.

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AMERICAN SHIPPING IN AMERICAN SHIPS

III. FREE SHIPS.

By G. W. DICKIE.

It was not my intention in these articles to take up the question of free ships except in a casual way; indeed I had not intended to touch upon this phase of our investigation into American shipping in the foreign trade at this time, but, within the past few weeks, that part of our general subject has become more prominent than it has been for some years and in order to meet the inquiries that have been freely made as to the correctness of the claims made by the proponents of free ships I think it proper to take up this matter while these inquiries are being made.

The first intimation of an organized movement in favor of free ships that the public received was made at a banquet given in Washington on June 23d by the Merchant Marine League; the President was present at this banquet. A bill which was to be presented the following day in the Sixty-First Congress by Representative Humphrey of Washington was considered and ratified at this banquet. This bill is patterned after the one considered by the last congress but contains several new features. The original bill provided that the pay for ocean mail service on the vessels of the first class on routes to South America, the Philippines, Japan, China, and Australia, should hereafter be the pay now accorded vessels of the first class and, in addition, the new bill provides for free ships. That is to say, Americans are to be permitted to purchase vessels in any country they may choose and run them under the American flag in the foreign trade or trade with the Philippines.

Another feature of this bill providing for reduced tonnage taxes on vessels trading with nearby countries and increasing the tax on vessels in the transoceanic trade. I have been unable to discover the object of this last feature of the new bill.

Mr. Dollar's Idea.

Locally the free ship idea has been prominently brought before our shipowners in an address given by Mr. Robert Dollar at a banquet given recently to a visiting congressional committee. As a shipowner Mr. Dollar claims that the laws should be changed so that he can—

First: Buy his ships where he can get them the cheapest to engage in foreign trade only.

Second: Man them as other nations.

Third: Change our antiquated inspection laws so that the inspection requirements shall not cost more than other nations.

If I were a shipowner like Mr. Dollar with my ships engaged in foreign trade I might be able to see this question in the same way as he, but, having been a shipbuilder all my life, I cannot admit that American ships should be built by foreigners. Mr. Dollar said to the congressmen that they need not be afraid of hurting the American shipbuilder as there had not been a keel laid in an American yard for six years to engage in the foreign trade. Having been dead for six years the shipbuilder cannot possibly be hurt and should be quite willing to remain dead; as the American shipowner in the foreign trade is quite as dead as the American shipbuilder, why bring one to life and leave the other dead?

Mr. Dollar presents his plea in a very forceful manner and backs his demands with certain facts that demand and invite very careful consideration. He has come to the conclusion based upon these facts that a cargo steamer cannot be built in America for double the price it can be built in Europe.

The "Tramp" Example.

I will take one of his examples. He said: "A 7,000-ton cargo steamer can be built for \$180,000 in England. This same vessel would cost more than \$400,000 here." Mr. Dollar's figures are, I think, correct, and I am not

going to waste any time disputing them as particular instances of a general condition; I claim, however, that these figures should not be accepted as final and conclusive as to the relative costs of building cargo steamers here and abroad, nor will I endeavor to show, as has sometimes been done, that the American built ship will be the better built ship of the two, for it is more than likely that the reverse will be the case for the reason that the type of ship Mr. Dollar gives as an example has not been developed here and our shipbuilders have not built many of them, whereas in England the ship popularly known as the "tramp" has been perfected in every detail and every possible economy in the building of her has been worked out to the finest point. The name "tramp" is often used to denote something of an inferior nature in shipping, but in a certain sense the shipbuilder's art receives its highest expression in this type of ship; the British "tramp" has made British commerce.

I will assume that the vessel whose relative costs are given above is the steamer "Hazel Clark," built in 1905 by A. Rodgers & Co., Port Glasgow, Scotland, and registered at Victoria, British Columbia, of 4,304 tons gross, and 2,804 tons net, having a length of 370 feet, a breadth of fifty feet and a depth to upper deck of twenty-nine feet, seven inches. She will carry a dead weight of 7,000 tons, including cargo, fuel and consumable stores. When Mr. Dollar paid \$180,000 for this ship he paid only five pounds, four shillings per D. W. ton, which is a very low price and shows what a very clever buyer he is. It is well to know in regard to this that there is always some yard over there either in England or Scotland in great need of a contract and willing to take work at a very low price in order to keep things going and as this type of vessel is standard and needs very little planning a very low price can in times of slackness in the shipyards be obtained from some yard. I have been assured by several British builders that anything under six pounds per D. W. ton for the standard type of cargo steamer means loss to her builders.

American and British Costs Compared.

As I am quite familiar with the unit cost price of building both in British and American yards I will endeavor to show what should be the cost price of building such a vessel both in America and in Britain.

It is sometimes claimed that we can do more work here per man than they do in Britain, but my experience does not show that to be the case and I think the cost of the product may be taken as directly proportional to the cost of materials and the rate of pay.

The amount of steel material in the hull of the vessel chosen above would be about 2,312 tons and the labor costs are at present in about the proportion of: Britain, 1.50; America, Atlantic Coast, 2.70; America, Pacific Coast, 3.00.

Based on these assumptions the cost of this ship would be estimated as follows:

	Cost in Dollars in		
	Great Britain.	U. S. East.	U. S. West.
Steel material in hull at mills	\$69,399	\$76,131	\$76,131
Freight, mills to yard 2,890		7,768	31,074
Labor on above materials	46,246	83,243	92,492
Maenery	37,500	51,000	60,000
Materials for wood and outfit	18,700	24,500	27,000
Labor on above	16,000	24,000	28,000
Total	\$210,135	\$300,642	\$356,757

The above estimates include overhead

charges but no profit; the total for a vessel built in Britain would agree with the statements made to me in Britain that the shipbuilders lose when the price falls below six pounds per D. W. ton. This estimate I believe to be correct, for a duplicate to-day of the steamer "Hazel Clark" in the respective places named, and while a bid from an American yard might be higher it would be so because the American yards have not had the opportunity to build such vessels and so have not secured the same relative economic skill in turning them out as have the British. Under the same conditions the relative costs would be as above, and while the difference is not so great as Mr. Dollar shows by his examples yet it is great enough to prevent effectually the American-built ship from competing unaided in the foreign trade.

Bounty Must Equalize Cost.

It is claimed, and truly claimed I think, that government aid to American built ships in the foreign trade would have to be sufficient to equalize the cost; even if we gave building bounties to make up the difference in cost of building we would not be alone, for France has adopted that very method of fostering her waning shipbuilding industries. Suppose a French shipowner wanted a vessel of the kind and type that we have been discussing; he would probably get a cheaper offer from French builders than from British, for the French law that went into effect in 1906 provides for a building bounty of twenty dollars per gross ton and forty dollars per ton weight of machinery; for this ship such a bounty would give the builder \$100,480 to help him meet the British price; the same bounty paid by the United States would enable a shipowner here to get his vessel built as cheaply in this country as in the British Isles; the Pacific Coast would still be a little behind, however, on the basis shown above. A Japanese shipowner giving an order to a Japanese yard would profit by their law of 1896 which provides for a bounty to the builder of such a vessel of ten dollars per ton gross register in addition to two and one-half dollars per indicated horse power for the machinery. This would give the Japanese shipbuilder \$48,000 to help him meet the British price. That, of course, is not enough to meet the difference in cost between Britain and America but then Japan is very poor and wages are low there so that it does not need so much to equalize the difference; it shows, however, that the United States must do in order to have her shipowners build their ships at home, and thus resuscitate the dead shipbuilder.

Those who would reestablish the American merchant marine on the high seas, however, need more than free ships, for they could not run their ships in competition with the British ships even if the cost of building here were no more than it is there. This was very forcefully brought out before the merchant marine commission when the American owners of foreign-built ships stated that they would not run their ships under the American flag even if a free ship bill were passed if they had to operate them under American laws. I am glad that the American owner of foreign-built ships himself allows that the sacrifice of the American shipbuilder is not enough; he must have cheap labor to operate his ships in order to compete, but it does not occur to him that the American shipbuilder only needs the same thing to enable him to compete with the foreign shipbuilder.

What Similar Manning Means.

In addition to finding his ships in the cheapest market the shipowner ambitious to engage in the foreign trade with ships flying the American flag also wishes to be permitted to man them as other nations do; he does not explain fully what that means and

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Chapter IX. A LONELY NIGHT RIDE.

GOING into her father's shop one day to call him to supper, and not finding him there, Helen was astonished to find a big revolver fixed to a framework in a five-gallon oil can. Through the trigger a hole had been drilled and a wire passed which passed in turn through the can and lay coiled on a spool outside. The whole had been covered with a sack which her curiosity had prompted her to lift. She knew without being told that her father did not intend to have this apparatus seen, and, keeping her own counsel, returned to the house.

But her curiosity had been aroused and she kept her eyes and ears open. Among some effects in a corner of the barn she found several boards upon which had been painted the legends: "No trespassing," "Dangerous," "Beware of dynamite." She knew that her father and the neighboring farmers had become greatly wrought up over the tearing out of the dam in the river at the head of the new canal, and putting this and that together, she felt certain that they had resolved upon desperate remedies for the wrongs that they felt were being inflicted upon them. It would be of no use to talk to Papa, and to her mother to worrying would be a gratuitous cruelty; so she waited and watched.

The next morning her father rose early and went to the headworks alone, but as the water was still coming, the dam evidently had not been taken out. The next day but one Silas Singham returned after dusk. One of his neighbors and chief supporters was there awaiting his coming and followed her father to the barn. Noiselessly and unobserved Helen tiptoed after them and hid in the shadows out of sight but not out of hearing.

"Did you do it, Silas?" the neighbor asked.

"That's what I did," was the reply.

"I don't know about it," the neighbor affirmed doubtfully. "I am afraid it is bad business. Much as we need water I think I would rather let it alone and leave the country than to have any man's blood on my hands, even the blood of Moses Brayton, mean as he is."

"I wouldn't," was the rejoinder. "Sometimes I feel that I would as soon take that man's life as ruin it. I have thought of setting myself up against the development of a whole county, as he has done. He does not deserve to live. However, you need not worry. Although I have planted the mine where it will blow anybody sky high who monkeys with the dam, I have thought of both approaches to the dam, which, as you know, is on our land, and have put up warning notices so that whoever trespasses does so at his peril. When we get what water we need I will blow the dam out myself, and that I may do so safely, I have run the wire in the sands by the river bank at the edge of the water down to the willow, and a jerk on that wire will set the whole thing off. After being warned, the fault of whoever touches the dam is greater than mine if he gets hurt."

"Well, perhaps," said the neighbor said, dubiously, "but I wish all the same that you hadn't done it. Moses Brayton will take it as a bluff and there will be hell to pay. I think we ought to go up to-morrow and take the infernal machine out."

"Not if Silas Singham knows himself, and besides, it would be as much as one's life is worth to attempt it. There is but one way to take it out and that is to blow it out, dam and all, and I am not going to do that until there is enough corn ground wet to keep our stock from starving."

Helen fled away to the house too agitated to venture inside, so she went around to where Roanoke was, and, burying her face on his shoulder, broke into convulsive sobbing. Her papa a possible murderer! She could see visions of his dear face looking through bars from jail and the possibility of his being hanged from a gallows in the jail yard. The first paroxysm of weeping over she fell to thinking what might be done. An idea flashed through her brain. To conceive it was to act on it. She drew her eyes and washing her face at the faucet by the watering trough, she passed into the house, kissed

THE SANDLAPPER

(Continued.)

BY

ARTHUR J. PILLSBURY

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father and mother good night, gave a yawn and went to her room.

When the clock had been wound, the lights below extinguished, and all was still, for the Singham family was as early to bed as to arise, she buttoned on her leggings, donned her stoutest skirt and jacket, and, taking her heaviest shoes in her hands, slipped out over the kitchen roof to the windmill tower, down which she climbed to the ground. To slip on her shoes and glide to the barn was the work of a moment and it took scarcely longer to saddle Roanoke and lead him out to the road by a way so roundabout that the sound of his footsteps would not be heard at the house. Climbing into the saddle, "Now for it, old fellow," she said as she stroked his glossy neck, "There are sixty miles to cover between this and daylight, and we must do it or Papa may be a murderer."

Helen knew the road well. She had often taken things up to her father when the men were working on the ditch, but it was thirty miles to the dam the shortest way. She started Roanoke off at an easy pace until he had gotten warmed up, when he dropped into the ground pass which he took so swiftly as almost to seem as though he were racing for dear life. The night was star-lit and sufficiently bright to enable her to take the cut-off trails, so that it was little more than three hours after the start when she drew rein on the banks of the ditch opposite the big willow on the river's bank. She reined her horse into the canal and up the farther bank, where she tied him securely behind the shelter of a large oak. Then, running forward to the big willow, she ran to the brink and, rolling her sleeves to the elbows, dove her hands searchingly into the sands.

Could she find that wire? How still it was! She could hear her own heart beat, and yet it was not so still, come to think. The river roared as it came over the dam a hundred feet away and gurgled as it flowed by. As much as half of the water was going down the canal to irrigate those thirsty plains, and there she was, a traitor to the plains people, whose all depended upon that stream of water! "But Papa shall not be a murderer!" she declared.

Well, perhaps, along with what matches there were in the room, and, drying her hands, she lighted them one by one and searched along the bank. The wire must be buried there somewhere. Her father would not have said so if it had not been so. Whatever else he might be, he was truthful.

Presently she found a place where the river bank had been caved down a little and had been tramped at the water's edge, and, seated on the soft earth with her feet at the brink, she thrust her hands into the wet sand and dug and dug as if a dog might dig at a badger hole, and her fingers grew sore, dug down into the water until her sleeves were wet to the shoulders. Fear of failure made the cold perspiration start, and then she began to cry as well as dig, until, on the point of despair, her fingers touched a little thread of steel. She grasped it firmly and rested an instant thinking of what the explosion would be like, and if some of the rocks were likely to fall upon her. She thought of the willow and wondered if she could get behind it before the rocks began to fall.

Then she thought of something else. From the woods, seemingly just across the river

from where she sat, there came the cry of a lynx answered by the snorting of Roanoke, and by the barking of a dog at a ranch house not far away. She must not be sitting there. "Oh! dear God, help me to keep my papa from being a murderer," she gasped and gave the wire so great a tug that it bit into her fingers. There was a great muffled roar and a cloud rose out of the river higher than the tree tops. She scrambled up the bank and huddled close to the trunk of the big willow. She was none too soon. The rocks and debris fell all around her, but she was unscathed.

Springing up as soon as the last thud of falling stones was heard she ran to pawing, whinnying Roanoke and was quickly in the saddle. Already the canal was nearly empty of water where she had crossed it, while the roar of the water through the break in the dam could be plainly heard. However, there was enough for Roanoke, quirked now that she was in the saddle, to drink sparingly, and then they turned their steps toward home.

It was not long before midnight, and there were thirty miles to cover, but they were covered before the gray of dawn and, after rubbing Roanoke down until he was nearly dry, Helen climbed to her room the way she had come down from it and threw herself upon the bed, too exhausted to be easily awakened. Anyhow, her Papa was no murderer!

Chapter X.

GATHERING OF THE CLANS.

It had been arranged among the river folks that the next time the "sandlappers" put a dam in the stream, and turned the water down their way, they would go to the headworks in force and tear the last vestige of the dam out. They would then dump the material into the head of the canal, build a blockhouse and put men there to watch with Winchester rifles. No sooner, therefore, had the water been shut off than word was passed up and down the stream to be ready at sunrise to drive up to the point of diversion and carry out the program.

Per contra, it had been decided by the plains people that if that dam in the river was taken out before they got their corn land wet they would go to the head-gate in force, put the dam in and camp on the ground—their ground—to see that it stood in until they got what water they felt they ought to have. They were not taking it all. There was enough left for the ditches below, but not enough to overflow the low lands and they did not propose that there should be.

The night before Helen's ride the water in the river at Moses Brayton's place fell suddenly and he did not need to be told the occasion for it. The morning after Helen's ride the water suddenly failed in Enterprise canal, and Silas Singham did not need to be told the occasion for that either. The dam, or a good portion of it, had gone out, with what consequences to those who undertook to take it out he tried to make himself believe he did not care, but he was none the less a good deal anxious.

So it happened that the river folks and the plains people, in force, started in the same direction on the same morning, in something like equal numbers, but with distinctly different purposes in view, the one to tear the dam out, root and branch, the other to put it back and keep it there, both by force.

Gabriel lingered near, but not in view, while his father made preparation for going, and he was not a little startled to see him take the Winchester rifle from its place on the wall, fill the magazine with cartridges and lay it among some blankets well covered, in the bottom of the spring wagon. That he was not going hunting was plain enough, and the act, taken with what he had heard his father say, that there would be no peace on the river until "Silas Singham's hide was filled so full of holes that it would be like a corn shuck," convinced the boy that there was likely to be "something doing" up the river that morning. To ask to be taken along would be tantamount to being commanded to stay at home, so, undutiful son that Gabriel sometimes was, he waited until his father, and the three river men who were with him, had

gotten out of sight, and then he saddled Clay Babe and rode up the river on the other side, quite out of view.

When Gabriel had completed about half the distance he came into the road that led from Enterprise, and, as he galloped along, he could not help noticing fresh tracks of horses' hoofs showing clearly in the lately settled dust. There were tracks going and tracks coming and it was clear that they were made by the same horses. As he cantered along by the side of them he noticed that they looked familiar. Whatever horse made them made a longer and a steadier leap than any horse but one he knew. Starting Clay Babe abreast of them, and following his spurs, he found that the reach was fully two feet longer than the stride of Clay Babe, and the only horses in the country that covered more ground in a leap than he were Peacock, at home in the pasture, and Roanoke, who was never ridden by anyone but Helen. What could the girl have been doing up there so early in the morning and all alone, for there was evidently no one with her, as there were no tracks but those going and coming?

At the cut-off the tracks turned and Gabriel followed them, and they led straight to the canal. Already there were half a score of river men gathered on the banks looking at the hole torn in the dam with the water rushing through, leaving only a small head going into the canal. As the boy rode up within sight of the dam old Judge Himes, the justice of the peace of the township, rode up from the opposite direction on his great Norman.

"What means this, McCoy?" he called to one of the bystanders. "Why don't you fellows take hold there and finish your job?"

"That's none of our doings," was the reply. "Silas Singham planted an infernal machine in the dam there to blow the daylight out of us river people, and 'long about the middle of the night the thing went off, of itself I reckon. It made the biggest noise ye ever heard and blew pieces of that dam fifty yards in all directions. It made a hole in the river bed deep enough to drown a horse in."

"Well, men," volunteered the judge, "there's sure going to be trouble here this day and I am here to command the peace. The sheriff ought to be here too, and the two of his deputies. I don't mind seeing a good fight or so. We used to have them back in Kentucky and they generally cleared the social atmosphere, but I hope no man will bring any weapons here to-day. We don't want no Mussel Slough tragedy repeated on the river and Moses Brayton and Silas Singham are fairly thirsting to get their hands on one another's throats. A right pretty fight it will be if they do. They are good men, both of them."

Thinking that it was about time for his father to be driving up, Gabriel discreetly rode Clay Babe below the big willow and there found where Roanoke had surely been hitched to a sapling. Hitching Clay Babe there also, he sauntered to the big willow and thence to the bank of the river. Standing looking into the water he was not long in perceiving where tracks went down the bank, and there, at the very brink of the water, too plain to be mistaken, were the tracks of small shoes in the still wet sand. On closer inspection the steps seemed to lead down to the water or else the river had risen since they were made. Going down to the water's brink he found where a hole had been dug in the sand and across the mouth of it stretched a loop of small wire. Grasping the wire with both hands and pulling, he found that it came from a sand and a stick around it and pulled again. This time it came easier right up out of the sand, and then out of the water, and at the end of it he found a piece of the hilt, guard and trigger of a revolver. The rest had evidently been blown away by the force of the explosion. Winding the wire up carefully around the fragment of pistol, he thrust it in his pocket and slipped out of sight under the big willow just as Moses Brayton and his men drove up on the other side of the river.

The team was hitched under a tree at a little distance, and Brayton went at once to the dam where he nodded to the others and then looked contemplatively at the structure

while Tom McCoy explained to him what had taken place. "The assassin!" Gabriel heard him exclaim in a loud and angry voice. "I'll just wait till you get any peace on this river until that man is laid out cold as a wedge. He expected to catch some of us with that infernal machine and more than likely he would if it hadn't gone off itself. Get to work there, men, and clear the rest of this rubbish out." "I'm not so sure that the infernal machine went off itself," thought Gabriel. "I think I know who made these tracks by the river. Somehow Helen must have found out about the scheme and spoiled it, and as I can't do less for her father than she can do for mine, I'll just slip those cartridges out of Dad's Winchester for good luck."

Unobserved he led Clay Babe a little farther down into the brush and around the bend, then mounted and forded the river. Hitching his horse in a safe place and then, on foot, he rode to his father's wagon and noiselessly threw the cartridges all out of the Winchester and put them into his pocket, then hurried back to his horse.

What should he do next? He felt sure that the plains people would be on hand within an hour or so and that there would be a big fight when they did come if they undertook to put the dam back that the river men were trying to take out. The words of Judge Himes came to him: "The sheriff and two or three of his deputies should be here. Why don't you go after them?" It was only fifteen or sixteen miles. A moment later he was cutting across lots at full speed for the county seat, Clay Babe going his best long distance gait.

Chapter XI.

HELL'S HALF ACRE.

Nearly two hours had passed after Gabriel had gone before the plains men arrived, for they had come prepared to work and it had taken them some time to get together, but there were not less than a dozen wagon loads of men, and they poured out of the wagons and dashed across the canal to the river bank, Silas Singham at their head.

"Get off our property, you scoundrels," he commanded in a voice hoarse with passion. The river men confronting him were for the most part new to him, but by his appearance. His eyes were ablaze and the cords stood out on his neck as though it were wound with rope. Without stopping for his fellows he plunged down the bank to the end of the dam, and grasping the first man he came to, hurled him into the driftwood. The next man grasped a limb of sunken brush and made an effort to strike, but the club was snatched from his hand as though he had been a child, and the man knocked into the water with a blow from Singham's fist. Although the water was not deep the man might have drowned in his stunned condition had not one of the plains men hurried in after him and carried him to shore.

Singham plunged on. The gap in the dam was near the middle and, single handed, Singham cleared it of men and sent them floundering out of the water as best they might.

Grasping a sapling and wrenching it out of the dam, Singham used it as a vaulting pole and leaped across the rushing stream, and, just at the next step he was confronted by Moses Brayton, rifle in hand. "Another step and you are a dead man," he yelled with his finger on the trigger and his gleaming eyes shooting along the barrel. Those who stood on the bank averred that those eyes were the second pair that were thought to be back of the first and only showed themselves in exceptional instances. Why he did not shoot without warning was a mystery to some, but those were calculating eyes. They were not like Silas Singham's, all passion; they only showed the keenest case of self defense to their deadly work.

Moses Singham saw and understood, and, recovering himself, halted not ten feet away. "Throw down your gun, you coward," he called, "or give me a chance to shoot myself. When I'll meet you how you will. Throw down your gun and knock with me like a man. You are no schoolboy."

"No, I'll not knock with you, you assassin, you layer of traps. I ought to kill you where

you stand and I will if you move a hair's breadth nearer," he said with slow and measured words. "If that water is mine, it is my property. If I can't have what is mine I don't want to live, but the man who would take it from me don't live either. The law gives it to me and it is mine, and you are a thief as well as an assassin, and you don't deserve to live. If that water is mine, it is because it would not give me joy to kill you, but because I don't want more trouble than I've had. I warned you the day you came what to expect, and there is but one thing for you to do, and that is to get out of the country. There ain't no single county big enough to hold us both, and now you git."

At this Singham lost all sense of danger and crouched for a spring. Quick as a flash the rifle was raised and the trigger pressed, but the hammer snapped harmlessly. Backing off up the side of the bank, Singham sought to throw another cartridge into the barrel, but the magazine was empty. Then he undertook to club the piece over the head of his on-rushing antagonist, but Singham swung his vaulting pole and struck a blow that knocked the rifle out of Brayton's hands and into the river.

By this time all the river men were gathering around the two men. The plains men dashed into the water and came over. There were a dozen conflicts going on at once. Judge Himes reined his big horse into the midst and called at the top of his voice, "I command the peace. In the name of the state of California I command the peace." Mutual friends began to pull the men apart, but again the judge raised his voice.

"Men," he said, "stand back from Kentucky and I've seen it often. Until these two men have tried each other's strength they will thirst for each other's blood. The best way to prevent murder is to let them fight it out. No sticking, no shooting, no stamping and no choking or gouging, but man to man fighting. Let these two settle it. Likely as not when they have fought to a finish the rest of you can fix up a division of the water that'll be fair. I'll ride down the man who disobeys orders. Clear away there and give 'em a show. There is no sense in all you men fighting. Let these two settle it. If Moses Brayton whips, the dam comes out. If Silas Singham wins, the dam stays in for the spring run of water. All rights reserved to be settled hereafter in the courts. Clear away there and give them a chance," and he reined his big Norman between the two groups facing each other in ho-ho-ay.

No sooner were the two men released from their respective friends than they flew at each other as two bulldogs might have done. Neither spoke and whether or not they acceded to the terms ordained by this original esquire, they acted on a hypothesis that warranted the assumption.

Moses Brayton was the more powerful of the two men, but he was less athletic, had a shorter reach of arm and had seen less of the use of the arms in boxing, yet he was considerably more cautious and full of vindictive hatred. Silas Singham was fighting because his blood was up and because he morally detested the dog-in-the-manger policy which Brayton had followed from the start. He quickly saw where the man lay his advantage and governed himself accordingly for his brain worked quicker than Brayton's and he felt that he was fighting for the right of himself and his neighbors to live in a country that they had chosen to be their home.

The battle ground was the low, sandy reach of the beachy side of the river and was sheltered in part from the sun by the low-spreading cottonwood trees. This, and the adjoining area covering the mouth of the canal, the dam site and the tongue of land between, has been the scene of so many disputes and conflicts of river water claimants that it is still known as "Hell's Half Acre," although it never witnessed a renetition of such a combat as that which took place on this May morning.

Whenever Moses Brayton landed a blow fairly his opponent went down, and once when Singham fell Brayton made as if to spring upon him and stamp him with his

heavy blows, but Justice Himes was vigilant and, striking the rowels of his spurs into the flanks of his great stallion, drove full against Brayton and sent him sprawling. By the time he recovered his feet Singham had done so also.

Not every blow from Singham landed, but the greater number did, and while they did not always prostrate his adversary they shook him wonderfully and more than once sent him to the grass. At such times Singham stood awaiting his opponent's getting upon his feet. He was so mainly a man to strike his adversary when he was down.

For a full quarter of an hour these men fought like raging bulls over the sandy turf, both giving and taking severe punishment. Their beards were matted with blood, Brayton's eyes were nearly closed and about the chest and body both were pounded sore. When Brayton got Singham in his grasp his hug was like that of a grizzly, but Singham was the better wrestler and more nimble on foot and so was able either to throw his adversary to the ground or to break away from him without serious injury.

They tugged, and struck, side-stepped and plunged, now one was down and now the other, and it seemed a question if either could win. The ceaseless activity was telling on both. Singham was telling on Brayton's grasp Singham around the body with a grip that bade fair to dislocate his spinal column, and yet the agile man was able to free his right arm—it was noticed that he had little use his left for a minute or more—and so gave his enemy a short, half-arm upper-cut at one side of the point of the chin. Brayton dropped to the ground as one dead, and although he breathed hard he made no effort to rise.

One of the men stooped by his side and raised his head, but he gave no sign, and it was perceived that he was unconscious. Meantime Silas Singham stood over him with arms folded across his breast. A look of great sorrow came into his face. Suddenly turning he sought his big helmet hat on the ground, shook it out of it and went to his horse's brink and filled it with water. This he dashed into the face of his fallen adversary, and, taking a handkerchief from his pocket, washed the blood from Brayton's face and beard. Sending for more water, he continued the treatment with Brayton's head against his knee, until the latter came to himself and looked up into his victor's face.

In such cases consciousness comes as suddenly as it goes, but not strength. At first there was a bewildered look, and then one of antipathy as he recognized the one who was nursing him back to consciousness, as if it were to life, but that look passed as a shadow might, and presently he opened his mouth and said: "Thank you. I guess that will do," and with assistance he rose to his feet and started toward the wagon. But he had taken only a few steps when he turned and said: "You men may have some water this season. Next time I'll appeal to the courts."

At this juncture the clatter of horses' hoofs was heard, and the sheriff of the county, with two deputies and Gabriel Brayton, rode up. "You are too tame, Jack," declared Judge Himes, as the party drew rein in the midst of the crowd. "Argument is concluded, court adjourned, and as there are to be no arrests you can go back home; but I tell you, old hoss, I ain't seen the kin to the fight we've had since twenty-seven years ago, back in Kentucky, when Jack Cadwalader hit Morris Montgomery over Morris's girl sassing Jack's wife in the grocery store. I'll bet fifteen dollars that it was the most civilinest session of court ever held in Tulare county, but I tell you what, Mr. Sheriff, if you are the greatest lack in the world the another Mussel Slough tragedy wasn't enacted right here within the last half hour. We'd had it sure enough if some Good Samaritan hadn't unloaded Mose Brayton's Winchester. But those two men will live to be good friends yet."

Brayton was made comfortable in his wagon under the shade. Silas Singham washed himself up as well as he could and drove off to town to get a broken bone set in the left forearm, while the plains men and river men

both, under the direction of Judge Himes, filled sacks with sand and dumped them into the hole in the dam, until the break was stopped well enough to permit the plains men to watch their corn land.

As for Gabriel, he made himself as scarce as possible and was at home before his father. (To Be Continued.)

("American Shipping"—Continued.)

0"x63.3"x42", to carry 12,920 deadweight tons; the price quoted for this vessel is 151,000 pounds, which we may call \$73,000, which would make a unit price of \$56.71 per ton deadweight.

We have also an offer from an English yard, dated October, 1908, for an oil tanker, 471'-0"x56.0"x33' 2" to carry 10,540 tons deadweight; the price quoted was 104,000 pounds, which we may call \$495,440. This price works out at \$47.00 per ton deadweight.

Both of the above vessels are duplicates of vessels that had been built by the firms in question and were in answer to inquiry for price of duplicating the vessels.

An oil steamer of the same class as the above is now being built at one of our eastern yards for a California company interested in the carriage of oils in bulk; she is of about 7,000 tons deadweight capacity. The price being paid for this vessel is said on good authority to be \$412,000 which is equivalent to \$58.86 per ton deadweight.

This is but a small percentage in excess of the larger of the two British prices per ton deadweight and about 23 per cent. higher than the lower of the British prices. I understand that the price of this American built oil steamer was lowered about 5 per cent. to meet the keen competition.

In all three cases mentioned above the builders were to duplicate vessels already built by them, so that they knew the cost to themselves of building the vessels and just at what figure they could afford to take them.

Costs Not so Unequal.

These figures would seem so far to show that while there is a decided advantage in favor of Britain the cases cited of more than double being the price in America as compared to Britain are not typical and do not cover all classes of ships.

It was my intention to present another example of the comparative costs of building a large passenger and freight steamer here and in Great Britain; the data for which, however, the builders has not arrived and I may of course be unable to get it at all. In this particular case there were four similar ships built at the same time, two of them being built at a well-known shipyard in Britain and two of them in an American yard; they were all built from the same plans and specifications for the same owners and a comparison of the relative costs of building them here and in Europe would be of especial value to us in the present investigation.

(Note.—Since the foregoing was placed in type I have received the information that I wanted. The two vessels built here cost \$1,850,000 each, and the two built in Great Britain cost \$1,500,000 each, making a difference of 23.13 per cent.)

In the case of war ships the American yards seem to come very close to the British in price; in this kind of work the problems which confront the naval architect and the marine engineer are very complex, the character of the work is higher, the chance to standardise and cheapen construction is very slight. For this kind of work the competition is very keen here while in Britain only certain yards of recognized reputation are asked to bid; the yards there which go in for this kind of work maintain much larger and more expensive scientific staffs than do the yards here; all these circumstances tend to add to the cost of naval work in Britain and help offset the advantage they have in their cheaper labor and materials and greater amount of work. A fair comparison of costs is difficult because of the different manners of contracting that obtain in the two countries; for instance, Congress has fixed the price of armor at considerably less than is acceptable to the British armor manufacturers. The British price includes the armor, the

American price excludes the armor. Warships have been built in this country for foreign navies in competition with the British yards and the fact that these contracts were let to our shipyards shows that prices here compared favorably with those obtained in Britain. It is very difficult to make a comparison because of the many things that enter into contracts and specifications; probably the only reasonably correct comparison would be to take some case of a warship plan and specification for some country foreign to both, and compare the bids of American and British yards.

Relative Costs Matter of Wages.

In general the whole question of the relative cost of building merchant vessels here and in Great Britain is a matter of the comparative wages paid the workmen; our rate of wages is higher, a necessary result of our protective system.

The protective system embraces the shipyards and adds to the cost of their product; the same power that maintains the conditions that determine the cost should also establish some other system that would operate in favor of our home-built ships wherever they have to operate in competition with ships built in another country whose fiscal system does not establish artificial values. No country as far as I know has ever been able to own ships for any extended period that could not and did not build them for herself. This country has the ability to build and operate all manner of ships and it is the present duty of our government to provide a way whereby both building and operating ships will be profitable to our people.

In the next article I will follow the decline of American shipping in the foreign trade from the time that Congress fell into the trap set by Ricardo to its extinction.

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The New Constitution and the Chinese.

That, "The Chinese must go," was the keynote of Kearneyism, and Kearneyism is popularly supposed to have been the inspiration for the New Constitution of California. There is no question that popular resentment toward the Chinese ran at a high pitch and that, had there not been many sober and strong minds in the constitutional convention, some very extreme measures would have been directed particularly against that race. The workmen's delegates were ready to go to any lengths, but in measuring intellectual prowess with the representatives of property, they fared badly and little came of the drastic measures with which their pockets were filled.

One proposal was that Chinese should be forbidden to hold any property or to be allowed to trade, peddle or do any mercantile business whatever. Another was that any person, before voting or defending any suit at law, must, on demand of any other person, declare upon oath whether or not he had, from ninety days after the adoption of the constitution, bought, sold or had made any product of Chinese labor, or hired any Chinese person. If he had, he was thereby to be disqualified from voting or commencing or defending any suit at law. While the sentiment of the convention agreed with practical unanimity that Chinese immigration had proven an evil and a mistake and that it should be discouraged by all proper means, the action taken was not, considering the fevered state of the public mind at that time, very radical.

Article XIX of the constitution is devoted to this subject, though some of its provisions have a bearing upon other issues. Section 1 confers upon the legislature full power to prescribe regulations for the protection of the state from all aliens who are, or who may become, paupers, criminals, invalids afflicted with communicable diseases or "otherwise dangerous or detrimental to the well-being or peace of the state." So far the section was sound and within the province of state authority.

The section then went on to give the legislature power to "impose conditions upon which such persons may reside in the state," and to provide "the means and mode of their removal from the state," closing with a delegation to the legislature of unlimited power to deal with the problem as it might deem necessary. The supreme court, in 101 Cal. 197, promptly held that this power did not rest with a state, but with the national government; that, except as to the criminal, the insane and those afflicted with communicable diseases, the power to regulate the coming and going and the residence of aliens rested in the national government alone. This is a good decision to remember in connection with the anti-Japanese issue as well as the Chinese.

Section 2 forbade the employment of Chinese persons in corporations and, while the supreme court, in 54th Cal., 94, upheld the power of the state to regulate corporations of its own creation, this section has never been operative. Corporations have continuously employed the tabooed persons and do so yet.

Section 3, providing that "No Chinese shall be employed on any state, county, municipal or other public work, except in punishment for crime," has met with better success. As an employer the state had a right to restrict its own employment as an example to other employers, and while this example has profited little, the section has been, and still is, obeyed to the letter.

Section 4 makes many declarations that are worth pondering: The first one is that "The presence of foreigners ineligible to become citizens of the United States is dangerous to the well-being of the state." This is too true to need discussion.

The further declaration that "The legislature shall discourage their immigration by all the means within its power," has not proven efficacious, for the reason that the

powers of the state so to discourage are so limited as to amount to little.

Another clause giving municipalities power to remove communities of such aliens outside their limits, or to certain restricted districts, has accomplished little. Some sanitary regulations may be possible, but treaty rights will hardly permit them to be directed against one class of aliens. Only one Chinatown, so far as we know, was ever removed and that, at Eureka, was effected by mob law and so maintained to this day.

Hoodlumism has, in California, worked no little wrong to the Chinese, but, as modified by the superior authority of the national constitution and treaties entered into, the New Constitution has done them small injustice. Subsequent legislation attempted to be drastic, but the courts pulled the teeth of the local statutes, while the legislature of 1880 itself gave Chinese children the right to enter our schools. Native-born Chinese persons have the right of suffrage even in California and under the New Constitution.

More important than all that California did through constitution and laws was the work which Californian sentiment and influence did in inducing the national government to enact exclusion laws and modify treaty stipulations in conformity therewith.

Chinese immigration has fallen off and the Chinese population within the state is dwindling. The "must go" was not after the fashion that Kearneyism contemplated, but it is operating none the less certainly. In fact, thanks to the opposition which so boiled and bubbled thirty years ago, and what followed it, the Chinese evil has almost ceased to be an evil in this commonwealth.

This is the most vulnerable portion of the New Constitution, but, tested by results, even this portion calls for little mortification on the part of any Californian.

PERSONALIA.

Robert Hichens, the author of "The Garden of Allah" and "The Call of the Blood," will be represented in the fall crop of fiction by a story of which the scene is laid in the Egyptian desert and the Nile valley.

Bernice Cosgrove, an eighteen-year-old California girl, is making a sensation in the American colony in Berlin by a display of remarkable powers as a spiritualistic medium.

Charles Klein's new play is named "The Next of Kin" and will be first produced in November.

Franz Lehar's "The Merry Widow" is to be succeeded by his new operetta, "Gypsy Love," soon to be presented in New York.

Edwin Milton Royle's new play, a sequel to "The Squaw Man," is to be produced under the title of "These Are My People."

John T. McCutcheon, the cartoonist of the Chicago Tribune, whose pictures of Roosevelt tickled the nation, is about to follow T. R into the African wilds in search of big game.

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A Good Start Made.

The opening of the campaign for the election of Francis J. Heney to the office of district attorney of the city and county of San Francisco was all that the friends of impartial justice could ask for. The crowd was big, the enthusiasm great, the speeches good and the will to win manifest.

Mr. Heney's declaration that he will be as blind to special interests as justice herself, will take the law as he finds it and enforce it if he can, leaving to legislation to change the laws if they be bad, was characteristic of the man. District attorneys have generally exercised a potent, if not always a sound, discretion as to what laws they would enforce and, sometimes, as to against what people they would enforce them. Many a bad law would have been gotten rid of long ago if some district attorney had enforced it.

Mr. Heney's explanation of the truth that he had received no money from the national government, except for services actually rendered, and not a dollar for any time expended while engaged in the graft prosecution, should still the mouths of his detractors, but it will not. In our country the right to lie outrageously appears to be unalienable.

The campaign is now open. The manhood of the Men of San Francisco is again to be measured. Heretofore whenever the measure was taken the men have measured up. The California Weekly has faith to believe that they will stand the test this time, too. Never was a cleaner cut issue presented to any people. The whole country is watching the outcome with an interest scarcely less than our own.

Another Guess On the Primary Law.

No one who has read the new primary election law can doubt that it was the intent of the makers of the law to hold the voter to his party with all the ties that could be made to bind, and to head him off at every point where he might take a notion to jump the corral fence. The legislators were much more concerned for the integrity of party than for the integrity of the men whom the party might nominate for office.

A former decision of the supreme court appeared to be in full sympathy with the legislative view and, guided, as he supposed, by this decision, Judge Murasky still further limited the right of the voter to do as he pleased when once he got into his little booth with his ticket and his God.

Now comes the supreme court and, in the cases of Heney and Fickert against the election commissioners, promptly decides that the voter may write in on his ballot the name of any person he may choose to nominate to be the candidate of his party in a forthcoming election, even a candidate of an opposing party.

Why not? The California Weekly rejoices in the liberality of this interpretation of a law that probably was not intended to permit any such escaping from the party reservation. In the issues before the people here in San Francisco there is nothing either Republican or Democratic. Not a single issue can even

THIS NUMBER CONTAINS

Origins of Revered Legal Maxims

By Warren Olney, Sr.

Readers of The California Weekly will, in due time, find in its columns every important public issue explained by some person whose special knowledge gives him a right to be heard.

tend to divide along party lines and party should not enter into the strife at all. We have the issues of justice vs. injustice, of a municipal water supply vs. vassalage to Spring Valley, but not a single issue that separates Republicans from Democrats as such. If, therefore, any Republican or Democrat preferred either Mr. Heney or Mr. Fickert, as being most representative of what he stands for in executing justice, he should be as free to express that preference at a primary as at a general election. Our regret is that this right was not better understood and known before the primary election was held. It might have made considerable difference in the tickets that were made up by that primary.

Soft Words.

At Salt Lake, in the great Mormon Temple, on Sunday, President Taft spoke to a vast audience of the folly and wickedness of partisan rancor, of the spirit of hate, of want of charity in failing to attribute to the other side motives as pure as one's own. Considering the place, the day, the edifice where he spoke, the state of the public mind in Utah, the hostility of the gentile toward the Mormon and of the Mormon toward the gentile, what the President said was appropriate enough.

And yet at no former period in this country has there been as little of party bitterness as now. There is no bitterness of spirit between Republican and Democrat. The Populists were fairly good haters, but they are only a memory. Republicans smile benignantly upon Democrats, and regard their democracy as an infirmity rather than as a sin. Democrats confess the puissance of the Republican party, but fear that it is worldly. There is nothing of partisan hate in the ranks of either great party toward those in the ranks of the other. The rank and file of both parties cross the line and vote each other's tickets with as little compunction as they would cross to the shady side of the street and, if it be at a primary election, it is generally the shady side that those who cross the line are looking for.

There are issues that arouse the deepest resentments of which the human mind is capable and President Taft will encounter them more than once during his itinerary. These issues arise out of the conflict between the common good, on the one hand, and special privilege on the other. It is hard for the soldiers for the common good to realize that those who are reaching out for private possession of the coal measures, that they who monopolize the supply and raise the price of coal to an extortionate figure, are, at heart, good fellows. It is difficult for the soldiers of the common good to remember that the ambitious gentlemen who are reaching out to possess in perpetuity the most eligible reservoir sites, and to control all the markets for electric energy, are patriotic, exemplary citizens. It is hard not to hate such men when we see what they are trying to do, but we must not. The President is right. Such men are merely trying to make money, so busy about their plans, so absorbed by their purposes, that they haven't time to think of posterity and of the ultimate consequences to humanity of their conduct. We must not hate them, but only what they are trying to do.

But we must hate what selfish grabbers are trying to do. We must fight that like mad or the common man will lose all. We have seen the coal measures, the forests, the great ranges, the deposits of iron, so monopolized that extortion resulted. We have seen unregulated greed so rampant that single industrial feudal lords have become richer than the richest monarchs the world has known. We have seen a great city, founded upon protection to American labor, force American labor out of that city and convert the city into a hell for labor of any kind, yet we must not hate the men who did it. They were the first citizens of that city and biggest men of their time.

Nevertheless, such things we must hate or be lost. Such things the men of this generation must fight or leave their children a heritage of plutocratic tyranny that will cause millions to regret that they were born into a world so walled in and so exploited. While doing all this hating of the evil which good fellows do, while fighting those of them who are corrupting our courts and our legislatures (whose immunity from punishment for transgressing the law we are urged to concede in the interests of peace) we ought always to remember to use only soft words. The President so admonishes us.

Oh! why did the Son of Man set us that evil example of denunciation of the "Scribes and pharisees, hypocrites," "Whited sepulchres filled with dead men's bones." They were good fellows, those saints and pharisees, doing the things that seemed right for them to do, and when they helped to crucify the man who spoke in plain terms of monstrous wrongs they thought they had done God's service. Out of deference to the President's admonition The California Weekly here renews its promise never to use stronger language in denouncing predatory interests than the Son of Man used on similar occasions.

TO THE PRESIDENT.

Mr. President:—San Francisco is anxiously awaiting your coming. It will receive you with open arms and a sincerity of hospitality. The people of San Francisco, in common with the people elsewhere, have been hanging upon your words ever since you left Washington. Not a line has escaped them. They are wondering what you will say here. You have spoken bravely at all times and, with the exception of your tariff talk at Winona, where you spoke like a party leader, you have spoken like a statesman and a patriot.

But San Francisco was especially interested in what you said at Chicago about the establishment of justice in this country. We know that justice is nearest your heart as it is nearest the hearts of such of the people of San Francisco as have hearts not encysted in a case-hardened materialism, and we are all of us wondering what you will have to say of the establishment of justice when you come to San Francisco.

It is not unknown to you that here in San Francisco, at this moment (as there has been for three years past) there is going on one of the most determined conflicts for the establishment (and disestablishment) of justice that this nation has witnessed. In your address at Chicago you spoke with feeling of the advantage which wealth has, in civil cases, when pitted against poverty, and you took a firm stand for equality between rich and poor at the bar of justice. This is the issue being fought out in San Francisco, except that it involves the criminal law instead of the civil. Here a few devoted persons who love justice as you love it have rallied to the standard of justice and, upholding the hands of the civil authorities and giving them all the aid in their power, are fighting foot to foot and hand to hand with a colossal aggregation of criminal wealth determined to break down the law and crush justice to earth. In despite of all the cares and concerns which beset you in your high office you cannot have been unmindful of this conflict.

In furtherance of their purpose to make millionaires immune to criminal prosecution for any wrong committed against the common good, murder has been attempted, dynamite has been employed in an attempt to intimidate, the press has been subsidized and every effort made to debase the public mind. There is not one element of evil to be found in the social, financial and industrial organism that has not been marshalled to do battle against meting out an impartial justice in the graft cases now at bar. That malignant influence has been felt in the halls of congress. It touches you every time you are asked to make an appointment to fill a federal office in California and, with a few possible exceptions, every representative of your administration in California is lined up on the immoral side of this conflict.

The conflict has been long, Mr. President. For three full years it has been waged and the people are weary with fighting. You come to us at a critical moment. You come at a time when the people are to vote either that the war for justice is a failure or that the issue must be fought until victory for justice shall be achieved. The people of San Francisco need to have spoken to them some word that will put heart into them. While here you will speak of the splendid energy that, in three and a half years, has reared a new city on the ruins of the old. Will you also speak of the equally meritorious, if less successful, efforts that have been put forth to clear away the ruins of our civic degradation and, on a firm foundation of public morals, erect a temple more beautiful than marble, more enduring than steel and concrete, dedicated to that equality before the law which you, your-

THE STAFF

A. J. PILLSBURY.....Editor and Manager
J. C. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
O. BLACK.....Business Manager

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self, have declared to be the need of all needs in this our country and our time?

We hang upon your words, Mr. President, with breathless interest. San Francisco needs the sustaining influence of the militant conscience of this nation. You, and you alone, can arouse that conscience on our behalf. So sustained we cannot fail. Efforts will be made to convince you that this struggle for justice is a mere factional fight between jealous personalities and you will be asked to pour oil into our wounds and bid us love one another and dwell in peace. You will be asked to repeat here, not the address you delivered at Chicago, but the sermon delivered in the Mormon Temple at Salt Lake. Bring us not peace but a sword, the sword of truth, the shield of hope, that we may win the victory of equality before the law. If Justice triumphs here the Men of Philadelphia, Pittsburg, Chicago, New York, will be encouraged to buckle on their armor and go forth to fight for the same holy cause. To what purpose, Mr. President, did you come west if not to strike a blow for the cause you love best where it will count for the most?

THE PRESIDENT ON CONSERVATION.

The President's utterances on the theme of the conservation of our national resources at Spokane were more than satisfactory. They outlined a far-seeing and far-reaching national policy wholly at variance with the policy the nation had followed in relation to those resources until now. What a beautiful fight the President will have on his hands when he seeks to induce congress to enact his recommendations into law!

Epitomized, the President's policy toward conservation will be to preserve the forest reserves as reserves, selling from them only the merchantable timber while preserving the title to the lands in the government forever and insuring a new forest to take place of the old one. This is the Pinchot policy and is sound.

In reclamation he would ask the government to lend the Reclamation Service \$10,000,000 with which to complete the enterprises already undertaken and then postpone further undertakings until the reclamation fund has been rehabilitated from sales of government land. We see no good reason why, if the revenues of the country permit, contributions may not be made to this fund directly from the general treasury without waiting for sales of public lands to supply the needed funds, but, inasmuch as it is likely to be some time before the revenues of the country will permit this, we do not need to quarrel with the President about that now.

With regard to power sites the President favors such a national lease system as will yield a revenue and forestal monopoly and

extortion. He would grant no rights in perpetuity. To our way of thinking the revenue feature is relatively unimportant. The crux of the issue is the limitation of the franchise to a single generation of men and the prevention of extortion. Here will be the great fight of the next session of congress. It is noteworthy that the President made no suggestion looking toward a possible relinquishment of national prerogatives to the states. Evidently that is far from his mind, but it will not be so far from the minds of the power grabbers. They will prefer to do business with the states.

In relation to lands underlain with coal, oil and phosphates his mind appears to be less clear, except that he sees the necessity for the prevention of monopoly and consequent extortion. Again the revenue idea is less significant than the idea of control, but, inasmuch as the people must support their government somehow, why may they not do so, in part, by a royalty on coal mined, oil pumped, phosphates quarried?

The only note in the whole address that furnishes reason for concern is the President's insistence that the government's conservation policy must be "buttressed by the law." He has not demanded as much in relation to the revenue commission, which the standpatters gave him instead of a tariff commission, and which they strictly confined to gathering such information as will enable the chief executive to act intelligently in applying the maximum and minimum phase of the new tariff law. The President has expressed a purpose to so interpret this provision as to convert this revenue commission, with powers strictly limited, into a much-needed tariff commission with powers limited only by the necessities of a broadly construed tariff requirement.

So, too, in relation to the corporation tax. He has affirmed a purpose to make information gleaned in the process of levying a pure revenue tax serve the purposes of a regulative corporation measure. In both of these activities The California Weekly bids the President godspeed and commends the most liberal interpretation of the law for the purpose of subserving the ends of justice and sound policy, but why insist that, in relation to conservation, the executive must be "buttressed by the law" at every step, while in taxation and corporate control he need not be so "buttressed" at all? Is it that the Secretary of the Treasury is not a legalist while the Secretary of the Interior is?

It will be a splendid fight that the President will wage with congress if he succeeds in forcing his policy of conservation on the attention of that body. Before that conflict has gone far the President will find who his real friends are and who are not his real friends. And he will not find Aldrich or Cannon, Tawney or Hale, doing battle by his side unless it be for the other side. The Republican insurgents will be with him to a man, but the standpatters will be found in the camp of the hostilities, unless he can so arouse public championship for his cause as to bear down upon congress with the crushing weight of an avalanche.

The President stands right, but one could wish that his words were less softly spoken so that one could catch a glimpse of a big stick protruding from the pocket of his left coat-tail.

How comes it that some of our "business men," concerned only for "civic peace" have not called the President to task for "hurting business" by confessing to the world that the administration of justice in this country is a "disgrace to our civilization?" Does not the man see that Europe will not wish to lend money to any such country?

TWO NOTABLE ARTICLES.

In Everybody's Magazine for October Judge Ben B. Lindsey of Denver has given the public an initial chapter setting forth his early political experiences, under the title of "The Beast and the Jungle." The Beast is corporate cupidity, rapacity and cunning striving for "protection" against those whom the corporations have maimed or robbed; protection against clean politics, equal taxation, a free government and an independent and honest judiciary; protection, in short, against everything that is of good report, clean, healthful and for the highest interests of human society.

The Lindsey autobiography seems likely to create as much interest as the Lawson articles, and yet it is as different from those articles as though they belonged to another world. Lawson sketched an essentially true picture of The System in its financial operations, but he smeared the canvas over with the red ink of his own vulgar vainglory. The Lindsey articles are as modest as if told in one of his own "snitching bees," a true picture of The System in its political activities, and as dainty and clean as delicate fingers can leave the canvas upon which they paint.

What distinguishes the master hand in literature from that of the 'prentice is the power to carry the theme to its logical conclusion. Shakespeare, Hugo, Ibsen—there is no bringing everything out right in the act of their productions in order to save the feelings of the audience when the logic of the situation would grind to powder. That we may follow to its logical consummation the policy of nonresistance to the forays of The Beast let us turn to the other "notable article" that we may see the status of humankind where The Beast has wreaked his unrestrained will. Reference is here made to "The Slaves of Yucatan," by John Kenneth Turner in the American Magazine. The Beast, in this case, takes the form of the "Kings of Sisal Hemp," meaning the great growers of henequen, a form of century plant that thrives on rocky, sterile ground and is made profitable by peon slavery.

We hear much, but see little, of "wage slavery." There they have it. By placing wages so low (twelve cents per day) that the workers cannot keep alive on their pay, the laborers are brought into debt to the plantation owners and the longer one works the deeper into debt he gets and, by the connivance of the courts and officers of the law (whom the sisal kings control) the peon never regains his liberty and is bought and sold as the plantations change ownership. The slave population of Yucatan is made up of the native Mayas, Yaqi Indians, transported from Sonora, and some 3,000 Chinese who somehow got into the country but will never get out again. The only way out is through the door of death. American slavery, even on the rice plantations and the cotton fields of the Carolina and Louisiana, was a model of humanity by comparison. There is nothing more that The Beast can do to the helpless creatures in his jungle but rend them into pieces, and this he does faster than they are born, even at the risk of destroying his supply of peon labor.

And the slavery system of Yucatan is fostered, abetted and protected under a republic, under a constitution that prohibits it and under laws that penalize the practice! For Mexico has the outward semblance of a free government as certainly as our own, but inwardly it is now, what many fear that our government may become, a republic in form, but, in fact, a pitiless despotism where the few who are strong rule the many who have become weak, living opulently every day from off the bloody sweat of the lowly. Yucatan exemplifies the policy of The Beast un-

restrained and carried to its logical conclusion. In setting this picture before the American people Mr. John Kenneth Turner, and the American Magazine, have performed a service to humanity and to the American people.

Not the least thought-inspiring feature of the article in question, is the published portrait of Mr. Olegario Molina, chief of the fifty sisal kings, besides two hundred princes of lesser degree. A handsomer, cleaner, more benignant profile it would be hard to find. There are a thousand physiognomies typical of his own in San Francisco offices six days in the week. He does not look like a beast from the jungle. His face is neither hard, cruel nor bestial, and in this he does not differ from other beasts of our modern jungle. Not one in a thousand of them has the faintest idea that he is a beast and lives in a jungle. As these men look into their polished mirrors they see only prosperous gentlemen with eyes keen but kindly, faces shrewd but bearing the marks of intelligence and cultivation. They know what they want, go after it and get it. That is all they know about it. They do not know that, "There is a way that seemeth right to a man, but the end thereof is death," death to liberty, death to equality of opportunity, death to the mass of mankind that a few Napoleons of finance, captains of industry and kings of sisal may stalk the earth in majesty.

Of course this Yucatan condition is not going to be brought about in this fair land of ours, not in a thousand years. Those poor peons are not our racial stock and we have Lindseys to fight back. We have a people that, if aroused to such a danger, would sweep kinglets and princelings into the ocean; but without a stern and unyielding resistance to The Beast our submerged tenth, if not fourth, like the mass of Mexicans, would as certainly find the dead level of a practical peonage as the Yaqis and Mayas have found it in Yucatan. That is the logical consummation of the unrestricted policy of The Beast of our jungle. As such it is instructive to contemplate.

Those Revered Legal Maxims.

In tracing out and explaining the origin of some of our legal maxims which have "borne the test of time," as Mr. Warren Olney, Sr., has done elsewhere in this paper, an important public service has been performed. We commend the article to the careful perusal of all persons concerned for the establishment of justice in this country. These maxims, like certain culinary creations procured at restaurants, command less favor when we come to know how they were made.

Especial interest will be excited by his explanation of how the doctrine of reasonable doubt came into being, and that no person shall be required to testify against himself, the presumption of innocence. Under the conditions which Mr. Olney sets forth these merciful limitations were proper mitigations of the barbarity of the law, but now that the old conditions he so vividly describes have been done away with and society, not the prisoner, is at the mercy of chicanery and malice, the application of these rules to judicial proceedings becomes as unreasonable as were the conditions in a former age which brought these maxims into being. The reason for the use of these maxims having failed their use should have failed with them.

But our bench and bar, as well as the native conservatism of the people at large, are much wedded to the past. We still wear buttons on the tails of our coats because, at a former time, coat tails were unbuttoned and taken off when men rode on horseback in muddy weather and were buttoned on again when they reached their journey's end.

The Deeper Significance
: : : : of Living : : : :

Somewhere on a tombstone this epitaph was inscribed: "He Died of Things." Whole centuries might appropriately be filled with monuments bearing that legend, marking the only resting places of many men, and myriads of women. As many are possessed by Things as are possessed of Things.

For a few days succeeding the great fire many hundreds of Oakland homes were thrown open to refugees from San Francisco to be cared for temporarily. A relief committee organized the quick shelter work systematically and half a hundred college professors, students and others solicited entertainment, especially for women and children. The cottages were thrown open without reserve. All the rooms, if needed, were converted into bed rooms, but it was not so with the fine houses. It rained and homeless families crowded the relief headquarters seeking shelter. At the fine houses, as a rule, the garages and the hay lofts were placed, very graciously, at the disposal of the committee, but not the homes. The homes had Things in them and bedraggled women and untrained children might tarnish Things. They "couldn't, don't you know," because of their reverence for the god of their adoration, "Things." And so the wail of the homeless child mingled with the wail of the wind under the spreading eaves of palaces and no ear heard them until they blew low enough to be caught by the narrowed cornice of the cottage where the god, Things, has his altar set up and the worshippers bowing down before him. The dwellers in palaces gave time, gave money, gave food, gave clothing, gave everything except shelter, but that they could not give because of Things.

The world has need of Things, nice Things, Things made of money, of money, of money. Things made of silk, satin, cloth or gold, but a breath will tarnish Things. Therefore Things must be shut up in best rooms and the children must be kept out of them. The shades must be drawn down that the glare of sunlight may be shut away from Things, and Things love a dim, if not always a religious, light. The slave to Things must keep Things dusted, polished, as spotless as the souls of little children, for, if Company (another god who rules its vassals with a lash like wrinkled lightnings) should come and find Things less than spotless how must the slave of Things stand before Company abashed, apologetic, mortified to the quick. It were such a shame to be caught by Company showing want of respect for the exalted station of Things!

Think of the weary years it has taken to get Things together! The rising early and toiling late, driving hard bargains, scrimping the table, overlooking the contribution box, turning the back on charity, cutting loose from needy relations, enduring privations to-day, this week and this month that, next year, we possess ourselves of Things, or be possessed by Things, however the experiment may turn out. Think, too, of the narrow and the constrained life which Things compel, the ceaseless vigilance, the anxious care, the unhappiness inflicted if any misadventure happens to Things! Is it any wonder that people do not want Things? And even then there is no escaping Things, for Things, costly Things, Things of spotless linen, of crepe, of burnished wood, of plated metal, follow the slave to Things under the lowly lintel into the narrow house and abide there, yes, even into the white-heated crematory if one would flee away to that place, and into the niche in the columbarium where the slave's ashes lie. There the ashes of Things are mingled with the ashes of his slave for ever and ever.

Things are a good-enough servant, but oh! what a tyrant! The man, the only way to make Things keep its place is to make it of daily, family, common place use. For who is Company that he should lord it over Family and demand Things that to Family are denied? Do we love Company more than Family?

WHAT THE WORLD IS DOING

The Aviator's a Paying Business.

Since that meeting of aviators at Rheims, not long ago, it has become evident that the successful aviator has a right to be classed among money-makers. There is not a man who took part in that meeting who is not now in a position to reap rich financial returns, not improbably more rapidly than he ever had done theretofore. For instance, Paulhan, Delagrangé and Demange now are receiving \$200 a day, each, to display themselves and their machines to admiring crowds, and they are said to be congratulating themselves that they are bound to such low figures only for the term of a 30-days contract. Farman and Bleriot, looking higher, ask \$6,000 for a week's engagement, and they rather prefer that no one shall take them at their offer, for they claim to be making more money by remaining at home and building their aeroplanes, the price of Farman's now being \$5,600. In addition to these direct returns there are numerous possible returns in cash prizes, ranging from large to small sums, which are offered for successful flights. On the whole, it is apparent that these are palmy days, if not for aviation, at least for the aviators. Their sun is shining, and they are wise to look after their hay.

Looking After Our Grapes for Us.

The Department of Agriculture is doing a meritorious thing in attempting to introduce new and choice grapes for the consideration of California growers. Among these are the Pinet and the Goolable, which are expected to grow in favor as black table grapes, and the Sultana Rosea, which is a red grape somewhat similar to the Thompson seedless. But while the Department probably will be commended for its enterprise in this direction, it is likely to receive little commendation for the interest it displays in attending to the names of our grapes for us. It has decided that our Zinfandel grape is not the Zinfandel, but as one of its authorities says that its true name is not known, perhaps we better may continue to call it Zinfandel than to leave it nameless. The Perle Blanche and the Bicané, it says, are the same grape, and hereafter it shall be known as the Bicané. But the worst blow of all is conveyed in the announcement that the Muscat, the raisin grape in which Fresno glories, is not the Muscat, and henceforth must be known as the Alexandria. Such is the Department's fiat, but it is doubtful if it will be heeded. The people of California know and esteem the leading raisin grape as the Muscat, and the old name for it, mistaken or otherwise, is likely to be good enough for them.

Ten Million Photographs in a Second.

It would seem that the photographic art has attained its utmost possible perfection in a recent invention by Professor Cranz of the military technical high school of Charlottenburg, Germany. Professor Cranz calls his invention the "ballistic cinematograph," and it was exhibited this year, for the first time, at the international photographic exhibition at Dresden. The marvel of this invention may be briefly summed in the statement that it will take a photograph in one ten-millionth part of a second, and by means of it things never before seen by the eye of man are at last made visible. To illustrate, a kinematographic succession of these pictures will show a bullet in every moment of its flight. One such series of pictures shows the effect upon a bone of a bullet shot from a gun, and so inconceivable is the swiftness of the process that, although the time from the first dinting to the splintering of the bone is briefest of the brief, a number of pictures are required to portray all that is happening. Twenty to thirty films are essential to show the movement of a single splinter. As yet the ballistic cinematograph takes all its pictures in silhouette.

Concerning the Prices We Pay.

Beginning in 1892, the Bradstreet agency has kept an accurate record of the prices paid for 106 different articles of common use in domestic affairs. After the first years of that record there was a fairly regular upward movement in all prices until the top notch in all our history was reached in March, 1907. Then came the Wall street scare which affected the business interests of the entire country, and prices fell, but only in a moderate degree. Soon, however, the upward movement again began, and since then it has continued without notable interruption, until last August prices were within 6.8 per cent. as high as they were at the highest ever known. A few examples of average prices in 1896 and their increases up to last August may serve to give the consumer an intelligent idea of just where and how he has been hit, and here they are: In 1896 pork sold for \$8.25 a barrel; last August for \$21.75, a little increase of 164 per cent. Eggs have increased from 12½ cents a dozen to 28 cents, or 124 per cent; mutton from 5½ to 11 cents, 100 per cent; corn 34 to 80 cents a bushel, 147 per cent; wheat 64 cents to \$1.20 a bushel, 87½ per cent. The list might be continued, but probably it is long enough to give the reader some idea why his income seems so much smaller than it did a few years ago, when it was no larger.

The Waste of Our Forests.

A circular written by Treadwell Cleveland, Jr., and issued by the Forest Service, again calls attention strikingly to the depletion of the forests in the United States. Consider these facts, as condensed from the circular. Every year we take from the forests three and one-half times as much wood as is added to them by new growth. When a tree is felled by an average lumberman less than one-third of it is used, and of the more than two-thirds waste fully one-half is entirely unnecessary. One-eleventh of our forests are swept by fires (against which precautions could and should be taken) every year, and in these fires \$50,000,000 worth of timber and fifty lives are lost annually. Less than one per cent of the forests in private ownership is properly and effectively protected against fire. And as the forests go our means of controlling our water supply are being largely reduced, if not obliterated. As Mr. Cleveland says: "It is not use which destroys the forests, but waste. Not use as such, but destructive use, combined with inexcusable neglect, is causing the forests to dwindle under our progressive demands upon them. The problem, therefore, is not to be solved by disuse, but by wise use and protection."

Says There Is Much in a Name.

Notwithstanding the potent authority of Shakespeare to the contrary, a Frenchman named de Rochetel now is attracting considerable attention to himself in his own country by his theory that the name a person bears has much to do with his character. A child, according to his view, may be made or unmade by the name bestowed upon him by his dotting parents. Having thus promulgated his theory, de Rochetel proceeds to tell what names bear a blessing and what a curse. You should, for instance, avoid calling your child Abel, for if you do he will develop into a bandit. One might have thought that the name of Cain would be more likely to have such disastrous effect, but the Frenchman puts the black mark against Abel. If you wish your boy to be a politician name him Jules; chivalrous and generous, Henry; energetic and persevering, Edward. Alice is out of luck, for she is a gloomy sort of a girl, with a predisposition to suicide, and so is Helen. And so the theory is continued through a lot of balderdash which would be of no interest here, or elsewhere, were it not that de Rochetel is

attracting a noticeable degree of attention in one of the world's centers of civilization, Paris—and the people of Paris are no more foolish than some other peoples, you know. What was it that Puck said?

Anti-Cholera Serum Discovered.

Dr. Salimbini, an Italian who is working in the Pasteur Institute, in Paris, under Professor Metchnikoff, has discovered a serum to prevent cholera, which he tested during the epidemic in St. Petersburg. It was tested in numerous cases, resulting in a reduction of the mortality from 50 per cent to 23 per cent, and Dr. Salimbini calls attention to the fact that he was allowed to experiment only in connection with such serious cases as had been practically given up as hopeless. Professor Metchnikoff indorses Salimbini's serum, but still places his chief faith in such preventives as drinking boiled water, etc.

WORTH KNOWING.

Did you ever think how important it is to have a strictly reliable drug store put up your prescription, and dispense your remedies, and a store that will not "graft" by paying the physician a percentage of your prescription?

The Ferry Drug Store, at No. 20 Market street, San Francisco, does not pay a percentage to any physician, and will dispense any clerk in its employ that would substitute one article for another in a prescription. This store is operated on a "square deal" plan, and every article you purchase in this store is guaranteed to give satisfaction, or your money will be returned.

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OUR FIVE-FOOT SHELVE.

"The Arabian Nights."

Good fiction frees the reader from the actual, and lets him wander for a space in an ideal world. But "The Arabian Nights" does this and more—it frees us from the irksome limitations of time and space and gravitation and experience, and turns us loose, as unrestrained as air, to mount the clouds of fancy with delightful ease. Wish what we will: how simple the attainment; but rub Aladdin's lamp and it is ours. Knock as we please at dark mysterious doors: the magic "Sesame" flings them open wide before us. Do we have "desire of many marvels overseas," sit on this varicolored square of carpet and the very thought will waft us thither. Here we may solve all mysteries, but yet we do not shatter the charm of their mysteriousness. Sindbad, relating his marvelous adventures, thrills us with their recitation despite the fact we see him munching dates safe in his garden at Bagdad.

Wonderful heart of humanity, that grows old in worldliness and cynical sophistication and scepticism, but remains at core forever young, unfailingly beguiled by tales ingeniously preposterous.

BOOKS AND—BOOKS.

The line is intended to suggest a distinction. Some books are only paper and print and covers. Other books are books, our books, fountains of pleasure, wells of refreshment, mines of information, friends of our inmost selves in the most intimate seclusion of friendship.

On our shelves are some books that are gifts of our friends, sent at Christmas or on birthdays, to remind us of friendship. Well, there are gifts and gifts. One of these books is a handsome, new, costly edition of the American poets' works. But we happen to loathe this particular poet. The friend who gave it might have known this dislike by a few tactical questions that never were asked. That book, as a result, is an intruder and an offense to our shelves.

But another gift book is there: a battered old fellow, with a leaf or two missing and a couple of signatures of prior owners scrawled on the title-page. Yet it is one of our treasures. The friend who sent it us sounded our likings, learned of our longing to possess this one book, searched for days at the bookstores, and snatched this faded example of a rare volume from a second-hand dealer, passing it gently to us as a souvenir of his thoughtful regard. The book itself carries its own message to us, but this volume carries with it, besides, the message of a kindly human fellowship.

So, there are books and—books. We would have in our house two shelves; one should be kept chaste as the virtue of wives, sacred to the pure flame of our own books of choice; the other should be a mere warehouse wherein to pile rubbish such as pamphlets and books of reference and volumes of immediate use or expediency. To those who love books, they are human and friends, not to be herded with mere paper and ink. Those who do not love books—their books are only books, anyway.

* THE SILENT LONDON CLUB.

J. M. Barrie is a member of the Athenaeum Club in Pall Mall. On his first appearance there, it is said, he once asked for some information from a gentleman sitting near him. To his great surprise the older member not only told him all he wanted to know, but insisted on Mr. Barrie dining with him and taking supper afterward, though neither of them knew the other's name.

Upon Mr. Barrie protesting that he could not possibly accept so much kindness from a stranger the other immediately replied: "Don't mention it. I don't mention it. Why, I've belonged to this club for twenty-five years and you are the very first member who has ever spoken to me."—Tit-Bits.

*KILAUEA.

Edwin Chase.

(For The California Weekly.)
I had thought the Inferno Dante writ;
I was just the notion of a mind too near
The silver tankards that old Florence knew;
But here I've found the place, am sure of it,
From which that curious story grew.
Here is the cavern, here the awful pit,
Approach, creep up, yet draw you not too near.

Nor come at all unless immune to fear.
The sights and sounds about this fearsome hole.

Were once reviewed by Dante's naked soul,
And thence you know, indeed are sure of it,
Thence came the tale that old Italian writ.

*Active volcano in Hawaii.

Forbes Robertson, the English actor and husband of Gertrude Elliott, will appear in America this season in "The Passing of the Third Floor Back."

William Gillette is about to retire from the stage. He is under contract to write a new play for Charles Frohman this year, and next year he will make a farewell tour in a repertory of his own plays.

Augustus Thomas' new play is "The Harvest Moon." It will be first produced on October 15th at Atlantic City.

TO A SUN-DIAL.

By Elizabeth Gerberding.

(For The California Weekly.)

Before you, shadowy messenger of Time,—
A herald caught within a mesh of laws,—
I see the ghosts of by-gone ages pause,
And note the warning traced upon your face.
Sometimes, you marked for them a day of joy,
That beat its rapturous moments all too fast;
Sometimes, a cruel day dragged through that last,

And left a broken life upon your wheel.
In sunlight,—stern, inexorable, grim,—
You treated an exhortation, like a hymn;
And in the storm, a silence eloquent
Told eternal vigilance was sent.
And life was ever then as now, a race,
A fleeting shadow on a dial's face.

Californian Poets' Corner

Miss Ida Goodrich, best known of the woman poets of California, has seldom struck in later years the joyous note of some of her earlier lyrics. "Meadowlarks" is one of the best examples of this early style.

MEADOW-LARKS.

By Ina Coolbrith.

Sweet, sweet, sweet! O happy that I am!
(Listen to the meadow-larks, across the
meadow, that sing!)
Sweet, sweet, sweet! O subtle breath of balm,
O winds that blow, O buds that grow, O
rapture of the spring!

Sweet, sweet, sweet! O skies, serene and blue,
That shut the velvet pastures in, that fold
the mountain's crest!

Sweet, sweet, sweet! What of the clouds ye
knew,
The vessels ride a golden tide, upon a sea at
rest.

Sweet, sweet, sweet! Who prates of care and
pain?

Who says that life is sorrowful? O life so
glad, so fleet!
Ah! he who lives the noblest life finds life the
noblest gain.

The vessels of pain a tender rain to make its
waters sweet.

Sweet, sweet, sweet! O happy world that is!
Dear heart, I hear across the fields my
mating pipe and call.

Sweet, sweet, sweet! O world so full of bliss,—
For life is love, the world is love, and love
is over all!

WHAT PORTOLA DID.

Suddenly a committee arises in San Francisco and announces that, from October 19th to 23d, the city shall celebrate the Portola Festival. A contest decides that a young poetess is the most beautiful girl in the state and the appropriate queen of the occasion. A delegation ferrets out a cavalierly descendant of the dons in a southern county and hales him north to impersonate Gaspar de Portola. A commissioner rushes off to Europe and starts battleships from many nations toward the Golden Gate to help celebrate. Meanwhile an astonished public rubs its eyes and inquires, "Celebrate what?"

The California Promotion Committee has undertaken to tell us all about it. Under its auspices is published a readable and scholarly book entitled "The March of Portola and the Log of the San Carlos." This book answers the question, "Celebrate what?" and furthermore supplies a truly interesting record of early California history that should long ago have been accessible to the general public.

In the book, Mr. Zoeth S. Eldridge describes the march of Portola and the discovery of San Francisco bay, and Mr. E. J. Molera translates and annotates the log of the San Carlos and other original documents regarding the survey of the bay.

From the book we learn that Don Carlos III of Spain was warned that Russian and English fishermen were prowling around the coast of Alta California (California proper, as distinguished from Lower California), and threatening the Spanish ascendancy in such unfortified ports as Monterey and San Diego. Also, that on February 27, 1767, Don Carlos issued a decree expelling the Jesuits from the Spanish dominions. And, finally, that the expedition which passed in the ship San Carlos into Francisco bay was undertaken for the double purpose of maintaining the Spanish authority in California and of dispossessing the Jesuit missionaries in favor of the Franciscan friars.

For this purpose, in 1769, the ship San Carlos was sent from La Paz to carry an expedition up the coast, while the expedition set out for the same destination under the command of Gaspar de Portola, who was the governor of the Californias. To merely sum up the narrative, both expeditions suffered extraordinary hardships; they met at San Diego and agreed to meet again at Monterey; Portola did not recognize Monterey when he saw it, and, pushing on north in search of it, found San Francisco bay early in November. A full account is given of the incidents of this march and of the return to San Diego. The "Log of the San Carlos" describes the careful survey of San Francisco bay made in 1775 by Lieutenant Ayala.

The book is suitably illustrated with full-page drawings and with reproductions of the map made by Ayala and of the signature of Don Gaspar de Portola.

THE ARCH ROYCROFTER AGAIN.

The Press Humorists of America held their annual reunion a few weeks ago at Buffalo. Ted Robinson, funny man of the Cleveland Leader, describes an excursion to the home of Elbert Hubbard, as follows: We promised to tell the real truth about Fra Elbertus and the Roycrofters. After a day in East Aurora we are obliged to disappoint our readers. This is a respectable, family newspaper.

The Fra spoke to us in the chapel. He gave us many pointers on the subject, "Why You Should Spend All Your Money Buying My Books." But he did not entirely confine himself to this theme. There are many bright thoughts on "Elbert Hubbard, Reformer, Saint and Martyr." The Fra also spoke briefly about himself.

At the entrance of the Roycroft grounds the visitor's attention is first attracted to a beautiful hand-tooled garbage can, very Roycroftie. A hand-painted sign thereon reads, "Put Your Rubbish Here."

Everybody does it but Fra Elbertus.

TRAINING THE FIRE-FIGHTERS

THRILLING EXERCISES THAT FIT THEM FOR DUTY.

The dozen and a half probationary firemen are told off in squads of six; the young fellows in the first squad buckle on the life-belts with the big "hook" in front, stamp their feet in a box of rosin and mount to the life-net. Above their heads rises a frame building four stories high, with three windows across the face of each story. Six scaling ladders hang from the second story windows, two to each window. The six men divide into three pairs. At the sound of the chief's whistle, one man from each pair scurries up a ladder, and snaps the hook in his belt around it so that, with his feet braced, he can lean back with his hands free.

The whistle blows again, and each man takes the other scaling ladder at his window, and puts it up to the window above. The whistle blows again, and the man at top of the first ladder runs to the top of the second and snaps his hook, while his partner runs up the first ladder, and thence to the lowest rung of the second, where he also secures himself. At the next blast of the whistle, the partner passes the lower ladder up to the man above, who catches it over the sill of the window one story above his head. So they go story after story, and in less time than it takes to write this they are on the roof of the house.

This is the first exercise in the twice-a-day drill through which are put all new members of the San Francisco fire department. The scene is the drill ground at Seventeenth and Polson streets. Next comes the rescue drill. From the roof, the squad comes down the fire escape into the fourth-story room. A leather dummy of a man is hoisted from the ground up to the window. This dummy represents a helpless fire victim found in the room. The men take turns at teasing up the helpless victim so he cannot fall, tying a rope to him, and letting him safely down the side of the building to the ground. It requires a good deal of skill to do this quickly and yet not batter the helpless victim's brains out against the side of the building or let him plump to the ground with force enough to kill him. The dummy was undoubtedly killed by this latter fault once during the drill observed by the writer, which alone is obvious enough reason for requiring intending firemen to become proficient before trying their skill at a real fire.

The second and third squads now go through these two drills just described. A few veteran firemen from the adjoining engine house look on with critics' eyes.

"That kid would make a good one if he was stronger. He's quick as a cat, but he ain't got the muscle."

"Look at the sailor; he's got the snap, all right."

Meanwhile "the chief" is hoarsely bellowing skywards through a megaphone:

"Right hand on your own ladder. Start off with your right foot. Right foot there, young fellow! Holy smoke, that ain't your right foot. All right, try again. Now! That's right. Turn the hook to the left, left, I said. LEFT!"

The men are eager to learn and soon get the hang of things, doing the same bit of work the same way, over and over, until it becomes a habit and they feel perfectly at home scurrying up the sheer face of a building to dizzy heights.

Two of the older recruits now practice the most spectacular of all the exercises. They make fast a rope from a projection at the eaves, drop the other end of the rope to the ground, pass the rope twice around the hook in the life-net, and, with one hand clasping the rope overhead and the other hand clasping it beneath the thigh, slide swiftly down the rope to the ground. They come down like a streak, kicking themselves away from the side of the building. The coil around the hook acts as a brake, so that a slight pressure

on the rope with the under hand stops the man at will in his descent.

Meanwhile, the rest of the squad is carrying a line of hose up the fire escape to another face of the building. This is a beautiful display of team work on a much larger scale than with the scaling ladders. One man stops at the landing on each floor; the last man starts from the ground with the nozzle and end of the hose over his shoulder. As he passes the landings the man on each landing pulls up the length of hose between himself and the landing below, so that the nozzle-man never carries the weight of more than a few feet of hose.

At the top, other nozzle-men are waiting. They make ready for the stream while the men on the landings lash the hose to the fire-escapes to steady and support it, and while the man on the ground turns on the water.

After the stream has played on the imaginary fire for a few minutes the hose is lowered and the men practice making hitches of rope around nozzles and other implements for the men on the roof to draw up. Then, as each of the men on the roof descends the fire-escape, he practices various exercises, such as attaching a short length of hose to the standpipe and operating the railing nozzle-rest.

As one watches these men at drill one is struck with admiration at their fine enthusiasm for the work, their eagerness to learn how to do each thing right, their willingness to obey orders. There is also the rescue drill, and discipline of the army without its severe compulsion, and a something besides, hard to define, but perhaps as well expressed as may be by "spontaneousness." The men work together as if the work were some new and profoundly interesting game, which, indeed, it is in a sense, for fire-fighting is one of the few really adventurous callings that are left to men in the midst of our peaceful and orderly civilization.

The men themselves are a fine type, clear-eyed, lithe, muscular, alert. Any one who wishes to see as good team-work as a baseball game displays, put to a use at once more utilitarian and more spectacular, should spend an hour or two at the firemen's drill ground.

MAETERLINCK'S "MACBETH."

The following account of an unusual and effective setting for the production of a version of Macbeth is quoted from an article in the New York Tribune, signed C. I. B.

The unique representation of Shakespeare's "Macbeth" at the half ruined, twelfth century abbaye of Saint-Wandrille, near Caudebec, in Normandy, inaugurates a new kind of dramatic entertainment—that of the ambulatory theater. Groups of spectators, about fifty all told, conducted by guides attired in distinctive red, yellow or green costumes of the period, follow the performers about from point to point in the successive phases of the play, which takes place in different halls or galleries, terraces and parks. The huge, somber abbaye, with its massive stone constructions, may, with a pardonable stretch of imagination, be accepted as a substitute for Macbeth's castle near Dunsinane, or for the royal palace at Dunsinane.

The performance was arranged by the poet and dramatist, Maurice Maeterlinck, who, with his wife, Mme. Gerorgette Leblanc-Maeterlinck, lives during the summer at the abbaye of Saint-Wandrille, and who has completed his translation of "Macbeth" into French. His wife played the part of Lady Macbeth, and the other characters were intrusted to leading Parisian actors and actresses. The interior of the abbaye had been arranged so as to present what may be fairly supposed to have been ancient Scottish furniture and fittings, and the costumes were historically accurate.

It was a night of full moon, and the sky was free from clouds. After waiting an hour in a vast and chilly anteroom with paved floor,

the red guide who was to conduct our little group appeared and announced that the performance was about to begin. It was 9 o'clock. We were led to a balcony near the high-walled dark cloister of the abbaye, where the moonlight could not penetrate. By a clever combination of electric mechanism and sheet iron one was given the illusion of being in a thunderstorm. Flashes of lightning revealed the three witches circling about their cauldron, skipping about on real heather and chanting incantations. A shrill screech of Highland bagpipes is heard, succeeded by a beating of kettle-drums. Macbeth and Banquo appear on horseback, followed by officers and soldiers. We hear the rumbling and the murmurs of the troopers, the clanking of arms and armor, and the sound of horses. The scene of the witches is weird and realistic. After their prophetic greetings they vanish with such magic rapidity that one keenly appreciates the force of Banquo's comment, "The earth hath bubbles, as the water has, and these are of them." We are conducted to another part of the grounds. Macbeth dismounts from his charger and walks slowly and alone up a

(Concluded on Page 719.)

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

To Annie Hypatia Bruno Besant.

Mrs. Annie Besant has confided to her friends that she is a reincarnation of Hypatia and also of Giordano Bruno. She confided, further, that it required twenty years of hard work on her part to remember what happened to her as Hypatia and Bruno, but now she recollects perfectly.

And I have shaken hands with her—I mean with them—

Have taken her dainty palm—I mean their palms—in mine,

Have touched perchance her wide skirt—on the ward flowing hem—

I think it was not Bruno's coat—and, feeling fine,

Have talked with her—or him, or them; it mixes me,

I must confess, to get the three unmixed and plumb—

But just to think that I have met the wondrous three

My deadening soul assures that I've been going some.

Yes, I've been going some. Full often I have thought

I'd like to know old Bruno, fine, heroic soul; Hypatia, too. I knew not then that she had caught

And walked triune with them 'neath "this inverted bowl."

Yet one thing puzzles me, one question gives me pause:

Oh, answer it, my Annie, for the wonder hurts:

In changes vast maintained by Theosophic laws,

How does it seem to change from pantaloons to skirts?

* * *

Mental Inferiority of Our Sisters.

The other day, William, I heard you express your keen realization of man's intellectual superiority over woman. Where did you get the idea? I have heard large numbers of other men giving expression to a similar realization. Where and how did they accumulate the notion?

I know you, William, and I know your sister, and you are, in my opinion, just about average people. You attended the primary school with that sister, and there she glittered rather more than you did. Together you went through the grammar school and the high school, and she somewhat outranked you in your classes—didn't she, William? Your mental superiority hadn't struck in yet, I take it. Then the two of you attended college, and I'm blessed if she didn't surpass you still. I suppose that your intellectual superiority must have been shipped on a slow freight, and consequently was belated.

But it arrived. I don't know exactly the hour and minute, but it was some time in the night after your graduation, and since then you constantly have been your sister's mental superior, as you modestly admit. It is the same with millions of other men, for it is a singular fact that the gentler sex maintain their mental superiority until the day and hour when there is no longer is opportunity for accurate and statistical comparison, and then they immediately drop to the inferior position, man being a much better pugilist, and consequently abler in argument.

The fact of the case is, William, that we men would better put on the soft pedal when we are orating about our mental superiority to women. As long as they have a chance for statistical competition they beat us out, and it doesn't look well for us to become their superiors too immediately after the opportunity for proof or disproof has passed away.

* * *

In the Haze of the Days.

Baron or beggar, it matters not,
Since child of the day and its light am I;
Riches or poverty, e'er my lot

Is to love the hour as the hour flits by;
Princeling or peasant, my flag's unfurled
In the haze of the days that gladden the world.

The Opinions of Rufus.

Use some judgment in blowing your own horn, son, remembering that though the rooster's the loudest cackler in the barnyard, he don't often convince anybody that he laid the egg.

"Why do you hope to git in here?" the angel at the gate said to John A. Johnson. "Because of what I've done," was the reply. "And you?" says the angel, turning to E. H. Harriman. "Also because of those I've done," was the answer which was due to a misunderstanding of the other's reply. But I've never heered how it turned out.

Most of us b'lieve that great riches is a curse, but we feel it our duty to cultivate patience so that we could stand a good deal of cussin'.

Young Ab Perkins says that, while girls are good, it's unachural to s'pose that some of 'em can be es good es they look.

Criticism's easy. None of us could have made the world, but most any of us feel free to tell how the job could have been improved.

I dreamed that the millenium had come, an' all that had happened was that every man of us all was es good es his mother wanted him to be.

Jest 'tween ourselves now, wouldn't you have a lot more hope fer your boy an' girl of they wan't so much like their pa an' ma?

I don't claim that saloons can't be reformed, an' neither do I persist that Satan can't be made a moral guide fer aspirin' young pilgrims, but I feel encouraged to look for some other things fust.

Some folks ideal of a reel good partisan is a feller that b'lieves God said, "Let there be light," an' there was his party.

I see the Christian Scientists are right in thinkin' they's no reel evil, but there's some such blame accurate imitations that I can't help git'in' fooled by 'em sometimes.

* * *

'Now Abideth Faith.'

What have we gained when we gain the most?

What have we lost, with the prize won?

Wearin' oft in the warring pride,

What is it all when all is done?

A handful of dust that our friends forgot;

A dreamer asleep 'neath the cumbering mold—

Nay, but the Master shall summon us yet:

"Wake from your sleeping; the tale is untold."

Dreams that are lost in the swirl of the mist,
Hopes that were chilled by a death-cold blast,

Lips unresponsive that once we kissed—

What are they all when all are past?

Ever the question and answer none:

Ever the sob o'er the voiceless stone—

Nay, that our journey is but begun,

Masters of Masters, we still will trust.

* * *

The League Settled It.

Satan, Apollyon and Beelzebub once engaged in a controversy concerning which would make the best candidate for office. The dispute waxed hot, and the very foundations of Sheol might have been shattered had it not been for a happy suggestion made by a shrewd little red imp.

"He was the good Government League," said he. "It is great on deciding such questions."

So the League was sent for and all was arranged harmoniously. But as for which one of the three the League indorsed, what difference does it make to any good citizen?

* * *

What Happened to Jones.

"Singular thing happened to Jones last night."

"What was it?"

"He was out very late, and after he got home he explained to his wife what detained him."

"I don't see anything singular about that."

"No, but she believed him."

Thoughtful Man on Hichborn's Book.

"We find," said the Thoughtful Man, "that Franklin Hichborn's book 'The Story of the Legislature,' is very useful to us in rounding up and branding our mavericks."

"What are your mavericks?" I inquired.

"The ones to whom we thus tenderly refer," he responded, "are those noble and patriotic legislative statesmen who, with a high appreciation of justice and right, realize that these mere ideals must not be permitted to interfere with business. Heretofore we have kept our eyes pretty closely upon them—they being of the kind with whom it is necessary—"

but Hichborn has made this unnecessary. He has exposed their every vote to public inspection, as the hangman's victims were exposed to popular view in the merry days of old—and I may as well admit that after sufficient exposure the smell is much the same in many instances. Thus we are enabled to detect if at any time they have deviated from business to decency, and, if they have, they know what to expect. I am glad to say that many of them did what business demanded if they had to use chloride of lime while doing it."

"But are you not afraid," I inquired, "that people who prefer the public welfare to spoils may get hold of the book, note the legislators who preferred justice and right to business, reward them and punish the others?"

"Not at all, not at all," the Thoughtful Man replied. "Here or there one may get hold of the book, but it costs a dollar and a quarter, and we have observed that rarely will a reformer pay that much to obtain an intelligent basis for his views; they find it more convenient to reform without knowing how, why or what. For instance, they would sooner listen to an orator than to an editor, and to pay a small sum for proof that he is a false servant who should be dismissed. We have noticed this peculiarity in reformers."

"But suppose the people should read this book and ascertain exactly what their supposed servants have done?" I suggested.

"That would be bad," the Thoughtful Man admitted, "but they won't. I guess we haven't been working the people all these years without knowing them by this time. Why, don't you remember our motto—"

Know those you work,
Work those you know,

To gain a mile
Lion plunks or so.

* * *

A Word With Elnathan.

If you have gone wrong, Elnathan, and need a friendly, sympathetic hand to lead you into the right path, go to the man who also has gone wrong ere now and stumbingly and painfully faltered upward, for the man who has in like manner stumbled is most likely to sympathize with you in your self-incurred hurt.

There is a class of men who are so very good, with so little of red, errant blood in their veins, that they neither greatly understand nor pity the sinner who goes astray and, anguished and weary, faintly return unto his father's house. They are the elder brothers, honorable, smug, self-complacent and decent, and they never can understand either why the prodigal should go into a far country or why his father should love him through his wanderings and reject him on his return.

It takes the one who has sinned, risen, and knows he may sin again, to pityingly heed another who has sinned and would rise. The prodigal usually has little to give, but he gives that where the elder brother would give nothing. If your self-inflicted wounds hurt, Elnathan, and you would have them tenderly bound, hunt up a chap who has suffered in that way himself, and there is a fair chance that you will be aided.

* * *

Why She Moved.

A little home once did her, but
She is no longer there;
She had to seek a bigger house
To hold her heart and hair.

LITTLE TALKS WITH OUR READERS

Editor The Sacramento, Cal., September 25, 1909
Editor The California Weekly.

I hope you will not let the late Governor John Johnson's death pass without a word of acknowledgment. His worth and making the most out of the lesson of his life. He came from the very bottom of the social mass and rose to a place in its higher strata.

Few men do this. Of those who do, many carry the crudities and the limitations of their early disadvantages with them, and are blighted by them. Most surviving these things, acquire with their prosperity the vanities, selfishness and vulgarity of the nouveau riche, the tyranny and insolence of those suddenly given unaccustomed power. A very few keep the best of the conditions they have survived; and, avoiding all of the evils, acquire all of the good of the station into which they are called. This chosen few is the salt of the earth. Their wisdom is broader, they are the most symmetrically developed, they are our strongest and sweetest. Governor Johnson was one of them, and I would like to have you say so.

This man belonged to the old school of Americans, who really are the makers of the legitimate product. He typified the dignity of simple things and the simplicity of dignified things. Of the same school was Jefferson who superintended his own farm, invented a plow and was at the same time one of the most brilliant figures at the French court. John Adams dressed in homespun, tried cases in petty courts, yet represented his country with dignity in the presence of an intolerant and contemptuous British king. I need not mention Lincoln, who spent his own kindling and milked his own cow the night before he left for Washington to become our greatest president.

When America ceases to develop such men, or all round men with lofty democratic ideals, who respect their fellows with regard to their wealth or station, her best work is done. Let us keep this ideal always before our people. This we can do to-day by calling attention to Johnson's career and character, which his death has just now made dramatic.

Do not the careers of such men as Johnson make you think that we are giving our youth too much college education? The world of conventional education is the creation of the book men, isn't it an artificial world? In training our men to live in it and to be of it, are we not getting them out of the current of life? The college man is a delightful person, but somehow I like best the fellow who comes the other way.

But I'm talking too much—there is enough inspiration in this man's life to keep your paper full for a year. In this way, I hope, the paper will be for its own sake, independent of my interest in yourself. I hope it is prospering. I enclose my little mite to help it along.

Sincerely,

PETER J. SHIELDS.

How it chanced, last week, that the editorial columns of The California Weekly came to be filled to the brim without a comment upon

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the passing of Governor John Johnson, of Minnesota, is rather inexplicable even to the person responsible for the situation. It should not have been permitted.

However, no better tribute to the man could well be written than the one above, although not penned for publication. To our mind Governor Johnson was not big enough to be president, but he was growing and might, had his life been spared, have reached presidential size before turning the sear and yellow leaf.

His capitalization consisted in a sound character and a wonderfully taking personality. He stood for right things. That was the essential factor in his career. It was that which gave him character. With this foundation, and a personality that inspired because it deserved, confidence, he was able to erect on that foundation a superstructure that challenged the admiration of men. Because he loved and trusted the people they loved and trusted him.

The issue Judge Shields raises, in relation to the effect that university training would have had upon such a personality, is an interesting one. We do not know what Lincoln would have been like had he been given a college education, and not been given that education which he did receive in the woods and on the prairies and mixing in the commonest way with the commonest of people. Perhaps the fountains of his humanism might have kept sweet, even though educated at a Standard Oil college. There are natures so deep and true that their main currents can not much be changed, and a Lincoln or a Johnson in college might have done the college more good than the college could have done them harm, but as to this we can only conjecture.

Be that as it may the future is to the college bred men. It can't be helped even if we want to help it, which we do not. The power there is in knowledge and training will bring the college man to the fore. Being stronger than his untrained brother he can not be kept away from positions of power. We may well accept this as one of the inevitabilities of our civilization. All that is left us is the hope that college life may be made so much like real life as to make the college man a real man; that the intellect may be trained without leaving the heart untrained. This is not going to be easy, but it is going to be worth struggling for.

THE NAIVE "S. P."

The Southern Pacific company, through its local agents, is distributing a boom magazine called "The Coming Country: a Monthly Exponent of the Great Growing Southwest." The July number of this publication contained, as its leading article, "Growing Oranges in Texas." After retailing the great advantages of soil and climate, the author proceeded to compare the transportation facilities of his new orange belt with those of the Californian orange producers, in language that was probably not noticed by the Southern Pacific people when they generously exploited the magazine in California. This comparison reads as follows:

"Let us analyze the relative cost of growing Satsuma oranges in Texas and other varieties in the older district. Orange lands in California in their raw state cannot be purchased for less than \$300 per acre and more often \$500 per acre. The orchardist must then secure a water right, which is an annual tax on him forever, and before a commercial crop can be secured his orchard must be from five to seven years of age. When he starts to put his fruit on the market he is up against the greatest transportation monopoly in the world and is no longer a free and independent operator, but must sell when and where others may decide and must pay such freight and incidental charges as it is found that the traffic will bear. What are our conditions in the older district? The finest of South Texas orange lands may be purchased at from \$50 to \$75 per acre. Nature has supplied us with a bountiful rainfall, and no irrigation is needed. Our orchard produces a fair crop and the fourth year an immense crop. In seeking a market we have no limit, as there are a large number of north and south trunk lines competing for the business."

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POLITICAL TABLE TALK

By THE WATCHMAN.

A Compulsory Recommendation In the President's exoneration of Secretary Ballinger it was stated that the Montana lands withdrawn from entry were withdrawn from entry upon the recommendation of the Reclamation Service, but the President did not state (what he doubtless did not know to be the fact) that Secretary Ballinger first compelled the Reclamation Service to make that recommendation over the personal protest of the head men of that service. At the time this recommendation was extorted Director Newell was away from Washington and the second in authority was ordered to make the desired recommendation. This upon authority of former Governor Pardee who has seen documentary evidence that such is the fact. If this can be proved it, alone, would warrant the dismissal of Ballinger from the cabinet in disgrace. It is a form of duplicity that cannot be condoned in any person who holds such a relation to public and President as does a department secretary.

Much Tinkering and Interpreting "The best direct primary law on the statute books of any state," seems to require a good deal of judicial interpretation to start it off. The inspection Judge Murasky gave the document disclosed to the trained judicial mind many inaccuracies and discrepancies which had escaped the trained newspaper mind of the Call's direct primary expert. The supreme court will take its guess at the law and if some considerable shreds of the document remain, enough to furnish raw material for the next legislature to work on, we may thank our stars. It is within reason to anticipate that it may take years of judicial interpretation and legislative emendation to fit the direct primary law to the requirements of direct nominations for office. This does not imply that the original draft of the law was so very faulty, but only that, in running the gauntlet of partisan legislation, the original bill became a good deal warped. A beginning toward free nominations has been made and that was the all important consideration. Having set its face in that direction the state is not likely to retreat to the old, boss-ridden, bargain-counter method of selecting party candidates for office.

An Awfully Sore Spot In the Body Politic The Watchman notes, in a recent issue of the Sacramento Bee, that, "At least 100 habitues of the tenderloin were denied the right to register last night by the county registrar of voters, but fully twice that number of prospective voters succeeded in getting on the register from that end of town." It is unlikely that the hundred who failed to get registered on that evening gave up the attempt. Their friends of the machine will coach them and find means to qualify them for voting. They are the lowest order of male being that has yet been spawned and spewed into human society and that a single one of them should be suffered to vote is a public evil. This element forms the nucleus of the power of every petty boss in America, and it is a nucleus that can be registered from any ward or any city where its malevolent services can be rendered of greatest social detriment. It carries its effects in a grip-sack and can transfer its domicile with an hour's warning. It never has to be reasoned with, but only told how to vote. Wherever municipal ownership has proven a success that element is barred from voting, and it may be doubted if municipal ownership ever can prove a success where that element is not barred from voting. We bar from suffrage those convicted of infamous crime, why not those notoriously of famous character?

Why Is Alameda An Organization Town? The little city of Alameda is one of the choice residential places of the bay district. It is devoid of slums and

has a relatively small population such as ordinarily makes the power of the boss difficult to overthrow. It is not lacking in civic pride and plenty of church spires point heavenward. It is physically a cleanly city, but it is the seat and center of the "organization" push of Alameda county. Alameda city, not only wears the collar of the Southern Pacific organization, but it keeps that collar burnished brightly and seems to be proud of it. The political degradation of that little city is such that a part of the district from East Oakland to San Leandro, a district abounding in road-houses and as a corporate incorporation, Oakland to put out of commission, is thinking strongly of being annexed to the city of Alameda in the belief that the iniquities along that "pike" will be less disturbed as a part of the city of Alameda than as a part of the city of Oakland or as a separate incorporation. Oakland is not without its moralities and its tendencies toward independence in politics, but Alameda, fine town though it is, is politically degenerate and resists every effort to emancipate it from corporate control. Why is this thus?

Partisan Politics Under A Non-Partisan Law The big city convention called by the organization Republicans of Los Angeles has been held, and it remains to be seen whether it will produce any appreciable effect on the outcome of the primary election which is to be held later. For mayor the convention nominated ex-Councilman Smith, but nobody appears to feel much confidence that he will be successful at the primary, or even that he will really be supported by the organization. Los Angeles newspapers state that Smith has been told as given to understand by Walter Parker that he must expect to be sacrificed if it is considered necessary in the execution of the organization's plans. What those will be no man can say, but, with three Republican candidates, Alexander, Smith and Musgrave, the field as against one Democrat, Parish, Walter Parker may decide to repeat the tactics employed when Harper was elected, by swinging the Republican machine vote to the Democratic candidate.

The Spirit vs. The Watchman, being no Bal-linger and in hearty sympathy with the general policy of The California Weekly, generally favors action in conformity with the spirit rather than the letter of the law. But circumstances alter cases. When the spirit of the law is larcenous, and the letter can be construed into a padlock with which to fasten the door against thieves, the letter is to be preferred to the spirit. There are such instances. A case in point was the Seattle junket. The letter of the law said that the junket to Seattle (to be taken by a joint committee of fourteen) should be at the Alaska-Yukon-Pacific exposition, to represent California, on the opening day, June 1st. The Committee was not there on that day. It was a ready-made, preferred Senator. The majority of the committee held that the spirit of the law meant a good time for those of the boys who had taken "organization" program without protest, although freely admitting that the letter specifically fixed June 1st and the opening ceremonies as the occasion and date when, if ever, California needed to be represented at a great event by a band of corporation programmers. Even Senator Frank Leavitt, whose hide is neither so thin nor conscience so tender that he could not defend the racetrack evil year after year, and stand forth about the rawest legislation that came up session after session, revolted at this grab and refused to go. Eddie Wolfe did not go but was sorry he couldn't. Phil Stanton and his man Friday (Transue) among others went. And Phil wants to be governor of California. Not much. Phil not only went to Seattle but also to Salt Creek on that trip. But that was just like Phil, a good fellow, but—

Complete Control Over Contingent Expenses The Call characterized the drawing and expending of this \$5,000 for the Seattle trip as illegal and without authority of law. The Call was mistaken. It was not illegal for the legislature to steal from the people. It has "buttressed itself by the law" for that purpose with great care. A legislature may appropriate as much money as it wants to put into its contingent fund and then it can steal the whole fund if it wishes to and be perfectly legal about it, although it blow the whole pile in on joy rides in automobiles in early morning hours with company that looks better by dark than by day. But in this case there came near to being a slip up. The joint junket resolution, as originally enacted, contained the clause, "or as much thereof as may be necessary." The Controller might, under that resolution, have had power to require the money to be expended first, claims filed and vouchers furnished and, knowing what manner of controller they had to deal with, the junketers-in-chief had a second resolution passed ordering the money to be paid over to Porter and Sutton in bulk, and they got the swag out of the Controller's way with promptitude. Sometime when the state is amending its constitution it should require its legislatures to draw their contingent funds as other funds are drawn from the state treasury, only after filing proper vouchers and having the claims approved both by the State Board of Examiners and the State Controller. If the present State Controller had had that \$5,000 within his control, and the delegation had not gone in season to be at Seattle June 1st, it would not have gone at all, anyhow not at state expense.

The Strength of Being In the course of an Insurgent Republicans address before the Public Health Association of California, and League of California Municipalities at Santa Cruz last week, President David Starr Jordan interjected a few by-remarks, not strictly a part of his address upon "The Strength of Being Clean as Applied to Cities," which betrayed a hearty sympathy with the insurgent Republican movement of the West. In expressing himself Doctor Jordan voices the sentiments of tens of thousands of loyal Republicans throughout the Middle West, yes, hundreds of thousands and even millions of them, and yet it is entirely possible that President Taft will pass through the Middle West going and coming and never see or hear from anything but standpatters. If the insurgents would make their "insurgent" effective they must speak right out in meeting as Doctor Jordan did at Santa Cruz.

Getting Together At Santa Cruz last week For Mutual Aid the city attorneys got together, in their section, and made a little offensive and defensive arrangement whereby, in the interests of their several municipalities, they may have the advantage of the advice and counsel of one another as often as legal problems arise of importance to municipal life in California. This is likely to prove important. It often happens that small cities would, like individuals, rather submit to injustice or defeat than take the hazards of litigation at their own unaided expense. If by getting together and sharing the burden the municipalities of California can the better stand for their rights the public gain should be great.

Not So Anxious Outside of Los Angeles For a New State county the anxiety of Southern California for a new state is not so keen as many might suppose. Other counties are about as jealous of Los Angeles as Los Angeles is of the bay district of California and in a new state, the sober-minded folk, who have not spoken as yet, can see little in the movement, even if

consummated, except a vast addition of taxes for a new capitol, state institutions and the office hunger of Los Angeles' politicians. If Arizona could be taken in also the case would take on a more favorable appearance. Throughout Southern California in general, outside of Los Angeles, which, confessedly, has much to gain in becoming a state capital, sober-minded men are saying little about a new state and thinking much. The whole affair will blow itself out in a few weeks and Southern California will take as active an interest in next year's campaign as it did take in the last one.

Off and On the City Ballot

The Supreme Court has surprised everybody with its decision that a party may nominate anybody it pleases at the primaries, even a member of another party whom that party also nominates. The men who drafted the direct primary law undoubtedly intended to prevent this being done, and intended to compel the voters of each party to vote only for members of that party for nominees. The immediate practical results of the decision are to compel the board of election commissioners of San Francisco to put Chas. M. Fickert's name on the Union Labor ticket as well as on the Republican ticket, and to put Francis J. Heney's name on the Democratic ticket. Another result is to overturn the action of Judge Murasky in denying the petition of Fickert for a recount of the Democratic vote, this action having been taken on the presumption that the law prohibited the nomination of Fickert by the Democrats. The situation that now remains is that a recount will be ordered; if Fickert wins on the recount his name will appear as the candidate of three parties; if Heney wins, Heney will be the candidate of the Democrats and the Good Government League, and an independent candidate as well.

Some Union Labor Political Paradoxes

About the time this paper reaches our readers they may expect to see in the dailies the exposure of some of the tactics by which certain labor leaders, who are deeply interested in Fickert's campaign, attempted to coerce a union workman early this week in the brewery workers' hall on Capp Street. This union workman, now employed in San Francisco, positively identified Fickert as the man who, as a strikebreaker and under another name, got this union workman's job during the Stockton strike in 1904. These labor leaders threatened the man with prosecution for perjury and with bodily violence if he persisted in his identification. He repeated his assertion in their presence when confronted by Fickert himself. This union workman now lives in fear of death at the hands of union labor politicians for exposing the anti-union record of the union labor nom-

inee for district attorney. This paradox of union loyalty is comparable only to the action of Thomas H. Finn, the union labor candidate for sheriff, whose newest Sunday suit of clothes was purchased by him last week from a tailor who is on the union tailors' unfair list. Of course the truth is, the union labor candidates do not represent union labor at all, but the McCarthy Political Syndicate.

A Home for Justice or The National Guard?

The special session of the legislature, that convened at the call of Governor Pardee after the San Francisco fire three-and-a-half years ago, appropriated \$500,000 for the erection of a building in San Francisco to provide offices and court-rooms for the Supreme Court of California. Nothing was done to spend this money until the last session of the legislature ordered it to be used to erect an armory for the national guard. As the expenditure of the money for the armory was a "machine" measure, it is presumable that the machine concluded that it was more important to the state that the national guard should have an independent dwelling than that an independent judiciary should have an independent sanctuary of justice. The result of this conclusion is that the offices and court-room of the Supreme Court of California are now on the eighth floor of the building of the Wells Fargo company, a subsidiary corporation of the Southern Pacific company.

UP AND DOWN THE STATE.

Charles F. Ruggles, of Manistec, Mich., has purchased of the Big Trees Improvement Company 24,431.47 acres of timber land situated in Calaveras and Amador counties, California.

By a vote of 1469 to 565 the electors of Solano county decided to issue bonds in the sum of \$250,000 for the construction of a courthouse, and, at the same time, they terminated, by a vote of 1129 to 866, not to issue \$50,000 in bonds for the erection of a branch jail. The supervisors now will secure money for the jail by a direct tax.

The Healdsburg Enterprise reports sales of wine grapes at that vicinity for \$14 to \$16.50 a ton.

The Lankershim ranch of 48,000 acres, in the heart of San Fernando valley, near Los Angeles, has been purchased by a syndicate of that city for \$2,500,000. It will be subdivided and sold in small tracts.

The Fresno Republican, which owns the building in which it is published, has purchased lots on which it will erect a building to be used as a business office.

Near Gridley, the other day, Ed Reynolds, a teamster, was crushed to death between two wagons loaded with hay.

Near Wildwood, Trinity county, Daniel Brown found a nest of rattlesnakes and killed 29 of the reptiles with a club and a crowbar. The truth of the story is vouched for by a witness who is said to be responsible.

John H. Miller, who has been with the Sacramento Union a long time, and who is widely and favorably known throughout the Sacramento valley, has accepted the position of managing editor of the Marysville Appeal.

At a distance of but 98 feet beneath the surface of the ground, on the ranch of T. A. Jordan, near New Hope, San Joaquin county, a large flow of natural gas recently was struck in boring for water. It is thought that enough gas escapes from the well to supply the city of Lodi, and there also are indications of oil.

Marysville voters have decided to issue bonds in the sum of \$80,000 for the construction of new buildings for high and grammar schools.

The Palo Alto Tribune has been sold by A. P. and G. D. Williams to W. F. Crocker and Y. G. Freeman.

San Anselmo will issue bonds to the extent of \$40,000 to improve roads and culverts. The proposition carried by a vote of 153 to 26.

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ORIGINS OF REVERED LEGAL MAXIMS

AND HOW CHANGED CONDITIONS HAVE ALTERED THEIR AUTHORITY.

By WARREN OLNEY, SR.

I suppose all observing persons have been impressed with the natural and instinctive conservatism of the average man. This average man, by reason of his early training and the repeated statement of elementary principles relating to the conduct of human affairs, becomes saturated with traditions and rules of life and is opposed to all changes that seem to him in conflict therewith.

The treatment by our ancestors of persons accused of crime was so barbaric, from the point of view of modern civilization, that certain maxims and principles, tending to the amelioration of this barbaric treatment, came to be firmly settled as principles for the conduct of the court, and, in fact, became a part of the common law of England. The reasons for these rules and maxims have long since passed away, but your average man clings to them with the tenacity that he would if his own life or liberty were at stake.

Origin of Presumption of Innocence.

By calling your attention to the way persons accused of crime were formerly treated in England (and to some extent the same treatment has occurred in this country) you will more readily understand why certain elementary principles of the law, for example, a man is presumed to be innocent until his guilt is proved beyond a reasonable doubt, or that a man shall not give testimony against himself, came to be firmly settled in the minds of all the Anglo Saxon race. Formerly in England the prosecution of a man for an alleged crime was almost equivalent to conviction. It was equivalent to conviction unless certain of the rules of which the two above cited are samples operated in his favor. He was at the following disadvantage: He was in confinement, more or less secret, until his trial, and there were no means by which he could prepare for his defense. He had no notice before the trial of the evidence against him, and was compelled to defend himself as well as he could when the evidence was produced at the trial. He was not allowed the services of a lawyer to conduct his defense for him. At the trial there were no rules governing the admission of evidence, but everything was let in at the discretion of the judge. The witnesses were not required to confront the prisoner, nor were the originals of documentary evidence required to be produced. The confessions of accomplices were not only admitted against each other but were regarded as specially strong evidence against the prisoner. That is to say, witnesses were allowed to testify as to what the supposed accomplices had said.

Defendants Not Allowed Witnesses.

The most astonishing rule, however, enforced by our ancestors against persons accused of crime, was that they were not allowed to call witnesses in their own behalf, for example, a prisoner could not introduce testimony if he had it for the purpose of proving an alibi—that is, that he was somewhere else when the supposed crime was committed. The usual reason given was that the scriptures declared that a fact may be established by the mouth of two witnesses. Our ancestors therefore declared that if two witnesses testified on oath that a man was guilty of a crime the fact was established and no evidence could be produced to contradict it. Even after a prisoner was allowed to call witnesses, it was not considered proper to have them sworn before being examined.

In England inroads were being made upon the foregoing rules in the seventeenth century, but in Scotland it was not until 1735 that the accused was allowed to introduce evidence in defense. The reasoning in support of such a rule is so queer and so typical of the methods of thought and argument in those days that I transcribe from Hume's Commentaries (not David Hume, but another Hume), the following,

premising that under the Scottish law the libel that Hume speaks of corresponds to our indictment, and the panel that he mentions to the prisoner.

"Of old," he says, "the panel was confined to a very narrow and disadvantageous field by the received maxim of the law against admitting any defense that was contrary to the averment of the libel—a maxim which sounds strange in our ears, but is taught in the writings of many foreign lawyers, and seems to have found reception formerly into the practice of other nations as well as ours. The meaning of it was this: for instance, in a case of murder, if the libel charged that the panel gave the deceased a mortal wound, of which wound he languished for some days and there died, it was in vain for the panel to allege, for he could not be allowed to prove, that in truth the man died of some other ailment. By the same rule, as little could the panel allege a casual encounter, or self-defense, or great and sudden provocation, if the libel set forth that the slaughter was done by lying in wait or on challenge to fight a single combat.

"The sort of argument, as far as I can collect it, by which our lawyers justified so strange a restriction of the panel's proof, was to this purpose, that the accused had set forth certain facts and quavered in his libel, and must establish these vain evidences before he used in his prosecution; that if he failed to prove them the panel must be acquitted, of course, for that reason only, though there were no evidence on his part at all; and that, on the other hand, if the prosecutor proved his libel, it could serve to no purpose, but to occasion perjury, to admit a contrary proof on the part of the panel, whose witnesses, if they contradicted what had already been proved by those for the prosecution, must be swearing falsely, which it was the business of the court to deny them an opportunity of doing. Quando delictum est plene probatum' (says the commentator Baldus) 'per testes affirmantes, non est admittenda contraria probatio per testes negantes.' In like manner Sir George McKenzie, 'To admit contrary probations,' says he, 'is to open a door to testimony as much to the same purpose the pleadings in cases which were actually under trial. This allegiance being direct contrair to the libel cannot be admitted. Besides that the pursuer offering to prove the libel as it stands, his probation, as it has the preference to it, cannot be reargued by a contrary proof; for seeing the law both of God and man has so far established the credit of two witnesses to hold their concurring testimony undoubtedly true, there can no proof be admitted of facts contrary to the nature of those established by their joint testimony. More especially considering that witnesses verifying a crime against a person accused thereof are less to be suspected (particularly at the instance of the public) of partiality than any that can possibly be adduced by the parties accused.' In short, the notion of a conjunct probation of the libel and defenses before the assize was thought too dangerous to be admitted; the prerogative of proving, and the choice of the witnesses, were to be given to one of the parties only; and on the evidence taken by that party the issue was entirely to depend. To mention but one instance of so notorious a point of practice: in the case of William Somerville, who was indicted for the murder of his mother" (in 1699) "a great part of the debate turns on this point—To whom should the prerogative of probation be given? Should the prosecutor be allowed to prove that the woman died of the injuries libelled, or the panel to prove that she died from other causes? The court were of the opinion for the prosecutor; the defenses were repelled, and the libel was taken to an advantage."

Another author says: "If A accused B for

breaking his stable and stealing his horse such an hour of the night, the pursuer may be well admitted to prove what he hath alleged; but the defender can never be admitted to prove that he was absent at that time, for that would be contrary to the libel and therefore most uniform."

Defendant Not Allowed Counsel.

The first amelioration of the law of criminal procedure was to permit the accused to call witnesses. The next was to permit him to employ a lawyer to sit by him in court and instruct him on points of law, but the accused person had to make his own speeches to the court and jury and to examine his own witnesses and cross-examine the witnesses for the prosecution. Imagine a stupid, uneducated man attempting to defend himself against suspicious circumstances with a trained prosecutor arraying the evidence against him, and with volubility and force overriding him! Even after he was allowed to bring in a lawyer to coach him in the defense, it did not matter how dull and slow of intellect the unfortunate prisoner was, the lawyer himself was not permitted to speak a word to either the court or jury on behalf of the unfortunate wretch. In the year 1760 Lord Fferrers was tried before the House of Lords. His defense was insanity, and yet his counsel, who was permitted to sit by him and coach him, was not permitted to cross-examine the prosecuting witnesses or to examine the witnesses for the defense. That had to be done by the man claiming to be insane, or not at all.

It was not until 1837 that the law of England permitted counsel to speak in court on behalf of persons accused of crime.

The last amelioration of which I shall refer has been brought about in my own time. That is to say, the prisoner is now permitted to take the witness stand in his own behalf.

It has always been the boast of the English and of their lawyers that the common law was merciful to the accused, the reason generally given being that under the English common law torture was not permitted. On the continent of Europe torture was common until about two hundred years ago.

Change in Public Attitude to Prisoner.

Is it any wonder then that certain maxims came to be thoroughly established in the law of criminal procedure? For example, that the prosecution must prove its case beyond a reasonable doubt? Of course it should prove its case beyond a reasonable doubt if the defendant has no chance to call witnesses in his own behalf or to employ a trained advocate to present his defense. It becomes another matter when the accused is given every facility for proving what the real facts were and may himself go on the stand and tell his story.

Formerly, as it is still in half-civilized countries, there was no sympathy between prisoners and the public seemed rather to rejoice than otherwise in the spectacle of a man standing in the stocks, or being hung. A man in the stocks was likely to be bombarded by the populace. The feeling is just the other way now in civilized countries. There is sympathy for the unfortunate prisoner and mistreatment of him by the public is unthinkable. But with a brutal law making almost all offenses punishable with death, and a procedure that did not permit any real defense by the accused, it is any wonder that the courts required the guilt of the prisoner to be made out beyond a reasonable doubt?

Other Ancient Maxims.

Again, it is a maxim of the English common law that a man shall not be compelled to give testimony against himself. For that reason the accused could not be brought before a magistrate and examined as to the circumstances of his connection with a supposed crime. Neither could his papers be

examined. Is that anything more than another illustration of an attempt on the part of courts to mitigate the brutality of the law? Again, there was a maxim that it is better for ten guilty men to escape than for one innocent man to suffer. The origin of such a maxim can probably be traced to the same feeling that brought about the other maxims above cited.

By allowing an accused person to make his defense by counsel, giving him the privilege of being sworn and testifying in his own behalf, and producing such evidence as he may have in his favor, there is scarcely a possibility of an innocent man being convicted. Such things have occurred, but are so extraordinary in character that they need not be considered in establishing general rules, or else they have occurred through perjured testimony. All men are agreed that the prevention of perjury is impossible. The wrongs inflicted by it are among those evils of life that cannot always be escaped any more than suffering from any other crime of another person.

Old Maxims Now Absurd.

Again, the maxim that every man is presumed innocent until his guilt is established beyond a reasonable doubt, was very well in the times when criminal procedure was as I have stated, but at the present time is absolute nonsense, and is practically disregarded in the treatment of persons accused of crime. It is upon the presumption that a man is guilty that he is arrested and brought to trial.

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A homicide may be committed in the view of many persons and there cannot be the slightest doubt who did it, but the law presumes him innocent until the jury convicts. And on the trial great use is made of the maxim by strong and magnetic men in addressing the jury. The court also is always required to instruct the jury to that effect. The only use of the maxim, therefore, at the present time is to impose upon the jury and give its members an excuse for indulging their natural sympathies for the prisoner or his family.

Therefore, considering our present state of civilization, the known and well-settled relations of the state to its individual members, the ideals that all reasonable men now have of justice and mercy, I would abolish these maxims of the law and introduce in place thereof more reasonable maxims consonant with our present institutions and our methods of allowing the prisoner to make a complete showing of his innocence, if in fact he is innocent. Then in addition, I should make some changes in the law of procedure.

Suggestions for Reform.

In the first place, when a crime has been committed and the state has caused the arrest of a person to whom the facts point as probably guilty, I should require the arresting officer immediately to take the prisoner before a judge of the superior court, or other court of record, and there have him examined as to his knowledge of the offense and the circumstances connecting him with it. The questions and answers should be taken down. Ninety-nine times out of a hundred, if the accused is innocent, his explanation or statement of the circumstances coming within his own knowledge will clear him from the charge. It is a fact, however, that in almost all cases the accused is really guilty. Notwithstanding his guilt, if he is immediately brought before a magistrate he will answer questions and try to make an explanation to show why he should not be held. He is sure then to give his case away. There should be no method by which an accused person can be forced to give any testimony, but if he refuses to answer questions or to make any explanation of the suspicious circumstances, that fact should be allowed to go to the jury upon his trial. Whether or not on this preliminary examination the prisoner should be allowed counsel I am not sure. I am inclined to think that he should be permitted, before the examination begins, to employ a lawyer. But if the fact that the witness's refusal to answer questions can be brought out on the actual trial of his case the lawyer will not advise his client to refuse to answer the questions if there is any possible way of explaining the facts so as not to convict his client of the crime. As it is now, whenever a man is arrested and gets in communication with a lawyer, that lawyer's uniform advice, instantly and always given to his client, is not to say a word. The necessity on the part of the community at large of this preliminary examination has become so pressing that the maxim that no man shall be compelled to testify against himself is broken every time a man is arrested for crime, provided the police keep him, for a day or two, or a few hours, from employing a lawyer.

Putting a prisoner through what is called the "Third Degree" has come to be common. It is unlawful, it is brutal, and yet because of the enforcement of a worn-out maxim that was very good when it originated, society winks at this brutal violation of the law.

The present law for indictment, or for filing an information by the district attorney, seems unobjectionable, except a foolish amendment that has been lately introduced by which an accused person can put the grand jury itself on trial. That is to say, he can bring the members of the grand jury before the court and question them as to their opinions, prejudices, etc., and in some cases thereby can get an acquittal set aside. This is wrong, plainly and unmistakably wrong, and should be remedied at the earliest possible moment.

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Chapter XII. A PUT UP JOB.

BY virtue of securing an educational enthusiast as principal of the ambitious and growing school at Tulare, the university spirit was strong, emphasized. As already explained, a Scotchman himself, and a college man, the principal had an inherited Scotch passion for college and his one ambition in life was to prepare and send more Californian youths to the state university than any other Californian educator. This one idea was the only thing that he really cared for and it was little short of a consuming passion. Everything in the way had to stand aside for that.

Of the pupils in his school there were no others more fully imbued with the idea that a college education must be had at all hazards than Clayton Brayton and Helen Singham. They had gone through the preparatory work together, in advance of their fellows, had passed the final examinations with flying colors and were looking forward to the time when they should enter upon their university course at Berkeley.

But just here came a cloud across the horizon. The financial part was easy for Gabriel, for he was an only son of parents who were more than well to do, notwithstanding the heavy stock losses in starvation years; but the financial part was not so easy for Helen. Her father had become heavily involved in the ditch enterprise and it was going to take all his crop to square obligations he had assumed, in part for others, with Isidore Josephs & Co., and tide him through until another crop could be raised. He finally made a plain statement of the case to Helen.

There was barely a week to intervene before the closing of the school year with graduation exercises, in which Helen held the post of honor, with Gabriel ranking next, when she came to school with eyes that plainly told of weeping, and she came late. During the morning hour the following notes passed between the two:

"Hello! Helen, what's been the trouble out on the Horned Toad Ranch?"

"Gabe."

"Papa says I can't go to the university this fall unless I will sell Roanoke to get the money to go on, and you know well enough that I never will sell Roanoke in this world."

"Helen."

"Why don't you make him take you to the university then?"

"Gabe."

"He could take me there quick enough, but how could we live after we got there? It isn't every race that a little sandlapper gets in the way of and so brings in a lot of money."

"Helen."

"Take a good look at this head of mine and rest easy. Hamilton says I've got a wonderful head for everything except Latin composition. I'll take your case under advisement."

"Gabe."

Later in the day, after Gabriel had scored one or two disastrous flunks in recitation because his mind was elsewhere, the correspondence was surreptitiously resumed.

"Say, Helen, let's go into partnership. You furnish the horse, I will furnish the brains, and we'll go halves."

"Gabe."

"In that sort of a deal I should have three-fourths at least, but what is your scheme?"

"Helen."

"Thanks heartily, but there is to be a great blowout at Porterville on the Fourth, and the star event is to be a purse of \$500 for a half-mile straightaway dash, \$350 to winner, \$150 to second horse, \$50 entrance fee. Roanoke can take second money anyhow and it may be first. Dad is getting Peacock into shape already."

"Gabe."

"I don't doubt that Roanoke can beat Peacock, but I haven't any fifty dollars for the entrance fee. You must think I am a national bank."

"Helen."

"Hamilton will let me have the fifty I know, and I can make good out of the jackpot, or out of what Dad's going to let me have to go to college on. Dad is easy. But look here!

THE SANDLAPPER

(Continued.)

BY

ARTHUR J. PILLSBURY

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Roanoke can't win in a sidesaddle, he won't win for anybody but you, and you have got to ride boy fashion, wear a jockey suit and do the thing right. There are five weeks to make ready in. I'll do the coaching. Is it a go?"

"Dear Gabe: You are good as pie, but Papa wouldn't hear to it. He would go wild."

"Helen."

"In that case he musn't hear of it until after it is over, and then he can go as wild as he wants to and it won't hurt anything."

"Gabe."

"All right I'll go you. It is wicked, I know, but it seems to promise well."

"Helen."

About half-way between Brayton's river farm and what Gabriel playfully called the "Horned Toad" ranch, where Helen lived, was a stretch of shallow swale, waste because black alkaline, but therefore moist and admirably adapted for a race course. Willows grew along the banks so that it was well hidden from view.

To this point, as the shades of evening began to gather, came these two school fellows with their horses to train Roanoke and his rider for what was looked forward to as likely to be the supreme effort of their lives. Gabriel brought an extra racing saddle from the home barn and one of his old jockey suits that he used to wear when he was "just a kid" and not the six footer he had now become. By hanging some carriage robes he had brought over some low willows, a dressing room for Helen was made, and when she emerged therefrom, with cap covering her coils of brown hair, she was as good looking a jockey as one would wish to see.

A half mile was measured off with accuracy, the way cleared and the horse and rider put through their paces almost nightly for more than four weeks. Generally Clay Babe was the running mate, but several times, when the elder Brayton was out of the way, Peacock himself was brought out and put over. Gabriel had now become so heavy as to be a handicap for the horse, but knew him perfectly, and, after making all allowances for weight, it was plain toward the last of the training season that Roanoke was the swifter of the two by one or two good lengths in the half mile.

The job may have been a trifle questionable, but it at least possessed the merit of being well put up, and it was "for the honor of the school," as Gabriel stoutly asserted every time Helen began to be troubled with nagging. "T. H. S. must be a winner in whatever it undertook, baseball, football, track teams or what not," was the sentiment that dominated the school to such a degree as to impart some sort of movement to even the most sluggish minds.

Chapter XIII.

A RACE FOR AN EDUCATION.

The fateful day at last drew near. Gabriel contrived to have a pressing invitation come to Helen to ride over and spend the Fourth with a Porterville schoolmate, and, accordingly, she rode over the day before, bringing along the necessary effects in his father's road wagon. Helen's school friend chanced to live close to the race grounds, so it was no trouble for her to slip away from view as a rollicking, winsome girl of sixteen

to emerge from her room a few moments afterward an up-to-date jockey that the sand-lappers had imported from San Francisco, a conjecture that Gabriel had slyly offered in his father's hearing, to make Roanoke "do up" Peacock.

Of Roanoke the elder Brayton had small fear, but he had reason to suspect that Fresno had worked in a "ringer" from Ingleside to snatch the championship of the valley from Peacock, who had held it so long. While he still had faith in Peacock's ability to beat "even the ringer," he was not disposed to allow that faith to cost him any considerable sum of money, but as to Roanoke he was reckless.

This was what Gabriel had counted on, and he had not allowed any scruples which Helen might entertain to dissuade him from taking full advantage of it. "If Dad wins from me," he said, "I'll make a clean breast of it, and make him 'cough up,' but if I win from him, and use the money to help Helen through the University, she'll only be getting what her father would have been able to give her if Dad hadn't hogged the water of the river. So here goes."

Gabriel had no trouble in getting the fifty dollars from Professor Hamilton, the principal of the school, for Roanoke's entrance fee, when the situation was explained to him in confidence, or to get another fifty for speculative purposes. This, with a little more than fifty dollars that he had saved from his allowance, and borrowed from his mother, financed him very well.

All he needed then was a confederate and him he found in Blythe Holland, an adult friend in town, who was ready for any lark that promised to discomfort some one else. So it happened that Moses Brayton, for the purpose of hedging against the supposed "ringer," was bantering right and left at odds of two, then three, and, when there were no takers, finally four to one, that Peacock would be the handsome one. At this point Gabriel gave Blythe Holland the wink, and he, much to the astonishment of bystanders, planked down five twenties and there was nothing for it but Moses Brayton must cover them four deep. He squirmed a little but came down with the cash.

Roanoke was now six years old, slightly under fifteen hands high. His sire was a Kentucky thoroughbred with an admirable record. His dam was a mustang, but the swiftest quarter horse of her time. He was what horsemen call a "one man" horse, perfectly tractable in Helen's hands, but whimsical as a spoiled child in other custody. For this reason he had been exempt from team work and had been given over to Helen, because, as a colt, she had learned to master him with tireless kindness. His mustang blood had sloped his hips and flattened his flanks, but his chest was deep, his back finely arched, his skin thin as kid, hair soft as velvet, and his veins stood out round as whipsnips. He was not a handsome horse to look upon except when in action, but anyone could see that he was a fighting, lively and true-winded racing spirit. He had been carefully fed under Gabriel's directions and was in the pink of condition.

There were six horses in the field for the star performance, and of them all Peacock was by far the most striking, for supposed "ringer" the least conspicuous. Blythe Holland represented Helen in the preliminaries, so that she could keep out of the way as much as possible.

The race course was across an open grass field two hundred or three hundred yards wide and a measured half mile long, terminating at a broad, bare roadway; it was inclined a little upward, had been closely cropped and made free from obstacles. Along this line on both sides were ranged hundreds of spectators. Helen had gotten her horse out early and had known it perfectly and knew, too, what it all meant, yet without exciting him to a pitch of nervousness.

In the selection of positions Roanoke's place fell between Peacock on the outside and the "ringer" from Fresno, but the track being wide, was not crowded. It was the final event

and was to take place between sundown and dusk when the heat of the day had somewhat diminished. The course was away from the sun.

The excitement was intense, the dust from the other races had settled, and, at last, all was ready. There was some jockeying over starting, but Helen held her own and had especially drilled Roanoke in starting as though shot out of a gun, so that Peacock's rider had no chance to block her way as Moses Brayton had instructed him to do, for, when it was too late, he began to realize that his bid offered greater odds than might prove prudent. He more than half expected the "ringer" to win, and his anxiety was to defeat the "sandlapper" horse at all hazards.

Time was called, the horses went to their places, Gabriel was seen to dash swiftly toward Roanoke and his rider on their way to the starting point, but he was not heard to whisper, "For the university, old girl, for the university. Never mind Peacock, but beat the 'ringer' on your left. For the honor of 'T. H. S.'"

The pistol shot was fired, and, true to instructions, Peacock's rider made a dash to the left to head Roanoke off, but when he got there Roanoke was a full length ahead and hugging the "ringer" nose to flank. At the quarter he had gained nose to neck, at half way they were neck and neck and not two yards asunder, at three quarters Roanoke was a good neck in advance and then came the supreme effort. The "ringer's" rider applied the whip like tongues of fire. Not so with the rider of Roanoke, who was seen to lean forward as if about to climb out to the horses ears and to spat his ride neck sharply while a girlish voice called "yipe, yipe, yipe," in a half whisper. The effect was magical. Spectators declared that the horse's belly did not seem to be a foot from the ground and that it did not take more than six or eight leaps to clear the last eighth of a mile.

Peacock's rider bounded over the goal two lengths ahead of the "ringer" and not less than three in advance of Peacock, with the other horses in hot pursuit.

The cheering of the "sandlappers" was prolonged and loud, but it was nothing to what it was a few moments later when in circling around to return to the judge's stand Helen ran too closely under a tree, so that a projecting branch caught off her cap and brought her hair down about her shoulders, and the people saw that the "sandlapper's" imported foreign was a slim girl graduate from Tulare High School. Up to that moment no one had recognized her, but when at last they did, and remembered that it was she who lost a race but won a life three years before, they cheered her by volleys again and yet again.

This was Moses Brayton's last race. The defeat of Peacock by the "sandlapper" horse so soured him on racing that he turned the horse out to pasture in disgust, and would have consigned him to service among the vaquero bronchos had not Gabriel begged hard for his possession in place of Clay Bahe, who would make a better cattle horse anyhow.

And so it was that Helen Singham, as well as Gabriel Brayton, went to the university at the opening of the fall semester, and when they went Gabriel went on horseback riding Peacock and leading Roanoke.

The case was some time in coming to it up with Papa Singham, but there is nothing that succeeds like success. As for Gabriel's part in the losses sustained by "Dad" Brayton, the time did not appear to be propitious for explanations. "Anyhow," Gabriel protested, "it is all in the family, and considering the residuary interests I have in the Brayton estate, it was my duty to safeguard it from being betted on the wrong horse."

Chapter XIV.

THE LAW, THE FACT AND THE JAIL.
Silas Singham was never accused, even by his enemies, of being a pig-headed man. In summer he wore a high pith helmet as he explained, that the blistering sun might not bake his brains into that condition of dreamy listlessness which too often comes to characterize people of the plains. He kept his

mind well in control of his will and thought things rather than speculated about them or dreamed over them.

His favorite roost, when the sun had sunk behind the Diablo range, and the dust of the day had begun to settle like a thin film of mist over the landscape, was the platform of his windmill tower, high enough above the ground to afford a clear outlook reaching to the straggling lines of oaks that marked the winter watercourse. Sitting restfully there alone in the gathering twilight, just out of reach of the sweep of the fans of the mill, he rested his body but employed his mind to such productive advantage as made him the leader of thought and action of the community life. There it was that he thought hard problems out and made stern resolves regarding future policies.

As sooner had the fourth crop season been brought to a close, and the men and animals been given a month's rest, than Silas Singham warned all out to take a hand in deepening the mouth of Enterprise canal so that no dam would be required in order to divert water into it whenever there should be more than enough water in the river to reach through the river settlement for the old ditches and for stock watering purposes. It was heavy work, but a six weeks' campaign saw it brought to a conclusion and the old channel so cleared of debris that it would carry double the quantity of water it had carried the year before.

This done, all the men returned to their homes to construct ditching ditches on their own lands and check them up with little levelers around the edges of convenient squares, or contours following a common line of level, so that they might sow alfalfa seed as soon as the rains came. Some planned orchards and others vineyards, and all were resolved to have water if it were in the river beyond the meanders of the river and in water for their stock and for the filling of such ditches as they had already created. As for the usufruct of seepage and natural flooding—that was so prodigal of water that its exercise meant that the plains should be uninhabitable forever, and that was to be resisted to the uttermost.

But the river people were not sleeping on their rights. They had taken out the last vestige of the dam that had been built across the river the season before and had dumped the debris into the mouth of Enterprise ditch so as effectually to preclude the taking of any water into it, and no sooner had the plains people reached the removal of that material than they were enjoined by the river people from touching it.

John Middleton, the attorney for the plains people, had studied the problem good and hard, and step by step, Silas Singham had kept pace with him. They had prepared for what they knew must come. They knew that the Common Law of England had been made applicable wherever there was no statute covering an issue, and that the riparian doctrine strictly applied meant no irrigation whatever.

But there was this reservation: By the Common Law itself, when the reason for the law failed the law failed. John Middleton and Silas Singham affirmed that in an arid country the reason for the application of the riparian law had failed, and therefore such was not the law. As a second string to their bow they held that the old slough which carried water to the Enterprise neighborhood, had been the choking of its mouth in the great flood of 1862, was a natural water course and that those holding lands on any one of its branches were riparian owners as certainly as those owning land upon the main river.

The contest was long and bitter. The array of legal talent was large. The case lasted in the court until the rains had come and the water had risen in the river sufficiently high, but for the debris at the canal's mouth, to enable Enterprise neighborhood to irrigate its riparian alfalfa lands.

Then came the decision. The court held that the riparian law of England was a part of the law of California, that those who were first in time were first in right, that the set-

tlers along the river had acquired a beneficial interest in the waters of the river, and that they had a right under the law to have the full flow of the river pass by their lands, even to the last man on the stream, undiminished in quantity and unpolluted in quality; that the only adverse claim that could stand against them was a claim by appropriation for a beneficial purpose, under an original claim of right, that had been adversely as well as successfully maintained for five years.

As to surplus water, which the defendants claimed the benefit of, the court held that there was no such thing as surplus water until the riparian owners had had their lands surfeited with seepage and overflowed with flood waters, as they had been theretofore, usually and normally, such as by the ordinary spring rises of the river. If however there should be extraordinary and unusual freshets, the excess might be regarded as surplusage and made available for defendants' use during the period while such excess continued. Therefore the injunction was made perpetual and defendants were restrained from removing the debris from the head of the slough, which the court held not to be a riparian stream and to all intents an irrigation canal.

That night the judge rendering the decision was burned in effigy at Tulare, and that night Silas Singham planted charges of dynamite in the debris at the mouth of the canal in defiance of the court's order and blew the whole mass out to such an extent that the water burst through and carried the rest of the debris away with it.

The court at once issued a bench warrant for his arrest and brought him into court on a charge of contempt. He had taken this action without consultation with his attorney or anyone else, and so stood at the bar of justice to confront his fate as best he might.

The judge was stern. He had been deeply wounded by his burning in effigy and the defiance of the prisoner at the bar. The court admonished the prisoner with great severity, but, before passing sentence, demanded to know what he had to plead in extenuation of his offense.

The courtroom was crowded to suffocation. The "King of the Sandlappers," as he had often been designated, stood in the presence of the court unabashed, resolute, even defiant, yet self-possessed. As he drew himself to full height, his blue eyes gleamed wide upon his breast, his blue eyes steady and clear, he commanded the unconscious admiration even of Moses Brayton, in whose name the proceedings had been instituted. As for the thronged courtroom of partisans, they were breathless and eager.

"Your honor," Silas Singham began, "men ought always to obey God rather than man. Nature's laws are God's laws, and as a God-fearing man I strive without ceasing to obey the laws of nature as they are revealed to me through my searchings after truth. Up on yonder mountains are engraved in the form of snow that fluid without which this great, broad and naturally fertile valley is a desert place, save where here and there a narrow channel, flanked with low lands, meanders through it to the trough of that valley. In that storeroom there are enough in store for all if rightly used. With my little windmill out on the plains, with its trickling stream of water, I have grown such roses as were not excelled save in Sharon, such grapes as grew nowhere save in Eschol. This teaches me what those plains may become when the waters that are now wasted are husbanded and turned out upon them to fructify them."

"Your Honor has laid down the law as you believe you have found it in books. I lay down the fact as I find it in nature. Where nature, ordained of God, has established a fact, and men in the purity of their wisdom, have set up laws to controvert the fact, which, think you, should a God-fearing man, concerned only for the wellbeing of his people, render obedience to? The water that these riparian owners have a right to run to waste, they may be saved the necessity of putting their lands under ditches, as we have ditched our lands, turned out there, as we have turned it on those incompatible plains, will

support a hundred people on the plains to one person on the river.

"It is true, Your Honor, that we came later than the first settlers, but after we were there to be countless generations born, and shall they, because they come late into the world, have no right to live? Shall the bounties of nature be sequestered out of their hands? With all deference to Your Honor's learning, I declare here and now that you have laid down the law, and the law can not and must not be the law, and if I spend half of the rest of my life in jail for contempt of court I shall dedicate my days of freedom to the overthrow of a law that yields to the coyote and the jackrabbit as fair a heritage as the Garden of Eden. Your Honor will remember that God put a river in the Garden of Eden to water that garden, and not that the last man on the stream might see it flow idly by.

"Your Honor, I blew that dam out of the mouth of our canal, not that I might show disrespect to this court, but that my neighbors and friends might make for themselves homes in the land that the Lord their God has given them. Even now those waters are being drunk by the thirsty earth and next spring those plains will be green in consequence. Next summer, wherever those waters go, those farms will be opulent with promise; next fall they will be rich in the fruits of a virgin soil, and the complainants here will not be harmed to the extent of one farthing, for, if they will apply to their lands the industry that we apply to ours, there will be enough water for all, and industry is not ignoble.

"In full consciousness of the rectitude of my own conduct, without extenuation or promise as to the future, I submit myself to your august will, but I know what is right, and I will do the right as often as I may have the liberty and power to do it."

The Judge, smarting under the indignity of disobedience to his mandates, yet in heart admiring the candor and courage of the prisoner at the bar, and who has just indicated the law as he found it, and sentenced the prisoner to thirty days in the county jail. During that thirty days the prepared lands of Silas Singham were watered and planted, and during the enforced retirement he thought out a plan for turning the tables on the river men. (To Be Continued.)

("Legal Maxims"—Concluded.)

controversy there is no reason why he should be permitted the unlimited right to challenge individual jurors that is now in vogue in this country. It is a practice practically unknown in England though the legal right there exists. It is, I believe, unknown in other countries. Ordinary intelligence, the reading of the newspapers, even the expression of an opinion derived from reading newspapers, should not disqualify a man for a juror. A certain number of peremptory challenges should be allowed both for prisoner and prosecution, but challenges for cause should be limited to very few.

I will consider now for a few minutes a marked difference between the law governing the conduct of the judge that obtains in the different states of the Union from what obtains in England and in the United States courts. Our statute expressly prohibits the judge from expressing any opinion on facts that may be developed at the trial. The American practice imposed on the judge by law is responsible for more acquittals for murder and other crimes than any other one cause. The province of judging of questions of fact is given entirely to the jury and the judge is only permitted to instruct them upon matters of law. In England the judges are men of great experience, and as trial lawyers. They are thoroughly accustomed to sift evidence, and are expected to guide and direct the jury. The judge is therefore at liberty, and in actual practice does make it a rule in charging the jury to point out the matters really in issue and sum up the evidence in support of the different propositions. The language of the English authorities is that the judge "sums up the case to the jury." The language of our law and authorities is, "the judge charges the jury." In England the judge sums up the whole case, arranges the evidence, elucidates it,

and, if necessary, disentangles the salient features that have been obscured by ingenious and eloquent counsel. With us the judge is forbidden in the state courts to do this very thing which by his learning, his training and his ability he ought to be able to do better than anyone else. It is for that reason that the English jury convict and our American juries acquit if there is a strong magnetic counsel to defend the prisoner. He appeals to sentiment, to sympathy, to ridicule, to abuse even, and diverts the attention of the jury from the real matter at issue between the people and his client.

It would seem that our legislatures are afraid of the judges, or else the rule would not be so universal that the judge shall not sum up the case to the jury. It would, no doubt, be asking a vain thing to require many of our judges to sum up the case to the jury. They could not properly do it. But to require it would, I think, help to keep incompetents from the bench and to improve the judiciary. There is not time to go further into the possible improvement by legislation and public sentiment of judicial proceedings.

I therefore close by repeating a truism that may be even a platitude: that there is no discourager of crime, or even of ordinary litigation, like the swift and sure administration of justice. The American people should respectfully face toward the gods of justice until all men are really and truly equal before the law, and weak or wicked men know that crime will not go unpunished, and the unjust man will know that the law will protect his victim.

("Macbeth's Macbeth"—Concluded.)

slight knock near the forest, where he pronounced his soliloquy, and we hear Banquo exclaim: "Look, how our partner's rap!" Macbeth slowly descends, and the cortege disappears in the shade.

We are next led to the vast stone-floored room in the abbey, where we find Lady Macbeth in her husband's study. The messenger announces the forthcoming visit of King Duncan. Macbeth enters. The famous scene is admirably arranged before a Norman window, through which streamed the white rays of the moon. The arrival of Duncan before Macbeth's castle and his reception in the court of honor were highly effective. The royal cortege, with torch-bearers, appeared in the distance and approached by a circular path. Macbeth met Duncan at the keep and conducted him to the great stairway, a feat of which he was welcomed by Lady Macbeth.

In a court where Lady Macbeth persuades her husband to murder Duncan one sees through the windows the brilliantly lighted banquet table. When Macbeth and Lady Macbeth ascend the steps to enter the hall one feels that Duncan's fate is settled. The dagger scene passes in the large hall of the ancient refectory. Macbeth then enters a corridor into which opens the door of Duncan's bed chamber. When Macbeth comes out of Duncan's apartment after having committed the murder he is met by Lady Macbeth in a courtyard. The scene of the drunken porter takes place in a long gallery running along three walls leading to a gate. This is appropriate, owing to the length of the monologue pronounced by the porter as he walks tipsily along to open the gate to Macbeth and Lennox. The tumult in the castle when the inmates are aroused by the cries of Macduff, Lennox and Macbeth, apprising them of the murder, is terrific. The supper scene, where Macbeth, returning to his chair—which he left temporarily to receive the report of Banquo's assassin—finds it occupied by the ghost of Banquo, was the weakest point of the performance, and verged upon the grotesque. On the other hand, the scene where Macbeth consults the witches is thoroughly Shakespearean. The spectators, grouped in a high, open gallery between North and South walls, look down into an ancient cloister, which by night has all the appearance of a cavern. The "secret, black and midnight hags" hobble about upon the grass around a huge boiling cauldron. Mystic, tomb-like gates open and reveal to Macbeth the series of frightful visions, while in another high gallery beneath open arches

one sees the procession of Banquo's descendants as kings in their coronation robes, emblems and crowns. Lady Macbeth's monologue while walking in her sleep is spoken in an enormous hall, in which is a long gallery, high up and encompassing three walls. She enters, grasping the flickering night taper, and utters the soliloquy as she proceeds slowly, passing along the gallery, descending the stairway and finally disappearing through a concealed door. This arrangement is most impressive.

SOME FACTS ABOUT ENGLAND.

The English Local Government Board has issued a report which contains data that may be interesting, and even surprising, to some readers. For example is it not rather surprising, as well as interesting, to learn that more than three-fourths of the people of the mother country—of some of us—live in towns? Yet such is the fact. A little more than a half-century ago (in 1851, to be exact) the population was almost equally divided between town and country, but, since then Darcy has concluded that he could do better in the city, and consequently has moved thither, frequently not to his betterment, either. Having moved to the city, and still holding it desirable to live, Joan, in numerous instances, has found it necessary to go to work for such wage as she could earn, and as a consequence, of every 100 women and girls in that country, 32 now are engaged in earning, or attempting to earn, their own living. This does not include those engaged in housekeeping, for it apparently is a theory of all census statisticians that housekeeping is not work. Of every thousand people 221 receive poor relief, a decided improvement over the condition in 1850, when 56.5 in every thousand received such assistance.

PERPETUAL HYMN.

("Tune, 'The Morning Light is Breaking'")
Thaw, Thaw-Thaw, Thaw, Thaw, Thaw, Thaw,
Thaw, Thaw, Thaw, Thaw, Thaw, Thaw;
Thaw, Thaw-Thaw, Thaw, Thaw, Thaw, Thaw,
Thaw, Thaw, Thaw, Thaw, Thaw, Thaw,
Thaw, Thaw-Thaw, Thaw, Thaw, Thaw, Thaw,
Thaw, Thaw, Thaw, Thaw, Thaw, Thaw,
Thaw, Thaw-Thaw, Thaw, Thaw, Thaw, Thaw,
Thaw, Thaw, Thaw-Thaw, Thaw, Thaw.

—Springfield Republican.

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The New Constitution and the Courts.

The judicial system provided for California by the constitution of 1849 was simple. It consisted in a supreme court having a chief justice and two associate justices, a system of district courts, the districts to be fixed from time to time by the legislature, and a county court in each county. The judge of the latter court was to be the probate judge and, sitting with two justices of the peace, the county court constituted a court of sessions with power to try minor criminal cases and a large number of civic cases. If California had been as peaceful, and as little litigious, as many of the states of the East and Middle West this judicial system would have sufficed until our time.

But the development of mining required the evolution of a new code of mining laws for the civil and the courts soon became clogged with business they could not transact. Therefore, in 1862, the constitution was amended and the supreme court enlarged to a chief justice and four associate justices. Fourteen judicial districts were provided in the state while the county courts had their jurisdictions considerably enlarged.

Nevertheless the makers of the new constitution found the judicial system of the state in bad shape. The courts were far behind in their work, delays were interminable and great dissatisfaction prevailed among the people. The bars to the bar had been let down low and the legal profession had become filled with shysters who used the law for the defeat of the law and with impunity. An effort had been made to make the courts non-partisan by electing the judges at special elections, but the system had proven costly, the people revolted against it and it had to be given up.

The makers of the New Constitution undertook to relieve conditions first, by enlarging the supreme court to a chief justice and six associates, and the court was authorized to sit in two departments and also in bank. It was thought that the court, through this device, should be able to do nearly double the work that the court had done when allowed to sit in bank only, in bank meaning together in one court.

To encourage this and all other courts to attend strictly to business the constitution provided that no one of the judges should be permitted to draw his monthly salary unless he could make affidavit to the fact that no case that had been submitted to him for decision for ninety days remained undecided. This spurred the judges to fuller activity, but judges and justices have seldom gone without their salaries while very many causes have gone longer than ninety days undecided. By occasional relieving, and other devices, the constitution has been side-stepped and delays in the administration of justice have almost constantly taken place.

Later the legislature came to the aid of the supreme court and authorized supreme court commissioners to help determine cases, their decisions being reviewed by the supreme justices themselves, but in 1904, the people adopted a constitutional amendment creating three district courts of appeal to stand between the superior courts and the supreme court. Since then the appellate business has kept fairly abreast with the requirements of litigants.

The New Constitution abolished the old district courts and the old county courts and established in their places our superior courts, one for each county (with as many judgeships in each county as judicial politicians can make shift to have created), these courts having about the same jurisdictions as the former district courts.

Those who follow the editorials, and special articles, published from time to time elsewhere in this paper will find the limitations of our existing judicial system fully explained. The purpose of this lesson is merely to show what changes in framework the new constitution made for the administration of justice and

to point out that the so-called reform movement of thirty years ago not only made no attempt to cripple the courts or handicap them, but gave them all they wanted in the way of enlarged facilities and longer terms of office in the hope that the administration of justice might be facilitated. California has not had more of justice than other commonwealths, but it has been wonderfully prolific in litigation. Men go to law "at the drop of the hat," as the saying is, and the expensiveness of litigation does not appear to deter men from going to law.

Another prolific source of litigation has been the use of water for irrigation. It has sometimes been said that more has been expended in litigation over water for irrigation than for irrigation works for the handling of the water, and this statement may not be far wrong. It might be added that delay and the uncertainty as to water rights, hindering enterprise, have been more costly to the state than either the construction of irrigation works or the litigation over conflicting water rights.

California has produced its full quota of able lawyers, but its judges have, in the main, been small men, men of cramped minds and not always free from political influences of the most baneful quality, while the bar has made up in numbers what it has lacked in ability and worthy ideals. All who give heed to the subject of justice appreciate the need for raising the standard of admission to both bar and bench and especially the character, emoluments and permanency of the bench to the point where judicial positions will be sought by men with minds and characters of first quality.

The New Constitution, and amendments to it since adopted, have not helped in this respect. The effort has been to have courts and judges enough to do the business without much regard to having the quality improved. The need of our time is to have better judges rather than more of them and a standard of admission to the bar that will shut half-baked shysters out of the legal profession.

A GERMAN'S VIEW.

In a book entitled "Germany and England" which has just been published in Berlin the author, Herr Bleibtreu, tells his countrymen his idea of the English.

In regard to English literature some of his opinions are as follows: "We consider Mrs. Humphry Ward to be the most important and even the most manly of modern English novelists." Charles Dickens, whose "Tale of Two Cities" is "the best composed work" that he wrote, is "the most inartistic of all British novelists," while Thackeray is "the greatest of all novelists." In respect of modern drama, "the distressing circumstance that the incredibly clumsy striver for effect Hall Caine, whose novels believe nothing but theatricality, should have achieved triumphs on the stage testifies to the taste of the British public."

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The Mayoralty Issue.

In brief the case stands thus:
The candidacy of H. H. McCarthy for mayor of San Francisco is founded upon the government of the whole by a class, and if McCarthy were the most exemplary candidate in the world (which he is not) he ought not to be elected for that reason. The movement for which he stands is wrong in principle and has proven abominable in practice.

The influences that brought Mr. William Crocker to the front, and forced his nomination upon the Republican party with Democratic and tenderloin votes are the most objectionable in our civic life, at this time, and, while Mr. Crocker has openly confessed as much, and has sought the aid of reputable Republicans and made them many promises, small reliance is to be placed upon professions made to the better element when there is no intent, or expectation, of breaking with the worse. Besides, the platform upon which Mr. Crocker stands is woefully unsatisfactory.

The platform upon which Dr. Leland is making his campaign is exemplary. It has the right ring to it. If the administration by Leland could be counted on as living up to that platform there would rest upon every citizen of character the moral obligation to vote the Democratic ticket regardless of party; but alas for platforms! The real platform upon which Dr. Leland stands is Gavin McNab. While the platform is for the graft prosecution Gavin McNab is against it and will fight it. The only saving grace of the McNab brand of politics is that his candidates are, as a rule, money-honest. That cannot be said of all the candidates on the other tickets.

Indications are that conservative, safe and sane citizens, without much regard to party, will support the Democratic ticket, not because it is Democratic and not because of its platform, but because it is more likely than either of the others to prove money-honest, a low type of honesty, to be sure, but better than none.

As for The California Weekly, it is incapable of enthusiasm on behalf of any one of the mayoralty candidates. The situation that does exist ought not to exist. That it does is an indictment of the so-called better element in San Francisco public life. It has been inefficient and the best men have been wanting in civic unselfishness. But the best, and not the worst, should be made of a bad situation and that best appears to be in the direction of supporting Leland and a carefully selected board of supervisors.

The pivot of the whole campaign is, of course, the election of Mr. Heney to be district attorney. That is the only moral issue involved, the only candidacy that appeals to the imaginations and the consciences of men. On its decision upon that issue will San Francisco be estimated by the world.

The Payne tariff law handed the Southern Pacific company a lemon, but it was a good lemon and hadn't been "squeezed." That corporation, and its allies, will squeeze 15 per cent. out of it now and the rest later. The growers will get the rind.

THIS NUMBER CONTAINS

American Shipping in American Ships

(FOURTH ARTICLE.)

By G. W. Dickie

Readers of The California Weekly will, in due time, find in its columns every important public issue explained by some person whose special knowledge gives him a right to be heard.

He Uttered Not a Word.

With regret it becomes the duty of The California Weekly to chronicle the fact that the President of the United States came to San Francisco and went away again without letting drop so much as one public word which indicated that he knew that there is going on here a struggle for justice such as this continent has seldom seen, a struggle fraught with greater results than are likely to flow from conservation, ship-subsidy, the Panama canal, coast artillery or what not. For, without justice, even-handed justice, justice meted out to rich and poor alike, we have no civilization worthy of the name. It is impossible to conceive of Theodore Roosevelt so coming and going and giving no sign of interest in such a struggle. Yet it is that very issue that our President professes to hold nearest his heart. He has made to the whole world the most damaging confession ever made by the head of any nation—the confession that, in his country, the attempt to administer justice is a disgrace to civilization.

William Howard Taft is an enigma. Great and good and, in many situations, resolute to resist evil, always above personal reproach, for all of his disturbing them the consciences of the American people may slumber as sweetly as he slumbers when he has returned from the golf links. The imaginations of the American people are not likely to be quickened into action through him. With serenity of mind and comfort of body he will sit at the wheel of the ship of state, keep her on an even keel and nose to the storm. His counsels will be wise and his conduct prudent, but if this nation be exalted with righteousness during his administration it will be a negative and not a positive righteousness that will exalt it. It will be a refraining from evil rather than the accomplishing of aggressive good at the cost of being disagreeable.

Here was an opportunity to strike a blow that would be felt from ocean to ocean. It would have stung in every counting room where a crass materialism is seeking gain at

the cost of debauching public morals and debasing manhood. If our system of administering justice is, as the President has said, a disgrace to our civilization, so our governing of municipalities is the ignominy of the world. And our President, having an opportunity thrust under his very nose to strike one blow for equality before the law, and another for the municipal regeneration of American municipalities, suffered that opportunity to pass by unnoticed.

We are sorry, sorry on behalf of the cause of justice, sorry on behalf of a suffering San Francisco and, as much as from any other cause, sorry on account of the President, himself, whose failure to strike a blow that would have counted will persuade many to believe that his righteousness is not of a militant type and that even his love for justice may be exceeded by his love for urbanity and ease.

Our Joshing Governor.

Certain ladies interested in securing the ballot for their sex affirm that, at Santa Cruz, during the holding of the convention of the Political Bureau of the Southern Pacific company for the nomination of state officers to be voted for by Republicans, one James N. Gillett introduced himself to them and then and there declared his belief in equal suffrage and gave his pledge that, in the event of his nomination and election to the office of governor, he would do all he could to advance their cause. The governor now declares that he has no recollection of any such occurrence; that he was not then, and is not now, in favor of equal suffrage for both sexes, and that if he did say any such thing he was joshing. If the ladies say that he said such a thing he said it. While it may not have been possible in the multiplicity of pledges which he passed out on his right hand and on his left on that occasion, for the governor to recall with certainty that particular pledge of faith, it would be wholly impossible for the ladies to whom the pledge was made to forget it. But our governor really is a heavy josh. He was joshing when he told these ladies that he was on their side and he was joshing when he went up and down the state telling the people that he was "no man's man," and beholden to no interest but that of the public. The trouble with a constitutional josh is that he sometimes makes it difficult for the "joshes" to tell whether he is joshing or only doing the delinquent school boy act. Our suffragist friends are not blameworthy if, to this day, they find themselves unable clearly to define just what it was that took place at Santa Cruz.

What the President is really doing on his 13,000-mile itinerary is to practice, on the public, in speeches, what he proposes later to try on Congress in his message. The device is sagacious. If he gets the public backing that he hopes for he will return to the executive mansion with an avalanche in his wake whose beetling altitudes statesmen will scan with concern before they shake the fist of defiance in its face, the more especially as it is not unlikely to follow them right on into their campaign for reelection.

WHO OWNS ELECTRICITY?

With the development of electrical energy and its transmission to consumers some very interesting legal problems are certain to develop and there is no certainty that, in their adjustment, an answer will not have to be forthcoming to the query propounded at the head of this article.

No one knows just what electrical energy is, but we do know that it is and that it is enormously important to industrial life. The invisible world appears to be surcharged with it and when anyone generates it and brings it within definite control, is it absolutely his property?

If any second party were to tap a transmission line and avail himself of an electric current that some other person had generated he would find himself chargeable with larceny, but suppose that a company supplies power to a factory at an agreed price and then, because of pique, whim or desire to freeze out one concern to the advantage of another, should refuse longer to supply such power to that customer, then what?

Or suppose that a land owner plant an orchard and, after establishing a pumping plant for its irrigation in conformity with an agreement with a power company as to electric energy with which to run his pump, the power company refuses longer to supply him with power, what recourse will he have?

The theory upon which water is distributed to consumers through public service corporations is that, "The waters of the state are, and by right ought to be, the property of the people of the state," and any public service corporation that undertakes to supply water does it as a common carrier employed at a reasonable price to fetch the people's water from where it is to where it is needed for use. Will electricity be supplied to consumers on the same hypothesis, that it is the people's electricity and the public service corporation is merely employed to gather it up and transmit it as common carrier from where it is to where it is wanted?

The user of water finally gets an easement in the water he uses and it cannot be taken away from him, so long as he pays the price stipulated or fixed by the public body empowered to fix the price. Will the consumer of electric energy acquire a similar easement in a similar way?

The President, at San Francisco, affirmed an intention on the part of his administration to so adjust the government's relation to power enterprises as to prevent extortionate charges and the monopolization of power privilege to the consumer's hurt. This is sound and, moreover, it is a forward step, for, at the present, the government has nothing in its contracts with power companies placing any limits upon the charges of power companies. The only saving clause is one authorizing the Secretary of Agriculture to annul a franchise if he thinks the public good requires such an annulment. Another eventual limitation is the termination of all franchises at the expiration of fifty years. But is it the government's electricity any more than it is the state's or an individual's?

Some of these queries may be academic, but of this we may be sure, wherever a franchise of any kind has to be granted as a condition precedent to generating, transmitting and selling electrical energy, control of some sort, from some source, will be imposed in the public interest and for the promotion of continuity of use as well as for fixing prices which may be charged. Property rights in sources of electrical supply, to be held in perpetuity, will be looked upon as in contravention of public policy.

THE STAFF

A. J. PILLSBURY.....Editor and Manager
J. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
V. E. FRANKLIN.....Business Manager

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BOW DOWN TO HAMAN.

Haman was rich. Haman had, through his riches, risen to the first station of power below the king. The people were commanded to bow down to him and they have been doing obeisance to Haman, personifying the power of money in governmental affairs, from that day to this. Few bend the neck willingly. None do so with love. Many render homage to Haman through hope of receiving some largess at his hand, but many more through fear of provoking his wrath and having visited upon them the crushing weight of his vindictive displeasure.

We are commanded here, in San Francisco, to-day, and every day, to "Bow down to Haman." We are told that they all do it, not only in this city but in other cities of America, likewise on the continent of Europe—everywhere money rules and Haman is being bowed down to in submissive, if hateful, adoration.

We are told that if we resist the power of Haman we shall disclose to the world our own infamy while other and wiser cities conceal theirs, gloss the thing over and, though they lose their self respect, they will be able to maintain a fairly decent counterfeit of it and so get on while we, of San Francisco, if we refuse to bend the neck as did Mordecai, shall, like him, find ourselves rending our garments and sitting in sackcloth with ashes on our inglorious heads.

But they hanged Haman fifty cubits high! And they did it because Mordecai had the courage to refuse to bend the neck. And when he was once hanged there was none so mean as to bow down to him, no, not one.

So will it be with the Hamans of our day when once they have been resisted and brought to the end of their tether. It is true that Hamans who are known to have been debauchers of official honor, hirers of the malign services of a prostituted press, have not lost social caste in so-called more exclusive social circles. The affront was done the President of having Hamans invited to sit at the same table with him in San Francisco and they sat there. As long as Haman is in the saddle there are those who will bow down to him.

But to the Haman at the end of his rope no one bows, and neither do exclusive social circles nor public function committees put upon their invitation lists men clad in stripes, men who eat out of patty tins, men who walk in the lock-step, are stripped to the buff to have their every physical peculiarity noted and their thumbs and fingers taken in the hands of another and rolled on a pad of ink and then on a pad of paper for purposes of future identification. That breaks the charmed spell. After that there are no more banquets to be attended in evening dress with broad expanse of white bosom and gems gleaming. No Haman who ever went through the ordeal

of matriculation in a state prison was ever after bowed down to, no, not one.

It is a cruel business, this vindication of the law. To one with the sensibilities of a Whittaker Wright it is more awful than death, for it is a living death until death; but it is as necessary as it is awful. Society has no other way of protecting itself from its Hamans, no other way of laying egregious sin bare to the bone, making it so repulsive that not all the advantages of affluence can tempt a man in his senses to venture the hazard of so dire a misfortune.

With the low-browed criminal, the sort of criminal we do commonly punish, it is different. He commits his crime first and reflects upon it afterward. Not so with the Hamans who have lived, and yet live, that men may bow down to them. They are in the possession of their senses. They think the crime out first in all its bearings and, if they dare, they make criminality of certain intelligent forms their settled business policy. They count the cost and commit the crime because they have reduced the chance of punishment to a minimum. They venture the hazard in the belief that it will be more profitable than sending argosies over seas.

The supreme need is for more Mordecais, stiff necked, resolute, preferring death to submission to any Haman, to refuse to bow down. Bowing down is ignoble, immoral, unpatriotic, slavish, unnecessary to any people daring to be free. For, let it never be forgotten, Haman, in spite of all his pomp and power, was hanged fifty cubits high. It seemed impossible, but it was done.

IS TAFT A PROGRESSIVE REPUBLICAN?

The President has now gone far enough, and made speeches enough, to make it fairly evident where he stands on economic issues of importance.

At Boston he stood for a central, national bank of discount through which the finances of the government may mainly be transacted. While this harks back to before Jackson's time, and will have the support of the "interests," it would be almost revolutionarily progressive as an administration policy.

At Chicago he spoke strongly upon the administration of justice and favored a congressional commission that the subject may be gone into thoroughly and needed reforms inaugurated. He also spoke of remedial legislation of a moderately progressive character as to the abuse of the power of injunction. His Chicago address was progressive.

At Winona, Minnesota, he spoke of the tariff, the most unsatisfactory address he has made since he left home, but even in that address he stood for a tariff commission and promised to crowd upon the little, half-equipped schedule commission grudgingly given him as many of the functions of a genuine tariff commission as possible. On the whole even this speech, though conservative, looked forward and not backward.

His conservation address at Spokane was progressive, with some unfortunate reservation, but, at San Francisco, he pushed the subject further, at least as to reclamation, and especially as to public control of privately owned forest lands. In respect to the latter he was away out on the frontier firing line of progress.

At Denver he stood for the summary distribution of great estates and for a prohibition of their being converted into trusts to be held together in mass, against perpetuity of inheritance in any guise. This speech shocked the financial nerves as nothing else in recent years, and, while it and a progressive inheritance tax, which he also favored, is, by

him, relegated to the states, his stand on this whole line is splendidly progressive.

He has committed himself to a rehabilitation of our American merchant marine by a ship subsidy, to the corporation tax (which the conservative courts would probably knock out) and to the adoption of the income tax amendment to the Constitution of the United States.

His address at Des Moines, on corporation control, the strengthening of the power of the Interstate Commerce Commission and the creation of an interstate commerce court, outlined constructive statesmanship of a high order.

Now all these issues are important and, if they can be put in issue before Congress, they will divide political forces, not on party lines, but on lines of progressiveness and conservatism with the President on the progressive side of many sharp controversies.

But these are not the things that are dividing Republicans into progressives and conservatives. Republicans are dividing more along lines of popular, as against corporation, control of government; direct legislation, the initiative and referendum, a workable direct primary law, direct election of United States Senators, a non-partisanship elected judiciary, the emancipation of the national government and the governments of the several states from corporation domination. On not one of these issues has the President so far let drop one syllable showing where his sympathies are.

The conclusion therefore must be that, as a statesman, our President is on the whole splendidly progressive while, as a Republican, he has said nothing to indicate where to place him. And the fact that he has said nothing raises a fear, if not a presumption, that time, and his appointments, may disclose him to be an "organization" man. The issue as to whether or not government is to be of, by and for the people, or of, by and for great aggregations of corporations, is too important to be ignored. The issue of whether or not this is to be a great republic composed of lesser republics, or an incorporated plutocracy, transcends every other issue the President has raised as El Capitan towers above a mole hill at its base.

The Handicap of a Phrase.

If the thing which ship-subsidy is could be called by some other name it would meet with a more hearty reception among the people. The transcontinental railroads made the term odious. The promoters of those enterprises grabbed everything they could get in the way of subsidies, clapped on all the traffic would bear in freights and fares, watered stocks, manipulated stock markets, undertook to run the governments of states and nation as well as their railroads and made the American people fearful of chiseling out any more Frankenstein's to harass them beyond endurance. It is small wonder that the passions are inflamed at sight of the term "subsidy" wherever seen.

And yet the issue is before the American people and it is to be hoped that they will not permit their final decision to be made through a pre-judgment, although not without great provocation.

This nation, in very self preservation, has got to give the rest of the world a robust dose of its own medicine, and it has got to do this as certainly in the rehabilitation of its merchant marine as in that of its navy. There should be no half-heartedness in doing it either. Uncle Sam should say to the nations, "I don't want a big navy and will meet you half way in disarming, but if you are bent on seeing which can fool away the most money on ships of war I'll give you a race for your money."

He should speak to the nations regarding a merchant marine to the same effect, saying to them, "I don't want to embark on this subsidy business, but if you fellows will have it that way I'll go you until we have matched you ship for ship on every sea where your ships sail." As Uncle Sam's purse is the longest he can stand it better than the other fellows can, but, all the while, he should be ready to meet them half way in discontinuing such a world policy.

Mr. Dickie's article in this issue of The California Weekly is extremely apropos of the President's visit. It dovetails perfectly with what our chief executive had to say on the subject, and it makes the course of events leading to our present humiliating condition perfectly intelligible.

We, as a nation, have got to carry our "American idea" of protection to its logical conclusion or abandon it. We must either extend the subsidized wall to a finality or level it. We have erected an artificial standard of living and scale of profit for our country and we must either maintain it to the limit or throw it away and take our chances with the rest of the world, catch as catch can. Seeing no prospect of taking down the wall it behooves us to extend it, and yet it cannot be otherwise than with dread that a new era of subsidization is entered upon.

That Immunity Bug-a-Boo.

There is no question that, beyond that tired feeling that attacks so many not of steadfast character, the most difficult obstacle Mr. Heney has to get over in his campaign is that of having granted immunity to the boodle board of supervisors. And yet his defense of that policy is so plain as to convince every person open to conviction that there was no other way of getting hold of the raveling end of the thread of evidence. The bribers "sat tight," as Mr. Fingy Connors would say. If they had been held up they refused to complain of the atrocity and refused to give the officers of the law an inkling of transactions that disgraced our civilization. That a rotten condition of municipal life existed everybody knew, but no whit of legal evidence to that effect could be obtained until the line of rascality could somewhere be broken. That line was attacked at its weakest point, was broken and the rest is so written into history that not one person charged with complicity in San Francisco graft will live long enough to get the taint of it out of his clothes. The issue is as plain as noonday and those who stumble over the immunity contracts should be denied the suffrage on the ground of being non compos mentis.

That Injurious Confession.

There are those who object to carrying the graft prosecutions further lest the ulcerous nakedness of San Francisco be laid bare to derision. It is small wonder that the passions are inflamed at sight of that nakedness through the use of a brave show of tawdry rags and so keep up a pretense of decency at all cost. In cogency of reasoning these people do not differ from the swill hauler who refused to take a bath until mortification set in for the reason that to take a bath and change raiment would imply that he had needed both, a confession of uncleanness he could not bring himself to make, and so was not washed until washed by the undertaker. It is no doubt true enough that there are other American cities as municipally corrupt as San Francisco ever has been, but it is not true that the cities of Great Britain and continental Europe are in a similar state. European conditions are unhealthful in so far as they are based on immemorial privilege, but they are free from graft.

The Deeper Significance : : : : of Living : : : :

There is a time in the life of every normal child when it is an animated, interrogation point. It desperately wants to know. Fortunately the child is, during this period, it finds itself in the hands of parents patient to tell the things it wants to know about, patient to listen, patient to encourage the spirit of intelligent inquiry at the cost of a hundred tired, almost hourly, interruptions that, seemingly, silly questions may be answered.

For the exercise of this prerogative of questioning seems everything to the growing mind of the child. It is to determine its degree of intelligence, its power of observation, its faculty for understanding in after life. During this period, in large measure, is determined whether or not the person passing through it is to be a human mudsill, a knot on a log, a person of pith or of punk.

How many of the readers of this would recognize the song of the robin if he were to hear it in an adjacent tree top? Or does the robin take his perch at the top of the tree? Who knows about that? Many birds never venture to the top of any tree. Some birds always do. Every tree is divided into social strata by bird life, each going to its appointed place and seldom venturing above or below. How many knew that?

As for the writer of this, he never feels the disgrace of ignorance, the shame of stupidity, as he does in woods or garden. The commonest things are the things about which he knows the least, and when, in desperation, he turns to someone else for information he generally finds him as ignorant as himself. It is only a professor in a university, with a Ph. D. after his name, who knows about the common things, and only now and again one of these knows.

"What is it?" "How does it live?" "What is its use?" "Is it a pest or is it a friend?" "Is it poison or is it a potheb?" Not being able to answer these questions concerning the commonest things by which we are surrounded, counts our commonest untold millions every year, millions that have been subtracted from our accumulations that need not have been, and millions that might have been added to our substance but were not.

But our pecuniary loss is not our greatest. Indeed it is hardly worthy of mention when compared with that daily loss of companionship with the common things that surround us, beset us on every hand pleading for recognition, but which we go blindly by, stupidly ignoring to an immeasurable impairment of our own powers. It is the common things of life that make up life. These are they which constitute our environment and mainly make us what we are. If we go blundering through them, heedless of them, our stupidity is not mitigated, our wits are not sharpened.

All that lies above the jellyfish is our capacity for taking notice of things, common things, that surround us. The jellyfish is unconcerned about everything. We are unconcerned about almost everything. That is a main difference between us and the jellyfish, and it is only the seeing eye and the apprehensive mind are developed that the understanding is formed, that we are made into sentient beings, in short, that we live.

The world is forming a concept of salvation different from what it has cherished all along. We are now coming to a new revelation, consisting of a more abundant life, a life that reaches farther as well as higher, life with many sympathies instead of few, life that sees and knows and feels, that takes an interest in all things. As we are to call nothing that God has made unclean, so we shall find nothing that God has made uninteresting if only we come to see and know the things that He has made. Where shall these common things of life be learned if not at our common schools? We grown-ups do not know them. There are not enough Ph. D.'s to teach us. There seems to be nothing but to do as we always do—lean the burden upon the public schools, already staggering under their load.

WHAT THE WORLD IS DOING

How Germany Handles Her Forests.

While the United States is facing the problem involved in a threatened lumber famine, due to our care-free devastation of our forests, Germany has faced a similar problem, and has solved it. She did it by insisting upon a "sustained yield"; that is, the forest must be made to produce wood as fast as it is cut. This may seem like a difficult thing to do, but Germany has demonstrated that it is not. Witness the figures: In 1830 the yield, restrained as above indicated, was but 20 cubic feet per acre; in 1865 (before the plan had had the effect fully to demonstrate itself) the yield had increased to 24 cubic feet, or 25 per cent. By this time the system was fully under way, and, as a result, in 1890 the yield had increased to 52 cubic feet to the acre, or 160 per cent over 1830; and in 1904 the yield was 65 cubic feet, a gain in 74 years of 225 per cent. And the gain in financial returns was even greater, the net returns per acre in 1850 being but 28 cents, while in 1904 they were \$2.50, an increase of just about 800 per cent. So it will be recognized that Germany handles her forests, not only with judgment, but also with much profit. The time is at hand when we must do a similar thing or pay a heavy penalty, and it would seem that her example is worthy of thoughtful attention.

Accident Insurance in the Fatherland.

Speaking of Germany, her management of her forests is not the only instance in which she sets an example which is, at any rate, worthy of consideration. Such another instance is her state-enforced insurance against accidents, old age and sickness. Under its conditions a workman is insured in case of total disability a sum equal to two-thirds of the amount he has been accustomed to earn, and this entirely regardless of whether his condition is due in any degree to his own negligence. It will be seen that this is an absolute departure from the old doctrine of contributory negligence. Of the amount thus paid one part is paid by employers, another by co-employees, and an additional \$12.50 is paid by the state in cases of old age or invalidism. During the year last past sickness insurance was drawn by about 5,000,000 people, the average payment being 19 cents, which, by the way, goes farther in Germany than it would here. At the present time 12,000,000 people there are insured against sickness, 14,000,000 against invalidism and old age, and 19,000,000 against accident. Of course, workers are compelled to contribute to the fund for this purpose. It is estimated that one-half of the people of Germany are thus insured.

Black Diamonds Found Only in Brazil.

We are wont to speak of the coal we use as "the black diamond," and both its chemical constitution and the price we sometimes pay for it appear to warrant the usage. Nevertheless, there is such a thing as a black diamond, and it is other than coal. It really is a diamond, but it is black, and nobody knows what it is that gives it its color. Moreover, it is found nowhere in the world save in a comparatively small tract of land—about 225 miles square—in Brazil. Nowhere else has any specimen of it ever been found. The black diamond does not sparkle and coruscate like its white brother, but it nevertheless is highly valuable, its value consisting in the fact that it is harder and less brittle than the gem of commerce and the bartender's shirt front. This makes it the best of all substances to be used in drilling. Because of this merit it has during the last thirty years increased in price from \$5 to \$85 a carat, and the price still trends upward, as it is likely to do, for no known substance can take its place in boring for gold, silver, copper and other mineral deposits. Some of these black diamonds are harder than others, and they are like a razor blade—there is no means of telling which is good and which is bad save by actual usage.

Do You Use Slave Cocoa?

The Anti-Slavery and Aborigines-Protection Society of Great Britain is appealing to the people of the United States to join in the British boycott of cocoa produced by slaves in Portuguese West Africa. It has now been several years since it was first reported that the cocoa which bears the San Thome brand was a product of slave labor, and subsequent investigations demonstrated that the report was true, missionaries and other credible witnesses testified that the negro laborers for the San Thome company were simply bought and sold. The situation being understood, public sentiment in England soon enforced a boycott, which was followed by a transfer of the traffic in this cocoa from that country to the United States. Now, as has been said, Englishmen are asking us to join them in their righteous boycott. There should be but one response to such an appeal on the part of men and women who believe that slavery is one of the blackest crimes born of "man's inhumanity to man." Better institute a careful search to see whether the cocoa you use bears the somewhat celebrated San Thome brand, and, if it does, try something else.

Where Actors Do Not Live High.

If actors in Germany do not spend more than their incomes, it is certain they do not indulge in riotous living very much. Indeed, their incomes, they assert, are so narrow that they are asking relief, in the form of new and more favorable theatrical laws, of the Reichstag. That their assertions do not go wide of the mark is indicated by statistics relating to their pay, which they are extensively circulating. According to these statistics 45 per cent. of the German actors receive what, in American coin, would amount to \$170 to \$240 a year, or \$14 to \$20 a month; 25 per cent. receive less than \$600 a year, or \$50 a month; 20 per cent. from \$600 to \$750 a year, or \$50 to \$60 a month, and but 10 per cent have incomes of more than \$750. So stand the facts, as related by the actors, and as neither the managers nor anybody else appears to deny them it is probable that they are true. It would appear that a youth who there must have the taste never very bad before he would decide to make the histrionic art his own.

Leather Now Made from a Cactus.

It may be that the leather you sometimes admire grew on an alligator's body, and it may be that it grew in a cactus somewhere out on an Arizonan or Mexican desert. If the latter is the case, the cactus of which it once constituted a part was of the kind known as the giant saguaro, and it was but recently that it was discovered that it could be converted into a very good quality of leather, much resembling that made from the skin of the alligator. The method of making leather from the cactus is of the simplest, consisting in merely squeezing the water out of the plant. The discovery of this quality was made in a peculiar way. A man chanced to squeeze a bit of the cactus which he was holding, and later noticed that the piece was stronger and more pliable than it was before the moisture was squeezed out. This led to experiments and the discovery that an excellent species of leather could be made from the cactus. A peculiar quality the leather thus made possesses is that it can be shaped in any form before tanning, cutting, etc., thus doing away with the necessity of sewing. As the saguaro cactus is of considerable size, the "leather" from it may be cut into large pieces. It is probable that it will become more and more an article of commerce.

Russia May Be Our Railway Rival.

In the number of its miles of railway the United States stands far and away in advance of any other country in the world. Indeed, such an assertion does not begin to state the

case, for this country to day has more miles of railway than all Europe, and nearly as many as all the rest of the world combined, while our development in this line still rapidly continues. Nevertheless, it is quite possible that some day we will have a rival, and, if so, that rival will be Russia. There is a country two and one-half times as large as the United States, and with a population one-half greater, and railways there, now in their infancy, show many signs of that rapid development which must take place if Russia is to take the place which she should hold among civilized nations. In short, there is room and demand in the Czar's realms for numerous railways, and if some day we are to have a rival she must be the one.

France to Use Aluminum Coins.

France is about to lead in a way in which it is probable that she shortly will be followed by other civilized nations. Before long she will have substituted aluminum for the copper coins which weigh down pockets, whether in France or elsewhere. Already she has entirely ceased the coinage of the heavier metal, and it is reported that the shortage is being felt as an inconvenience. It is expected, however, that the minting of the new coins will be begun by the end of this year. Aluminum will be used only in the coinage of pieces which in purchasing capacity are about the same as pennies and half-pennies. In size they will be both thicker and lighter than francs.

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OUR FIVE-FOOT SHELF.

"She Stoops to Conquer."

A play that is not theatrical, and that reads as smoothly as a narrative, wit without malice; burlesque without vulgarity; good humor and gentle satire and lovable characters; a play that is without a villain and in which nobody is discomfited—these are parts of the triumph of Oliver Goldsmith in his delightful old and perennially new comedy.

We do not know of another piece of English literature that retains so completely as this play the fresh bloom of an immortal youth, or one that comes to the reader, a hundred and a half years old, with such unmarred intimacy of immediate acquaintance with its kindly author. Better can be said of it than that "it might have been written yesterday"; when one reads it one feels the personal presence of Goldsmith, a real man with a striking and lovely and quaint character, smiling at you from the pages.

But, the critics say, the highest dramatic genius is impersonal. And they add, one does not see the man Shakespeare at all in his plays. Well, "She Stoops to Conquer" is a better play than some of Shakespeare's—"Coriolanus," for example—and maybe the critics have not absolute laws of criticism. Be that as it may, Goldsmith the man shines through this comedy of Goldsmith the dramatist as the sun shines through the solar spectrum, revealing to the reader rich and pleasing shades of character that are as immortal as his play.

POLAR VERSE.

A London evening paper prints a humorous communication from the "President of the Royal Eskimo Academy of Sciences," claiming the honor of the discovery of the north pole for Ahwels and E-lun-a-bunk (a synonym of Etukishook), but admitting they were assisted by Commander Peary and Dr. Cook, and then drops into this parody of a well known piece of verse:

Ah-gundrop-welsh and E-lun-a-bunk were very great men particular!
They used to climb up very steep bergs, exceedingly steep, perpendicular!
The bergs that they climbed were innumerable bergs, exceedingly so, multitudinous!
And every berg was a very high berg, exceedingly high, altitudinous!
And those very high bergs, those very steep bergs (which makes the thing more inexpressible),
Those unaccountable bergs, those impossible bergs, were every one inaccessible!

MARGARET ANGLIN'S TRIUMPH.

Margaret Anglin has achieved the crowning success of her career in the title part of "Helene Richie," a dramatization of Margaret Deland's novel. Franklin Fyles, the dramatic critic, gives an acute analysis of the greatness of the test to which the actress' powers were put upon her return to the American stage, in the following paragraph:

"To quite appreciate the significance of Margaret Anglin's re-entry into New York it is necessary to glance over the three years of her absence. She went away a popular and successful actress; she returned to face the most trying of tributes—the tacit acceptance of her as ranking among the greatest actresses of the period. She came back free from managerial restraint, but also from all guidance and aid—taking upon herself the financial and artistic burden of a big production. Furthermore, she returned in the glow of foreign acclaim, won by no easy means, but in the most exacting roles of classic drama. And she achieved a triumph—a greater triumph than was hers on the memorable 'first night' of 'Mrs. Dane's Defense,' because then she had the benefit of taking her audience by surprise, while now she faced an assemblage expecting so much that fulfillment seemed well-nigh impossible."

PERSONALIA.

Fanny C. Macauley, of Louisville, Ky., who wrote "The Lady of the Decoration," under the pen name of Frances Little, is an aunt of Mrs. Alice Hegon Rice, author of "Mrs. Wiggs of the Cabbage Patch." Mrs. Rice is the "mate" to whom the letters in "The Lady of the Decoration" were written. Her second book, "Little Sister Snow," the scene of which, like that of "The Lady of the Decoration," is laid in Japan, will be published this month by the Century company.

The Mayor of Tokio, husband of Mme. Ozaki, the author of "Warriors of Japan," has written to the President offering 20,000 cherry trees for the new park in Washington, and after the customary circumlocutions have been observed the national capital will have two blossoming Birnam woods for its annual decoration, and the Virginia Mayflowers in the markets will have dangerous rivals. Mme. Ozaki's book is to be illustrated by Japanese artists, and the correctness of its pictures is assured.

Mary E. Waller's "The Wood Carver of Lymhus" is in its twenty-fourth American edition, and an English edition is now in press. The book was first published five years ago.

SWANK.

For the information of readers who wish to keep abreast of current developments in language, we can state with authority that the newest slang word is "swank," the "a" pronounced as in "sank." It means "humbug." Its origin has been hunted down and it has been found to be a good old English country word, of whose acquaintance nobody need be ashamed.

It exists as a dialect word in the midlands and south and west country in all its modern slang meaning. So far it has only reached London, but it will soon be abroad in California, no doubt.

Californian Poets' Corner

Mrs. C. F. Hall Wood, who wrote under the name of Calista K. von K., was for a good many years a resident of Santa Barbara and while there pointed a volume of verse from which the following is quoted:

DANCING TRIPLETS.

By Camilla K. von K.

Shake the silver fringe of Folly's bells,
Dance, undaunted to the magic chime.
Dance, as erst the fauns in Grecian delles,
Shake the silver fringe of Folly's bells,
List the tale of love that laughter tells,
Webs to grip the wary feet of Time.
Shake the silver fringe of Folly's bells,
Dance, undaunted, to the magic chime.

Wait for age to teach thee melancholy,
Foot it lightly in thy gallant prime.
In thy youth be frolicsome and jolly,
Wait for age to teach thee melancholy.
Bind about thy feet the bells of Folly,
Joviously they swing to rhythm and rhyme.
Wait for age to teach thee melancholy,
Foot it lightly in thy gallant prime.

Here the youthful player stands, anointed
King of the soul-searching violin.
From his bow black demons fly, arointed!
Here the youthful player stands, anointed;
By Apollo's benison appointed
Dancing feet to revelry to win.
Here the youthful player stands, anointed
King of the soul-searching violin.

Where's the foolish working world? Forget it.
Dance, and jingle Folly's silver chime.
Fast departs the golden day—O, let it!
Where's the foolish working world? Forget it.
Here I take the merry dance and set it
In the mad mosaic of my rhyme.
Where's the foolish working world? Forget it.
Dance, and jingle Folly's silver chime!

THE FULTON-LESS CELEBRATION.

The Hudson-Fulton celebration in New York presents one anomalous humor to the New York Sun, as appears from the following: Down in Trinity churchyard the body of Robert Fulton lies buried, and over it is erected a handsome monument, so a Sun reporter was assigned to go down and see about it.

The reporter knew he would find the grave of Fulton decorated with flags and banners and streamers and garlands and bouquets and rosettes and quite a number of other things which he thought of as he strolled. That was where he was fooled, for Robert Fulton's grave in Trinity churchyard is undecorated.

Everything else within sight, including Trinity Church and St. Paul's Chapel, is decorated; all the skyscrapers surrounding Trinity churchyard, all the shipping in the harbor, are elaborately decorated. Out on Broadway peddlers rascally call their more or less official programmes of the Hudson-Fulton celebration, and the bright faced young girls leaving their offices and chewing gum and talking baseball wear Hudson-Fulton celebration decorations on their jackets.

The grave of Robert Fulton, of all things conspicuous or inconspicuous in that part of the city, animate or inanimate, renowned or unknown, is not decorated.

The reporter, lamenting his useless accumulation of decorative patter, went all about the monument looking for decorations. There were none. Pensively he stood aside to watch the passing couples, largely bridal couples upon honeymoon trips, to see if any were so poor as to do Robert Fulton reverence. None were. Pensively, too, the reporter called the attention of one bridal couple to the monument, but they swept proudly on, the man murmuring something about his being up to the wiles of confidence men.

Next came a couple who somehow inspired the winsome belief that they came from Kokomo, Ind. The reporter directed their attention to Robert Fulton's tomb, and they stopped, looked blankly at the inscription, at the bronze bust and then spake the man:

"Well, what about it?"

Came another couple, she fair and young and smiling, he tall, middle-aged and dark.

"This," said the reporter, and by this time his inflections were those of a gentleman operating the megaphone on a Seeing New York car, "this is the grave of Robert Fulton."

"Friend of yours?" inquired the bridegroom suspiciously.

"A friend," responded the reporter, "of mankind. He discovered the north—that is, he invented the night boat line to Albany and intermediate points."

"How cute," murmured the bride, and they passed on to the objective of all, the Hamilton monument.

The next couple, in response to the reporter's volunteered information, languidly inquired who Fulton was.

"Sir and lady," responded the reporter, who had insensibly become desperately in earnest in his purpose to spread the fame of Robert Fulton, "what are those boys, those many, many boys, those half grown men and whiskered men out on the sidewalk calling?"

"Why," responded the bridegroom, "they're calling programmes of the Hudson-Fulton celebration. There are three kinds, three cents, five cents and ten cents. We ain't just made up our minds which we'd better buy."

"This," said the reporter, "this is the grave of one of the parties concerned; this is the grave of the Robert of the Hudson-Fulton celebration of that celebration."

"I do declare!" exclaimed the bride. "Then he's dead. I didn't know they celebrated a man so much when he was dead. I think John, there's no use buying any of those programmes."

John Drew, in "Inconstant George," has just opened his sixteenth successive season as a Charles Frohman star.

LIFE AND DEATH IN SAN FRANCISCO

By GEORGE D. LESLIE, Statistician of California State Board of Health.

For recent years San Francisco shows the happy contrast of increasing births, with decreasing deaths. The birth registration rose from 3,923 in 1906 to 5,128 in 1907 and to 6,058 in 1908, the increase for 1906 to 1907 being 1,205 or 30.7 per cent., and for 1907 to 1908 being 930 or 18.1 per cent. At the same time the death total fell from 7,151 for 1906 to 6,575 for 1907 and to 6,260 for 1908, a decrease of 576 or 8.1 per cent in 1906-07, and of 315 or 4.8 per cent in 1907-08. The marriages numbered 3,539 in 1906, 4,158 in 1907, and 4,035 in 1908, the increase of 619 or 17.5 per cent. for 1906-07 being followed by a decrease of 123 or 3 per cent. in 1907-08, due perhaps to leap year shyness.*

Births.

Of the 6,058 births in 1908, 3,067 or 50.6 per cent. were male, and 2,991 or 49.4 per cent. were female. The per cent. male, 50.6 for 1908, was 51.3 for 1907 and 52.0 for 1906. The preponderance of male births is particularly great among non-Caucasian babies, of whom in 1908 52.5 per cent. were males, against only 50.6 per cent. for white babies. Moreover, the proportion of male births is greatest for white mothers born in other States than California (52.3 per cent.), next for those born in foreign countries (50.6 per cent.), and lowest of all for mothers born in the Golden State (49.7 per cent.).

The race distribution of births in 1908 was: White, 5,856 or 96.7 per cent.; Chinese, 98; Japanese, 91, and Negro, 13. The per cent. white was 98.6 in 1907 and 98.3 in 1906.

Nativity of Mothers.

The nativity of white mothers in 1908 was as follows: Foreign born, 2,450 or 41.8 per cent.; born in California, 2,323 or 39.7 per cent.; and born in other States, 1,083 or 18.5 per cent. In 1907 and 1906, respectively, the per cent. foreign born was 40.3 and 39.5; the per cent. born in California were 41.4 and 41.6, and the per cent. born in other States were 18.4 and 18.9 per cent. In San Francisco, the white mothers of foreign birth now outnumber those born in the Golden State.

Comparison of the nativity of brides and mothers indicates that foreign born women are more inclined to bear children than are Californian or other American women. Thus, the per cent. of foreign born in 1908 was no less than 41.8 among white mothers against only 32.3 among white brides or 32.1 among the single white brides alone. On the other hand, the per cent. born in California was merely 39.7 for mothers, as compared with 45.7 for all brides or 47.7 for single brides; similarly, the per cent. born in other States was 18.5 for mothers against 22 per cent. for total brides or 20.2 for only single brides. The corresponding figures for 1907 and 1906 likewise show that relatively many more mothers than brides were born in foreign countries, while, on the contrary, relatively more brides than mothers were native daughters or other Americans.

Deaths.

Of 6,260 deaths in 1908, 3,914 or 62.5 per cent. were male and 2,346 or 37.5 per cent. were female. The per cent. male in 1907 and 1906, respectively, were 63.4 and 62.9, while the per cent. female were 36.6 and 37.1.

Distributed by race, the decedents in 1908 were: White, 5,991 or 95.7 per cent.; Chinese, 157; Japanese, 58, and Negro, 54. The per cent. white was 97 in 1907 and 96 in 1906.

The nativity of the white decedents in 1908 was as follows: Foreign born, 2,668 or 44.5 per cent.; born in California, 2,001 or 33.4 per cent.; born in other States, 1,136 or 19 per cent.; and unknown, 186, or 3.1 per cent. The

corresponding per cents. for 1907 and 1906, respectively, were as follows: Foreign born, 44 and 41.3; born in California, 33.2 and 33; born in other States, 19.2 and 18, and unknown, 3.6 and 7.7.

The classification of decedents by selected age periods gives the following results for 1908: Fifteen to 64 years ("productive ages"), 3,541 or 56.6 per cent.; 65 years and over (old age), 1,470 or 23.5 per cent.; under 1 year (infancy), 782 or 12.5 per cent.; 1 to 4 years (childhood), 279 or 4.5 per cent.; 5 to 14 years (youth), 185 or 2.9 per cent., and age unknown, only 3 or less than one-tenth of 1 per cent. The corresponding per cents. for 1907 and 1906, respectively, were as follows: Fifteen to 64 years, 57.2 and 52.4 per cent.; 65 years and over, 21.6 and 22.8; under 1 year, 12.9 and 13.1; 1 to 4 years, 5 and 4.8; 5 to 14 years, 3 and 2.8, and age unknown, .3 and 4.1.

Causes of Death.

Of the 6,260 deaths in San Francisco in 1908, those from diseases of the circulatory system (heart disease, etc.) numbered 1,054 or 16.8 per cent. of all, as compared with 16.2 per cent. in 1907 and 15 per cent. in 1906. The deaths from tuberculosis totaled 845 or 13.5 per cent. in 1908, against 12.2 per cent. in 1907 and 11.3 per cent. in 1906. The proportions increased for both heart disease and tuberculosis, especially the latter. In 1908 native Californians formed 319 or 37.7 per cent. of the tuberculosis victims in San Francisco, the per cents. for 1907 and 1906 having been 40.6 and 42.1 respectively.

Other notable causes of death in San Francisco in 1908 were as follows: Diseases of the respiratory system, 773; violence, 665; diseases of the digestive system, 560; diseases of the nervous system, 463; cancer, 409; Bright's disease and nephritis, 376; and epidemic diseases, 256. The leading epidemic diseases in 1908 were: Diphtheria and croup, 81; typhoid fever, 77; whooping cough, 25, and measles, 23. There has been a marked decrease in deaths from typhoid fever, the number for 1908 being only 77, against no less than 123 for 1907 and 220 for 1906.

Marriages.

Of the 4,035 marriages in 1908, 3,165 or 78.4 per cent. were the first for both parties; 414 or 10.3 per cent. were the first for only the groom; 264 or 6.5 per cent. were the first for only the bride, and 192 or 4.8 per cent. were the second or over for both groom and bride. The corresponding per cents. for 1907 and 1906, respectively, were as follows: First of both parties, 79.8 and 77.5 per cent.; first of groom only, 8.9 and 10; first of bride only, 6.8 and 7.2, and second or over of both, 4.5 and 5.3.

Among the grooms in 1908, 3,579 or 88.7 per cent. were single; 273 or 6.8 per cent. were widowed; and 183 or 4.5 per cent. were divorced. In 1907 and 1906, respectively, the per cents. single were 88.7 and 87.4; the widowed, 6.7 and 7.4, and the divorced 4.6 and 5.0.

Of the brides in 1908, the single numbered 3,429 or 85 per cent.; the widowed, 355 or 8.8 per cent., and the divorced, 251 or 6.2 per cent. The corresponding per cents. for 1907 and 1906 were: Single, 86.5 and 84.7; widowed, 8.1 and 8.3, and divorced, 5.4 and 7.

The widows remarrying outnumbered the widowers by 82 or 30 per cent. in 1908, as compared with 20.8 per cent. in 1907 and 12.3 per cent. in 1906. The divorced women marrying again likewise outnumbered the divorced men by 68 or 37.2 per cent. for 1908, against 17.3 per cent. for 1907 and 36.1 per cent. for 1906.

Nativity of Brides.

There were only 65 marriages of non-Caucasians in San Francisco in 1908. Of the 3,970 white brides, 1,815 or 45.7 per cent. were born in California, 1,282 or 32.3 per cent. in foreign countries, and 873 or 22 per cent. in other States than California. The per cent. born in California was 47.7 among the single

brides, 40.4 among the divorced, and only 30.6 among the widowed. The per cent. foreign born was no less than 40.3 for the widowed, as compared with 32.1 for the single and merely 23.2 for the divorced. The per cent. born in other States was 36.4 among the divorced and 29.1 among the widowed, but only 20.2 among single brides. The figures for 1907 and 1906 were substantially the same as those given here for 1908, the proportions being particularly great each year for California girls among single brides, for foreign born women among widows remarrying, and for other Americans among divorces marrying again.

Of all the white brides in 1908, the single numbered 3,370 or 84.9 per cent.; the widowed, 353 or 8.8 per cent.; and the divorced, 250 or 6.3 per cent. The per cent. single was 88.5 among the brides born in California and 84.5 among the foreign born brides, but only 77.9 among those born in other States. The per cent. widowed was 11.7 among other Americans and 11 per cent. among the foreign born, against only 5.9 for the native Californians. The per cent. divorced was no less than 10.4 among brides born in other States, as compared with merely 4.6 for those born in California and 4.3 for those born abroad. These figures for 1908 like similar ones for 1907 and 1906 show that the single brides in San Francisco were mainly native Californians or foreign born women, while the widows remarrying were largely born in other States or foreign countries, and the divorces marrying again were principally other Americans, in contrast with California girls or the foreign born.

Alfred Noyes, whose "Drake, an English Epic" received most favorable comment from such critics as Swinburne and Kipling and is about to be published in this country, will be twenty-nine years old this month. Two years ago he married an American girl, Miss Garnett Daniels, youngest daughter of the late Colonel B. G. Daniels, U. S. A., who was for some years United States consul at Hull, England. Since leaving Oxford university, Mr. Noyes has deliberately chosen the writing of poetry as a means for earning his livelihood, and, in spite of many warnings as to the impracticability of such a career, he is said to have experienced but little difficulty in the sale of his verse.

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* For the first eight months of 1909 the totals were: Births, 4,371; deaths, 4,103; and marriages, 2,675. On this basis the total for 1909 would be about as follows: Births, 4,350; deaths, 4,150; and marriages, 4,000. The relatively small figures for marriages in San Francisco are explained by the fact that many city couples go to the suburban country to be married.

AS THE WORLD WAGS

By A. J. WATERHOUSE.

"Time for Bed."

I remember, I remember, in a cottage long ago,
When the world was all a-sparkle in its mantle of the snow,
How we used to play together, just my sister and myself,
Where each shadow cast by firelight was a tiny, dancing elf.
There, my grandfere read some volume, though today I am afraid
That his reading was a labor in the racket that we made,
For we youngsters were not angels—so, at least my aunty said—
And the elders oft suggested mother's "Now it's time for bed."

Time for bed! Well, I should say not! Other times may come and thrive,
But the time for bed for urchins—who has known it to arrive?
So in anguish we protested, tried some scalding tears to shed,
But our woe was wholly wasted on that changeless, "Time for bed."
Then there came the dread disrobing, bed-side prayers (I somewhat fear
That the spirit oft was lacking), then our mother, mother dear,
Stooped to kiss us. "Heavenly Father, bless my little ones," she said—
Years that fly what have you brought me like that blessing o'er my bed?

All adown life's dappled meadows I have wandered, I have strayed,
'Till that cot is but a shadow in the dawning where I played;
I have found Time's gilded baubles, but I lost, in lands afar,
Somewhat fairer, somewhat better, than these later tricks are.
We are weary in the struggle, we are burdened by its pain,
And we sigh for dawning summits that we nevermore attain,
And full often one is waiting, with a gray and lowered head,
For a mother's voice to whisper from the silence, "Time for bed."

The Bright Side of Fleas.

We are too prone to dwell upon the dark side of annoyances, forgetting that they may possess mitigating features which, looked at aright, serve to lighten the gloom and make the life-journey easier. Take fleas, for instance. We look upon them as a pest and a nuisance which should be suppressed, or, at any rate, turned over, and yet even a flea has a joy-giving capacity which we may find if we look for it.

The young lady who sat in front of me in church last Sunday was quite beautiful, and her air of sweet and placid devotion would have been unbroken if it had not been for the flea. Of course I could not see the flea, but I knew, and so did the young lady, that it was on that part of the back, somewhat north of the center, which can be reached only by calling in some other member of the family, no human arm being long enough to perform that mission for its owner.

The silent struggle that followed the victim's discovery of the whereabouts of the flea was so pitiful that no spectator could have seen it without smiling. The sermon was excellent, and it was evident that the young lady wished to enjoy it, but she didn't. She wriggled, twisted, and endeavored, in a manner to attract as little attention as possible, to prevail on the intruder to move on, but it was in vain. I might have helped her, and, as I witnessed her anguish, I almost felt it my duty to do so, but we had not been introduced, and I feared she might consider that I took a liberty if I did. So the poor girl had to struggle alone, and the sight was so pathetic that sometimes I had to hide my face. Still, recognizing the light that permeated the gloom of the occasion, I had quite a good time.

Thus it will be seen that even the loathed flea may bring joy to us—when it is on some other person. When it is not, of course, it is very different. * * *

The Opinions of Rufus.

Main difference between christianity an' creed, es I see it, is that if you watch a man you kin form a fair idee whether er not he's a christian, but you can't watch him long enough to tell what church he belongs to.

An', again, a creed is like a fiddle, mighty little good without the music that comes from it, which is christian livin'.

An', yit again, p'raps we'd better recollect that like es not our creed fiddle ain't the only musical instrymint the Almighty keeps on hand. He may have some pianiers, horns an' harps. He gits considerible music out of 'em.

Remember! that the curve in the line of beauty, oh, my brethern, let's paws to pay a deserved tribute to the femal heroes who, without a shudder conceal sech lines an' dress themselves up to look like the bottom stroke of the figger nine. We men are heroic, but not thus regardless.

Es the scripcher says, men don't hide their light under a bushel, but if some did I don't b'lieve they'd be any noticeable difference in the illuminashun.

The ghosts of Patrick Henry an' John C. Calhoun met. "It's true," they both says at once, "that I respect you, but when I think of what come of mixin' your blood an' mine—then they broke down an' melted away in tears."

The poet says that "friendship is a sacred trust, which puts it in a class by itself, the other trusts generally not bein' so regarded."

I b'lieve it would do some real pious men a heap of good to remember that the Nazarene denounced the scribes an' pharisees ruther more than he did the publicans an' sinners.

I don't mean to reely object to payin' the fiddler, but sometimes it does seem to me that his prices are away above union figgers.

Er—Well—Perhaps.

In my dream a being clad as I never had seen mortal clothed appeared before me.

"I come from a far world," he said, "and seek information. I have been informed that this is a government of the people, by the people and for the people. Is this true?"

"You bet it is," said I.

"The people, of course, are intelligent, honest, and govern themselves wisely?"

"Right you are," said I.

"And undoubtedly they select none but the wisest and best to represent them in office and manage their affairs, for them?"

"Why, of course."

"That, for example, was why Schmitz was elected mayor, was it not?"

"Er—well—" said I, and couldn't think of anything more to say.

"And it is why the supervisors who served with him were elected?"

"Er—well—" said I, and again hesitated.

"And it is why the same wise and intelligent people are now permitted to make a choice between McCarthy, Leland and Crocker, I presume?"

"Er—well—yes," I varied my answer.

"And I suppose they can be relied upon to act with an intelligence, acumen and judgment equal to that they have displayed in the past?"

"Er—well—I hope so," said I.

"The vision faded away so rapidly that I didn't have time to ask it what it meant, as I desired to do. I wish it had stayed longer, for I fear it meant to insinuate something."

Yes, He's Always Dead.

The man who sought the office.
He is richly clothed and fed,
But the man whom office sought for—
He is dead.

Pa an' His Four Tens.

One Sunday Parson Perkins preached about the heathen race
That need the lamp of righteousness to shine upon their face
An' pa'd been out the night before, an' then to ma explained
That by his business he had been regretfully detained,
An' so he slept the sermon through. "To help the sech strayin' ones,"
The parson said, "I ask your aid, for thus your duty runs.
Don't backward be. What have you got in answer to my plea?"
Pa gave a lurch an' most fell down; "I've got four tens," says he.

Oh, then the parson's heart was glad. "The angels give applause
Whenever sech sums are give," he says, "to help the heathen's cause.
Jest forty dollars is the sum—" "Er—say—hold on!" says pa.

"Don't be a fool two times in church—once is enough," says ma.

So pa he wrote a check right there—it busted his account.

"Sech strikin' grace," the parson said, "must lead to Zion's mount.
Let brethern haste, to do likewise to help the heathen live."

I'm grieved to say that fifty cents was most the others give.

When pa an' ma was goin' home it seemed to me, I know,
The atmosphere around them both was twelve degrees below.

At last ma said, "I need a hat." "It's yours," was all pa said.

"I also need a gown," says ma. Then pa, his face turned red,
An' then he says, "You'll git it, too; but hear me from my perch:
The day'll be chilly next time when I hold four tens in church."

But when he got me all alone he says, "Here's my advice,
Remember, son, there's some blamed games that are not worth the price."

The Teacher Who Whips.

Over in Haywards the old trouble anent the teacher who whips his pupils is on, and a petition has been circulated asking that corporal punishment be abolished in the schools. Well, I don't know. People will view the matter differently, but I was whipped many score times in school when I was a young and enterprising boy, and I am pausing right here to thank the teachers who thus sternly dragged me back to the path of duty. But one of them, I am guessing, was misapplied, and I allowed that to partly offset a thousand and one that I deserved and didn't get. They did me good, and I know it now, although I didn't enjoy them much at the time. There is a species of juvenile ruffian (thank heaven, quite rare) who can be controlled in no way except by the method advocated by Solomon, and I have observed that the parents of such frequently are the ones who yell the loudest against corporal punishment—probably that principally is what ails the kid. There are children who never deserve a whipping, and there are others who rarely deserve anything else. If my child were whipped in school he would have to prove very conclusively to me that the teacher was wrong before I would file a protest. It may be that the children who were whipped in Haywards were the youthful saints and embryo angels of the school, but, then again, perhaps they were not.

Faith and Works Combined.

"What makes you think he is a man of both faith and works?"

"Why, I, myself, have heard him pray to be relieved of dyspepsia."

"I don't see that that proves it."
"But he always takes liver pills afterward."

WHAT AUTHORS EARN.

The London correspondent of the New York Sun has collected the following data regarding the earnings of authors and publishers:

The case of Stephen Phillips, the poet and playwright, who is in very straitened circumstances, has opened the question as to whether English writers can on the whole be called successful financially. Mr. Phillips has had many plays produced in England and America, yet he is now in actual poverty, which he attributes to the failure of his last two plays, "The Lost Heir" and "Faust," both of which were presented in London.

The very recent death of John Davidson because he was tired of struggling to make a living from his poetry; the death of Francis Thompson, also without means; the case of Matthew Arnold, who after all his years of successful work left but \$5,000, and that of Charles Godfrey Leland, author of "Hans Breitmann's Ballads," whose estate was valued at about \$2,000, are instances cited, which are balanced by the case of Lord Tennyson, who left nearly \$300,000; of Swinburne, who left over \$100,000, and of Robert Browning, who left \$60,000.

As to authors of successful books, many have amassed considerable fortunes. Henry Seton Merriman, Edna Lyall, John Oliver Hobbes, Mrs. Isabella Lucy Bishop and George Meredith all left estates of value. But Florence Marryat, Mary Kingsley and even Lewis Carroll left such small sums as \$7,395, \$17,055 and \$19,000.

Publishers in many cases left very large fortunes, the chief among them being G. Smith of Smith, Elder & Co., \$3,899,800; Thomas Nelson of T. Nelson & Sons, \$3,154,335; George William Petter of Cassell, Petter & Galpin, \$2,602,805; Alexander Macmillan of Macmillan & Co., \$895,055; Adam Black of A. & C. Black, \$736,305; George Lock of Ward, Lock & Co., \$595,050.

"It was not so very wonderful that when Lot's wife looked back she turned into a pillar of salt." "Not a very wonderful thing to have happened in the age of miracles perhaps, but none the less, so wonderful happens in these prosaic days." "Oh I don't know; we were going out Main street last evening and when my chauffeur looked back he turned into a telegraph pole."—Houston Post.

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SHEAR WIT

"Is she making him a good wife?" "Well, not exactly; but she's making him a good husband."—London Answers.

"I tried art, but the critics said I lacked atmosphere." "What was your line—playing the cornet?"—Cleveland Leader.

"It is said that impetuous people have black eyes." "Yes, and if they don't have them they are apt to get them."—Philadelphia Telegraph.

Bridget: "An' did th' doctor say yez had any pronounced dis'ase?" Pat: "Shure and he did; but, begorrah, Oi couldn't pronounce it!"—Judge.

"Who told you to come here?" asked Satan of the new arrival. "Everybody," replied the new shade; "in life I was a book agent."—Houston Post.

"I don't believe in these faith cures brought about by the laying on of hands," remarked one woman to another. "Well, I do," rejoined the other; "I cured my little boy of the cigarette habit that way!"—Philadelphia Press.

To the layman "eggs is eggs," just as "pigs is pigs," but in the vernacular of a Yonkers dealer they are divided in varieties, thus: Extras, prime firsts, firsts, No. 1s, dirties and checks, seconds, current receipts, spots, and rots.—Yonkers Statesman.

"And now, ladies," concluded the lecturer on woman's rights to her down-trodden sisters, "I am ready to answer any questions." "Would you mind telling us," ventured one fair auditor, "where you got that perfect love of a hat?"—Washington Herald.

When invited on a yachting trip, always arrange to sit on the right of the main sheet. Occasionally rap the deck sharply with your heels. This will please the owner of the boat immensely. If you can arrange to tie a few knots in the main sheet, all hands will usually take a pleasant little swim before the day is over.—New York Times.

"I hope you don't mind my asking," said a woman, diffidently, "but should I call you professor or doctor?" "Oh, call me anything you like," was the great man's rejoinder. "Some people call me an old idiot." "Really?" the lady murmured, with sweet innocence. "But, then, they would be people who knew you intimately."—London Spare Moments.

Mr. W. E. Pence, writing from the City Club of New York, sends the following addition to "Shear Wit": Richard Mansfield, the actor, went into a restaurant for supper. The young man who took his order had at one time done a singing turn in Mansfield's company. He recognized the actor, and said, "I suppose, Mr. Mansfield, you are surprised to see me doing this kind of work." Mansfield said: "No; I heard you sing."

"Mrs. Peck tells me she did not learn to swim this summer as she had intended to." "I should say she didn't." "What was the trouble?" "Henry got all ready to give her her first lesson and began by telling her to shut her mouth, and she scratched him clear across the face and chased him two miles up the beach and into a tree."—Houston Post.

The first grade teacher had been able to spank Tommy with the greatest enthusiasm, but his next teacher had not reached the point where she felt she could do justice to him in spite of all his naughtiness. "Send him to me when you want him spanked," said the first grade teacher one morning, after her colleague had related his many misdemeanors. About 11 o'clock Tommy appeared at the first grade teacher's door. She dropped her work, seized him by the arm, dragged him to the dressing room, turned him over her knee and did her duty. When she had finished she said: "Well, Tommy, what have you to say?" "Please, miss, my teacher wants the scissors."—Everybody's Magazine.

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POLITICAL TABLE TALK

By THE WATCHMAN.

Party Loyalty Not for Bosses

How to get the citizens who desire good government to vote together at a primary election without imitating the methods of the machine is the problem which the Los Angeles reformers are trying to solve. As has been explained in *The California Weekly*, the Republican party, still clinging to old methods and trying to fit them to new conditions, called a partisan city convention which was supposed to be composed of two thousand delegates, and this convention nominated a ticket which Republicans are being asked to support on party grounds, although no party designations can go on the primary ballots and the whole intent of the charter provisions under which the primary is held is avoidance of party politics. Naturally the reformers do not wish to perpetrate a similar absurdity, but some means they must find to secure concerted action in order to win. By means of wise selection of candidates, by quiet conferences and by public discussion, they are seeking to do legitimately what the machine has sought to do through a method which can no longer be regarded as legitimate. Of course the success of the reformers depends upon acting in strict accord with the spirit of the charter and in making the citizens recognize that they are doing so. A good deal depends upon the Democrats, who, with the machine help, such as Mayor Harper had, might win a party victory which would not be a victory for good government. But if the Democrats, or a fair share of them, recognize that the charter has banished party politics from city elections, they will make common cause with the anti-machine Republicans, and will win a common victory.

Common Sense Not Partisanship

Meanwhile in San Francisco we are witnessing a contest involving substantially the same issues of good government which took place in Los Angeles, but which has been shaped up under a primary law that is almost the direct antithesis of the other. Some persons are disposed to say that the State direct primary law enthrones partisan politics in municipal affairs; indeed *The California Weekly* itself may have used about the same expression regarding it. And yet, so to say does not fairly represent the spirit of the new law. It was created and made applicable to city elections, not for the purpose of enthroneing partisanship therein, but in the belief that it was already enthroneed and in order to secure an honest kind of partisanship—in other words, to bring about the government of each and every political party by a real majority of the voters composing it. And neither does our State law defeat, or even seriously interfere with, non-partisan control of cities, a majority of voters favor that plan. Republican and Democratic partisans are now trying to make voters believe there is something about the new primary law which requires them in the regular municipal election to vote as partisans, but that is mere machine claptrap. Good results can be obtained under either the Los Angeles plan or the San Francisco plan if only citizens will manifest sufficient intelligence in operating them. In short, under any primary plan the whole issue is passed up to the common sense of the voter.

Criminality Hurts Us Worse Than Partisanship

Mean time it would somewhere clear the atmosphere in which primary systems have been discussed recently if it were borne in mind that no kind of election ever was or ever will be an unmixt blessing; on the contrary, the best elections will always be attended by serious evils. More than a hundred years ago one of the greatest statesmen and orators said in a speech in the House of Commons certain things about election which are still true. "To govern," he said, "according to the sense and agreeably to the

interests of the people is a great and glorious object of government. This object cannot be obtained but through the medium of popular election, and popular election is a mighty evil. It is such, and so great an evil, that though there are few nations whose monarchs were not originally elective, very few are now elected. They are the distempers of elections which have destroyed all great states." If Burke lived today, he would say it differently, but, so long as the tenderloin and criminal wealth join hands to control elections, he would not have occasion to change the spirit of his sweeping assertion.

Hard Sledding for the Engineering Department

California's experience with a state engineering department has not been happy. Nearly a generation ago William Ham Hall undertook to build up a state engineering department that would map the state like one's back yard, gauge all the streams and, in short, accomplish about what is now being done through a co-operative work between state and nation, by the nation. There is little doubt that he did his engineering work admirably, but his success in educating the statesmanship of California to the need for having that work done was not so marked, and the result was that the office was abolished, the data scattered to the four winds and state engineering dropped up into as many parts as there are phases of state business requiring engineering services. Each state institution hired its own engineer and its own architect as it needed one and there was no uniformity, and little conformity, in architectural and engineering services throughout the state.

Lessons From the Great Earthquake

The great earthquake of April 18, 1906, taught state officials having power to think a thing or two worth knowing. It disclosed the truth that state buildings had been erected by architects without the aid and aid of engineers with the result that great damage had been done that might have been avoided if sound engineering principles had been observed. Tons of ornamentation set on the tops of wiggly walls for architectural effect were thrown to the ground with disastrous results; brick buildings had been girdled by stone water-tables, but, preeminently, the egregious blunder had been made of placing great water tanks at the tops of high brick towers, built into and made parts of the walls of buildings, the swaying and swishing of which, during the earthquake, crushed such walls like eggshells. Furthermore, the superintendents of state institutions, without engineering advice, often, in making improvements, caused walls to be cut and laced with a total disregard for the integrity of the structure as originally planned and built, and the dangerous weakening of the buildings. Furthermore, the engineering cost, in the aggregate, under that systematic system was causing the state great expense.

How the Department Came Into Being

Nathaniel Ellery is, first of all, a Humboldtian. That of itself is equivalent to cards and spades in the estimation of Governor Gillett. Then he is, or was, related by marriage to the Gillett family. That counted for something, too. He had been State Highway Commissioner under Gage and Pardee and had done good service. He had inspected all the state buildings after the big earthquake, at the request of Governor Pardee, and had become more and more of the opinion that a state engineering department that should embrace all engineering and architectural needs of the state, and his own ambition to elevate his office to the dignity of a state engineering department (with himself at the head) ran on parallel lines with the common good as their common goal, and he persuaded Governor Gillett to the same effect. The Gov-

ernor threw his influence into the scale on behalf of Ellery's plans, and a State Engineering office was re-created.

The Indictment of The Department

Now come the several state institutions of California and, by way of indictment of the Engineering department, allege that it never gets anything done, that state work is delayed for want of plans and specifications and that, when plans and specifications do come to hand the estimated cost always exceeds the appropriation. It took two years to get out of the architectural department of the State Engineer's office plans for a receiving cottage at the Southern California Hospital, and the contract for the cottage has only just been let, although the appropriation for it was made by the legislature of 1907. Appropriations were made for improvements at San Quentin prison four years ago, architects hired and plans made, which the new State Engineering department promptly set aside, and it was not until after the last legislature adjourned that plans for two cell houses were gotten ready. Great delay occurred in getting the plans for the Agnews Hospital buildings ready, and now after some of them are up and ready for occupancy they cannot be used because the tunnels and laying of service pipes are not ready and may not be made ready all winter, solely because of the tardiness of the office of the State Engineer. In short, the general allegation is that state construction work is hampered and not helped by reason of this new department of state government and through its tardiness and inadequacy.

Where the Trouble May Be Looked For

No one who knows Nathaniel Ellery will doubt his integrity of character. His professional standing is good. What he can do we may be sure that he is doing to make good in his office, but it is unlikely that he has under him a single man of his own unhampered selection. It is altogether likely that the filling of subordinate positions in the state engineering department has been dictated by "organization" men in the interests of the "organization" of the Republican party. If there be inefficiency in the office it is likely to be mainly attributable to this cause. Furthermore, Mr. Ellery is not a particularly gifted manager of men. He is not of the type of man who can sit in his office and direct others to do the work. He must be upon the ground himself, take all responsibility and leave to subordinates only the details. That puts him on the keen jump all the time, and only his staff, and those who are waiting for the work to be done, have an easy time of it. If Ellery fails of making good with his department it will not be through lack of need for such a department, but, in part at least, because he himself is unable to do too much rather than too little of his work.

Discounting Complaints

In justice to State Engineer Ellery it will be profitable to allow something in the way of discount from the face value of complaints by reason of the reluctance with which boards of directors and state officials generally relinquish any part of the authority they once possessed. No official willingly yields any prerogative of his office, and the tendency is to reach out for more power and larger influence. Nevertheless it is quite possible that the State Engineering department has gone too far in taking to itself functions that the several institutions themselves should exercise. As the woman who is to use the kitchen should have something to do with the planning of her kitchen, so the superintendent of a state institution should be the one to determine what manner of buildings are needed, and it should be the function of the department of engineering and architecture merely to put the ideas of the executive force of each institution into form,

first, for submitting to contractors and, second, to see to it that contracts are executed in accordance with plans and specifications. For the department of engineering and architecture to assume to dictate what manner of buildings are needed is a usurpation of power. The idea of a state engineering and architectural department is a good one. It is a great misfortune that it was ever abandoned, and the policy the new department superseded was intolerable. If Mr. Ellery is proving not to be the man to work out the state engineering department without embarrassment to the state it is the duty of the Governor to find the right man for the place, and yet no right man can ever be found unless he, and not the "organization" politicians who infest the land, is given unhampered power to fill all subordinate positions in his department.

When Politics Enters Tranquility Takes Wing The Watchman sometimes wonders if women who are clamoring for equal suffrage realize how uneasy rests the head that seeks repose on a political pillow. Those who attended the State Suffragist convention in Stockton last week (convened about the time The California Weekly went to press), must have gotten an inkling of the truth of this statement. The convention straightway divided into conservative and liberal groups and, afterward, redivided into those who wished the convention to endorse the struggle for the establishment of justice in San Francisco and those who wished to adhere to the traditional policy of endorsing nothing that had not already endorsed the equal suffrage movement. The traditional policy won the day, and the Heney campaign was not entered, although a large majority of the delegates present were personally heartily in favor of the Heney campaign and stand for what Mr. Heney stands for in upholding a justice as equal as these very good women desire suffrage to be. The wisdom of following the traditional policy is making no official interest in anything that does not take a favoring interest in the cause of equal suffrage is to be doubted. It is not by a narrow exclusiveness that a sympathetic interest is created in any cause, but in the broadest reciprocity with other moral movements of the day. The suffrage movement is a moral movement in so far as it has any claim at all upon public consideration.

Common Good Must Determine From press reports of the discussions at the Equal Suffrage convention The Watchman gathers that the equal suffragists are still fighting the old battle of woman's rights. Women have rights, lots of them, and perhaps they ought to have more than they have got, but suffrage is not one of them. Suffrage is not a right. It is a privilege and a duty, and those having it who do not so regard it should forfeit it. Whether or not women should vote is not an issue of abstract right, or even whether or not it would be a good thing for women to be enfranchised, but whether or not their voting would be a good thing for the Common Good. The Watchman is of the opinion that it would prove beneficial, that it would bring into our political life a factor that would humanize it; but it would be a very heavy burden upon womanhood, and those among women who would be spared the drinking of the political cup are not so out of their heads as some of their more enthusiastic sisters seem to think. It is a good subject to keep alive. Meantime, the best way for women to gain the suffrage is to make themselves indispensable to the betterment by taking a keen interest, and lending a helping hand in public affairs whenever and wherever their influence can be made to count for making things better than they are. There is no power of reasoning that so convinces as a helping hand when help is needed. At the time when justice is being dragged to the altar men to be offered a living sacrifice to the cupidity of ambitious men. The Common Good must determine the issue.

Out Flanking City Charter Limitations Some of the good people who live in the city of Alameda have been wondering how it is that, with the State rate

of taxation and the county rate of taxation both reduced, they are going to be called on to pay higher taxes than ever this year. After the paradox has been explored it is discovered that the difference comes in through the changed method of levying certain school taxes. In former years the support of the high school was provided for in the city tax rate, which, as in most cities, is subject to a charter limit. Through an amendment of the school law by the late legislature, all high school taxes are to be levied by county boards of supervisors, and in some counties the common school taxes also are now being levied in that way. This enables the cities with charter limitations to continue levying \$1 on \$100, or whatever the limit may be, without making any provision for schools, the school taxes coming in as special district taxes levied by the supervisors of the county. This is as near a move to circumvent charters and get more money as the railroads make when they alter the classifications of freight and thereby get more money out of the shipper without making any change in their nominal rates.

UP AND DOWN THE STATE.

A company composed of citizens of Petaluma has purchased a tract of land and is boring for oil on Glazier creek, near Ukiah. The prospects are reported to be good.

The Pomona Progress recently issued a creditable thirty-eight-page edition in recognition of "Pomona Day," wherein the Southern California city advertises its merits to the world.

From three acres near Selma Wallace L. Lynn this year produced twelve tons of Thompson seedless raisins. This is the record, so far as it has been reported.

The California Dried Fruit Agency, located at Fresno, is offering one and one-half cents per pound on delivery for raisins, the only condition being a three-year's contract.

A ledge of gold has been discovered on the ranch of W. A. Fields, near Colusa Valley, which runs somewhat over ten dollars to the ton.

The Citizen and the Express, of Winters, have been purchased by business men of that town, and henceforth will be run as a single sheet.

An oil gusher, which is estimated to carry a flow of 15,000 gallons a day recently was struck on the Silver Tip property in the Coalinga field.

The third annual Parade of Products of Orange county has just been held. It is reported to have been notably successful.

Work is in progress on the roadbed of the Vallejo and Northern Electric Railroad company on the place of Lewis and Clark near Susan, and it is understood that it will be continued.

The Southern Pacific company is preparing to reconstruct its roadway between Vallejo and Susan. Ninety-pound rails will be laid in the place of the lighter rails now in use.

ONE THOUSAND SUCCESSFUL MEN.

(From the Juvenile Court Record.)

I have on my desk a list of 1,000 successful men of this nation. By "successful" I do not mean mere money-makers, but men who have given us new conceptions of steam, electricity, construction work, education, art, etc. These are the men who influence our moral as well as physical lives. They construct for better things.

How these men started in work is interesting. Their first foothold in work is a fine study.

Three hundred started as farmers' sons. Two hundred started as messenger boys. Two hundred were newsboys. One hundred were printers' apprentices. One hundred were apprenticed in manufacturing.

Fifty began at the bottom of railway work. Fifty—only fifty—had wealthy parents to give them a start.

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AMERICAN SHIPPING IN AMERICAN SHIPS

IV. WHY THE UNITED STATE HAS LOST INTEREST IN ITS FOREIGN SHIPPING.

By G. W. DICKIE.

It is self-evident that to a nation like this, having an immense seaboard on the two great oceans of the world, sea power both naval and commercial is a very desirable thing. Yet the history of this country, and the wonderful progress it has made, show that at certain stages of development it is not a prime necessity.

In its earlier history the population of this country, centering on the Atlantic seaboard and depending for a livelihood on an interchange of commodities with the mother country and her other colonies, naturally turned its energies and accumulated wealth to the upbuilding of a sea-borne commerce. Behind were great virgin forests of magnificent materials for building ships; in front, the ocean highway leading to all the markets of the world. With such opportunities the young and vigorous republic prospered. In the beginning of the last century, that an extensive mercantile navy in the foreign trade was an absolute necessity in its development and growth in wealth and power. The first Congress, as has been shown in a previous article, was very careful to protect this growing sea power, and imposed duties on foreign ships so that as long as these duties were in force they prevented the foreign vessels from getting any share of the export and import trade of the United States.

During the Civil war a portion of the shipping of the North was destroyed, and this is often given as a reason for the rapid decline of our foreign shipping. This was referred to by some of the Congressmen who lately visited San Francisco in a way that shows that this belief, natural enough forty years ago, still prevails even among our lawmakers.

Steady Decline of American Shipping.

I have shown elsewhere that a steady decline in the proportion of its own trade carried by its own ships began at the time that the foreign carrying trade was opened to our foreign ships and the last restrictions removed from the free competition of all countries in the foreign trade of the United States. The following statistics will show how steady the decline has been.

	Per cent of Imports.	Per cent of Exports.
In 1840 we carried.....	86	80
In 1850 we carried.....	78	66
In 1860 we carried.....	63	69
In 1870 we carried.....	33	38
In 1880 we carried.....	22	14
In 1890 we carried.....	17	9
In 1900 we carried.....	12	7

It will be noticed from the above figures that the decline had begun long before the war and that when the great struggle was over the decline continued; it is of course plain from the above figures that the Civil war did cause an increase in the rate of decline, as would of necessity be expected, for much shipping was destroyed and the natural direction of trade changed somewhat from American to foreign ships so as to avoid danger of capture by Confederate States cruisers. It will also be noticed that our foreign shipping is approaching absolute extinction.

Civil War Not the Cause.

The Civil war did not, then, destroy our shipping in the foreign trade; a great deal of floating property was destroyed as well as other property, but all property that was obliterated in the course of that struggle except shipping was restored in better form than ever before, wherever such property was needed in the development of the country. The past experiences of San Francisco are cases illustrative of the point I wish to bring out in regard to the upbuilding which will follow any sudden devastation or disaster whenever such upbuilding is necessary. San Francisco has been built in some ways that are grander than before, because the country needs a city here.

It is so with every product of man's labor; so long as the thing is needed and man's ability to produce it is not destroyed, whatever takes away from him the tools he works with acts as an incentive to him to devise and produce more and better tools. That the foreign shipping interest of the United States is not resting on the injuries inflicted during the Civil war but kept on steadily declining as it had done for years preceding the war, is in itself an indication that a merchant navy was not an absolute necessity to the development of the country. Had a merchant navy been a prime necessity to them the people would have demanded and secured laws fostering the interests of their own shipping engaged in foreign commerce. About the time immediately following the close of the Civil war other causes, which, in conjunction with the destruction of these enterprises, became powerful factors in preventing a prompt restoration of American shipping, were at work.

The Iron and Steel Ships.

One of these factors to which I referred above was the change then taking place in the methods of building ships and in the adoption of a new material for building them. The native oak of Old England that had enabled her flag to "brave a thousand years the battle and the breeze" was becoming very scarce, and ships being an absolute necessity to the maintenance of her position and power among the nations, a new material had to be found out of which to build them. This new material, first iron and then steel, had been gradually gaining the confidence of those who "go down to the sea in ships and do business in the great waters of the world." The Confederate cruisers burning the best wooden ships that carried the stars and stripes the British shipyards were learning the most economical methods whereby iron and steel plates and bars could be worked into the necessary shapes for building ships that would only equal their wooden predecessors in strength, and power to carry, but would far exceed them in size, speed and economy. In this new material Great Britain found her opportunity not only to maintain her position on the sea but to extend it to a magnitude that became the wonder of the latter half of the nineteenth century.

The American shipowners and shipbuilders saw all this going on, and no doubt understood and foresaw what the end would be, but in this country at that time shipowning and shipbuilding were not national necessities in the same sense that they were in Great Britain, and the people, most of whom had never smelled salt water, were indifferent to their opportunities in this particular respect. The necessity was claimed to be a personal one of material interest to the shipbuilders and shipowners only, and not a national necessity; this was the American view. In Britain the condition of her national merchant shipping was considered an issue second in importance to none. The position of Great Britain geographically, politically and commercially demanded that she get and maintain a paramount naval supremacy; such being the case, the shipbuilder there had only to learn his business of building good ships, and the government saw to it that the shipowner did not lack encouragement to use them.

In those days it was customary to represent the "Yankee" as always whittling wood; probably a great many of them loved to whittle, for the ships they whittled out of their vast forests of matchless timber were in many ways probably the best expression of the art of wooden shipbuilding that the world has ever seen. The men who so deftly hewed the timbers of the famous clippers that graced the middle of the last century were not the kind of men to take kindly to angle bars and iron plates and, while it broke their hearts to see the glory of their life depart, they were unable to get their country to make any real ef-

fort to hold the commercial supremacy of the sea. To keep their place in the shipping business required the mastery of a new craft, the founding of a new art in the working and manipulation of a new material. Most of all the new industry required protection. The adoption, almost universal, of this new material necessitated a change in the industrial life of the country amounting to a revolution; this change had to come gradually and as a result of growing needs, necessities and opportunities.

The Development of an Empire.

Just about this time there was a paramount demand for all the wealth and energy of the nation. It was the dawn of the era of railways. The type of men who could handle great enterprises on the sea was all recruited to the great work of making highways for land-borne commerce and in clearing away a wilderness that a great empire might be built up in its place. The opening up of the vast interior of the continent was a more pressing necessity to the United States than learning to build ships of iron and steel. So it came about that the generation now active in the affairs of the country is purely and solely a railway generation. That is to say, that as a rule the leaders among our people, whether in finance or commerce, have been trained to regard the development of railways as the one great and absorbing field in our country for displaying their energies and talents.

Perhaps at no time in the history of the development of any other country has one generation absorbed and brought under the power and influence of civilization such a vast territory as has the present generation in the United States. While this great work was in process of accomplishment ocean commerce would appear a very small thing to the men spending billions of dollars of borrowed money on railway improvements and extensions which were opening up new States to settlement and extending the national power to regions hitherto undreamed of. The government itself, equally engrossed in the extension of its territory, allowed the shipping interests to languish while it devoted great sums and princely estates to the development of means of interior and transcontinental communication.

Evidences of Change.

There are not wanting among our citizens thoughtful men who are beginning to feel that a change in the position of this country relative to the outside world has taken place and that we shall have to go further afield for markets for the products of our labor, whether in the form of agricultural products or manufactured articles; the internal development of our resources has outstripped the external exploitation of our commerce, and the time is not far off when we shall find it is necessary to begin to anew the task of building up an ocean commerce borne out ships flying our own flag. Whenever the country at large realizes that the time has come when at last it is a national necessity that merchant ships, built in our own shipyards, offered by our own citizens, owned and operated by our progressive men of affairs shall represent our enterprise and power in all parts of the maritime world, there will be found a way to do it.

The necessity of this revival of shipping must be felt throughout the length and breadth of the country, in the interior as well as on the coast, in the North and in the South, in the East and in the West, in order to carry with it the strength and momentum to give practical results; a sentiment in favor of the desired legislation must be cultivated in such a way that the efforts to revive and stimulate shipping will be understood by the masses of the people. When this happy condition of things has been arrived at all questions regarding such matters needing legislation will receive the treatment that their importance demands.

The need of this encouragement to our foreign commerce is growing upon us faster than

some people care to admit. The statistics of our trade with the world point to the approach of the time when we must reach out for a greater share of the world's trade than we have had in the past. Under present conditions the value of our exports is, in round numbers, about \$1,750,000,000, and the value of our imports about \$1,250,000,000, leaving a balance of about \$500,000,000 in our favor. It is the balance in our favor which insures continued prosperity. With these exports and imports carried in our own ships one-half of this balance would produce the same results. Will this country be able to maintain such a balance in our favor as will enable us to continue paying about \$250,000,000 every year for foreign vessels to carry it for us?

In fifty years from now the population of the United States will probably be in the neighborhood of 150,000,000 people, and if we continue to employ foreign ships to do our carrying for us we will have to export annually from eight to nine hundred millions of dollars more than we import, with a tariff as high as it is now, to maintain a balance of foreign accounts with any degree of success. Whence will come these extraordinary exports?

The growing population will continue to consume a greater and greater proportion of the edible portion of our products, leaving less for export to foreign countries, while our imports will continue without abatement, in fact may increase in amount per capita should the tariff be in any way reduced. We point with pride to our export trade of over one and one-half billions of dollars, claiming that it is the result of our skill as producers and of our foresight and ability as international merchants. I would suggest, however, that this great export trade is in nowise due to our skill as manufacturers or our ability as merchants. Of the aggregate exports, about one billion of dollars consists of raw cotton, food products, petroleum products, crude copper, lumber, and other raw materials of which we produce a surplus which the world not only wants but must have.

There is a time coming, and certain recent indications point to its rapid approach, when our increasing population will be more largely

urban than it is now, when factories will multiply rapidly at the expense possibly of the increase in farms, a time when we shall need new and important markets not for our raw materials but for our manufactured articles. The rest of the world may and does now come to us in its own ships for our raw materials and the products of our farms, but it will not willingly come to us in its own ships for the products of our factories. When that time, which I think is near at hand, comes we shall need international merchants, international bankers and an international merchant marine.

Why Government Aid Is Necessary.

National conditions over which the ship-builder and shipowner as such have no control make the cost of building ships in the United States much greater, 30 per cent at least, as we have seen, than the cost of building ships in foreign countries. The cost of manning and outfitting these American built ships is also much greater, probably not less than 30 per cent, more than the similar items on foreign ships. In addition, there are other expenses in the operation of vessels which are greater in the United States than in foreign countries, such as taxes, repairs, outfit, and equipment.

Most of these higher costs are the outgrowth of a condition resulting from the policy of high protection to industries. This policy, as we have seen, was first adopted by the very Congress which removed all protection from shipping engaged in foreign commerce. This policy has been in action during the whole period of the decline of America's foreign shipping.

The cost of the materials used in the building and outfitting of American vessels is necessarily high because of the conditions that obtain in other industries that are highly prosperous under the influence of the protective tariff; these industries produce precisely the same materials that are employed in shipbuilding and outfitting. The wages of American shipyard hands are upon the same high scale as the materials, due to the general high scale of wages prevailing in similar industries that are possible only under tariff protection. In the matter of wages I made some time ago a comparison between the wages paid here and in twelve of the British yards. This comparison showed that the rate of wages here averaged some 90 per cent higher than in the yards there; the shipyards on our Atlantic coast were paying at that time a rate of wages averaging about 50 per cent higher than the rate obtaining in Britain.

It is sometimes claimed that the American workman is superior to his British brother and will produce as much for the wages paid as any workman in the world. There does not appear to be much foundation for this claim as applied to American shipyards, for many of the very best workmen come here from the British yards. For piece work the prices paid here are about 75 per cent, in excess of those prevailing in Britain.

While this condition continues it is futile to suggest that ships can be built as cheaply here as they can abroad. If it could be shown, which has been made at times, had any foundation in fact, shipowners who are in the foreign trade would have their ships built here and operate them under the foreign flags; the fact that they are not built at all indicates that their excessive cost renders their use impossible in competition with foreign built vessels.

If none of the other nations did any of the things they have done so long and still do for the encouragement of shipping the difference in cost of construction, operation, etc., between American and foreign vessels would suffice to make it unprofitable and hence unattractive for Americans either to invest in or build ships in the United States for the foreign trade, but when we add to these undeniable disadvantages our citizens suffer under the advantages the foreigners possess through the assistance and regulations of their governments, then the reason why American vessels carry only about 7½ per cent of our total foreign commerce (which is valued at \$2,800,000,000 annually) and the reason why foreign vessels carry about 92½ per cent, collecting for this service freight charges and adding to \$250,000,000 annually, can be readily understood.

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Chapter XV.

A VISION AND A VOW.

SILAS SINGHAM'S days in jail, as punishment for contempt of court, afforded him the first extended period of physical rest he could remember to have taken, and he gave himself up to it without sense of shame because he believed himself to be in the right, and the law, or the court's exposition of the law, in the wrong. Others had suffered for conscience's sake, and why should he not?

But if his body was at rest, his mind was not. He applied it to the issue in hand with an intensity that made him as weary when night came as though he had followed the plow all day, so that he stretched himself upon his iron bed at night well disposed for sound sleep until morning. And so the time passed quickly and not unfruitfully.

The day of his deliverance from jail, having duly purged himself from contempt of court by suffering the measure of its displeasure, was a day made memorable. A great surprise was in store for Silas Singham. Not only did all of the neighbors turn out to do him honor in the hour of his liberation, but the "dry" farmers of the county joined in making the event one of great significance. A brass band was imported from Fresno, a great feast was spread on the court-house lawn, and at the hour of noon, when the jail doors were thrown open and Silas Singham strode forth, he found himself in the hands of a committee who conducted him to the head of the tables, escorted by a band of school girls clad in white and strewn flowers in his path, while the band played and the people cheered, and, from a blacksmith shop hard by, the anvil-cannon boomed a salute.

The oratory was deferred until after the hungry were filled, when John Middleton, on behalf of the assembled multitude, assured the guests of the honor that the demonstration was not made by a lawless people out of disregard for the law, but out of regard for one who, for their sakes, had endured contumely in protest against what they believed to be a mistaken interpretation of the law.

In his reply to the address Silas Singham made the speech of his life and, whether of itself good or bad, it was a truthful representation of the man.

"My friends," he began, "my kind and thoughtful friends, I have been thirty days in the wilderness, and it has given me my first opportunity to think for myself. While my body has been within those four walls yonder, reinforced by bonds of steel, my spirit has ranged as free as the eagles that soar about yonder mountains. In area I have covered the great interior valley from rim to rim and from Shasta to the Siachapi. In time I have covered so much of eternity as is confined between the uplifting of the Sierra Nevada mountains from out of the deep, when the spirit of the Lord moved on the face of the waters, and the transformation of this great interior valley into a garden of Eden began. Such a time it will become when man's laws have been made to conform to God's laws, and enterprise shall have made use of nature's bounties for man's comfort.

"Yes, I have seen the making of this our Eden that is to be. The Lord hath shown me the power of His works. I have seen this vast region a landlocked bay extending from Red Bluff to the foot of Tejon mountain. I have seen innumerable snow storms of innumerable ages falling upon the upheaved bulk of mountains rising range after range. I saw those snows melt with the warmth of the springs and summers of innumerable years and pour converging rivulets of waters into the canyons, chiseling the rocks away and filling the bay below with layer after layer of sediment brought down from above. As season succeeded season, and the streams came running into the valley at right angles to its trend, they heaped their burdens of detritus across the valley, and the great settling basins were made, sediment was deposited more evenly and dreary mudflats were upraised, the salt waters were forced back and the dry lands appeared.

"The sun dried the surface, the winds rose

THE SANDLAPPER

(Continued.)

BY

ARTHUR J. PILLSBURY

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and whipped the mud into dust and the dust into windrows, making more settling basins which the recurring floods broke down, draining the higher basins to the lower levels, only to have the process repeated until the valleys were upraised more than a thousand feet and the mountains had lost half their altitude. The consummation of the Lord's working without haste and without weariness is the broad valley, all of made land with soil deep as the wellsprings of human hope and rich as the bounty of God's love.

"I saw vegetation spring up and scatter its seed, and little earth-born animals appear to burrow in the soil and let the air into it to vitalize it. Then larger animals came, and finally men and women; but they were red men and women who went about half-naked, lived on the nuts that fell from the trees, on the roots of grasses and the flesh of animals and fishes, but sowing no seeds and improving no breeds of animals.

"Then came the white man, bringing cattle to eat the herbage, but only as dire necessity compelled did he take out the demonstration in the sand on the river bed at points most convenient for himself, and proceed to water a few acres at the largest expenditure of water with the smallest benefit to the land.

"Then I came, advance guard of you 'sandlappers,' to spy out the country. As the cattle man did little better than the Indian, inasmuch as he brought domestic stock to eat the wild feed, so we did a little better than the cattle man by bringing domestic seed to sow in place of the wild grasses, but no one of us is doing the Lord's will with our heritage. We are none of us making of it an Eden.

"To support a Christian family as Americans ought to live, as many as 400 head of these common cattle will be required to be kept by each family. It will require at least ten acres to sustain each animal, on an average, and, therefore, an average holding of 4,000 acres to the family will be necessary if this is to be a stockman's country. It is not much of an Eden that this valley will make at that rate.

"As for us 'sandlappers,' I have given 'dry' farming a fair trial. It has been weighed and found wanting. The handwritting upon the wall is plain to be seen. Failures and partial failures of crops will consume our substance and the substance out of the soil. There is no Eden to be looked for in that direction. We deceive ourselves to our hurt if we think there is.

"Let us take the waters out of the rivers where they enter upon the plains and before they are half lost in the sands. As we increase in wealth let us cement our canals and ditches that there may not be loss by seepage; let us build reservoirs for the impounding of flood waters, or construct distributing systems for the ramification of the valley in wet seasons, so making reservoirs of the sub-soil, and when, in the fulness of time, these things are done, instead of supporting one animal to each ten acres, our cattle men shall sustain at least two animals to the acre and they shall be so much better of breed, and dairy products shall be so valuable that forty cows shall be the equivalent of four hundred of our mustang stock-cattle, 'rustling' for themselves, and every forty acres shall be a farm with a prosperous family living on it.

"Good friends, this is the end toward which

we must strive. This is the new Eden out of which the Lord our God will not thrust us forth. I have seen it all as in a vision and I heard celestial voices proclaim: 'The earth is the Lord's and the fulness thereof; for he has founded it upon the seas and established it upon the floods. Oh! that men would praise the Lord for his goodness and for his wonderful works to the children of men. He turneth rivers into a wilderness and there he maketh the hungry to dwell that they may prepare a city of habitation, and sow fields and plant vineyards, and he suffereth not the cattle to decrease, as we have seen them whiten our plains with their bleaching bones.'

"But friends, we must first make man's law conform to God's law. The laws of God are the laws of God, and those laws only ought we to obey. I would be just to the riparianists. They came here first, and first in time should be first in right, and they should irrigate their riparian lands before we irrigate ours; but they must join with us in taking the waters out of the thirsty sand, and the dry ground, and so receive their waters through lateral ditches running back toward the river channels, which must be left open for drainage.

"I have seen it all from Alpha to Omega, and in that jail yonder, in the lone watches, I have heard the voice of duty, and I see no ground against riparianism and waste as Joshua went up against Jericho, and you are likely to hear my trumpet blowing any hour of the day or night. If you stand fast when you hear the call, the 'sandlappers' will prevail, and that right mightily.

"I have read that the best way to get rid of a bad law is to enforce it, and if you find me a riparianist of riparianists for a season, don't marvel at it. My plans are laid, and I must haste to put them into execution, for I say to you here and now that I have resolved to go up against the monstrous doctrine that would make a wilderness of what should be an Eden, and neither love of women nor hate of men shall dissuade me from my purpose."

"There was cheering when he had concluded and a general shaking of hands by everyone present, each promising to strengthen him in whatever he might undertake to do. And so the assemblage broke up, and the long procession of carriages, farm wagons and horsemen took its way to Tulare, preceded by the band, and when it got there another informal reception was held, more cheers and pledges of support were given, then a final disbanding for home.

"It had been a great day for the 'sandlappers,' and especially so for 'St. Sling'em,' as he had been commonly called ever since the day at Hell's Half Acre when he threw the dam-breakers into the water as though they had been bullfrogs.

Chapter XVI.

A WAY TO THE PROMISED LAND.

"John," demanded Silas Singham as he burst into Attorney Middleton's office the very next day after his release from jail, "I want your individual attention for half a day. Lock the door so that we may not be disturbed and let us get down to business."

"At your service," was the reply, and the two went at it.

"You see, it is this way," continued Singham, when he had tossed his big pipe hat into a corner and thrown himself into a chair. "I am going to take a heap of money to take the water out of the river high enough up the stream to avoid the sands, and so save it for the dry lands. The people ain't got the money, but they have got the land, and if the land can get the water it will become good security for the money needed. All we need is ditches; besides, it is right that the land that gets the water should bear the expense."

"Now we voted bonds to build a school house out at Enterprise district; why can't we vote bonds to build ditches if we can make an irrigation district big enough? All we need is the law and the votes, and I'll get the votes if you'll get the law, and you've got to go to the legislature."

"Men have gotten together here and formed first a county, and then school districts, and now we have two towns in the county that are incorporated. All of these have voted bonds for one thing or another, should the bonds

and spent the money for things the people wanted. Why cannot we do the same for irrigation ditches? It is as simple as swapping horses. Get busy now, and let's draft an irrigation district.

And so they fell to work, these two, in that dingy little office, to draw a law for submission to the next legislature whereby the desert wastes of California might be made to blossom. It was no easy task, nor was it an easy task to elect John Middleton to the legislature over the opposition of all the riparianists and big land owners of the county, but it was done, and this is how it was done:

The county was normally Democratic by a majority of 400. John Middleton was a Republican. The saloons were the recognized center of political activity, and they were mainly Democratic, too. Silas Singham had little use for liquor, though he could take a drink upon occasion without compunction, but he detested saloons and rarely went about them. John Middleton began life as a bartender, read law between other men's drinks, and so grew from one bar to practice at another; and the saloon atmosphere was neither unfamiliar nor wholly unbearable to him, although he had outgrown the environment. But he had repeatedly guyed the Democrats and denounced their principles from every platform in the county, and now he had to have Democratic votes or fail of election.

Although Singham and Middleton kept their own counsel as to legislative plans beyond the merest outline, the riparianists "smelt a mice," as the saying was, and early took the offensive. They knew that "money talked" in saloon campaigns, and so they poured it out in abundant supply. Their candidate for the assembly was a young fellow just out of college and the law school, a boy orator with plenty of rhetoric with his easy reach, and he was looked upon as the coming public man of the county. John Middleton was as plain as "Dick's hot hand," no orator at all, but gifted with a faculty for roasting and toasting his adversaries that made them wary of him.

The campaign waged fast and furious. Silas Singham sought out every individual in the county who needed water, talked him to his side and set him at work, while John Middleton roamed over the county singing his opponents, the riparianists and the fogies on the bench, to his heart's delight whether he made votes or not. Blythe Holland took charge of the saloon end of the campaign, but at the dry side of the argument had little cash to spend that way the heart of Blythe waxed heavy and his spirits drooped the more as the campaign progressed. While he could carry as much liquor as the best of them, the lines of misery he could make face the bars over the county were lamentably short compared to those that Moses Brayton and his handy men could line up. The only defensive line he could throw out to advantage was through the device of inducing a crowd of his own adherents, of known stand-pat proclivities, to follow Brayton's men from bar to bar to drink up their money to no effect. He called these his Unquenchable Band of Hope.

It had been a hard fight, and a bit three-cornered, for the third party, the Prohibitionists, were making the fight of their lives for a full ticket. Their candidate for the assembly was a farmer-preacher whose farm had the largest area of alkali on it, and the least good land, of any quarter section in the settlement where he lived. He drove the oldest mules attached to the rickettiest conveyances and raised the poorest crops; but he could talk like a coyote on any possible subject for fifteen minutes. If he ventured to talk sixteen minutes interest lagged, and if for twenty minutes he was undone. His information, or imagination, never sufficed for more than a quarter of an hour. After that it was the same thing over and over again. Had he known enough to stop when he had finished he would have proven invincible; but he didn't. Always he talked on, and on, and on, until he had himself again and again, and finally down and out.

As there must be an end to all things, there was an end, or almost the end, of the campaign. Three days only intervened. There was a gathering of the "dry" clans at Tom Helm's saloon, John Middleton's informal

headquarters. All the workers had been called in from the county to compare notes. The prospects were dubious, or, to put it more plainly, seemingly hopeless for Middleton. Brayton had marshaled his forces well, and Blythe Holland's Unquenchable Band of Hope had been unable to drink Brayton's "sack" to the dregs. Blythe was not at the meeting. His absence was looked upon as unaccountable.

Presently Blythe slipped in through the alley-way door. "Mum!" he said, holding his hand up warningly. "Not a word, and don't one of you dare to leave until I get back. I am in conference with the Prohibition central committee."

They gave him the ha-ha and he was gone again. It was an hour before he returned, and when he did it was through the same door, opened just wide enough to let him in. He had his red handkerchief tied over the lower part of his face and with fist clenched and index finger protruding like a pistol he demanded "sacks up!" and when the hands were up in the spirit of the thing, "Now stand on your heads until I shake the cash out of your jeans. Got to have it."

"What for?" they called in concert. "It's this way," he explained. "I am at heart a Prohibitionist, as you all know. Never saw any good thing come out of a gargle shop yet. No, thank you, Tom, not for twenty minutes. It would make my breath smell, and that would queer the whole job. Well, as I was saying, my Prohibition friends are up against it. The 'Prohib' ticket got for five hundred straight votes from top to bottom, no matter whose name is on it. They won't look to see. They are voting for principle, while you sealawags are voting for pelf. That's why I am a Prohibitionist."

There was another loud ha-ha, after which Blythe resumed: "They are out of 'soap' worse than we are, have blown in their whole treasury importing preachers from outside to talk temperance to the people, while you fellows are working to the same end by trying to drink everything up faster than the distilleries and breweries can turn it out. Their tickets are still unprinted and the Blatter man won't print them until the coin is in hand. He hasn't been paid for the last ones. That takes fifty dollars, and there isn't that much cash in the whole Prohibition constitution. They're dead up against it. Me to the rescue! Says I, just take that farmer-preacher's name off your ticket and put John Middleton's on and in fifteen minutes I'll be back with fifty 'plunks' for the tickets, and the county will be safe."

"And will you believe it? It took me more than an hour to beat the righteousness, patriotism and necessity of the scheme into their impractical heads, but I did it. The farmer-preacher's resignation is in escrow in the hands of the chairman of their committee—press of business, duty to family, you understand—the principle is bought by with his ticket, and for the money, and you fellows are delaying proceedings and endangering the results by making me explain why I want the money instead of coughing up on the mere assurance of my well known probity of character. Fifty dollars, even money, seven hundred votes, to go on—and John Middleton is elected, with a hundred votes to spare."

"We can't sell whisky unless we have water to go with it," observed Tom Helm, as he turned to his safe and tossed a twenty out on the bar. The other fellows fumbled around in their pockets and made up the balance, which Blythe Holland promptly swept into his pocket and slid for the alley-door, as he had come in.

And that is how John Middleton was elected with a hundred votes to spare, greatly to the surprise and chagrin of the river men, for not a word was said, or a thing of it known, until election morning when the tickets were being handed out at the polls. "A mere fusion," as Blythe Holland explained it, "of irrigation water with water for drinking purposes

—the salvation of the former however it may affect the latter." Is it any wonder that John Middleton found a job for Blythe Holland as clerk of a legislative committee when they both went to Sacramento?

Chapter XVII.

THE YEARS AT THE UNIVERSITY.

To Helen Singham the University of California was an institution of learning. To Clayton Brayton it was an opportunity to see out into a larger life than he had been brought up in. While Helen lost herself in her studies, and only came to herself in her horseback rides with Gabriel, for health's sake, Gabriel was self-conscious to a degree. He was painfully aware that he was not as grown as a side of bacon, that his clothes were not tailor made, and that his feet and hands were obvious.

He saw, too, that while Helen appeared as fresh and lithe and as well formed as any girl on the campus, she was unmistakably from the back country, and her clothing, becoming enough in its plainness and simplicity, was not such as the sorority girls wore. It lacked what his lacked—dash, and she lacked what he did not—a desire to cut a dash. He wanted to be abreast of the best of them. She wanted to make the most of her time, for she did not know how long her moment would last, or if there would be any more when that was gone.

Athletics had had a minor place in the Tulare high school under Professor Hamilton. To his way of thinking the body was an indispensable incumbance to the mind, whose development was the one concern worthy of a second thought.

Clayton Brayton had done his full share of breaking bronchos and roping steers, and his muscles were as well developed as they could be in a lad of eighteen.

He stood six feet tall, and in his examination at the gymnasium, weighed 180 pounds stripped to the buff. His examiner gave him a clean bill of health and "tipped him off" to the instructor in athletics as promising material.

But he was timid and the athletic spirit had not dawned on him. He was not interested in getting himself into top-draw togery and appearing on the campus with a pipe in his mouth. The position of the freshmen in the college life was galling to him, and when the sophomores undertook to break up the freshmen class, organized by the faculty, his fighting mad. Yet nothing important would have occurred if he had not himself been tackled. That appealed to him as a fight, and a fight he made it, with sorry results for three or four sophs who came within reach of his right arm. They left black eyes to spare despite his awkwardness as a boxer, and the freshman class was enabled to complete its organization. This incident gave him a distinction that made him all the more conscious of self and determined him to learn what the gym had to teach. This, as much as anything else, certainly more than any conscientious scruples, kept him free from the formation of bad habits which, otherwise, he would have been perilously near doing. He was by nature "sporty." His father was so before him, and in that atmosphere he was brought up. Hence he was no long time in getting into the full swing of the athletic life of the university.

In the cultural studies he fared less well. There was no background of cultural tendency upon which to build. Helen's home had been filled with books and magazines, since she could remember, his with newspapers. Helen upbraided him for his lack of scholarship and suggested that he go to the "cow college" instead of to the college of letters. He went, and for the first time found that which appealed to him. He had had to do with live things all his life, would probably have to do with them as long as he lived, and in the cow college he remained. This cost him something in social station, and would have cost more if he had not shone in the athletic field and proven a liberal sportsman by his interest in agricultural studies was genuine. He could see the use of them.

But he had not divided his university allowance, as Helen had done, by the number of weeks in the University year, so as to know just how much could be expended each week.

His bank account began to run low before the second semester was more than half through and he hardly knew what to do. His father, though liberal, was not a spendthrift, and knew the value of money. He had tried to appeal to him. His mother, he knew full well, would send him her last nickel if he asked for it, but her only independent source of revenue was her chickens and turkeys and it made him feel mean to the last degree to take a dollar of her money. In his perplexity he turned his eyes to the Emeryville racetrack, then just under way. He studied its methods, timed its horses, tried a few ventures with the book-makers, and finally found what he was looking for, a lad who could learn to ride, but as he had not thoroughly learned as yet was not much in demand.

Then he went to Helen. "No, that would be gambling. Nothing else could be made of it. Roanoke should not run."

"But he had run for money once, and, if he had not, she would not now be there at college. It was only now that it was his turn to send his services that horse racing was so bad."

It was the nearest to a quarrel that the two had ever come, and to refuse him did look like ingratitude, inasmuch as Gabriel had borne the whole expense and care of his keep since coming to Berkeley, "just to have him company for Peacock," as he had been careful to explain.

"But Roanoke would not run his best without her on his back, and for her to ride at the Emeryville races was unthinkable."

"Perhaps that, too, could be managed. He, Gabriel, had found a likely boy who should have full care of Roanoke every day. Helen should introduce him to the horse and explain the matter fully. Perhaps the horse might take a liking to the boy. There would be no harm in that."

The experiment was made. Helen took the boy to the horse, explained the situation the best she could, took the lad's hand in hers and with it stroked the horse's nose and neck. After that the horse was fed, watered, exercised, and through him the young jockey came to be kept at a stall adjacent to his in the barn. It had been only every two or three days that Roanoke had seen his mistress since they came to Berkeley, while the boy was with him night and day for more than a month. Perhaps that made the difference. Anyway, the boy and the horse got on well together. Peacock also was trained. He looked every inch the running horse. Roanoke did not. Gabriel had planned well the class the horses would run in, and entered them with as little ostentation as possible. If the college authorities learned of it there would be trouble. On the event Gabriel had staked all he had and all he could borrow. It was win or go home in disgrace before the college year was out.

The day came. Helen was to slip off from her associates, go to the racetrack and view the race from the grandstand. Roanoke acted badly. He threw his rider during the warming-up process, and was clearly in bad temper. Helen must go down to the stall and talk to him. She went. Roanoke seemed much mollified, but when the lad went to mount again he threw the third rider against the post, enough this time to put him out of commission. Evidently the horse's toleration of the boy was not to extend to great events like this. If he could not be ridden by his own mistress he would not run. Gabriel was at his wits' end. There was only one possible salvation for him. He must slip into the box stall, change her clothes for the jockey's and ride the race. She would not. She must. There was not time for parleying. She did.

Never was costume changed quicker. She reached the starting point barely in time to be off with the others. The tears so filled her eyes she could barely see. Never had she seen so many people, nor ever heard such a clattering of hoofs upon a track. Through her tears she saw three horses ahead of her, then there were only two, but ever so many just behind whirling and twisting. And so they went, the quarter, the half, the three-quarter. Then her horse's head was at the rumple of the foremost, then neck and neck! the goal was getting nearer, almost there; "yip-e! yip-e! yip-e!"

and she went under the wire a length ahead, but with some other horse so near that she could feel his hot breath. Right on around the track at a fast canter, not daring to go back through the crowd, and so to the stable, where Gabriel ran breathlessly to meet her. Into the stall she went, out of her jockey suit, into her own clothes anyhow she could, and straight for the gate and home, cheeks hot, eyes brimming, too angry and ashamed to look at Gabriel or care what became of Roanoke.

An hour later Gabriel rang the bell at Helen's boarding house. "Could he see Miss Singham?"

"He could not," the Japanese boy brought answer. "Miss Singham not at home to Mr. Brayton."

He would see about that himself. Thrusting the Japanese boy aside, Gabriel bounded along the hall and up the stairs three steps at a time and threw himself against the locked door of her room. The bolt gave way and, half falling, half standing, the impetuous youth faced the girl rising from the sofa, eyes red, face aflame, hands clenched. "How dare you!"

"Helen, I love you! Helen, you shan't hate me. Helen, forgive me this once and I'll never bet on another horse race one long as I live. I never will, so help me God, and Helen, see here," as he emptied first one fist purse and then another on the table; "it's all yours. It's Roanoke's share. Peacock won enough to see me through. He followed Roanoke nose to tail all the way round, doing his best to keep up. See, Helen, there is more than enough to pay your way through the university all next year. Helen, I'm awful sorry—no, I ain't, either; I'm glad. No, that ain't the right thing to say. I'm glad and sorry both, but I can't stand it to have you look at me that way, like a panther just ready to spring. I love you, girl! Don't you understand I love you?"

Yes, she understood, or began to understand. The situation dawned upon her little by little. Her hand that had clenched so that the nails dug into her palms, relaxed; her bosom heaved. The fire went out of her eyes and the flame came in its stead. She prepared him to fight, and when Gabriel held his arms out to her she threw herself into them and fell sobbing against his bosom.

"It was all so horrible," she said, when at last she had recovered herself so that she could talk. "What would the other girls say if they knew? And what if the university faculty should find out? We would both be expelled and sent home in disgrace. She had thought that he had been selfishly willing to put her to shame merely that he might have money with which to pay his debts of extravagance. It made her almost hate him, but if he were really sorry and really loved her as he said she did, and wouldn't do so any more—no, not ever again—she would forgive him and—love him, too. Oh why was it that such bad things sometimes turned out so awfully profitable!"

From that day forth these two frankly confessing lovers finished their college courses without further incident worthy of especial mention. She prepared herself for teaching and he prepared himself to be a scientific farmer. He took stock in horses, prepared himself to revolutionize the farming and stock interests of his county. For he learned to love his work, and the honors he took in the track team and in football gave him quite as much of a standing on the masculine side of university life as honors for scholarship gave to Helen among the co-eds.

(To be continued.)

THE GRAFT CASES.

The trial of Patrick Calhoun has been postponed until November 15th. This was done because of the sickness of the defendant, through his attorneys, that he could not obtain a fair trial while the present municipal political campaign is in progress. The prosecution consented to the postponement.

The hospital of which Dr. Martha G. Ripley is in charge is said to have the lowest death rate of any institution of the kind in this country or Europe. It is the Maternity Hospital of Minneapolis.

LITTLE TALKS WITH OUR READERS

Mill Valley, Cal., October 1, 1909.

Editor: The California Weekly. I have been thinking of the managers of a business knows the detail work of a store made. I am convinced it would be in the hands of a director to help in the management of the firm to be able to employ a given amount of work. I have a feeling that the way up from errand boy or else has understood some older and wiser head, in an exact efficiency as to the place and only in creating efficiency will hold it.

The knowledge that justice exists is most gratifying and ennobling to all, so for each dollar the best service and the best materials should be given and received. Probably women feel a lack of justice, they feel that their position and work in a home are secondary and they seem to be responsible. Therefore twice as much money must be earned (if not borrowed or stolen) to keep women under the paid supervisor just as we rely more fully upon the manager's judgment than upon the errand boy's or bookkeeper's judgment than upon more fully upon the home-maker's or dietitian's judgment than upon the Chinese cook's or Jap waiter's judgment.

A woman to be rightly placed in a home should be kept as a homemaker, thus distinguishing her from the paid house-keeper, cook, waitress, etc., and in dignifying the name the position will be dignified, and in the position of a homemaker, she will be able to do self-satisfaction to work well done, and let us hope that she will earn the priceless blessing of some noble person's love. Is there, after all, anything more difficult?

MARY ROBINSON THOMAS

The home is the foundation of civilized society. In comparison with it all other institutions among men are relatively unimportant. For this reason The California Weekly purports giving increased attention to whatever may help to exalt the home and woman's place in the home. Woman's place in the home has nearly always been subordinate and often menial and she has had less than she should have been entitled to from inventive genius and scientific research to help her to make home-making easy, intellectual, a fine art and a great happiness.

The California Weekly is in no great hurry to go the length of endowing woman with the elective franchise, although it entertains the expectation that the hope that she will ultimately attain her equal station with the opposite sex. There are other concerns more vital to woman, more important to humanity for which we can wait less well than for equal suffrage. The broken homes we see on every hand are not the product of a denied suffrage. A great many of them are due to the fact that home-making has not, as a general thing, reached the dignity of art or science.

Contributions in the direction here suggested, while they cannot as yet be paid for, will be thankfully received by The Editors of The California Weekly.

"CALIFORNIA ANNUAL."

The California Promotion Committee has just issued a revised edition of the "California Annual." This edition contains statistics for the year 1908. In addition, it includes a rapid, but comprehensive, survey of the advantages of life in California, under such sub-titles as History, Topography, Climate, Soil, Irrigation, Agriculture, Outdoor Life, etc. Each of these subjects is handled in a most graphic manner, giving facts concerning them in a way that is impressive and especially appealing to one who desires concrete knowledge of conditions. The book is one that entertains as well as instructs and is especially adapted to outside circulation. Every Californian who has friends away from the state who ask questions will find the book admirably answers all of them so far as the industries are concerned. The book is sold by the committee at ten cents a copy, the exact cost of production, postage prepaid.

Olga Samaroff, the famous "Russian pianiste," was born in San Antonio, Texas, daughter of Carlos Hickenlooper, then stationed there in the quartermaster's department of the United States army.

OUR SCHOOL FOR CITIZENSHIP

The New Constitution and Public Morals.

Those interested in this department of the California Weekly will do well to bear in mind that when the new constitution was before the people for adoption it was vehemently opposed by that element in our social life which looks upon itself as especially prudent, safe and sane—the social backbone without which society would go to pieces in short order. They branded the document as revolutionary, socialistic and economically unsound, if not actually immoral in its tendencies. They made a strenuous campaign against its adoption and, in fact, it carried by a majority of only 11,000 votes out of 145,000 cast at the election.

The writer of these articles has felt it worth while to analyze the document to see if, in fact, it was so very bad. After thirty years of reflection and observation we should be able to approach the issue with unruined tempers and in a spirit anything rather than partisan. With this object in view the attention is further invited to a consideration of the new constitution of California in its relation to the moralities of public life.

The old constitution guaranteed the free profession and worship of all religious sects, with the wise provision that such freedom must not be construed to allow practices inconsistent with the safety or peace of the State. The new constitution made this section its own without addition or limitation.

One of the most demoralizing institutions anywhere tolerated is the lottery. It is commonly said that mining is a gamble, and it would be only natural to suppose that, in the early days when mining was the chief industry in California, the State government would have been lenient toward lottery enterprises. Such was not the case. Mining was a hazard of fortunes, but not a gamble. The gambler produces nothing and makes no attempt to increase the general supply of money or anything else, but only to gather in and redistribute by chance what has already been produced. Anyhow, the old constitution forbade the lottery, and the new one copied the old section just as it stood.

In relation to the crime of the bribery of a legislator the new constitution is extremely severe, even going so far as to abolish the legal maxim that an accused person can not be required to testify against himself, or to avail himself of the excuse that such testimony, if given, may tend to incriminate him or subject him to public infamy. This was, at the time, taking advanced ground in sustaining public morals.

The use of public funds for private profit is made a felony by the new constitution. Therefore many public officials, having public moneys in their charge, had lent money to banks or to private persons at low rates of interest, and pocketed the interest. It cannot be said that the practice was wholly broken up by virtue of this provision, but it is no more common than ordinary defalcations and far less common than graft in the other moneys.

Section 2 of Article XX deprives all persons convicted of dueling, either as principals or seconds, or of sending or accepting challenges to light duels, of the right to hold any office of profit or to exercise the right of suffrage. It is not impossible that the Terry-Broderick tragedy may have been the provoking cause for incorporating this provision into the new constitution, although many other states had taken similar action during the Civil war. At all events it was on the side of sound public morals.

The provision of the old constitution making one who had employed bribery in securing his appointment to office ineligible for holding any office of profit was adopted into and made a part of the new constitution. It is unfortunate that this provision is not held to reach other forms of bribery as well as that which implies the use of money or other thing of value. Men are as truly bribed with office as by money, and many an official bribes his way to a position of profit and political preferment through the use of patronage as certainly as,

under former conditions, officials sometimes bought and paid for their positions outright.

When the public mind comes to discriminate more clearly between the right and wrong ways of office getting there will be more offices seeking men and fewer men seeking office.

Section 6 of Article X prohibits the farming, or contracting out, of prison labor, a system under which great abuses had grown up in this and other states. This was a step in the right direction, but California has now gone to the extreme of forbidding the employment of prisoners at gainful pursuits, outside of the requirements of the prisons themselves (except as to jute bags and crushed rock), out of which as bad a state of affairs has grown up as out of the other system.

It may be objected that, while the new constitution contains little that is immoral in tendency, and much that makes it easy for public officials and private citizens to do right, yet there are some right things contained in the constitutions of other states that are not to be found in the new constitution of California.

There is some truth in this, but the spirit of California is not, on the whole, well disposed toward compulsory righteousness. It leaves the people free to observe the Sabbath, for instance, as well as they can, while other people are equally free not to observe it. It makes temperance perfectly practicable, but it is not disposed to prohibit the sale of intoxicating liquors. While there is comparatively little in the document to enforce exemplary conduct, there is nothing in it that puts a premium upon misconduct.

On the whole, few apologies need be made for the new constitution of California on the score of moral delinquency. It was fully abreast with, if not in advance of, the prevailing moral standards of the people then and since then.

When the manuscript of "Inconstant George," John Drew's new play, came from the binder's, to be added to the large bookcase that stands in Charles Frohman's private office, it was found to be number 400—that being the exact number of plays Mr. Frohman has produced since he began his career as a manager.

"The Coast of Chance," a California play, by Eugene W. Presby, will be presented in New York in the early part of November, after a week in Toronto and a week in Montreal. Hamilton Revelle will take the leading part. The play is adapted from the novel of the same name by the Misses Esther and Lucia Chamberlain of San Francisco.

Thompson Buchanan, the young newspaper man whose comedy, "A Woman's Way," provided Grace George with one of the successes of last season, is to make his second bid for fame as a playwright at the Bijou theatre on Wednesday evening, when his new comedy, "The Intruder," is to have its first metropolitan performance, under the managerial wing of William A. Brady and Joseph R. Grismer.

W. D. Fennimore A. R. Fennimore
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GOOD FAITH-GOOD COURAGE-GOOD HUMOR

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Will Mr. Crocker Further Explain?

Will Mr. "Bill" Crocker, as he prefers to be called, that he may not be confused in the public mind with certain scions of the royal family of that name, kindly explain what he means by promising, if elected, to pursue a more "liberal policy," as to San Francisco, a policy that "better suits a seaport town than a town of the interior," without, however, "throwing the town wide-open" or "taking off the lid"?

The California Weekly gathers from Mr. Crocker's remarks, made with a reiterated frequency, that he regards the policy maintained by the present administration as illiberal, not such a policy as befits a city frequented by seafaring men, for the liberality of Jack on shore-leave is proverbial.

Does Mr. Crocker regard San Francisco, with 1,774 licensed saloons, reinforced by 134 licensed hotels and restaurants, selling liquors with meals, as too greatly resembling the Dry Tortugas to be attractive to seafaring men? Is he of the opinion that nineteen drinking places on one side of Market street between Montgomery street and the ferry building is an insufficient number of life-saving stations to meet the reasonable needs of mariners cast ashore? Does Mr. Crocker think that the requirements of legitimate business at a seaport warrant more effective methods for standing men on their heads, and going through their clothes that their pockets may be emptied into the common fund, than are employed for a similar purpose upon ranch hands, half-sea-sick, in such interior towns as Stockton and Sacramento?

In what particular, Mr. Crocker, is San Francisco illiberal toward vice? Is the tenderloin cramped, are the dives too few, the saloons too far apart? Upon precisely what liberalizing proposals are you making this bid for the tenderloin vote in the ensuing election? It would be a misfortune to you if, after making this bid for that vote, you should fail of getting it away from McCarthy through lack of making your meaning perfectly clear. There are also some thousands of decent voters that would like to know precisely what you mean by a "liberal policy" toward vice but with the "lid" on.

In the Right Spirit.

The women of the W. C. T. U. in state convention at Pacific Grove, exhibited a more liberal policy toward a great and pressing issue than did their suffrage sisters at Stockton. Without asking whether Mr. Heney and his friends are, or are not, in favor of prohibition they heartily endorsed the effort being made in San Francisco for the establishment of equality before the criminal law and warmly espoused the candidacy of Francis J. Heney for district attorney. The sooner all hands learn that all good movements are one and inseparable the better for all causes that have a just claim upon our attention and suffrages. The allied iniquities understand this perfectly and stand, or fall, together like a row of bricks. It is by lifting what we may call the water table of public righteousness that drought, injustice and iniquity disappear, and not otherwise.

THIS NUMBER CONTAINS

A Contrast With English Justice

By Warren Olney, Sr.

Readers of The California Weekly will, in due time, find in its columns every important public issue explained by some person whose special knowledge gives him a right to be heard.

Anderson on Libel.

The California Weekly is not partial to Judge Anderson of the United States District Court of Southern Indiana. His decision in the \$29,000,000 case raised a presumption that he remembered at the critical moment what influence it was that made him a federal judge.

But we are disposed to give him his due. In deciding that the persons libeled by the Indianapolis News in the famous Panama canal canard must bring suit in Indianapolis, and not in the District of Columbia, he took a reasonable view of the fitness of things. Men are often under the disagreeable necessity of going to the editor's office in order to assassinate him, why not also to prosecute him?

The judge also affirms with sanity of reasoning that the editor of a paper is under the necessity for publishing the news and for interpreting it, which he may do with liberality of statement. It is the editor's prerogative to draw inferences for the people. Great latitude must be allowed in the performance of this function or its adequate performance will be out of the question.

Take the case of the candidacy of Mr. P. H. McCarthy for mayor of San Francisco. It would be difficult to prove that the effective influence of the higher-ups, the political bureau of the Southern Pacific company and the mobilized tenderloin vote are all making common cause for the election of McCarthy and a negotiable board of supervisors, to the end that conditions which existed before the great fire may obtain again, but who doubts it? It is in the air we breathe. Things squint, and smell, and point that way unmistakably, and it is the duty of the press of the city to say so, albeit upon evidence that could not run the gauntlet of rules of evidence.

It might be almost equally difficult to prove that Sheriff Dolan is letting Abe Ruef out of jail to take a hand in the election of McCarthy, but there is evidence to that effect.

The liberty of the press must be liberally, not wantonly, construed. Howbeit, the action

of the Indianapolis News in traducing notable men without evidence was wanton, Judge A. B. Anderson to the contrary notwithstanding.

Walsh and Morse.

In Chicago John R. Walsh and in New York Charles W. Morse, convicted of having used other people's money by the millions as though it were their own, and to plunge with, have successfully passed another stage in their journey toward state prison; and yet they have been on the road only about two years. Only one more stage is now in sight, the Supreme Court of the United States. Walsh's case is running neck and neck with old age, as he had passed his three-score-and-ten years before it began, and Morse's with alleged ill health. Therefore we may anticipate that, if finally convicted, the President will be besieged to spare the first because he is a "poor old man," and the other because imprisonment is likely to prove fatal. We shall then see what our big, good humored, tender hearted President will do about their cases.

Democracy and Justice.

There is no greater hope of establishing justice in this country than that such men as Warren Olney, Sr., are giving the subject their serious attention. No thoughtful person should fail of reading Mr. Olney's second article on this subject, to be found elsewhere in this paper. It goes straight to the heart of the issue.

There is in the article a note of doubt as to the quality of justice that may be hoped for under a democracy. This will not be pleasing to our vanity, but only the heedless disregard the truth that democracy is still on trial. The same spirit that, under our form of government, paralyzes the arm of justice, is manifest in sending to Washington one set of men to represent states, another to represent districts and nobody but the President to represent the common good of the American people. When we have so risen above a precinct patriotism as to make tariff bills and appropriations for army, navy, rivers and harbors, public buildings, etc., with eyes fixed upon the common welfare, and not upon local and perhaps personal advantage, then may we hope for a judiciary and a bar established on broad lines of fitness, endowed with power to establish justice.

Unless this elevation of ends and ideals is possible under a democracy then a democracy becomes impossible, and the note of doubt in Mr. Olney's article is abundantly justified. The California Weekly has faith to believe that frank treatment of these issues by leaders at the bar and in public affairs will produce the needful elevation of ideals among the people. If those ideals existed once, as Mr. Olney tells us they did, they can be restored.

The Los Angeles Express, denying on behalf of Southern California all unkindliness of spirit toward San Francisco, cheerfully admits a desire to accord the city by the Golden Gate the second most important rank of any city on the coast. Second, indeed! Now we know that Southern California quills are pointed with venom and steeped in guile.

THE MISTAKES OF HENEY.

Mr. Francis J. Heney, during the last three years, has said and done many things of which no modest, self-controlled, well-behaved, lady-like gentleman can approve. He has blustered and he has blown, he has threatened to prosecute and he has called names, he has defied his enemies and dared them to battle. The speech he made at the conclusion of the Calhoun trial would not have been tolerated in any court under the protection of the British flag, and neither would any of the speeches of any of his seven professional adversaries. Nobody—not even Mr. Heney, himself—will attempt to justify all that he has said and done. Heney has made mistakes.

But there are wrongs that cannot be wiped out with a bath sponge.

Mr. Heney has been fighting wrongs of that kind for three years without compensation and with scarcely so much as an armistice to give him time to bury his dead. If he has been peeping the Philistines with rocks, so did David of old, and if the reader will turn to I Samuel, 17th chapter, he will discover that David was not more modest in telling Goliath what he intended to do to him when he got a chance than Mr. Heney has been in telling our modern Goliath what he proposes to do to him if he can be elected district attorney and have another two years in which to campaign against an entrenched and insatiate financial rapacity.

To our way of thinking Mr. Heney lost the opportunity of a lifetime when, in closing the case against Calhoun he did not confine himself wholly within the evidence, make a clean-cut, candid and perfectly intelligible explanation of the facts, to a jury already worn to a frazzle with oratory, and leave his case with the jury all summed up in three hours instead of three days. But we have to remember that Mr. Heney had watched the empanelling of that jury for weeks and months and probably knew its temper better than any outsider could have known it. He probably understood better than any outsider that a San Francisco jury in a criminal case watches the encounter between attorneys much as a crowd at a hippodrome would watch an encounter between Jeffries and Johnson, jealous lest their money in blood, and fearful that one side or the other may "fake the fight" and "throw" the decision for a part of the swag.

And what of the audience that struggled, day after day, to get into Carpenters' hall to hear Heney—what would those people have said if he had been as mild mannered as a professor of ethics, reasoned as dispassionately as a philosopher and stopped talking when he had gotten through? Would they then have come out of that hall saying: "What a collapse!" "Heney hardly hit back at all." "Calhoun's money must have got Heney, too." After all we have to admit that Mr. Heney may have known the occasion, the time and his audience better than those of us who were looking on at a distance and in a temper at least moderately critical if not superlatively so.

Are we very certain that, while Mr. Heney was taking the public into his confidence in regard to the graft prosecutions (by way of offsetting the scandalous falsifications of a subsidized press) he would have fired the heart of justice-loving Californians had he gone from rostrum to rostrum, and pulpit to pulpit, singing a falsetto treble instead of roaring baritone, reasoning dispassionately instead of delivering philippics that made the rafters ring and set the echoes flying? That Mr. Heney can suit his temper to his audience we do know, for, at Pacific Grove, when he addressed the Methodist Conference, he roared as mildly as a sucking dove and talked as dispassionately as a supreme justice.

No, Mr. Heney's methods are not such as to commend themselves to tranquil souls devoted

THE STAFF

A. J. PILLSBURY.....Editor and Manager
A. J. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
V. E. FRANKLIN.....Business Manager

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to sweetness and light. Not many of us could bring ourselves to do as he has done, any more than Charles Reynolds Brown, Elbert R. Dille or Bradford Levitt could bring themselves to head a procession with screaming wind instruments to "fire volleys" and wave banners in the cause of Christ, but they all of them rejoice that God gave the globe General William Booth and the Salvation Army, as they also rejoice that He gave San Francisco Francis J. Heney, at a time when San Francisco needed a Heney as much as it needed a smiling, affable Rudolph Spreckels with the "dough."

Martin Luther threw his inkstand at the devil, John Brown called men out of their beds and shot them down, Oliver Cromwell added the torch to the sword, and General Grant engaged friend and foe in a common crater—all done in the interests of the Rights of Men, and must we stop to groan in travail over the "Mistakes of Heney" in not doing as we should have done in his place, especially when no power on earth could have put us into Heney's place and make us stay put? Never mind the mistakes of Heney! It is the mistake of allowing his mistakes to be the cause of our being half-hearted in the cause of equality before the law that hurts.

WHAT IS TO BE THE END?

Man to man the question is being asked (and evaded) a thousand times a day in San Francisco, "What is to be the end of these graft prosecutions?"

In the event of the election of Mr. Charles M. Grant to the office of district attorney an answer to this question may be hazarded with small danger of being brought to confusion by an enforced confession of obscurity of prophetic vision. The motions of prosecuting Mr. Calhoun and one or two others will be gone through with, in which acquittals will promptly result, after which the rest of the indictments will be dismissed for want of evidence to convict; "civic peace" will be restored, and public service corporations will re-establish the business of grafting at the old stand in the old way with the difference that grafting officials will not be encouraged to do business independently of regularly qualified attorneys under a fee system more open to reproach than to attack. Scoundrelism will take care to be better buttressed by the forms of law. This much is easy.

With the election of Mr. Heney to the office of district attorney of the city and county of San Francisco prophecy can not be ventured with the same degree of certainty. The people of San Francisco can no more see the end than the people of America could see it when Grant was fighting it out on that line from the Wilderness by way of Spottsylvania and the North Anna to the James river and Appomattox. Only God Almighty foreknew that Appomattox and an indissoluble union awaited the end of that struggle that so tried the souls of men. But it was there from the first. Grant did not

know that it was there. He only knew that the path of duty stretched out before him until lost in an invisible distance, and so he "fought it out on that line," not only all summer but all the fall and all winter and until the succeeding spring was well advanced before he reached the consummation which he knew must be reached if Lincoln's Gettysburg speech was to be fulfilled and the government of the people, by the people and for the people was not to perish from the earth.

So will it be with the graft prosecutions if Francis J. Heney is elected district attorney, with a good board of supervisors to support him. He will fight it out on this line if it takes two years to reach the end, but what that end will be is just as uncertain as was the end when Grant plunged his forces into the Wilderness in his "on to Richmond" campaign. Grant left the end in the care of the God of Battles and pressed forward. Mr. Heney must leave the end to the God of Justice and fight on, too, and it is the part of good citizenship to sustain him, to fill the ranks of the friends of the prosecution as they are thinned, as Northern manhood hurried forward to fill the depleted ranks of the Army of the Potomac.

It is not impossible that, with all the effort that Mr. Heney and his friends can put forth, rich rascality will slip through the torn meshes of the law and escape legal punishment, but if this happens it will not be without such a demonstration of the failure of our system of criminal jurisprudence as will set the best thought and conscience of nation and state to the reformation of a judicial system that has been openly confessed by the head of the nation to be a disgrace to our civilization. And this consummation, if no other, will be worth the cost of electing Heney and defeating Pickert. The election of Pickert will even prevent being tried to a logical conclusion the issue of the insufficiency of our system of jurisprudence. There will be substituted for that issue the issue of the inefficiency of a political system based upon an incorporated plutocracy, and that we have already decided to be intolerable.

Therefore, when next some one demands of the reader to know what, in the event of the election of Heney, is to be the end of the graft prosecutions, tell him that the end of the battle of the Wilderness was hopeful end resulting from that carnage was then promised to a stricken nation.

A CONSUMPTION LONG DESIRED.

It is now six years since the California Water and Forest Association undertook to induce the State of California and private owners of timber lands in California to do something for the protection of California's invaluable timber supply from destruction by fire. It was long slandering. The owners of timbered lands appeared to care the least whether their timber burned or not. When the fires were raging protective work could not be done, and when there were no fires no protection was needed, and so, with true Arkansas indifference, every season the smoke from a hundred forest fires hangs heavily upon the prosperity of our state.

The Water and Forest Association induced the Forestry Service of the United States government to prepare a model state forestry law and it was introduced into the legislature. The Southern Pacific railroad influence, and the influence of lumber men and forest owners were unitedly against it. Jere Burke got the bill pigeonholed, as he thought, for good. Governor Pardee forced it out into the open again and it was submitted to a merciless stripping to a bare skeleton, but the Pardee administration was resolved that a start, at least, should be made, and the Governor and his official family, with a few zealous friends of forestry, stayed with the fight and saw a beginning, only a beginning, toward a state forestry policy placed on the statute books, and this was done in the hope that forest owners and lumber men

would finally become convinced that the state was working for their interests and not against them and that co-operation and not antagonism would result.

With the advent of Gillett the cause was again brought to the verge of the precipice. The new Governor announced his hostility to the forestry law and his intent to have that law wiped off the statute books. He knew about a redwood log from the standpoint of a logger and that was the extent of his interest in the subject of forest conservation. When this fact became known to the state the new Governor heard from the state, with the result that his attitude is believed to have been changed from one of hostility to tolerance if not to a downright championship of a constructive forestry policy for California. Perhaps the President's utterances on the subject may yield our Governor increase of faith in the new gospel.

But the most fortunate incident in this trying history was that of the coming together, in San Francisco, on Friday of last week, of representative timber owners and lumbermen, to act with the State Forester in outlining and perfecting a system of private forestry protection for California. An organization has been initiated looking toward a co-operative effort all along the line of forestry preservation. This should mean a great deal for the state and a very great deal for the timber owners and milling interests of the state.

But little of practical value will be accomplished unless the policy entered upon is abundantly "buttressed by law," as our President would express it, and that buttressing must be done through new legislation founded upon the affirmative power of the commonwealth to compel private owners to protect their holdings, or sell them to someone who will protect them, in order that the public may be protected. This is an untrod field, but it must not remain so. Every forest owner owns as a trustee for the common good and, without laws compelling the co-operation of forest owners with the state, and with other owners, there will be just enough individual timber hogs to defeat any co-operative movement based wholly upon a community of interest. It is always so in all walks of life. There are enough wanting the umbrella of protection held over them, without their holding it, to cause the umbrella to be shut up in disgust.

The beginning made on Friday last was splendid. The California Weekly heartily tenders its good offices in aid of so good a cause. It hopes that out of this movement will evolve as good a state forest policy as the Pardee administration sought to induce the timber interests to consent to five years ago this coming winter. The atmosphere was not then charged as it now is with the spirit of conservation. Theodore had not then spoken and "Big Bill" had not added his stentorian amen.

The Crane Incident.

Unless our big President enjoys trouble and grows fat on it he is not likely to be annoyed by taking on flesh until the position of minister to China has been definitely and physically filled. Not enough of publicity has yet been given to make it clear where the center of difficulty in the Crane incident really is. It may reside in a feeling in the Knox breast that the secretary of state should be consulted about diplomatic appointments, and he may feel, too, that such stations should be filled by promotion from the service and with trained diplomatists who early learn to "don't talk." But this much is clear: By taking his troubles to the press, and justifying his talking by what the President told him, instead of shielding the President at all hazards, Mr. Charles R. Crane has made himself an impossibility no matter what China or Japan may have to say about his appointment. The perfectly frank man is perfectly

defenseless in politics or diplomacy and it is only on the Day of Judgment that he can face his record with serenity.

The Real Enemy of Democracy.

The profoundest enemy that democracy can have, the man most traitorous to free government, is he who would set up a government of all by a single class out of all. When class enters in democracy goes, for democracy has to do with citizens and not classes. The ideal of democracy is the sitting down together around the council table of banker and mechanic, merchant and professional man, all representing citizenship and not one representing station in life, property or poverty, title or nation of nativity. P. H. McCarthy, his party and those who are giving him aid and comfort, have, if they only knew it, arrayed themselves in open and dangerous rebellion against the very life spirit of American institutions. When class comes democratic institutions go. These men could not be more traitorous if they were striving for a monarchy. The only extenuation they can claim is that they know not what they do.

Not a Question of Party.

To talk party loyalty to any voter in relation to a municipal election is to insult his intelligence. There is not one party issue involved in the San Francisco election. The only function a party can perform in a city election is to name a ticket and there is no obligation upon any party man to vote more of his party's ticket in a city election than the best interests of his city require. Party loyalty obliges only when and where party issues are at stake. There being no party issue in municipal affairs it follows that no party obligation applies.

There is an issue before the people of San Francisco that concerns every man, woman and child. That is the graft, prosecution and the equal establishment of justice. On this issue McCarthy is openly with the grafters and Crocker will not say that he is not. Dr. Leland has been frank to say that he will stand for the graft prosecution and the platform on which he stands declares for it. This leaves independent Republicans no alternative except to stand for Leland, and that every free man among them should do.

The terror of politicians for the saloon influence in San Francisco would be laughable if its consequences were not so serious. All three mayoralty candidates made haste to throw a sop to that Cerberus. McCarthy hugged it. Crocker assured it that he was its friend, while Dr. Leland declared that the saloon business should be treated exactly like any other business, which everybody knows is not done here or anywhere. Is there no constituency not under saloon domination worth being considered in this election?

Now come careful mariners who declare that neither Peary nor Cook can be perfectly certain that he reached the pole, and for the reason of the variability of instruments and calculations under conditions which must obtain in every polar expedition. If this be so then about the only way to prove that one has been to the pole is to go right on over the top of the earth and come down the other side.

Among the misfortunes which from time to time have befallen San Francisco the decision of Rabbi Stephen S. Wise to accept New York, and not San Francisco, as his field of labor may well be classed as not the least.

On the whole, President Taft left California without having either gained or lost in flesh or anything else.

The Deeper Significance : : : : of Living : : : :

Of all the hardships encountered by Dr. Frederick A. Cook on his expedition to the north pole no other single experience so weighed upon his soul as passing beyond the line of life. The storms of the boreal regions, the bitterness and intensity of cold, the limitless ice, the cutting winds, the horizon shrouded with impenetrable fogs and mists, the hunger, the looking into the toothless jaws of starvation, the venturing upon a fifty-mile stretch of open water in a little canvas boat that must have swamped in any sea—all these he could stand without the heart sinking into depths of despair; but to pass beyond the line of any living thing, to be alone with his Esquimaux and his dogs beyond the line of life in any form, beyond the whirr of wing, chirp of insect, cry of wolf, growl of bear; beyond where, of the twenty millions of forms of life known to exist in the world, not one had survived; no seal, no walrus, no fish, no bird and no beast, only the strongest mind (or the dullest) could stand that strain and suffer reason to sit secure at the helm of purpose. Out in that breathless, lifeless (and therefore deathless) zone of cold the soul of man stands alone with God and eternity. Of what undaunted metal must that man be fashioned who can see and feel and know the awfulness of that truth and yet struggle on to his hitherto unreach goal!

And yet do we not all of us, almost every night of our lives, look out upon just such a scene? The moon is dead and Mars has no atmosphere. There is small probability that life, as we know it, can exist upon a single one of the planets belonging to our solar system. The stars we see are mainly boiling, burning, heaving, tossing agonies of unconsumable gases, white hot, and betwixt our earth and these lies a fathomless abyss of space blacker than polar night, more bitter than polar cold, voiceless, measureless, cold, alone with God and eternity.

Yet out upon that untracked waste of space there have ventured more men almost than there are stars in the firmament or grains of sand by the sea, and they have gone forth, more alone than was Cook, attended by neither man nor dog, not trembling nor dragged to the brink by force, but resignedly if not boldly, not infrequently with joy. Sometimes, indeed, they have leaped into the arms of that abyss of their own volition, pursuing life and hungering for oblivion.

Is it any wonder that there are those who wander along the brink of that void, as near to the edge as they dare venture, with hand to ear listening, if perchance, by straining very hard, they may catch some whisper, some answer to their call into that voiceless deep? Is it any wonder that men of science have formed societies for psychical research that they may, with unshared patience, test with scientific methods the value of every variable of phenomena that can lay the faintest claim to having an origin beyond that dead line? One by one all stand as Cook stood in farthest north, alone with eternity and God, and then, in the twinkling of an eye, the plunge is taken, the transition made, and the soul passes, waving no hand, whispering no perfectly authenticated syllable of remembrance. The chasm closes and the eternal voicelessness of ice and snow, cold and darkness, exists to laugh at our hopes and baffle our fears.

Down through the ages, from the dwelling of the cave men to the palaces of present-day kings, the spark of hope for a life beyond that impenetrable night has not ceased to burn, and, sustained by that spark, based on no tangible, material evidence, men and women go down into the valley of shadow fearing no evil. And yet, if science could yield so absolute, tangible proof that so much as one microbe died and survived to live again, with continuity of personality, the discovery would be heralded by the world as the crowning glory of all ages! Believing is not knowing, and, if we all of us, dreadfully want to know if immortality be true,

WHAT THE WORLD IS DOING

The Aeroplane and the Sahara.

The airship evidently is going to stay, the methods of which it can do practical service are under consideration. Such a method has been suggested by Dr. Quinton, president of the National Aerial League of France, and the French authorities are giving it serious attention. French officers in Marseilles announce three dreary months in crossing the Sahara desert on their way home. Dr. Quinton would have them cross it in three days, of eight hours each, by means of aeroplanes. The distance is 1,000 miles, and the doctor holds that it would be better and pleasanter to cross it at the rate of 330 miles a day than at the rate of eleven miles, the scenery of Sahara becoming monotonous if indulged in too long. Two or three stopping places would be required, and it would be highly desirable that the airships be so perfected that there would be no danger of stopping between stations, as a long walk on the desert is considered dryly tiresome. However, when the aeroplane has been perfected, as it will be, Dr. Quinton's plan should be both feasible and vastly advantageous. It is so probable that airship travel over the great desert will be a feature of no distant days.

Is Japan Preparing for War with Russia?

The St. Petersburg Novoe Vremya is a Russian newspaper, and views affairs through Russian spectacles, but it is a paper of influence and must be recognized as giving the Russian view of events. Hence the announcement of its belief that a war between Japan and Russia will come in the near future is of importance. The St. Petersburg paper says that Japan is now preparing for this war. To this end the Japanese troops are being strengthened, supplies of food and ammunition accumulated, artillery reorganized, and daily maneuvers are being executed regardless of the condition of the weather. "What next?" it is believed that next year will see the beginning of this war, and because of this belief leading merchants are selling out and moving away, while Japanese peddlers, who are presumed to be spies, are flocking into the Amur territory. So strange Russian belief, as voiced by the Novoe Vremya, but, on the contrary, it should be remembered that Japan still is pretty seriously disabled financially and is not unlikely to desire a breathing spell for a long time to come.

Exit the Dramatic Critic?

Is the curtain to ring down on the dramatic critic? Is he to be disabled and put out of business? Are we to read (or skip) no more of those opinions of the drama which are sagaciously tempered by the business office of the paper? Since the revelations connected with William Winter's resignation as dramatic critic of the New York Tribune, this would seem to be a not undesirable consummation, and it is of course which may be carried into effect by an Italian invention, which is now being tested in England, is generally adopted. The invention which is to achieve this striking result, if it has good luck, is known as the psophograph, and its inventor is Eugenio Boggiano. In appearance it somewhat resembles a nickel-in-the-slot machine, but it has three slots instead of one. Over these slots are the words "Good," "Bad," and "Indifferent." As an audience leaves a theatre on the first night of a play, let us say, each member of it is supposed to drop a disk into one of these slots that expresses his opinion of the entertainment. Thus a popular opinion is secured, and the dramatic critic may hide his diminished head. To illustrate, if 700 disks were dropped in the slot marked "Bad," a dozen in "Good," and twenty in "Indifferent," the business office of a paper and its critic together might assert that the play was a success, but they would find few believers. Thus it is that Boggiano's invention may make the dramatic critic out of business. It is said that the machine has worked very satisfactorily in Rome and other Italian cities.

Concerning the World's Biggest City.

A book of statistical information relating to London has just been issued and, of course, it contains many items which are of general interest. Here are a few of them: The population of Greater London is "estimated" at 7,537,196 (which is strikingly close figuring for an estimate, that data of London county is set at 4,843,612. Under the English laws a little more than one-eighth of these are voters, the remainder being denied the voting privilege. On January 1, 1908, the number of paupers was 148,644, or just about one-fifth of the population. At the same time there were 28,796 certified lunatics, to say nothing of those who had not as yet succeeded in having themselves certified. The number of places licensed to sell alcoholic liquors was 4,823, or one to every 1,563 inhabitants, which, to Californian eyes will not look like a wet record. The number of children on school rolls was 750,121. The wages paid to some mechanics, approximately given in American coins, follow, all referring to the weekly schedule: Bricklayers, \$11; and carpenters and joiners the same; plumbers, \$11.50; painters, \$9; turners and fitters, \$9.75; smiths, \$10 to \$12; cabinet makers, \$10.50 to \$11.50, and bakers, \$6.75 to \$9. An inspection of this list of wages may give an idea of why former English mechanics so frequently are found in this country.

Radium as an Agent of Murder.

For the first time in the history of mankind, probably, radium is believed to have figured as an agent of murder in a case which now is interesting Belgian authorities. In Liege an old and wealthy man, whose name has been found dead, and it was at first supposed that he had died of apoplexy. Further investigation, however, disclosed a curious discoloration of the scalp, which experts testified to be probably due to long exposure to the influence of radium. Thereupon the police began an investigation, and a student of chemistry who had occupied a room in the building immediately fled. Then was revealed the fact that the student had made a particular study of radium and its influence. Experts now believe that the old man was done in by his death by prolonged exposure to the radium rays, not improbably while he slept, such a result being attainable particularly in the case of an old and feeble man. A Poe might have imagined such a murder, but it remained for twentieth century science to make it possible.

Some Evidences of Prosperity.

Lest the reader should not fully have convinced himself that prosperity really is here, Uncle Sam, through his bureau of statistics, calls attention to some facts which should, at any rate, satisfy one that the signs are good. These facts have to do with imports; that is to say, with the things which American citizens feel able to buy from their neighbors. They do not feel able to buy very much in 1908, for, now that it is past, we may as well admit that that really was a hard year. But it is different in 1909—decidedly different. Our pocketbooks are feeling so thoroughly convalescent that during the first seven months of this year we imported fully 50 per cent more (both in quantity and value) than we did during the first seven months of 1908. Encouraging symptom, is it not? For instance, last July our imports were valued at \$37,350,000, while in July of last year we imported no more than \$27,000,000 in value—we were feeling \$10,350,000 better, which indicates a decided improvement both in pulse and temperature. Moreover, these importations covered a wide field, including valuable lumbers, woolsens, silks, hides and skins, iron ore, wood pulp, and a long list of other things. These are the things which Uncle Sam mentions in introducing us to prosperity, and they are comforting. Still, we would like to know whether we are selling enough things to pay for those we buy and have a neat little surplus left.

The Copper City an Air City.

It was not a great while ago, as formerly noted in The California Weekly, that an expedition composed of Europeans set out from Cairo to find a "city of burnished copper," which Arabs had reported as sitting in solitary and lonely state in the north central Sahara. The expedition now has returned, and it did not find the burnished municipality. It did not find it for the sufficient reason that there is no such city. The Arabs who claimed to have seen it were indulging in what might be termed a pipe dream. The expedition found oases, temples of ancient Egyptian construction, salt marshes; in short, many things, but no copper city. So ends another fairy tale. What is it the song says? "We listen a while with pitying smile, then"—stand ready to accept the next one we hear as unadorned truth.

The second biennial convention of the National Women's Trade Union League is to be held in Chicago next week. About eighty delegates are expected from various quarters of the globe. Miss Mary Macarthur, secretary of the British Women's Trade Union League, comes from London; Mrs. Werner Hegemann of Munich from Germany, and Miss Agnes Herman, secretary of the Verband Kaufmännischer Weiblicher Angestellten, from Berlin.

Orville Wright's motto is, "The only bird that talks is the parrot, and the parrot is the only bird that cannot fly."

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WITH BOOKS AND WRITERS

GOSSIP OF CURRENT LITERATURE AND REPRINTS OF OLD FAVORITES.

JACK LONDON'S LATEST BOOK.

To the casual reader who is not personally acquainted with Jack London the question how much of his latest book *Martin Eden*, should be considered autobiographical and how much fiction, becomes more and more curiously interesting as he reads. Manifestly a large part of the book is autobiographical, but, just as manifestly, a few parts, at least, cannot be so considered. All that portion relating to the hero's struggles to market his literary wares—and it constitutes a great share of the book—evidently is based upon London's experiences. Thus far the case is clear; but was it *Martin Eden*, or was it Jack London, who was impelled to his literary toil by love of a very shallow girl? The question inevitably presents itself, and, of course, there is no answer.

In the turning of *Martin Eden* to socialism as a panacea for the universal hurt we again see Jack London, but was it the former alone, or was it the latter too, who, as a result of either too little or too much recognition, became bitter, pessimistic and morbid? Eden certainly does this thing, but there still is room for a friendly hope that in this ill respect he differs from London.

At last the hero, having become morbid to the point of insanity because of long brooding upon a little self in a big world, commits suicide, and at length the reader stands upon firm ground. Jack London has not taken his own life; clearly the last page is not autobiographical, whatever the rest of the book may be. It is pleasant to be relieved of this little of the question that has overshadowed the entire book.

Like all that London writes, the tale is well and strongly told, but it also is morbid and gloomy; and it leaves in the mouth a taste that is not entirely pleasant. The reader closes the volume with an admiration for London's undoubted ability and with a regret that he does not use it to lighten the world of men rather than to add to its gloom. He sees things so clearly that it seems a pity that he must see them through smoked glasses. (The Macmillan Company, \$1.50.)

STANLEY'S AUTOBIOGRAPHY.

The following advance notice of the autobiography of Henry M. Stanley, to be published tomorrow, will interest all who have read "In Darkest Africa," and especially those who remember the thrill that ran round the world when Stanley emerged from that then mysterious, unknown land:

A part of Stanley's notable and adventurous career is told in his famous book, but here for the first time the reader is given the complete story of his life in all its pathetic grandeur. With his deep sincerity, wonderful self-revelation, and splendid style, he makes the reader see the babe in the cottage cradle, then the grim workhouse, the squalid life in Liverpool, the terrible experiences at sea, the dawn of freedom in America, where he was adopted by a New Orleans merchant; then his life as a planter, his enlistment in the Confederate army, the wonderful picture of Shiloh, and his life in prison, and escape. From his journals, and letters, speeches, etc., it has been possible to continue the story of his life largely in his own words—his return to England and experiences in journalism; the finding of Livingstone, exploration of the Dark Continent, the founding of the Congo State and the rescue of Emin, and finally his Parliamentary career and closing years. His journals and private letters bring out the inner history of many important events and episodes which have not hitherto been made public. Stanley was a remarkable man, and this revelation of his personality and of his career as an individual, as well as on men and affairs should take rank as one of the books of permanent importance in its field. The volume, which is edited by Lady Stanley, is handsomely printed and bound, and is fully illustrated with portraits, map and other illustrations.

L'ENVOI.

By Edwin Chase.

(For The California Weekly.)

Go, my Envoi, On thee the venture waits.
Groom up thy diplomacy, and fit thy
Manner to a lady's way. Take then this
Letter, and turn thy course of duty toward
My gracious queen. Go as a barque forth
borne

By a chivalrous wind, and fend thee well
'Gainst any other star that gleams to trick
The compass of thy heart, and miss for thee
Thy waiting port. Put bolts upon thy care:
Thou holdst there a patent, a title
To my heart's best province, its castle, all
Its fair demesne. Observe if she receive
It well; read twice, and hesitate, thrice sniff
The witching smell. And mark you if she
sigh,

Or if the salutation wake a smile:
And if the valediction, Priest of Love,
Shall win a sweet confession from her eye.

Does she so read and wait;
Does she so smile and sigh;
And ope the tell-tale eye?
Then home! My Envoi, 'Home! Home
speedily.

Prepare thee for a greater embassy!
Thou hast the signet; naught could be more
plain.
She's ready to accept my whole domain.

WESLEY'S DIARIES.

The life of John Wesley, the founder of Methodism, will have to be rewritten now that a large body of his writings have been recently brought to light. These are original diaries and manuscripts, written in an elaborately abbreviated longhand, in obsolete shorthand, and in a complex and keyless cipher. The Rev. Nehemiah Curnock, with the assistance of expert students, spent four years in the work of unraveling the cipher used chiefly in an Oxford diary and relating to religious beliefs. The cipher for a long time baffled Mr. Curnock, but a missing letter at last came to him in a dream. The documents throw a new and strange light on the development of Wesley's character, on his literary, political and social activity in America, on the part he played in the creation of a new church hymnology, and on his early life at Oxford.

PEGGOTTY'S HUT IN RUINS.

A correspondent writing from Great Yarmouth to the New Orleans Times-Democrat tells some interesting things about the modern appearance of one of the scenes described in "David Copperfield."

"A Yarmouth hundred of herring really counts 132, and in many ways the inhabitants of the old town are credited with an open handed generosity. Peggotty told David Copperfield, you remember, that it was the finest place in the universe, to which the boy replied that 'a mud and or two might have improved it, and also that if the land had been a little more separated from the sea and the town and the tide had not been quite so much mixed up, like toast and water, it would have been much nicer.'"

But presently, when he got into the streets and "smelt the fish and pitch and oakum and tallow, and saw the sailors walking about and the carts jingling up and down over the stones," young Copperfield admitted that he had done Yarmouth an injustice.

The remains of Peggotty's hut may still be seen, sad and forlorn, alas! but suggestive nevertheless of the quaint home where David was so happy, of Peggotty's jokes, of little Emily's pretty ways and of the dolefulness of Mrs. Gummidge. There are many ancient buildings that have stood the test of time better than the queer boat-home of Peggotty.

Formerly Yarmouth was one of the principal ports of England and its merchant adventurers enjoyed the patronage of Queen Elizabeth. Its Tollhouse claims to be the oldest municipal building in the kingdom.

THE PLOT OF "POIA."

The following is the plot of "Poia," Arthur Nevin's Indian opera, soon to be produced by the Berlin Royal Opera company. The story is taken direct from an ancient legend of the Blackfoot Indians of Montana:

Poia, the leading character, is a Blackfoot brave who is in love with Natoya, a beautiful maiden, but she is in love with Swatits, a warrior and hunter and an evil man. To be rid of Poia, Natoya tells him she will not have him for a lover until the scar on his face is removed. A medicine woman informs him that the scar was affixed by the Sun God and can only be removed by him. Poia must penetrate into the kingdom of the Sun God.

Poia sets out and endures great hardships before he finally reaches the court of the Sun God, whose favor he wins by saving the life of Morning Star, the Sun God's only son. The scar is effaced, and Poia is seen coming down the Wolf Trail, as the Indians call the Milky Way, accompanied by Morning Star, who gives him a magic flute, which will make the player loved by whoever hears the music.

Natoya is with Swatits when she hears the flute and she turns from Swatits to Poia. He is acclaimed a great prophet by the tribe and receives the homage due such an one. Swatits is furious at Poia's triumph and attempts to kill him, but Natoya receives the spear thrust as she leaps in front of her lover.

The heavens open, the Sun God appears and strikes down Swatits with a bright shaft of light and calls the lovers to the sky. Bearing the dying Natoya in his arms Poia mounts upward and disappears forever from the Blackfoot country.

SIENKIEWICZ AGAIN.

Henry Sienkiewicz, the eminent Polish author, recently spoke of his literary work as follows:

"I started to write a book on the Venice of the doges, but had to lay it aside on account of the extraordinary complexity and peculiarity of Venetian history. I no longer have inspirations like the ones which produced 'Quo Vadis.' That I obtained by studying three masterpieces—one by Tacitus, my favorite among the Latin classics; one by Chateaubriand, 'The Genius of Christianity,' and, most valued of all, Cardinal Wiseman's 'Fabrizio,' a beautiful, picturesque story which fascinated me in my boyhood."

"I am now revising for an autumn volume a novelette to be called 'The Whirlwind,' which appeared lately in a Warsaw newspaper. After that is done I am anxious to devote my remaining energies to a theme that has long been my special delight, the personality of Napoleon the Great."

THE LIGHT TO READ BY.

The Philadelphia Record has the following account of the effects of various kinds of light upon the reader's eyes:

"Our grandfathers, who were obliged to read their wily papers by candle light, escaped many of the eye troubles which are common among their descendants, who use electric lamps and incandescent gas mantles. It is the ultraviolet rays in our brilliant lights that are at fault, say oculists. Dr. Terrien has found that the arc light contains three times as many of the objectionable rays as the Edison lamp, four times as many as the ordinary gas light, or the petroleum lamp, six times as many as the old-fashioned oil lamp and indefinitely more than candle light, which is almost free from ultraviolet rays."

"MLISS."

An elaborate review of Bret Harte's "M'Iss" as a play was announced some time ago on this page. It is interesting to note, in the Los Angeles Express of recent date, in a quotation from the Express of Oct. 8, 1894, this line: "Tonight at the Grand opera house, the great play of 'M'Iss'."

THE RETURN OF PORTOLA

GRAVE AND GAY COMMENT ON THE FESTIVAL.

THE ANGELUS.

By Bert Harte.

Heard at the Mission Dolores, 1868.

Especially appropriate at this time of the Portola celebration is Bert Harte's well-remembered poem, *The Angelus*. Bells of the Past, whose long-forgotten music Still fills the wide expanse, Tingeing the sober twilight of the Present With color of romance:

I hear you call, and see the sun descending
On rock and wave and sand,
As down the coast the Mission voices blend-
ing
Girdle the heathen land.

Within the circle of your incantation
No blight nor mildew falls;
Nor fierce unrest, nor lust, nor low ambition
Passes those airy walls.

Borne on the swell of your long waves reced-
ing,
I touch the farther Past,
I see the dying glow of Spanish glory,
The sunset dream and last!

Before me rise the dome-shaped Mission tow-
ers,
The white Presidio;
The swart commander in his leathern jerkin,
The priest in stole of snow.

Once more I see Portola's cross uplifting
Above the shining sun,
And past the headland, northward, slowly
drifting
The freighted galleon.

O solemn bells! whose consecrated masses
Recall the faith of old—
O tinkling bells! that lulled with twilight mus-
sic
The spiritual fold!

Your voices break and falter in the darkness—
Break, falter, and are still;
And veiled and mystic, like the Host descend-
ing,
The sun sinks from the hill!

HAIL, PORTOLA!

It's catching; nearly everybody has it; the heel-taps on the pavement up Market street beat their rhythm to a lightsome tune; the swagger of the crowd is just another symptom. By Tuesday next we'll all be virulent. It's the new disease: Portola!

Who was Portola? Zoeth Eldredge knows, maybe Rufus Jennings does. Who cares? No body.

What is Portola? Ah, that's another story. Festival, Mardi Gras, mummings, confetti, a thousand streamers and a million lights, music, mirth, care-free gayety, and—and—just a little business on the side, just a little, you know, to help the suburban population enjoy itself by reducing the burden of that sagging feeling in the pocket where the crop money lies.

But we're all going to have a good time. Don't doubt it. The California Weekly's man strolled up the street on Discovery Day. Alas, poor Columbus! They were few that did it. True, the banks were closed—but everybody knows that bankers have nothing to do, anyway. Everybody else was on the streets, and one thought was in their every mind. Portola! The bell of red and golden lights at Market, Third and Kearny gently tolled ('told')—catch it? it to the eye; the upstuffed, rampant banners, gold and red, fluttered over every street; the red-headed youths and maids with golden locks flashed a new signal of spiritual communion from the windows of the soul, for this, now, is their hour of triumph.

Well, 'tis a fleeting hour, this hour of triumph, but each in his way will make the most of it. Virgilia, queen of the rout, has written a book; a dozen poets have rhymed the praises of her beauty; one music store flaunts her portrait over both the "Portola Maid" song and the "Portola Queen Waltz." Gaspar himself is not forgot: "La Portola," tra-la, tra-la, is their companion-piece. And the rhythmic honors of the day are crowned and sublimated by the sweet melody, the insinuating appeal, the subtle promise of this charming lyric printed on the "only Portola invitation postal card":

"Bring your father—sister—mother—
Bring your friends—don't come too late.
We will entertain you royally.
As becomes OUR GOLDEN STATE."

Indeed we will! With our Portola came in hand, our Portola tie discreetly tucked into our Portola waistcoat, and our brand-new and inimitable Portola smile illuminating our face, we will join you at the Ferry building and lead you gaily into the merry measures of Folly's "Dancing Triplets" which we inadvertently reprinted last week as "Dancing Triplets."

Even now, below us in the harbor, the guns are booming a welcome to the Dutch cruiser with the unpronounceable name. Yesterday it was the Idzumo, Captain Takeshita in command. Tomorrow it will be the Calabria, Italian cruiser, from far Brazil. The Chronicle has promised it, and the Chronicle's wireless station is bringing the ships to port. (See the Chronicle.) Another day it will be the Germans, and last and best, three cruisers of His Majesty's British fleet. These, with a score of ships from our own once White Navy, will grace the bay by day and shame the abashed and ineffectual stars by night.

At Tuesday noon a moment's hush will fall upon the world, steamers will pause mid-ocean in their flight, a toast will be proposed, framed by our president, and as the last drops of California wine trickle down ten million throats a thousand cannons will roar the message to the merry-makers that care has been sunk to the depths and mirth enthroned.

FRAY JUAN CRESPI.

By J. H.

(For The California Weekly.)

Sixty-four marched out from San Diego.

To the unknown northern regions led:

Sixty-four marched back to San Diego;

Gaspar Portola was at their head.

Seven and twenty soldiers de cuera;

Fifteen Christian Indians, to pack;

Senor Don Fernando, R. River,

Y Moncaldo riding at their back.

Coming all the way from Coronado,

Several dozen Spanish Dons, or more:

Soberano, Fages, Alvarado,

Cota, also Pedro Amador;

Pathfinder Ortega and Carrillo,

Yorba, Olivera, Costanoso,

Many a name with tide and cedilla;

Many a one whose name we do not know.

In the very midst of all these rather

Highly-sounding, elegant, graceful,

There was one, a quiet little father,

Whom I honor more than all of these.

He it was who when the days were dragging

Drearly as wearily to come,

Cheered the men with faith and hope, unflin-

gling:

Fray Juan Crespi was his gentle name.

Every trial new and tribulation,

Only pointed him his Father's will;

Fountain he of sweetest consolation,

Seeing only good in every ill.

Patient countenance and calm maintaining

In the presence of what'er mishap,

While the soldiers, of their lot complaining,

Stamped their sorrows all along the map;

Registered their ills in names of places:

"Cursos Valley"—Valley of Disease;

Many another such their course defaced:

"Pulgas Rancho"—Rancho of the Fleas;

"Tumor Canyon", "Thin Bear"; names replacer

With grotesqueness hardly could be known.

For those places, the priest's names were

sweeter:

"Lladislaw", "Domingo", "San Ibon."

Mattered not what problems were appearing,

Mattered not what dangers they might dare,

There was Fray Juan Crespi ever cheering

With his saints and symbols everywhere.

And behold! one evil cured another,

And with better heart they took their way,

While the sign-and-wonder-seeing brother

Thanked the Lord who led them day by day.

Starving in the valley of San Pedro,

Mussels found they sweet to their desire;

"Shell-fish Point," the soldiers called San

Pedro;

Call it "Guardian Angel," said the friar.

And the priest and gallant caballero,

On the afternoon of that same day,

From the summit saw the grand estero,

Joyfully beheld the splendid bay.

On that famous march from San Diego,

Following along the unknown track,

Sixty-four marched out from San Diego,

Sixty-four went marching safely back;

Every miner, sapper and soldado;

All the regulars and volunteers;

Coming safely back to Coronado;

All the Indians and muleteers;

Gaspar Portola and Olivera,

All the rest with Soberanes here,

Senor Don Fernando de Rivera

Y Moncaldo bringing up the rear.

From the mountains where the rains had wet

them;

Down the beaches where the breakers foam;

Led by Him who never could forget them,

Fray Juan Crespi's flock came marching

home.

In the decades following the Spanish

Were no spiritual gifts alive?

What could cause the friar's names to vanish?

While the soldiers' christianities survive?

Mercenary Time's historic humors,

Brooding ever on material plights,

Save the "Shell-fish," "Cursos," "Pulgas,"

"Tumors,"

Lose the "Guardian Angels" and the

"Saints."

Lose them? Never! Vain imagination!

God be thanked, they're with us evermore,

Simple, silent men of contemplation,

Leavening and saving as before.

So while golden banners are displaying,

Hailing Portola, the brave and true,

Don't forget the man who did the praying:

Here's to gentle Fray Juan Crespi, too!

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A GREAT WOMEN'S CLUB

THE IDEALS AND ACHIEVEMENTS OF THE CALIFORNIA CLUB.

The California Club is probably the largest women's club in the state. It is the centre of the intellectual life of nearly 600 women, mainly residents of San Francisco.

The club's motto is a phrase from the writings of David Starr Jordan: "Wisdom is knowing what should be done; Virtue is doing it." By a consistency unusual in mottoes, this one really means something in the actual work of the California Club. This club's activities are divided into four broadly-defined departments: education, civics, social science, and the Outdoor Art League. The educational department is devoted to the self-instruction of the club members in things they want to know about. The other three departments are organized channels of activity through which the women "do things" for the causes they espouse, such as the bettering of public morals and the beautification of the city. So, the educational department personifies the Wisdom of President Jordan's phrase, and the other departments the Virtue of which he speaks.

Jane Addams, of Hull House, Chicago, whose vast service to humanity through her philanthropic work among the city poor is even less significant than the influence of her writings upon the minds of the leading thinkers and executive men of America, says, in her "Newer Ideals of Peace," that the most lamentable deficiency in municipal life in the United States in this industrial era is caused by the absence from the city administration of women in the capacities for which their centuries of training and their instinctive sympathies pre-eminently qualify them. The deficiency of which she speaks is the citizen's lack of immediate interest in government, caused by the fact that the functions of government touch the life of the citizen only in the presence of the blue coat and brass buttons of a policeman, with whom the average citizen has nothing to do. But, she says, if working hours were regulated by law, if sanitation were strictly regulated and the regulation enforced, and in these and other ways the law became an effective guardian of the welfare of all the citizens, government would become a real and immediate concern of the individual, and the administration of the functions of government would belong to women, because these functions are simply municipal housekeeping, and women are the traditional and natural and trained housekeepers.

Perhaps it is a combination of conscious following of President Jordan's formula, because of the unconscious promptings of Jane Addams's philosophy, that has led the women of the California Club to undertake many public tasks of high importance, which the men had overlooked or slighted. At any rate, the record of the club's achievements in public affairs is an enviable one, and worthy the emulation of such profound—and less effectual—organizations of men as the Commonwealth Club.

Here are some of the things that make up this record of achievement.

The San Francisco Parental School was established in 1907 through the efforts of a committee from the department of civics of the California Club.

A state law regulating the construction of tenement houses was materially helped in its passage through the state legislature by the California Club's co-operation with the Commonwealth Club and associated public bodies. This valuable piece of legislation was rendered ineffective by the governor's pocket veto.

The department of social science of the California Club has distributed several thousand pamphlets on tuberculosis and in other ways has helped in the campaign of education to stamp out the white plague.

The prison section of this department collected a library of 1,500 volumes for the women's jail in San Francisco. These books were destroyed in the great fire, but the section is now progressing rapidly in the work of replacing them.

The prison section has also obtained permission for women visitors to visit the state

prison at San Quentin once a month. This opens the way for public inspection and especially for work by the club toward better conditions in the women's wards.

The department of civics secured the co-operation of the company that handles the street-car advertising, and inserted in the cars placards urging women to do their Christmas shopping early so as to relieve the strain of work on the clerks. Other placards urged co-operation in exterminating the bubonic-infected rats, and called attention to the subjects of pure milk supply and the expectoration ordinance.

This department secured the interests of the Franklin School when it needed apparatus for organized play.

This department secured the passage of an amendment to the city charter creating a Playground Commission in the city government. Two of the seven members of this commission are members of the California Club, and the important fruits of their labors have been described in The California Weekly.

This department is represented by a club member on the probation committee, and the department contributed money to the admirable and necessary work of the juvenile court.

This department has had sanitation cases prosecuted by the district attorney's office, has brought about the establishment of public convenience stations in various parts of the city, and has helped to introduce "certified milk" to general sale for the protection of infants and invalids.

The department of social science has done a large work to create public opinion demanding medical inspection of school children, and has persuaded the board of supervisors to appoint a physician and four nurses to begin the work of inspection.

This department is also working for the establishment of state sanatoria for the treatment of curable tuberculosis.

It is working for an amendment to the charter providing for an indeterminate sentence with industrial training for confirmed inebriate women.

The department of Outdoor Art League distributed seeds to refugees after the fire for the purpose of encouraging gardens and window-planting. The League joined in the work of cleaning the streets on March 3, 1907, and made a fine showing. The League persuaded the supervisors to include the Telegraph Hill improvement project in the bond elections. The League is directly and solely responsible for the exchange of lands by which the Calaveras grove of Big Trees last year became a national park, insuring the preservation of the most accessible grove of sequoia gigantes. The League has acquired the care of Laura Vista Park, on Telegraph Hill, and is maintaining it as a bright public park.

It is written above that the department of education is devoted to the self-instruction of the club's members. This is essentially true; but this section also has projected its influence in several directions, notably in the dissemination of humane education in the public schools.

But the internal work of this department is most interesting. This work includes the study of music, of literature and the drama, of French, and, as a recreation, of the finer points of whist.

Altogether, the work of the California Club is varied enough to interest many types of mind, and profitable, not only to its members, but to the public. It is a large service to society, in the general sense of the word, that such a club forms the centre of a social and intellectual communion for a large body of women. Here they enter into the current of modern thought and modern progress. From this club radiates a refining and ennobling practical influence in the life of the community upon those points where the spirit of womanly sympathy and understanding is most effective.

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POLITICAL TABLE TALK

By THE WATCHMAN.

California Leads, But In the Wrong Direction

Examiners have returned from the Eastern trip which they took in order to get ideas upon an industrial training school such as an act of the last legislature proposes to establish for graduates from the state-aided orphan asylums. According to interviews which appear in a Sacramento newspaper, the two investigators did not find what they went to seek, because none of the other states, so far as they could discover, has institutions of just the sort which is proposed for California; though there are many Eastern reform schools for bad boys and girls, no state has adopted the plan of assembling in a large institution a host of former inmates of orphan's homes for the purpose of teaching them mechanical trades and agricultural pursuits. This discovery causes Senator Price (for the Expert is also the Senator from Sonoma county) to remark that California is leading and is setting a good example to the other states to follow. It does not appear to have occurred to him that other states are not so much leading California as proposing to do because those states have a better way—that they have studied the subject and have reached the conclusion that no congregation but segregation is the best policy—in other words, that the thing to be done for homeless boys and girls is to find them homes. This can be done; that has been demonstrated; and that it is the best thing to do no person appears to doubt who has studied very deeply the subject of child dependence and congregation in orphan institutions and training schools.

Neglected Expert Advice That Was Ready at Hand

starting in to create a new institution which is going to be a great burden of expense to the State, had thought to ask the opinion of the State Board of Charities and Corrections they would have found that the members of that board do not endorse their proposal and that they believe the dome-hating policy is far better than the training-school plan, besides being very much cheaper. Very probably the members of the Board of Charities would also have told Senator Price that his idea of taking 14-year-old boys and girls from the orphan's homes, teaching them trades for a couple of years and turning them out on the world able to care for themselves was impracticable, because boys and girls of sixteen are still much too young to be left without home or guardians.

But of course neither the executive nor the legislative departments of the State government thought to ask the advice of the Board of Charities, though one must wonder for what purpose they suppose that board exists if not to advise on just such problems as this. The Board of Charities has been in existence now for five or six years; its support has cost the state something, and if it is not to be permitted to exercise the functions for which it was created, it should be abolished. It was not established to be a mere name; the reason for its existence is that it was expected to exert an influence in favor of better-conducted charitable and penal institutions and also to work for economy in such institutions. It might have done both if given a fair chance, but being side-tracked by ignorance and antagonized through prejudice, it has been unable, except in a small degree, to accomplish either of the purposes of its creation.

Shop for Boy, or Boy for Shop?

The Watchman hears that Senator Price and Secretary Deming came back enthusiastic for an orphan training school, and harboring the idea that it may be made self-sustaining. Woe unto those children if that be the object. A hundred boys and girls may be taken from the orphanages of the state and set to work manufacturing upon state ac-

count, and possibly earn their keep, although even as it is to be doubted, but to call such an establishment a school, or anything other than a factory, will be to beard the dictionary in its den. It is the besetting sin of almost every reformatory that the child comes to be for the reformatory and not the reformatory for the child, and an institution for orphans conducted on similar lines would be a wanton injustice for the reason that being an orphan is not an offense worthy of harsh punishment. No, a training school must be a school, and when the apprentice has learned enough to be worth his keep, his place is to be apprenticed, not turned out into the world and not kept in such an institution. A state training school may be made useful to dependent childhood, but if so it must be at the cost of the state, not the

Portraits of Programmers It has been the immemorial custom in California to have the portrait of the retiring governor painted, after he has retired, that it may somewhere be suspended from the capitol walls. The uniform cost has been \$500 and the portrait has been looked upon as proper, but the appropriation for it has, heretofore, not been made until after each governor had gone out of office. The last legislature desired to make sure that the benign visage of Governor Gillett should hang from the inner walls, perhaps through fear that the next legislature might be less inclined that way. Therefore it took time by the toplock and made the needful appropriation. So far so good, but it went farther and appropriated five hundred dollars for a portrait of that diligent performer, Mr. Warren R. Porter. Let it be said on behalf of Governor Gillett that he has had the good taste to make no haste in availing himself of the appropriation, and will likely wait until he is out of office before sitting for his portrait. Not so Performer Porter. His desire to see himself as an artist sees him was uncontrollable and he has had himself painted, the bill has been presented, allowed, and paid. Previous legislatures have seldom, if ever, thought lieutenant governors were worth painting by canvas and oil, but then, of course, there have not always been Warren Porters in that office.

The Best Joke of the Last Session

But the crowning hilarity of the last session of the legislature was the appropriation of a round thousand dollars of our dad's for painting the materializations of Speakers Beardslee and Stanton. In all the history of California, from Quereara to the Humboldt dynasty, no speaker of any assembly has ever been thought worth painting by canvas until Beardslee, Bo Beardslee of San Joaquin county. What marked him for this high honor, heretofore bestowed only upon retiring governors, must have been the unwavering idelty with which he took orders from his masters and the celerity with which he obeyed them. Having established the precedent as to Beardslee the impropriety of not securing an oil effigy of the genial Phil Stanton, only less obedient in taking program than his predecessor, was so apparent that the same appropriation that squandered \$500 for Beardslee in oil included a second \$500 for Phil. To be entirely true to life Phil Stanton's portrait should have been sketched in the act of taking the train, in September, to attend, at public expense, where will the state hang all its next Alaska-Yukon exposition which occurred in the previous June. Query: If the precedent be accepted as established and the portrait privilege is extended, as with equal reason it may be, to sergeants-at-arms, janitors, porters and pages, where will the state hang all its next famous celebrities? Will it have to construct a state rogue's gallery somewhere in capitol park?

Will the Senator Please Quit Kidding?

United States Senator Frank P. Flint of Los Angeles has not for-

gauge of diplomacy is sometimes called a balloon d'essai, but which is the more expressive vernacular is known as "a feeler." In other words, the junior senator has said for publication that he is thinking strongly of voluntarily retiring at the end of his present term, because he cannot make money while he is a senator and because he believes it to be his duty to do this in order to provide for his family. He adds that if he should retire it would not be through fear of defeat in an effort to succeed himself, since he is practically without opposition in his own district. As this announcement found its way into the press the first time, it was more positive in form and practically amounted to a declaration of intention to retire; but the next day it was modified in a second interview and given the complexion before described. The cynically inclined are now saying that if the junior senator should hear a loud cry of protest echoing over the state from Shasta to Mt. Lowe, he would again pull in on the string and perhaps withdraw his withdrawal altogether.

He Would Be Prevailed Upon

And yet it may very well be that there is considerable sincerity in the junior Senator's statement, although from the manner in which it is put forth we cannot doubt that the main reason for making it at this time was a desire to return to the Senate, and in casting up the advantages and disadvantages, Mr. Flint is doing precisely what hundreds of others in situations similar to his have done; before it is gained a high office appears to almost every man as something very desirable to have, but after it is gained the question is sure to arise whether it is worth keeping; the honor has been enjoyed, and the burdens and sacrifices are very much in evidence. The particular sacrifice which Mr. Flint emphasizes, that of foregoing the accumulation of a competency at the price of remaining in public life, is the consideration which has turned the scale and led many a successful American politician, from Tom Reed down, to decide upon retirement. As may well be imagined, Senator Flint would find it easier to make the plunge, by withdrawing once for all, if he were satisfied that public sentiment is likely to array itself against him, while, on the other hand, a belief that he has really no difficulties to overcome in being re-elected would incline him to minimize the pecuniary sacrifice and to continue at his post in the Senate. Hence the reasons for sending up his trial balloon and watching the sky to see which way it has drifted.

Office Not So Bad But for the Stench

When he says that he has no opposition which is worth mentioning Senator Flint, as he is probably acute enough to know, is partly right and partly wrong. There is no avowed candidate against him. Neither is there any opposition of a kind which is regarded as a scandal. And again, his section of the state is unanimous in claiming the right to elect a Senator, and it is clear that just now the region south of the Tehachapi has no candidate except Flint. Indeed, there is no other man down there of sufficient political prominence to make him a natural rallying center for spontaneous opposition to Flint. But, despite all this, Senator Frank Flint is decidedly not popular, either in his own part of the state or in any other; the people know (and he knows that they know) how he was elected; it was so distinctly a corporation achievement that it was one of the hardest blows which has ever been struck at public respect in California. It was four years since that it occurred, but the recollection has not faded, and Senator Flint does not know how far the feeling might carry a majority of voters when they should come for the first time to exercise their privilege under the new law of voting in their districts for candidates for United States Senator. That he might make a good deal of difference, even though as ar-

ranged (in Senator Flint's particular interest, as many believe) it is only a series of local choices and not a state-wide referendum such as reformers desired.

He Will Withdraw His Withdrawal

It is too early to attempt to say what would fall out, or fall in, if Senator Flint should decide to make his suggested withdrawal actual. But one of the immediate effects would be a small political change south of the Tehachapi, where organization politics has been crystallizing around the assumption that Flint would again be a candidate and that his re-election would be the first consideration. It would be necessary to find another organization candidate for Senator in the south, and this would be a task attended with some difficulty. There would, as may well be imagined, be no dearth of aspirants, but with that primary vote staring it in the face,

the machine would experience hitherto unknown difficulties in what used to be its easy art of "picking a winner." None of the organization heroes in the south—neither Judge McKinley, nor Speaker Stanton, nor Senator Leroy A. Wright, nor Senator Henry M. Willis—could run the gauntlet of a primary vote in eighty assembly districts with any probability of making a respectable showing. It is altogether probable that the machine would recognize this at the start and would manifest its usual shrewdness by side-tracking all candidates known to be offensively organization and by bringing out somebody whose standing, either business or professional, has been such as to give him a fair degree of popular strength, and whose indebtedness to the machine could be plausibly denied. But what is most probable of all is that Senator Flint will be prevailed upon to withdraw his withdrawal. He run the gauntlet. He, at least, does stand some chance of success; and no other known organizationist does.

First-Class Men for Second-Class Offices

The thought of an ex-Justice of the Supreme Court being a candidate for city councilman is so unusual as to occasion some surprise, because the office is generally looked upon as a minor one, which it really is not at all when the magnitude of the interests to be dealt with is considered. The surprise in question owes its origin to Los Angeles, where the so-called regular Republican convention put up for councilmen a list of men which made householders think of the advisability of putting new window-fasteners and door-locks on their houses. After considerable discussion the citizens decided that the only thing which could be done to beat a very bad ticket was to put up a very good one, and by dint of persuasion they induced several of the leading citizens to consent to accept councilmanic nominations, and so their names will go on the primary ballot, with a practical certainty they will be nominated. Judge John D. Works, formerly of the Supreme Court, and now a leading member of the bar, is the best known of these candidates, but another is a well known bank president, and the others are men of similar high standing.

UP AND DOWN THE STATE.

In order to secure access to what, it is claimed, will be the most valuable rock quarry in the United States, the Santa Fe company is building a spur line from near Redley to a point on the Kings river about fifteen miles from Fresno.

The supervisors of Monterey county have advertised for bids for a franchise for an electric line to be built from Monterey to Salinas, Spreckels and Castroville. It is expected that work on the line will begin as soon as the franchise is granted.

E. J. Emmons, one of the former state senators who were convicted of accepting bribes, will apply for a parole. He is the only one of these hoodlums who still is undergoing punishment.

Citizens of Palo Alto are taking steps to secure a referendum vote on the question of doing away with nickel-in-the-slot machines. Near Crescent City, recently John J. Johansen was instantly crushed to death by a log which rolled upon him.

Prompted by jealousy, Harry W. Vaughn shot and wounded Miss Cecelia Skehan. This demonstration of his love was made in Marysville.

Because the Chico trustees thought petrol was petroleum (which it is, or once was) they granted the Standard Oil company a permit to store that product within the city limits. Thereupon the company put up two huge tanks and stored gasoline (which is not petrol) in them, and an increase in insurance rates throughout the city became likely. Now the trustees propose to withdraw the permit, and it is possible that a legal battle may result.

George Kaminski was killed, near Fullerton, by coming in contact with an electric wire which carried voltage to pumping plants.

Citizens of Chico are trying to induce the Southern Pacific company to connect its Portland and trans-Sierra lines at Chico instead of at Vina, as contemplated.

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A CONTRAST WITH ENGLISH JUSTICE

THE PRACTICAL OPERATION OF THE LAWS IN GREAT BRITAIN.

By WARREN OLNEY, Sr.

A few years ago a young gentleman graduated at the University of California and then went to Harvard College, where he graduated in the Law Department. Before returning to his California home he crossed the ocean to England, landing at Liverpool early in the morning. As soon as he had settled himself at a hotel he went out for a walk. Presently he found himself in front of a large building, saw a good many people going in, and on asking what the building was, was told it was where the Assizes were held, and that the trial of a celebrated murder case was about to begin. Thereupon he followed the crowd, entered the court room, and found a seat just as the murder case was called for trial. He sat there for four hours. During that time the accused was arraigned, pleaded not guilty, a jury was impaneled, the evidence taken for the prosecution and the defense, the arguments were made by the prosecuting attorney and by the counsel for the accused, the judge charged the jury, the jury retired to consider of its verdict, brought in a verdict of guilty, and the judge sentenced the accused to be hanged. He found afterwards that the circumstances of the murder had attracted considerable attention in the newspapers. No man can tell how long it would have taken in a California court to have tried the case. My informant thought it would have taken a month.

At that time no appeal was allowed in criminal cases in England. Therefore the convicted man was undoubtedly hung within a very short time after the trial, unless the judge was dissatisfied with the verdict or felt that he himself had committed some error seriously impairing the rights of the accused. In rare cases the Secretary of State intervened, but the rule was universal that an accused man was speedily brought to trial after his arrest, and, if convicted, promptly punished. Two years ago Parliament passed an act permitting an appeal in certain criminal cases where in the opinion of the judge or of the appellate court there is probability of error having been committed seriously affecting the rights of the accused. But the Appellate Court may re-sentence the accused if convinced of his guilt in cases where the accused is found guilty on one count of the indictment by the jury when it ought to have been on another count. Unless in the opinion of the court there has been a miscarriage of justice or a settled principle of law violated, the appeal is dismissed. The Appellate Court also has the right, which I see is not unfrequently exercised, of reducing the punishment where in its opinion the sentence is too severe.

Civil Trials Also Brief.

The trial of civil cases in England is as brief and apparently as summary, probably more so, than that of persons accused of crime. The judge, when Court is opened in the morning, has what is called a "Paper" before him, similar to what we call the docket. On this paper are set down the names of the causes for trial that day, usually from five to ten in number. The Court and counsel expect to get through the entire docket before adjourning court for the day. In fact in early times no case was permitted to last over the day. A jury of respectable householders and citizens is in attendance. His Lordship calls the first case and asks who appears for the plaintiff. An inquiry is then made as to who appears for defendant. The judge then asks what the issues are. The counsel for plaintiff briefly states, and turning to the counsel for the defendant the judge asks what the defense is. He is also asked how much of the plaintiff's case as stated by the counsel is admitted. There is a practice in vogue there by which, before the trial, either side may present a statement of facts to the other side and require either an assent to the truth of the facts or a refusal to make such an admission. If it

should turn out on the trial that any fact which one party has requested that other admit is actually true, the party so refusing, even though he may win the case, must pay the cost of taking the testimony to prove such fact, and, besides, the counsel so refusing is subject to reproach if his refusal is not a reasonable one. By preliminary questions asked by the judge and statements by the counsel, the court is quickly advised as to what issue of fact is to be determined. He thereupon directs a jury to be called into the box. This only takes a few minutes. It is the rarest thing in the world for any objection to be made to the jury, or to any member thereof. It is common practice to submit every case tried during the day to the same jury. The counsel for plaintiff then makes a statement of his case and what he expects to prove, and calls witnesses to prove the precise facts in issue. There is no wrangling over the introduction of testimony. The court aids and directs the proceedings and confines the testimony to the point in dispute. No time is wasted. When the plaintiff's side of the precise fact in dispute is presented, the counsel for the defense makes a statement of what the defense is, and admitting all that has been well proven on the part of the plaintiff. A large proportion of cases goes off upon statements of counsel. The arguments to the jury are short and must be addressed to the point. The judge does not permit wandering away from the real issues. In submitting the case to the jury the court does not, as with us, elaborately discuss the law, but reviews the testimony that has been offered by the respective parties, disentangling involved matters, commenting upon the probability or improbability of the statements made by witnesses, their relative importance, and calling attention where necessary to matters where the jury is likely to be misled by the zeal and arguments of the counsel. The Court makes the vital jury retire they usually reach a verdict without leaving the box, the verdict is recorded, and the next case is called and disposed of with equal promptness. No excuse is allowed on account of the absence of counsel. If counsel cannot be present for any reason he must be retained and another lawyer goes on with the case. The result is that before the day's sitting is adjourned the court has disposed of all the cases on his "paper." As many as ten or twelve jury trials are thus sometimes heard and settled in one day.

Under our American procedure each one of these cases would take all day and some of them a week, some of them a month. Appeals are allowed in civil cases, but they are not common. In fact, a proceeding similar to our motion for a new trial, and appeal, is never taken unless on account of some supposed error committed by the judge which goes to the merit of the cause. The result was, prior to the Judicature Act of about twenty-five years ago, that fifteen common law judges, the Lord Chancellor, the Master of the Rolls, an Admiralty Judge and a Probate Judge disposed quickly and in the main satisfactorily of the litigation in England and Wales, except the chancery business which was too great for the Chancellor and Master of the Rolls to handle. As population and business increased the Judicature Act was passed which provides for thirty-one judges to do all the law, equity, admiralty, probate, divorce and criminal business of the Kingdom, including appeals.

Our Multiplicity of Judges.

In California our superior courts, Appellate Districts Courts, Supreme Court and United States Courts have jurisdiction of the same subjects, criminal and civil, disposed of by the English judges above mentioned, except here the courts have no jurisdiction when the amount involved in monetary disputes is

less than \$300. In England the downward limit is fifty pounds. But we have in this State one hundred and eighteen judges to do the work that thirty-one judges do in England. As the population of England and Wales is more than fifteen times as great as California, it would seem that England, according to our system, would need sixteen hundred and seventy judges. Or putting it another way, it would seem that on the average an English judge does as much business as fifty-four average California judges. The percentage of depraved and criminal people is undoubtedly greater in England than here. The percentage of business is also greater. But undoubtedly there is a greater percentage of litigation and crime here than there. The reason for that is not far to seek. The speedy and effective administration of justice prevents crime and litigation.

The English people are not only satisfied, but are proud of the way justice is administered in their country. It is the admiration of the civilized world. The American people are ashamed and much disturbed over the administration of justice here. Yet the laws of the two countries are practically the same. Even the laws regulating the procedure in the trial of both civil and criminal causes are practically the same here that obtain in England.

Laws Alike; Results Different.

A few weeks ago there was a series of articles published in The California Weekly on the procedure in English courts in criminal trials, and if any of you read those articles, and are familiar with the procedure here, you could not see any substantial difference between the laws regulating court proceedings in the two countries. The law being the same in England that it is here and the procedure established for the courts being practically the same here as there, what is the reason the administration of justice in one country is so admirable and in the other is so severely criticized?

The principal causes of difference are only two or three in number, but as it is a practical impossibility to eliminate those principal causes of the deterioration in the administration of justice in our courts, for the reason that they are largely inherent in democratic institutions such as ours, I shall only state them, and then will try to make some suggestions for possible improvement under our system of universal suffrage.

Judgeships Contrasted.

In the first place, the judges of England hold office for life, are paid tremendous salaries, and are held in such high honor that it is the ambition of every gifted, learned and high minded lawyer to attain a seat upon the bench. The salaries paid to those thirty-one English judges range from five thousand to ten thousand pounds per annum, with retiring pensions. A judge of distinguished merit is sure of a patent of nobility. The appointments are made nominally by the King, but really by the Lord Chancellor. He is himself always a great lawyer and would not be Lord Chancellor but for that fact and the further fact that he is a man of broad views, familiar with public affairs, knows men, and knows the conditions and needs of the English people. Naturally he is attached to and proud of his profession, and when a vacancy occurs upon the bench he carefully looks over the members of the bar who belong to his political party in order to select a judge with the mental, moral and acquired qualifications that will enable him to fill the place to the satisfaction of the bar, the litigants, and the general public, and who will add credit to the Chancellor and his political party by his conduct on the bench. The pay is so large, the honor so great, and the permanency of the seat so secure that there is no difficulty in regard to the acceptance of the office by the most eminent members of the

bar. The Chancellor's difficulty is to make a selection of a lawyer for judge who has the proper equipment for the place.

With us the salaries are small, the term of office, for the Superior Court for instance, is only six years, and the honor of holding the office not great, and, more than all else, the means to fill the place of judge is not selected by an expert, familiar with the acquirements and endowments of the lawyers from whose number the judge is to be taken, but is selected by political conventions. The result is that there has been a steady deterioration of the court in the land until now no lawyer in good practice can afford to take a judgeship. Under our system there must be some exceptional reason if a duly qualified judge can be secured from among the younger members of the profession. It is not advisable to select old men for judges, even though they may have been distinguished at the bar. There are men sitting on the bench of the Superior Courts, and even of the Supreme Court, who never have had any professional business of their own to amount to anything, and are absolutely without this experience as advocates in the trial of causes that is necessary to equip and qualify a judge to hold up evenly the scales of justice between contending litigants and active and unscrupulous attorneys.

English Bar a Guild

The second cause for the greater efficiency of the English courts is also beyond our reach in this democratic country, or probably it is beyond our reach—you can judge when I state it. The profession of the law in England and in the civilized countries of Europe partakes very much of the character of a guild of the Middle Ages. They constitute to a considerable extent a privileged class. In this country any man who can pass a reasonably satisfactory examination in the elementary principles of the law and can obtain two lawyers to vouch for his good character must be admitted to practice the profession by the courts. If he misbehaves himself there is no way of getting rid of him as a lawyer except by a prosecution in the nature of a criminal proceeding. That is to say, he must be accused of unprofessional conduct with the same formalities as an indictment for a crime, and must be tried, with the same safeguards thrown around him and with the same intentions in his favor that obtains when a man is accused of murder. The result is that everybody is admitted to practice law who wants to be admitted, and after having once got into the profession it is almost an impossibility to get him out. I have myself been on several committees of the San Francisco Bar Association appointed to prosecute lawyers for disbarment and notwithstanding the good of the accused persons was clear, yet we did not succeed in one-half the cases in procuring a disbarment unless the party had been convicted of a felony or of some gross and palpable fraud upon the court.

Bar's Disciplinary Powers.

It is far different in England, France and

Germany. There the courts have nothing to do with the admission of members of the bar or with continuing them in their profession or turning them out of it. In England lawyers are divided into two classes, Barristers and Solicitors, or, using the old name, attorneys. Only barristers are allowed to take part in court proceedings. The solicitors meet their clients, interview the witnesses and prepare the case, and also employ the barrister or counsel to appear in court and try it. It is from the ranks of barristers alone that judges are selected. They occupy a distinctly higher position than solicitors are possessed of an esprit du corps that scorns tricks. They are distinctly and clearly officers of the court and to them the judge looks for support. Barristers themselves call members of the bar—that is, invite them to become members of the bar. That is the theory, though as a matter of fact young men are entered as students at the Inns of Court, as they are called, and when in the opinion of the benchers, who rule the Inns of Court, that is, the leading lawyers of the organization, the candidate is a suitable person and fitted by learning for the requirements for the practice of his profession in the courts and as part of the court, they invite him to become a member of the organization. It is much like getting into a social club. The result is that the barristers have become a powerful guild, and a man fortunate enough to become a member of the guild is recognized by the world at large as a gentleman and a man of attainments. He becomes thoroughly infused with the traditions and the ideals of the bar, and very well knows that any misconduct on his part towards the court or brother lawyers, or his client, will bring ostracism in his profession and cause his expulsion therefrom, to his utter ruin in the community.

In the regular army of the United States an officer may be cashiered by his brother officers for conduct unbecoming an officer and a gentleman. It is the same with the legal profession in the countries I have mentioned. One of the results of the high character of the bar is that in England, France and Germany statements by counsels to the court are rarely questioned by the court or by the opposing counsel.

If you happen to remember the account of any trial, you must have noticed that the cases seemed to go off not upon the testimony of the witnesses, but upon the statement made by the counsel to the court of his case. I should judge that in one-half of the causes disposed of no witnesses are called, but the case is determined upon the statements made by respective counsel. These statements are generally short and to the point and quickly determine the matters in issue between the litigants. There is a public opinion and an atmosphere of professional ethics, a fear of displeasing the judge, and above all a professional pride, that keep lawyers within the lines of etiquette and personal honor.

The advantages of these two basic principles of the administration of justice in England, which I suppose are impossible of attainment in this country, not only appear from the satisfactory way in which causes are disposed of as above stated, but also strongly appear in the improvement that has taken place in the last hundred years in the administration of justice in England and the deterioration that has taken place in our own country.

American Courts Once Better.

One hundred years ago the administration of justice in the states then constituting the American Union was probably on the whole more satisfactory than was the administration of justice in England at that time. The reason was that at that time the old system of pleading and practice had been carried in England to what was supposed to be logical and perfect condition, with the result that a very large percentage of the cases in the civil courts were not decided upon the merits of the controversy between individuals, but upon questions of pleading. The declaration by the plaintiff, pleas in bar, traverse, confession and avoidance, the demurrer, the rebutter, the sur rebutter, etc., and all the refined machinery brought about by hundreds

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(Concluded on Page 751.)

Chapter XVIII. LEGISLATION AS IT IS.

WITH John Middleton in the assembly, as chairman of the committee on irrigation, and Blythe Holland as secretary of the committee, it seemed to Silas Singham that the irrigation district bill ought to go through without difficulty and become a law. It was so self-evident as to require little or no argument to commend it to the mind of any reasonable man. Besides, the rains had come, the plowing had to be done, and Silas, himself, had to do it. He could not afford to hire a day's work that he could do himself. So he concluded not to go to Sacramento at all.

But the legislative wheels did not go round. The bill was among the first introduced and John had no difficulty in getting it referred to the committee, which he called as a matter of course, but to get the committee together—that was a different thing. Just enough remained away from every meeting he called to prevent a quorum. Blythe Holland was set to work on the problem, and was not long in finding the difficulty. A majority of the members of the committee were not there for their health.

Besides, it required a great deal of man-to-man talking to convince legislators of the feasibility of the proposition—more than John Middleton could do unaided, for Blythe Holland was not a heavyweight on that side of the house. He was better at finding out what was what. Silas Singham was sent for.

He was much put out, and came with ill humor toward the legislature for what he regarded as dereliction of duty. Blythe Holland had found out that, for \$50 apiece, he could secure the attendance of two committee members necessary for a quorum, one from San Francisco and the other from Sacramento. He did not have the money and knew well enough that no money was to be had, but he thought it no harm to have a little on hand. Silas and these two statesmen, anyway, so he told them to wait until the big "Sandlapper" came, and he would arrange an interview for them; that he owned thousands of acres of land, had money to burn and needed only to get his hands into the rousers pocket to meet their demands without question. He appointed a place of meeting just off the rounds on the second floor of the capitol, and was to steer Silas in that direction. He also "tipped off" the anticipated event to two or three newspaper reporters that they might be within easy distance.

Singham was unsuspecting, and Blythe Holland, who had been introducing Silas to all the legislators he could find, made these two assemblymen known to him, and then discreetly took himself out of the way. The assemblymen, being two to one, and therefore prepared to outwear the third man if he proved to be less than discreet, were not slow in making their demands plain to an ordinary understanding, but Silas' mind worked slowly that morning. The proposal, made in plain terms, rather dazed him. He questioned them to make sure, and when they bluntly blurted out that they were not there for their health, that if he wanted his committee to meet, with a quorum for reporting out the district bill, he would have to slip them the \$50 each, the hot blood rushed to his head and there was a roar heard that echoed from the assembly hall to the senate chamber at the far end of the capitol building.

"What?" he demanded, reaching at the same time for the collars of both of them, one in either hand, swinging them apart to arm's length and then slamming them together as though they had been dummies stuffed with straw, "you hold me up for fifty dollars before you will even attend a meeting of the irrigation committee! Why, condemn your immortal souls! I ought to smash your brains out here and now. You ought to be drawn and quartered and burned at the stake. Hold us up for money! We who propose to convert these two great interior valleys into two magnificent cornucopias pouring their unstinted wealth into the pockets of Sacramento and the bay cities" (bellying forth a part of the story he had rehearsed in preparation for the much

THE SANDLAPPER

(Continued.)

BY

ARTHUR J. PILLSBURY

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dreaded task of lobbying) accompanying his torrent of words with an alternate swinging apart and smashing together that fairly knocked the breath out of them. "Pay you money? Not till hell freezes over! But I tell you what I will do. That committee meets tonight in room 13, third floor, at 8 o'clock sharp. See to it that you are there, both of you—on time, too, or I'll be looking for you, and if I find you I'll smash the pavement with you. Now, git."

They got, and not again during the session was there an intimation that there was anything to be had "good for the health" in voting for or against the irrigation district law. Moreover, the two man-handled assemblymen attended the irrigation committee on time, made up the needed quorum and promptly reported the bill out with the recommendation that it "do pass." The newspaper men "played up" the incident, and Silas Singham's introduction to the legislature gave him the entree to every ear.

Silas Singham threw himself into the work of lobbying as he had thrown himself into the campaign for the election of John Middleton to the assembly. The intensity, the honesty and the deadly earnestness of those deep blue eyes of his fairly stabbed to the heart every legislator or press representative with whom he came in contact. If anyone ventured to raise an objection he talked him down and out. There was no withstanding so sincere an enthusiasm. He made converts right and left and cowed opponents into quiescence if not into submission.

But still the wheels did not go round. As the bill was gotten out of the assembly committee on irrigation, with the recommendation that it do pass, so was it gotten out of the senate committee with a like recommendation, but in both cases the bill went to the judiciary committees and there it stuck. Singham and Middleton were at their wits' ends. Not so Blythe Holland, who set himself to ferreting out the mystery.

Bursting into Silas Singham's room at a cheap boarding house, where Middleton and Silas were indulging in a spell of the blues over their prospects, Blythe poured out into them in this wise: "You are a pretty pair of babes-in-the-woods sent up here to procure legislation for the people, aren't you? You have talked to every man here until you have worn yourselves and them to a frazzle and you haven't turned a wheel—all because you have left unseen the one man whom you ought to have seen first of all. I am a little slow myself, but I'm not dead to the world."

"Who is it, and I'll run him down in a minute," declared Singham, reaching for his big slouch hat.

"Why Bill Stowe, the Espee boss."

"What has he got to do with it?"

"Nothing, only everything. Do you suppose that there is a bit of legislation going through this session that he does not supervise and approve? Not on your tinsy! As I say, I have been a little slow myself, but I have got it dead to rights now and don't you forget it. It is Bill Stowe and you for it, or no bill."

"Come on, John," called Silas, reaching again for his hat, "there is no time to lose."

"Oh, yes, there is," interrupted Blythe Holland. "Just you wait until I have an appointment with His Majesty, The Real Thing."

They waited, and, in a day or two, Holland had an appointment fixed for them, and Silas and John went to legislative headquarters at the Golden Eagle Hotel.

They explained their plans to the minutest detail and enlarged on what the enactment of such a measure would do in furnishing people and produce for the railroad to haul. The railroad boss appeared to be much interested. He promised to have the bill submitted to the law department of his company. If the report were favorable he would see what could be done in interesting some of his legislative friends in it. There would be some taxation of railroad properties which, of course, did not need irrigation and should be taxed nominally if at all, but that could probably be arranged. The big boss did all that he had promised to do, the legal report on the bill was on the whole, favorable.

Still the wheels of legislation did not move. The newspapers of the state had talked the measure up approvingly and a number of strong men in the legislature had awakened to its importance. In fact, the irrigation district bill had become the most talked-of measure before the legislative session, but still it did not make progress. Where was the hitch? The session was drawing towards its close, with the bill still in the hands of the senate and assembly judiciary committees. Silas Singham was becoming desperate. They must, they could not, fail. Once again Blythe Holland undertook to smoke the trouble out.

This was the first session of the legislature that Blythe Holland had attended, but he did not miss another until he had become so covered with the Suncoast brand as to be no longer of use. He was not slow in making the rules of the legislative game his own. Not only did he lobby for the irrigation district bill, but he soon found ways of making himself useful to promoters of other measures, for a recompense, proving tactful, resourceful and discreet. He had learned enough to know that if the railroad people were really behind the measure it would go through and receive the signature of the railroad-made governor. Otherwise, not. He got next to some of the Big Boss's hangers-on, who went to the influential statesman himself for a straight shot. It came. It was that the Big Boss would like to see John Middleton personally and alone. John lost no time in holding the interview.

"How is your irrigation district bill getting on?" the Big Boss asked, just as though he did not know all about it.

"Stuck," was the reply.

"Where?"

"In both judiciary committees."

"Pretty far down on the files, isn't it?"

"Yes, a good many bills have been advanced on the calendar ahead of it while it has been held up in the judiciary committees."

"Do you know Mr. Justice Blank of the state supreme court?"

"Only by sight and reputation."

"Reputation good, sight slightly failing, on the down-hill side of life so to speak, but he has a good deal of influence still. I shall be glad to give you my card to him."

"What can he do for our measure in the legislature? I suppose it will have to come before the court some day, but I never thought of broaching the subject to a supreme court justice in advance of its being enacted into law."

"Better go and see him," was the recommendation, "but go alone. Don't talk that Sandlapper with you. I understand that he is a strong character," he added with a merry twinkle of the eye, "but I am afraid he may not be discreet. His voice does not suggest discretion, and the more I am sending you on is one of great delicacy, as I do not need to assure you. I thought first of your man Blythe Holland, in whose discretion I have come to place great reliance. He has executed some minor commissions for us with so much acumen that I am planning larger things for him in the future, but he is not so strong on the law points, so I chose myself. I think you'll find the Judge on the next floor above at the end of the hall, and alone. If I were you I would go up and see him directly. Just rap Mr. Justice Blank, the Big Boss went on

to explain, "is a jurist of the highest character. He possesses the full confidence of the chairmen of both judiciary committees, and his influence with both of them will be great. The railroad people do not look with disfavor upon your measure, except as to the matter of taxation, which, however, can probably be arranged afterward, but the bill if passed might fail in the higher courts. If that could be arranged for in advance assurance would be made doubly sure."

John Middleton thanked the Big Boss in silence of gratitude and went at once to the room of Justice Blank on the floor above, and at the farthest end of the winding hall. He rapped, handed in his card and was at once admitted. The Judge was alone, and apparently waiting.

The conference was long, plain spoken, man to man, face to face. Justice Blank felt sure that he could trust to Middleton's sense of delicacy and prudence in the matter, and so un-bosomed himself completely.

The legislature had made the Common Law of England the law of California where not otherwise provided, and while it was true enough that, according to the Common Law itself, any one of its rules failed of application when the reason for it failed, as it manifestly did, at least in part, with reference to riparian rights, yet, inasmuch as the courts and legislature had started that way, they could not now retrace their steps. Precedents once established must be followed, but the judges on the bench had been looking for a way around the difficulties presented by a rigid application of the extreme doctrine of riparianism and this proposed district law seemed to point in the right direction, only it would have to be modified in some particulars to fit the need.

Inapplicable as the riparian law of England was certain rights had vested under it. If the decisions of the courts relative to these cases were reversed it would have to be on the theory that the courts had erred in the first instance and that what they had held to be the law never had been the law, and therefore no rights could have vested under those decisions. So much of the wealth of California as had been invested in country real estate had been mainly invested along the streams. Those property interests must not now be disturbed. However favorable the head of the railroad political machine might seemingly have been to the measure he could not overlook, or refuse to protect, the property rights of his constituents, and that was why he, Justice Blank, had been consulted. Property rights; government is built on it. Civilization depends upon its perpetuity and protection. It was to that end that those at the head of affairs, whether legislative, judicial or executive, commonly consulted together before important matters were acted upon.

In short, if water be taken out of the streams for the irrigation of lands back from the streams the owners of lands lying along the streams would have to be compensated for the diversion. The right of eminent domain could be exercised on behalf of a community of farmers, and compensation be made for water taken. That would open the way for the irrigation of dry lands with such water as the riparian lands did not require, yet not disturb a line of decisions too long standing to be reversed. A few slight changes could be made in the bill that would make this result follow as a matter of course without specifically stating it, which might cause controversy. So amended, the measure was probably acceptable to the chairmen of the senate and assembly judiciary committees. Would John Middleton consent thereto?

He would, personally, but would have to talk the matter over with his associate, Mr. Singham, but, of course, without divulging the source of information. It was done. The committees quickly reported that the measure "do pass," and it did pass both houses, and received executive sanction. Silas Singham went home exultant.

Then came the formation of Enterprise Irrigation District, which included all the irrigable land between the foothills and the lake on the south side of the Kaweah river, a round 200,000 acres. What a fight was that!

These events must be passed over hastily. The river owners swore the greater part of

their lands out of the district as not requiring irrigation. Others, being fearful of everything new, swore theirs out because of the existence of a dry ditch which sufficed for a pretended source of water supply already, so that, when the Board of Supervisors finally fixed the boundaries of the proposed district it contained less than 50,000 acres and a map of it resembled a section of a backgammon board.

Nevertheless the "Sandlapper" district went ahead with its formation, and voted a half million dollars in bonds for the acquisition of water rights and construction of irrigation works. Engineers were employed, plans were made and bonds offered for sale. There were few buyers. The banks were chary of the bonds because they were new and had not borne the tests of time, legal interpretation and redemption in good faith. However, by dint of hawking them about, trading them for water rights, materials and work, at ruinous sacrifice, a canal system was constructed and the water turned into the ditches. The district had a hard time to carry out its plan, and on the dollar of bonds voted, or half as much as the spot cash should have brought them. Over this the people felt extremely sensitive, not to say sore, but they rejoiced that a more certain and adequate supply of water was at hand.

Chapter XIX. ADVERSITY.

Succeeding years did not flow smoothly with the "Sandlapper" district or with the people who lived or owned property within it. The hand of every river man, and of every prior appropriator of water from the river, appeared to be against it, and to make conditions more difficult, there were successive seasons of deficient snowfall in the mountains, with consequent shortness of the season's run of water in the canals.

On top of these troubles came the panic of '98, when nothing that the farmer feared or grew commanded a price that repaid the cost of production. The people felt themselves "up against it" and no mistake. Many of them lost heart, and when the usual levy was made for paying the interest on the district bonds, few made any effort to pay their district taxes. Others, foreseeing an inevitable defaulting on the interest, thought it better to keep their money in their own hands than to pay it on an account certain not to be liquidated.

There was dissatisfaction, too, with the district law and the district idea. The capacity of the people for constructing and operating a communal system of irrigation, in place of a corporate one, appeared to have been overestimated.

Meantime an orchard and vineyard enthusiasm had struck the community, and plantings were made that strained the credit of the planters to the last notch. Being young, these plantings were non-productive. Mortgages were increased and interest was generally unpaid.

The community life was full of bickerings, heart-burnings and discontent. The people, and pretty much all these focused upon Silas Singham as the author of the people's miseries. He it was who had gotten them into the district enterprise and it was his advice, and that of John Middleton, that they had followed to their undoing. They forgot that money at the time did grow was the result of district water, and seemed to feel that but for these bonds they would have been prosperous.

At this juncture there appeared upon the scene certain lawyers. Looking out upon the state, and perceiving the great amount of irrigation districts in general, and this district in particular, they thought they saw a fruitful field for profitable litigation. They called meetings and harangued the people, declaring that the irrigation district law was unconstitutional, the organization of the "Sandlapper" district invalid, the voting of the bonds illegal, their sale effected contrary to law and the bonds themselves voidable at the pleasure of the taxpayers. They had come to "free the people from an unbearable burden."

Silas Singham attended the meeting and listened to the advice given by these barristers until they had finished, then he rose from his seat in the back of the hall and went to the platform. He was much incensed. His first utterance was: "Woe unto you, lawyers, who

come to preach the doctrine of repudiation to this people!"

Then he went on to admit that the land owners were in a sad predicament, confessing his full share in creating it, but explaining that the primal cause, after all, was the great financial calamity that had come upon our common country and the civilized world; but he held that a community should be as honest as an individual would be expected to be, and to suggest a repudiation of a bonded debt was an insult to the integrity of the community.

"If, however," he declared, "time shall prove that the district has gotten into deeper water than it can pass through without losing all, then an honorable compounding of their debt, on a basis of what can be paid without sacrificing all, may become necessary, and when that day comes, if it come, the bondholders will no doubt be as reasonable as the taxpayers themselves."

"But we should remember," he declared, "that we have accepted some hundreds of thousands of dollars, given us in good faith, and have expended it. If mistakes were made in expending the money they were our mistakes and not the mistakes of the bondholders, and we, and not they, should suffer for those mistakes."

His conclusion he urged the people to send these lawyers kiting, to stand firm for the right, do their best and await a general recovery from the panic before concluding that their own plight was beyond redemption.

He was listened to in sullen silence. Scarcely one applauded him, and he was the only one of his own neighbors arose in his place and moved the adoption of a series of resolutions which he sent to the secretary to be read. They were as follows:

"Whereas, One Silas Singham was a prime mover in procuring the enactment of the obnoxious unconstitutional and unworkable irrigation district law that now bears heavily upon the commonwealth; and

"Whereas, By following his impractical, self-constituted and dominating leadership, this community is brought to the verge of bankruptcy; and

"Whereas, His sympathies are manifestly with the bondholders, eager for their pound of flesh cut from the heart of this community; therefore, be it resolved,

"Resolved, By the duly elected citizens, in mass meeting assembled, that any further assumption of leadership on his part is hereby repudiated and that his presence and participation in the proceedings of this meeting are undesirable and calculated to disturb the harmony and thwart the purposes of such meeting; be it therefore further

"Resolved, That the said Silas Singham be, and he is, respectfully requested to withdraw from this assemblage that the citizens may be free to address themselves to the task of extricating this community from the unfortunate predicament into which his unwise and unsought leadership has precipitated it."

Without discussion the question was put by the chairman and adopted with a thundering roar of voices. The speaker rose in utter confusion. A few cried "for shame" and, white with rage and humiliation, Silas Singham strode toward the door of the hall. On the threshold he turned and, shaking his finger at the audience, cried in a voice that amounted almost to a scream, "I can help you out of this difficulty. I shall help you. You can not prevent me!" then passed out of the hall, leaped into his wagon and drove furiously homeward.

For many months Silas Singham bent himself to his farm work as scarcely ever before. He rarely left the ranch, and, if he chanced to meet one of his neighbors on the road he passed on without giving a sign of recognition. He had been deeply wounded, and made no effort to conceal the fact.

But he went on thinking. His nightly vigils on the platform of the windmill were scarcely interrupted by wind or rain. His views changed as the status of the district's affairs changed. At first he wanted the bondholders to surrender such a percentage of the bonds as would suffice to construct a reservoir, pro-

vided for in the original plan, with the aid of which the people should undertake to pay the remainder, principal and interest, but, as the debt mounted higher and higher and the productive capacity of the district sank lower and lower, he demanded greater concessions from the bondholders in the interests of the people.

A defense association of the taxpayers had been formed at the meeting referred to above and lawyers employed to break the validity of the bonds. The cases went from lower court to higher and back again to be retried finally reaching the supreme court of the United States. At every step the cases had gone against the taxpayers, and when the court of last resort had validated both the district and the bonds the spirit of combat gave way to the spirit of despair.

This had taken five straight years, during which Silas Singham and John Middleton had stood staunchly for an honorable compounding of the debt on a basis of what the people could pay without confiscation of their homes. The bondholders looked upon them as radicals, and the people, with here and there an exception, had looked upon them as having been bought up by the bondholders.

During these years scarcely a tree or vine had been planted in the district, a gap in a fence nailed up or a new building erected in the community. Hundreds of houses had been moved out of Tulare to farms beyond the district borders or to other towns, and no new houses had been built. Many had sold out for a song and gotten out of the district in the belief that all was lost. Young heads grew gray and gray heads grew white under the burden of care. Crops were made where water was wisely used, and business went on as elsewhere, save that there was nothing for hope to build on and the people did not know if they or the bondholders would own their homes.

Meantime Silas Singham had located, and placed himself in communication with, the holder of every bond that had been issued by the "Sandlapper" district. When the spirit of panic seized any one of them, and made him anxious to sell his holding at a sacrifice, Silas quickly found a purchaser, or his bonds among the holders of property in the district, to be retained as an offset to the tax obligation. By this process a considerable portion of the bonded debt came to be held by the debtors themselves, and their influence, as bondholders, upon other bondholders became great.

He had become a voluminous letter writer. He kept the absentee bondholders in touch with the local situation and finally gained their confidence. His frankness and his courageous defense of a policy of justice toward them, as well as of mercy toward the people, made him the only intermediary with whom many of the bondholders would deal, and his refusal to touch a farthing of profit for any service rendered gave him a leverage that few could resist.

With great labor and care he valued every farm and unoccupied piece of land in the district and estimated its rental value, after deducting the kind of living that the cultivator of the tract would submit to rather than go elsewhere. He divided the remaining rental value into two parts, one for the owner and one for the bondholders, and thereby estimated with approximate accuracy what the district could afford to pay the bondholder without forfeiting the existing ownership in the land, and insisted that so much, and no less, should be offered the bondholders in compensation of their claim.

When at last the highest court in the land had spoken authoritatively, and the attorneys for the people could offer them nothing more than a policy of filibustering against the collection of the debt, Silas Singham was ready to meet the emergency. He sprung his proposal for an honorable compounding of the debt, and, with his old time enthusiasm, he made his appeal to reason, man to man, and he soon won the taxpayers over to his view. His taxpayer-bondholders were now inspired to do their best to the satisfaction of their bondholder associates and the bid.

Perhaps it was the fear of a never ending policy of filibustering against paying the debt, perhaps it was the innate reasonableness of Silas Singham's well worked out plan; but

whatever the cause, the bondholders, even to the last man of them, were won over one by one, their bonds placed in escrow in San Francisco, the taxes levied and collected, and the money paid. The "Sandlapper" district was made free, and it was Silas Singham, more than all others, who had freed it.

(To be continued.)

("English Justice,"—Concluded.)

of years of labor on the part of lawyers and courts, looking to a logical and correct system for ascertaining the true point in dispute between the persons, rather than the point of justice, were then in full vogue. The difficulty of stating a cause of action under its proper head or division and of putting in the defense properly had become so great that there was a distinct branch of the legal profession and the lawyers belonging to it known as special pleaders. They were men of acute and logical minds and great technical learning, whose business it was to prepare pleadings for brother lawyers. A mistake in the form of action, and those forms were very numerous, applied to the case, or a fault in the pleading of the plaintiff losing his case, though clearly entitled to relief for injury done to him by the defendant.

Reform of English Procedure.

Less than one hundred years ago the bench and bar of England became dissatisfied with the extremely technical proceedings in vogue, and after much discussion the courts of Westminster Hall, by general rules adopted about 1834, amended what we would call the Code of Civil Procedure so as greatly to simplify the pleadings and practice of the courts, thereby sweeping away a great mass of technicalities and aiding the courts to dispose of causes between litigants as right and justice demanded. About 1883 the judges adopted new rules which correspond to and much resemble our Code of Civil Procedure, and which seem to be the ultimate expression of the law looking to simplicity of proceedings in the methods of attaining justice. At the present time, therefore, the pleadings and the procedure of the English courts are of the simplest, and the character of the proceedings is undoubted justice in all cases is impossible of attainment by any human tribunal, but the English courts strive to dispose of every case not by any technical rules, but by what right and justice and the settled law of England demand.

One hundred years ago in this country, while the legal profession was not a guild, as it is in Europe, it was still beyond question a learned profession, with high ideals and with the brightest intellects in the community taking the lead. The judges were not as a rule selected by popular vote, but were appointed by the governors of the respective states, and generally were men whom the legal profession and the community at large respected for their learning and esteemed for their character and ability. In those states where judges were elected by popular vote the character of the bench was still maintained because of the traditions attending the office and the further fact that suffrage in those days in all the states of the Union was limited to property-holders and generally to freemen. A man did not have the temerity to present himself as a candidate for a judgeship unless there was a general feeling among the bar and the community of his fitness for office. It seemed to be understood that if a judge filled his office satisfactorily he was to be elected and re-elected whenever the occasion occurred. For that reason, in New York, and the New England states, in the rural districts, and even for the Supreme bench, Democrats who had no sympathy with the general trend of public sentiment during the war for the Union were still kept in office. Again, too, the rules of practice were not so technical here as in England.

Politics a Bar to Good Judges.

Therefore, on the whole, one hundred years ago the administration of justice in this country was probably better than it was in England. But since then universal suffrage has come to be adopted and that was followed immediately by the selection of judges by political

LITTLE TALKS WITH OUR READERS

I quote from page 160, October number of U. S. Monthly Consular and Trade Reports:

"The South German Iron and Steel Association, which comprises 12,493 persons employing 210,000 workmen, reports the average yearly earnings of a fully employed journeyman workman during the year 1908 at \$283.94, as compared with \$280.00 in 1907 and \$281.00 for the year. Not counting Sundays and deducting twenty days for holidays, it will be seen that the average daily wages of a journeyman workman in the South German Iron and Steel industries was less than ninety-seven cents."

"In manufacturing how can we compete with such wages? We who pay \$3.00 a day to street sweepers, \$18.00 a week, \$20.00 per annum. Sympathetic women explain 'how can the poor men support families on \$18.00 a week?' Who is to set the pace and style of living?"

In the good old state of Pennsylvania sixty years ago, ere railroads and telegraphy had made such advances, thrifty farmers' daughters often owned horses, perhaps, from father or uncle. In many cases it was boasted of these young women that they could irritate and saddle their horses. They would do so and ride off to visit a friend, finding keen enjoyment.

A scene of the kind near Burnside the other day: Two horses, tandem, to a sort of sulky, perched high in front in liver-colored coat, brass buttons, silk hat, the driver sat, behind on the single seat sat a female in gorgeous attire, ostrich feathers enough about the head to conceal any but the most beautiful and pitiful sight. Who shall set the pace and style?"

ONE WHO REMEMBERS.

ical conventions and in ward meetings, with the necessary result that the best fellow, in the opinion of the crowd, got the nomination. Then the legislatures of the respective states took upon themselves the matter of regulating the practice of the courts of justice. In my opinion, this was a usurpation, but the bench and the bar acquiesced therein, with the result that we have a mass of legislation usually proposed by young and inexperienced lawyers who are members of the legislature, or by men who have some self-interest in the matter. The only systematic, intelligent and efficient improvement of procedure in this country has been brought about by the lawyers and judges who have been able to induce legislatures to adopt their views. The time of the courts has been largely consumed in determining the application of legislative acts to procedure, and about thirty-three per cent. of the decisions of our courts relate, not to the merits of controversies between individuals but to matters of practice. There is also a large percentage of cases decided by our highest state courts in both civil and criminal matters on some question of practice and not upon the right as between the parties to civil cases and between the community and an accused person in criminal cases.

Law Now Unattractive Profession.

Another cause of deterioration in the administration of justice has been that formerly the brightest and most ambitious and able young men adopted the legal profession, while in these modern days the rewards of business have become so great that the profession does not present the same inducements to young men of ability and character that it once did. It does not present the same inducements here as in England.

Therefore, taking the profession of the law and the practice of the courts by and large, we have not in this country kept pace with the advance of civilization. The administration of justice should be as far superior in this day to what it was one hundred years ago as education, morals, business methods and general knowledge are superior to what they were one hundred years ago. We have made some improvements in the matters of evidence and in the manner relating to the gathering of evidence, and theoretically we have made improvements in the matter of pleadings, but on the whole our state legislatures and the little men who have been elected by popular vote as judges have befuddled matters until the attainment of justice in a civil case is a matter of mere luck. To prosecute an offender who has money enough to secure the best legal talent for his defense is extremely difficult, and to convict him is almost an impossibility.

OUR SCHOOL FOR CITIZENSHIP

Odds and Ends of the New Constitution.

The eight or ten lessons we have had upon the New Constitution of California have been to little effect if they have not shown that document not to be the dangerous, revolutionary and socialistic production that many supposed it to be when it was adopted by the people. It has been much patched since then and is not now the best instrument of its kind that is or could be, but at least it was not destructive of human rights or rights to property. There was and is too much of legislation in the constitution. An organic law should be simple and should deal with elemental principles rather than with particulars, but the irresponsibility of legislatures and uncertainty of judicial interpretation go far toward excusing the people at large for legislating directly, even when not well equipped for that function.

With reference to the rights of women both the old and the new constitutions were liberal, the new one especially so in providing that, "No person shall on account of sex be disqualified from entering upon or pursuing any lawful business, vocation or profession." Except for the right to vote womanhood in California enjoys about all the rights and privileges which fall to the lot of manhood and there are few gainful pursuits in which men are found where women are not also. Woman's influence in public affairs is ever increasing and it does not seem likely that she can long be denied the suffrage, the more especially if, without the suffrage, she makes herself indispensable to the moral well-being of the commonwealth. Her influence counts at the ballot box if her vote does not.

Section 3 of article 1 provides that, "The State of California is an inseparable part of the American Union and the Constitution of the United States is the supreme law of the land." When the old constitution was adopted California was not yet in the Union, but only expected to be. By the time the New Constitution was adopted secession had been made odious and the desire was to recognize the bond to the union as being inseparable, now and forever. There are times when the passions run high, or demagoguery is especially rampant, that certain of our citizens overlook the force of this provision in our constitution. Points of conflict between state and national authority there always will be and each of these will have to be determined upon its own state of facts, but it is worth while for every youth to remember that the Constitution of the United States, and not the constitution of the State of California, is the supreme law in California in all particulars in which the national government has jurisdiction. This is as immutable as the Union is inseparable.

There is some justification for wishing that Section 24 of Article 1, had been left out of the New Constitution. It provides that, "No property qualification shall ever be required for any person to vote or hold office." When we reflect that the bane of our political life is the political "push," and that the raw material of that push is the propertyless man without family or home, whose earthly belongings are carried in his valise, whose domicile can be changed at a day's notice for colonizing any ward or district, and that his place of "hanging-out" is some saloon attached to some political boss, we are led to believe that some small property qualification, or being a householder if not a house owner, might reasonably be required as a condition precedent to voting. No city in Europe that undertakes municipal ownership would think of making such a venture without first barring from the suffrage this irresponsible, ambitious, misguided and debauched element in the citizenry.

Section 30 of Article IV, prohibiting the giving of public moneys in any form in aid of sectarian institutions of any kind, except orphanages, is very sweeping in its provisions, but none too much so to fit the needs of the case. There are certain sectarian bodies that feel that they should be entitled to receive in

hand their pro rata of all public school moneys in order that they may be devoted to sectarian education, but it is easy to see that if one denomination were permitted to do this other denominations would claim the same privilege and that the public school system would crumble to pieces. Besides, the public schools are the best assimilators of cosmopolitanism into a homogeneous Americanism that human ingenuity can devise. This provision is reinforced by Section 8 of Article IX which prohibits sectarian instruction of all kinds in any of the public schools, another point upon which denominationalism is touchy. The new constitution finished this subject before it left it.

Our new constitution has been a good deal patched and amended since it was adopted thirty years ago, but nothing to what it would have been if all the amendments submitted to the people from time to time had been adopted by them. There is a feeling abroad that it would be better to revise the constitution by another convention than to do much more patching, but there are so many elements fearful of what a new constitutional convention might bring forth that it may be some years before another constitutional convention will be called. The courts are particularly opposed to constitution-making, for it imposes upon them the duty of going over pretty much all the judicial work they have gone over to reinterpret it in accordance with the new organic law. The likelihood is that we shall not have a new constitution until the demand of the people for a more direct legislative power sweeps all before it.

Nevertheless, whenever two-thirds of the members of both houses of the legislature join in submitting a call for a new constitutional convention to the people for adoption, and the people adopt it, the next legislature will have to enact a law providing for such a convention. That convention will convene and make a new constitution and then that constitution will have to go to the people again to be accepted or rejected. So we see that nothing can be done to the organic law, except through judicial interpretation (which sometimes does a good deal to it) without abundant action on the part of the people themselves.

A FRESNO PLAN.

The New York Sun says that Mrs. F. E. Cook of Fresno, Cal., has evolved an original plan for helping the improvement of her home city. She has a large and very beautiful garden in which she employs several gardeners to raise plants and shrubs, which she gives to all who apply for them to plant in their gardens or on the grass plots in front of their homes. During the past year she is reported to have given away several thousand plants. She is the president of several women's clubs in Fresno.



A WORD TO THE PARENT

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THE CALIFORNIA WEEKLY: OCTOBER 22: 09 FIVE CENTS: THE COPY

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WHAT "COLLIER'S WEEKLY" SAYS.
[From Collier's Weekly, Oct. 16, 1909.]
"TWO WEEKLIES.

"Anybody who wishes to see Pacific Coast matters ably presented, through the eyes of the San Francisco traction interests, Southern Pacific Railroad, and land and power grabbing activity, may attain his ideal by subscribing to the 'Argonaut.' One, on the other hand, who desires to see the same situation reviewed, also with ability but with much courage, from the point of view of general honesty and welfare, could not do better than to choose the 'California Weekly.'"

To Our Readers In The Interior.

Some apology may appear to be necessary for giving so large a proportion of space to a consideration of San Francisco affairs. San Francisco is now fighting the battle of the state. Next year the state may have to fight the battles of San Francisco. Never were issues more vital to the well-being of the commonwealth.

The genius who presides over the Southern Pacific's political bureau has, ever since his advent, made shift to put himself in control of the party organizations of San Francisco. He cares not who recruits the soldiers so that he has the naming of the officers under whom they are to serve. With this strategic advantage he has been able to control the state.

Already the control of the Republican organization in San Francisco has been reduced to possession. The next thing is to elect as mayor the candidate who can be made most servicable to the political bureau aforesaid and to the allied iniquities that seek shelter under its protection. That candidate is P. H. McCarthy and to him there is every reason to believe the Southern Pacific's political cohorts will throw all their strength.

Another purpose of this political bureau is to defeat Francis J. Heney for district attorney. His defeat will mean that justice is not to be established in San Francisco, that criminal wealth is to maintain itself beyond and above the law. If this is to be so in San Francisco it will be so elsewhere. Hence the cause of San Francisco is the cause of the state and The California Weekly is helping. That's why.

Harris Weinstock Speaks Out.

Well meaning persons, lacking a discriminating discernment, have been inclined to attribute the lax moral sentiment in San Francisco commercial circles to the fact that a large factor in those circles is made up of Hebrew people. And it must be admitted that there are some Jewish old-clothes men whose policy it is to let others fight the battles of morality while they get the peezness." It matters not that some of this ilk have so prospered in "peezness," as to become heads of banks and trust companies, they are essentially old-clothes men still with an old-clothes man's attitude of mind toward the great concerns of political and commercial life.

GOOD FAITH-GOOD COURAGE-GOOD HUMOR

THIS NUMBER CONTAINS

American Shipping in American Ships

(FIFTH ARTICLE.)

By G. W. Dickie

Readers of The California Weekly will, in due time, find in its columns every important public issue explained by some person whose special knowledge gives him a right to be heard.

But no man who has been near to the heart of things need be told that the line that divides those who want justice done from those who do not, those who want equality before the law from those who want special privileges and exemptions in favor of wealth and station, cuts right down through Jews and Gentiles, Catholics and Protestants, bankers, merchant princes, street cleaners and bootblacks, Republicans and Democrats, lawyers and physicians. It is all an issue of the manhood that is in the man with no regard to race or condition.

Therefore it surprised no one that Harris Weinstock came out flat-footed, unequipped and strong for the contention, first, that the prosecutions for graft are not hurting business and, second, that if they are hurting we must stand the hurt like men, lest a worse thing come upon us—the degradation of the moral fibre of our civilization, and the classification of the United States with such countries of peridious business and politics as Russia, China, Persia and Turkey.

We repeat that while the declarations of Harris Weinstock occasioned no surprise, yet as much satisfaction was taken in them as the men who heard them knew how to express. If many Jewish hearts have warmed with pride in that men like Harris Weinstock and Rabbi Wise are peculiarly their own people, so also countless others have felt their hearts warm with thankfulness that such men are brothers to them in civic righteousness and as defenders of a common democratic faith.

More Stately Mansions.

It is with no apologies, and with no sense of shame, that San Francisco has this week welcomed the people from the rest of the state to come and view the new that has taken the place of the old. What human energy and enterprise could do to rehabilitate a destroyed city has been done and San Franciscans frankly ask their visitors to be glad with them, that where, three and a half years ago, were ruins and only ruins, now are such edifices as would do credit to any city on the continent. So far as material achievements are concerned San

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Francisco is proud, and claims the right to be proud.

But deep down in her heart of hearts San Francisco has the desire and the will to build more stately mansions while the swift seasons roll, mansions not visible to the eye and yet the consciousness of whose existence gives courage to the heart and peace to the mind. San Francisco is striving now, as few cities or peoples have striven, to build a temple in honor of justice, justice stern but without hate, as impartial as God's providences but as gently retributive as will meet the needs of the common good.

As a pledge of good faith against the election of November 2nd (the true anniversary of the day that Fortinla discovered the bay), San Francisco points to the fact that whenever, since the fire, it has been put to the test of manhood it has not failed to measure up to the highest requirement. It is building a more stately mansion than any it has to show today, and when it is finished it will be a glory to the state and to the nation.

Had It Known One Thing More.

Had it known one thing more, our able, but off-wrong contemporary, the Argonaut, would not have experienced so bad a half column over its discovery that the last congress enacted a law which makes it a penal offense to "make, issue or circulate any note, check, memorandum, token or other obligation for a sum less than one dollar," for the purpose, as the Argonaut alleges, of stopping "that system of retail trading done by correspondence." The one thing more the Argonaut should have known is that the statute particularly specifies, "to be used as money." This measure protects fractional silver currency in circulation and preserves the money-printing power where it should be retained, in the custody of the nation. But this legislation, had it anticipated instead of followed the era of labor exchange shipplasters, would have worked a greater good.

All Heney's Fault.

The cases of a group of convicted Oregon land-grabbers have been heard this week by the United States Court of Appeals and the contention, in effect, was that defendants ought not to be punished for their offenses because Heney, who secured their conviction, was not a resident of Oregon at that time.

We, of California, are quite used to squaring the offenses of others by charging them to Francis J. Heney. Pat Calhoun should go free because he does not like Heney, and Ruef should go free because Heney does not like him, but somehow, however the courts may view such pleas in defense of criminals, to the lay mind they convey an implication of immateriality.

Our Lady of the Snows wishes to join with her neighbor, Uncle Sam, in celebrating a century of peace between the two, peace merely meaning the absence of war. Our Lady has been meaner than pizen about fish bait and fur seals and Uncle Sam has been brutally selfish toward her in his tariff schedules. If that sort of peace is worth celebrating by all means let the jig be danced.

THE BOLT OF THE INDEPENDENTS.

The California Weekly has been unhappy for want of the right sort of man to be voted for mayor of San Francisco, a man who, as a running mate with Mr. Francis J. Heney, could challenge the confidence and the enthusiasm of the better element in the civic life of this city.

This paper has looked upon the candidacy of P. H. McCarthy as promising a restoration of the Schmitz sort of municipal government, the sport of schemers and promoters greedy for franchises and for inside opportunities to mulct the public. Whether or not these fears are warranted it looks upon the McCarthy movement as malign in that it proposes the government of the whole by a class, the one tendency, next to plutocracy, most dangerous to a democracy. The election of McCarthy would prove a disaster.

This paper has looked upon the candidacy of Mr. Crocker as proceeding from the most objectionable non-class element in our civic life. We do not believe that the instigators of his candidacy had any other purpose in view than to retain control of the organization of the Republican party in this city and to divide the vote that would naturally be held out to all that McCarthy and his class-government idea might stand for.

As to Doctor Leland and the Democratic ticket The California Weekly found that less objectionable than the other two candidates only in that it promised to be money-honest, a low political ideal for any moral movement, but better than either of the other candidates could convincingly promise, their origin and animus being considered. We felt from the first, and still feel, that the moral forces in this community stand convicted of political inefficiency in that a fourth candidate was not found to take the field against an immoral constituency, for once divided into three parts.

Conditions have somewhat changed. The moral forces of this community have focused upon the candidacy of Doctor Leland and the Democratic ticket and compelled the candidate, and the men responsible for his candidacy, to rise above themselves and respond to the demands of the hour. Pressure of public sentiment has forced Democratic control to accept its own platform in good faith. It has now given such pledges to moral and civic righteousness as it dare not forfeit on pain of forfeiting its life. Gavin McNab will be as good as he dare be and hold power and he is now in a position where he has got to be good or be damned. This is equally true of his associates in the "regular" democracy. For practical purposes this is almost as good as original righteousness.

Independent Republicans felt that they must preserve their party regularity. They swallowed the Crocker ticket, notwithstanding the fact that it was openly known to have been placed in nomination by the votes of thousands of irregular Democrats and McCarthy men galvanized into Republicans for primary election purposes only. It is one of the rules of the political game that whoever is euchered must stay euchered, no matter how euchered, and the independent Republicans started out to abide by the rules.

But uneasy rests the head that uses a fraud for a pillow. Before the tremendous issue of equality before the law that of party regularity in a municipal election, where party has no right to exist anyway, becomes insignificant. Manhood was bound to assert itself if it had opportunity and opportunity came when the regular Democracy made common cause with the Heney movement for the establishment of justice in San Francisco. We could wish that Doctor Leland's shoes were filled by a Hiram Johnson, a Marshal Hale, a Rolph, a Bentley or a Rolla V. Watt, but

THE STAFF

A. J. PILLSBURY.....Editor and Manager
A. J. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
V. E. FRANKLIN.....Business Manager

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what either of those would have stood for Doctor Leland now has got to stand for, however, he may personally feel about it, by virtue of his political predicament.

Therefore there is one thing for independent Republicans (by which we mean independent of a party machinery usurped through fraud) to do and that is to vote for Leland for mayor. Whoever loves equality before the law more than party regularity, warfare for honor more than peace without it, will vote for Leland for mayor and for Heney for district attorney, let the ultimate consequences be what they may.

A QUESTION OF DIAGNOSIS.

All thoughtful persons are concerned for the establishment of justice in this country. Whoever is not so concerned is not patriotic. From President to hotel porter there are few who are not demanding to know where the trouble is.

No one will question that justice is more speedily, cheaply, certainly established in Great Britain than in the United States. That much is conclusive.

This paper hastened to the conclusion that England's better criminal procedures might account for the difference. Mr. Warren Olney, Sr., a man of many years' experience in litigation of the highest types, says, "no," the procedures in England and America are much the same, certainly not differing enough to account for the difference in the quality or expedition of justice administered.

Mr. Olney locates the difficulty mainly in the intellectual deterioration of the American bench and moral degradation of the bar of America. It is to be hoped that these ailments are functional and not organic. If they are they may be remedied by a mental and moral uplift and surgery need not be called in to cut out the difficulty.

It is to be hoped, too, that these deteriorations and degradations of mental and moral fibre are not inevitable under a democratic form of government, for, if they are, then that form of government will have to give place to something better. Justice is the universal human quest and if it is not to be found in a democracy then a democracy will not satisfy the aspirations of men.

In Great Britain judges are paid great salaries and accorded great honors and benches are filled with great men. In our country judges are paid grudging stipends, are accorded small honor and our benches are filled with relatively small men, many of them pothouse politicians. This difference alone may be sufficient to account for the difference between English and American justice. Who among our judges did not better his financial condition by going upon the bench? And what one of them could step down from the bench and go into the practice of a profession that would pay him as well?

In last week's California Weekly Mr. Olney pointed out that, in England and in continental Europe, the bar is in control of the bar, is what we would call a close corporation or guild; that it is hard to break into and easy to be kicked out of for conduct unprofessional or even ungentlemanly. Admission to the bar in those countries is a certificate of character, an assurance of gentility, a bond for faithfulness, integrity and candor. With us many villains seek admission to the bar that they may practice rascality with greater safety, that they may levy blackmail in the guise of attorney fees and be retained to do lobbying or, as member of congress or legislature, to enact laws for the advantage of special interests. In our country the bar is easy to enter and hard to be kicked out of. This difference alone may be sufficient to account for the difference between English and American administration of justice.

Every medical practitioner knows that half his battle lies in being able to diagnose to diagnose and certainly to locate the malady that afflicts his patient. His next concern is to determine whether the disease be organic or functional, whether it be attended with lesion of the tissue or only by a deranged operation of the organs involved. If our good Doctor Olney has diagnosed the case aright then the malady that afflicts the blind goddess in this land is functional and remediable. A deteriorated bench may be toned up and a degraded bar can be regenerated. And it can all be done by a species of mind cure and is not much dependent upon legislation. Whatever an enlightened public conscience will have cannot long be kept from the public.

It is worth while to reflect upon where and how the malady of maladministration that afflicts our American judicial system, and made it a disgrace to our civilization, was contracted. A little investigation will show that the deterioration of our bench and the degradation of our bar have been coincident with the assumption of the functions of government on the part of an alliance of predatory corporations under the guidance of men of big business. Before the advent of Big Business the bench was honored and the bar cherished wholesome ideals, but when corporate bureaus put judicial positions on the political bargain counter they emptied the bench of honor as completely as if they had turned it upside down. And when great corporations employed the smartest attorneys to defeat justice instead of to uphold it they threw the ideals of the profession into the ash barrel. The reform of our judicial system must begin with the emancipation of our political life from corporate control.

GO AFTER ORIENTAL TRADE.

It is one hundred and forty years since Captain Portola discovered San Francisco bay and, judging from the languid interest which those who followed him have taken in what lies beyond, it bids fair to be another hundred and forty years before it is discovered that, next to the bay, hundreds of millions of people who make things that we want and want things that we make.

The Pacific Coast states are 2,000 miles, over mountain and desert, from the threshold of their market and all that they fetch or carry is trundled thence on wheels with great friction, at high cost, whereas, on the western boundaries of all these states throbs a world's highway, where whole trainloads may be carried in a single bottom and at a cost per ton per mile with which no railroad that ever was can hope to compete where time is not the essence of the contract.

One out of a considerable group of great men that the pioneering experiences of California produced still survives. If Gaspar de Portola had lived to be as old as this man now

is they might have touched hands across the fourteen decades that have intervened between the discovery of the bay of San Francisco and the showery celebration of the event. Out of the abundance of this man's wisdom, his financial genius, his love for the state that gave him his start, he sends this message to the men of commerce and industry, finance and enterprise, "Go after Oriental trade."

But, with all deference to Mr. Darius Ogden Mills, how are the merchants of San Francisco to go after Oriental trade when they have nothing in which to fetch and carry it and no flag to protect them? If foreign owned, manned, controlled ships carry the trade we shall get only so much of it as the proprietary nations do not care for, and it is not the refuse Oriental trade that will make the Pacific Coast states populous and prosperous. It will take the cream of the trade to do that.

So we come back to the question of the rehabilitation of the American merchant marine without which little is to be hoped for in the nature of commercial development on the world's highway. Little interest has been taken in this subject even here in San Francisco, a city whose future depends upon it. Hardly one San Francisco business man in ten has clearly defined convictions as to whether free ships, ship subsidy or differential tariffs, one or all three, must be had to restore the American flag to the high seas. How, then, can they hope to convince the rest of the nation of this great national need?

We have been told that the discussion of this subject of a restored American merchant marine makes dry reading and that The California Weekly is hurting itself by giving space to it. Are commercial men little concerned for trade? How comes it, then, that they are so commonly accused of putting the dollar above all other concerns? There is need for a discussion of the issue whether there be profit in its discussion or not. Mr. George W. Dickie is doing a splendid and needful work in a great cause and The California Weekly is more than glad to be an instrument through which a part of that work is being done. In this issue he shows, in part, what other nations do to stimulate their deep sea carrying trade. The presumption is that our nation may have to do as other nations do, but if discussion can develop a better way, well and good. The first consideration must be the evolving of a consistent, practical, convincing policy upon which to go to the country. This cannot be done without discussion.

However they may divide on other issues the Atlantic, the Pacific and the Gulf coast states should be at one on the issue of a rehabilitated American merchant marine. The Mississippi valley states will be the battle ground, but they can be convinced if a convincing policy be submitted to them. Therefore, first let there be evolved a convincing national policy toward merchant marine whose ships shall be owned by Americans and manned by Americans and, if the thing be possible, built by Americans. In this California may take the initiative if it will. It ought to.

Our national fault has been, and is, that, under the protection of tariff walls, further fortified by combinations in restraint of production and trade within those walls, it has been more profitable to practice extortion upon our own people than to develop trade with peoples across the seas. The Mississippi valley is in revolt against this policy and that should help toward a freer and a fairer trade with the rest of the world, to be carried on in good part, at least, in American ships, manned by American seamen and under the protection of the American flag.

McCarthy as Man and Candidate.

Agreeable to the challenge of the San Francisco Star, we have, elsewhere in this paper, set out more fully than our editorial space would permit, some of the reasons why H. H. McCarthy is an unfit man to be elected mayor of San Francisco. Out of his own mouth has McCarthy condemned himself. We might have gone farther and proven more, but what we have there set forth should suffice for any person not indifferent to the welfare of his city.

It is not needful in order to prove a candidate unfit for an office to prove also that he is unfit to remain outside of prison walls and, in politics, it is not possible always to base conclusions upon evidence as demonstrable as the scientific method demands. The judgment frequently has to be made up from associations, indications, the company a man keeps, the forces that are behind him and the reasonable probabilities in his case. Politics is not an exact science.

Viewing the candidacy of P. H. McCarthy thus freely we find that every untoward interest in the city life is for him, the tenderloin, the gambling fraternity and the baser sort of liquor interests.

From the very outset it was bruited about, and commonly believed to be true, that the associated villainies, bent on crushing the graft prosecution and restoring a regime similar to that of Ruef and Schmitz, would throw the weight of their influence to P. H. McCarthy and his misnamed Union Labor party ticket. We have seen no reason to doubt the sagacity of that surmise.

As further evidence of this purpose it should be noted that, of the eighteen candidates for supervisory position on the alleged Union Labor party ticket, not above four are worthy of serious consideration by any honest voter. All the rest should be rejected as palpably unworthy of the trust which it is proposed to repose in them.

To clinch the issue it is found that such sterling champions and leaders of organized labor as Walter Macarthur, John W. Sweeney and Andrew Furuseth are in open hostility to McCarthy and his purposes. They are standing for Leland and Francis J. Heney, while McCarthy has openly espoused the candidacy of Fickert, notoriously the candidate of those opposed to any effective prosecution of grafters of high degree.

Why seek further?

For Supervisors.

Little can be done for good government without a good board of supervisors, a board made up of able men as well as honest. The California Weekly's ticket was not made up without making investigations independent of the Good Government League or any other organization, and we have much confidence in the list presented elsewhere in this paper. It may safely be voted for without a scratch. Our ideal of government is that the representatives of all the people, as people and not as classes, shall sit together around the council table as equals, bankers opposite mechanics and professional men elbow to elbow with merchants and men engaged in industrial pursuits. There should no more be a Union Labor party than there should be a clerical party or Citizens' Alliance party and, in municipal affairs, there is no need for national party organizations to interfere. In our supervisory ticket not one man is commended because he is a Republican, or a Democrat, and not one was rejected because he was nominated by the Union Labor party, although we look upon that party as without justification for existing. In each case it has been the manhood of the man that has counted for giving him a place in our ticket.

The Deeper Significance : : : : of Living : : : :

John Churchill, first Duke of Marlborough, made a striking figure in the history of England and on the adjacent continent. He possessed great powers, was ambitious, diplomatic, cunning, and he got on; but the most cunning thing he ever did was to adopt the settled policy of trying always to please, and to be personally courteous, obliging, friendly.

No man can hope to get on in politics upon any other policy. The senior Senator from California maintains relations of amity and comity with the other members of the California delegation at Washington, notwithstanding his elusive characteristics, by making it his study to require some disappointment he has inflicted by seizing the first opportunity to confer some signal and unlooked-for favor, even at the cost of going farther out of his way to do it than he went to "throw down" his victim in the first instance.

But Marlborough did not love his enemies. He hated them, and smilingly sent as many of them as possible to the Tower of London. He sought to please because it paid. Once, when he was fighting France with a coalition of Germanic peoples, he held unwilling Prussia to the very brunt of battle through the subtle power of his own irresistible address, and when William of Orange finally sent him to the Tower because caught holding traitorous communications with fugitive James II, the urbanity of the man saved himself from decapitation.

The writer of this once knew a merchant who prided himself on his ability to sell a customer something that he did not want instead of upon his ability to lead the thing that his customer did want, but he sent every customer away with a sense of dissatisfaction, if not of injury, and his own financial success was never marked. He had not made the power to please the corner stone of his mercantile edifice.

Personal advantage is a low plane upon which to base so important a life policy as a settled intent to please, but if it were upon a higher shelf it would be out of the reach of many. There are many who have ever upon their lips the query, "Will it pay?"

Trying to please, returning good for evil, even with hate instead of love in the heart, pays better interest on the investment than any other financial operation that even a Rockefeller has ventured. It will even pay better than a good laying hen, a better investment in proportion to its value than a diamond mine. For the investment is nothing but a little care, a little self-control and a fixed determination to please maintained until the habit is formed, and the habit can be formed in less time than one can learn to smoke tobacco or use profanity with a California celerity and elat.

But the best way to learn to please is to wish from the heart to please, to feel good toward people, to wish them well, to be glad to be able to lend a hand, to love one's neighbor as oneself; that is, to wish him all the good that we ourselves enjoy, to forget self in the service of others, to lose our own lives that we may find them grown so large in the sympathy of interests, to hope that not even the visible universe can hold us within bounds and we must have recourse to telescopes a yard across their refractors, that our benevolent interests may have new worlds to conquer.

It pays to please, to give pleasure instead of pain, to rule the right way of the fair instead of the wrong. It pays better to love than to hate, to forgive than to cherish malice, to do good than evil. Even if one have no regard other than for the main chance for himself alone, with a spirit as selfish as that of Satan, there is no other investment that any person will ever make that will yield so great a profit on so small an expenditure as to please, just plain please.

WHAT THE WORLD IS DOING

No Room for American Pride.

Before we, as Americans, shrug our shoulders in contempt for the parsimony Italians display toward their teachers, it will be well for us to examine our own record. The federal bureau of education in its latest report has given the average wages, throughout the United States, which we pay to our teachers, both masculine and feminine. We pay men \$56.10 a month; to the women we pay \$43.10. But the average number of months in a year for which they are paid is nine, so that the monthly average of the men throughout the year is but \$42.08, while that of the women is \$32.33. Not a pretty record. The average common laborer in this country receives a little more pay, if he has his health and a job, than the average teacher. As of the West pay much better than the average salaries, and the odium of stinginess is less on us than on the East and South, but all of us are American citizens and must bear some share of the reproach of the situation.

Repaying St. Peter's in Rome.

The work of repaving the church of St. Peter's, in Rome, has just been begun. The simple statement in itself conveys no idea of the immensity of this undertaking. The surface to be repaved includes only that which has been most trodden by the feet of the multitudes of many generations, and covers scarcely more than one-half of the entire flooring of the gigantic edifice, but it amounts to 14,350 square yards, or, say, one average city block and half of another. So far as is possible, precisely the same varieties of stone are to be used in the new pavement as in the old, and the former design is to be followed exactly. It is estimated that it will take ten years to complete the work, and the cost will be \$400,000. Some of the original stones came from ancient Roman temples, and these can not well be replaced, but Carrara marble will be substituted for them.

The Czar Pinches the Finns.

The Czar of all the Russias has been "getting even" with the Finlanders in a manner which does not do much credit to him. Not long ago he asked the Finns to pay \$8,000,000 annually toward the maintenance of the Russian imperial defenses. The Finland legislature considered the matter carefully, and then replied that the Finnish people were poor and could not afford to pay that amount into the imperial treasury. So the matter rested—the consent of the legislature being necessary under the constitution—until the legislature passed a bill appropriating \$150,000 annually for the support of the schools. As the Czar is Grand Duke of Finland, the bill, in order to be effective, requires his ratification, and he has refused to give it on the ground that if Finland cannot afford to pay \$8,000,000 for Russian defenses it cannot afford to pay \$150,000 for Finnish education. There has been a great slump in Czars since Peter the Great.

When Uncle Sam Is Generous.

The main purpose of the Forest Service, of course, is the conservation of the country's timber, but, in the course of this necessary service, it finds time, as Uncle Sam's agent, for some deeds of generosity. Such a deed is recorded in a statement just compiled by District Forester F. E. Olmsted, which shows that last year in the district which is composed of California and a very little of Nevada, timber amounting to 6,885,287 board feet, and estimated to be worth \$14,262.20, was given away for domestic use by the people. The service grants free timber to the value of twenty dollars (estimated at a valuation of a little more than two dollars per thousand feet while standing) to people for domestic use, and the same amount to school and road districts. It is, however, not given away for any commercial purpose. A permit must be obtained from the nearest forest ranger.

Mortality in the Italian Earthquake.

Nearly ten months after the great Italian earthquake the Italian statistical bureau has published an estimate of the mortality due to it which serves to give a clear conception of the horror of the event. According to this estimate the total number of people killed in the provinces of Messina, in Sicily, and Reggio and Catanzaro, in Calabria, was 76,563. Of this total, about 60,000, or nearly one-half the population of Messina, were killed in that city. The bureau does not attempt to make an estimate of the number of persons injured, but sets it approximately at 150,000, making a total of more than 225,000 either killed or injured. No close estimate of damage to property was made, but, in all, 231 cities, towns and villages were injured. It is a curious fact that the excess of births over deaths in Italy in 1908 was 76,369, which is very close to an offset to the loss of life by the earthquake. As an aftermath of the disaster which is of interest in this country, it may be noted that since the earthquake 12,000 persons have emigrated to America from Messina and 10,000 from Calabria.

Italian Teachers to Strike.

Teachers in the elementary schools of Italy recently held a congress in Venice, and one of its outcomes is likely to be a general strike for higher salaries among the members of the profession in Italy. Nor can anybody justly blame them if they do proceed to this extreme, for the pay of these elementary teachers is of such starvation measure that they well might ask, in a paraphrase of the words of him of old: Is thy servant a dog, that he should accept such compensation for his services? The salaries to which they object vary from a minimum of \$150 to a maximum of \$204 a year, a monthly average running from \$12.50 to \$22, and on these salaries they must pay an income tax. Under these circumstances it is not surprising to learn that there now are 31,200 schools in Italy for which it has been found impossible to find teachers. The wonder rather would seem to be that any of the schools are supplied. It is to the credit of the Italian labor unions that they are understood to be ready to assist the teachers in such a strike.

Saving the Children's Pennies.

The wisdom in the old saying, "Take care of the pence, for the pounds will take care of themselves," has been demonstrated in Long Island City. There the Long Island City Savings bank is custodian of the fund of the pence the children in the public schools have saved. Recently the bank issued a report which showed that the children had saved \$30,385.55. This means, to state the case in a more striking way, that the children had saved \$3,038,555 pennies, a pretty good showing for a community which is as poor as almost any in Greater New York. One boy, whose parents are poor, had determined to take a college course, and he already has saved enough—in pennies, mark you—to pay the expenses of the first two years of such a course, and still is saving. He sells papers and garners his pennies in whatever way he can. Just as an indication that the children are not being taught penuriousness with the saving habit, it may be mentioned that \$5,082.08 was drawn from the fund for holiday purposes last summer.

Ancient Bibles Discovered.

In Totnes parish church, Somersetshire, England, a copy of the first edition of the authorized version of the Bible, which was published in 1611, recently was discovered. It was in bad condition, but has been restored. In the same church, and at the same time, a copy of the "Vinegar" Bible also was found.

Next Is the Aeroautomobile.

Time was when the name of Santos-Dumont was on everybody's lips, as the best-known exponent of the art of aviation. He was succeeded in popular consideration by the Wrights, Curtis, Latham, Berliot and others, and it was but incidentally that we heard of the Brazilian who first set us to wondering if we yet would ride in an airship. But in the meantime Santos-Dumont has not been asleep, and it now is reported that he has invented a machine which is a sort of happy combination of the automobile and the aeroplane. In using it, the occupant runs it along a highway, as he would run an automobile, until he comes, for instance, to a piece of rough road on which it would be unpleasant to travel; then he applies the aeroplane adjustment, and flies until he reaches another bit of smooth road, on which he judges that automobilism would be preferable, then he descends and wheels until he again strikes bad road. The convenience of such a machine in evading ardent constables who are lying in wait for too speedy automobilists will at once be appreciated by joy-riders, if none others. Such is the invention that Santos-Dumont is said to have perfected. All that now is needed is a contrivance for safely sailing the machine on water, and man may congratulate himself that his locomotion has attained its perfection.

Byron Mauzy

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OUR FIVE-FOOT SHELF.

"Culture and Anarchy."

This book is the championing of one idea: "It is better to know what one ought to do than busily to be doing things that one merely thinks ought to be done." It seems a reasonable enough idea, but, as the author points out, it divides most of humanity, past and present, into ancient Greek, who really preferred to know, and into pretty much everybody else, who is desperately bent upon being strenuous, even if he has not passed to be very sure that he knows what all his bustle is about. Matthew Arnold admits that it is much pleasanter to be busily flying about making a loud noise and changing things around to suit our ideas of the way they should be, than it is to sit up in a stuffy room and give ourselves a headache thinking out the question whether our ideas are sound; but he naively suggests, that if we really want to make things better instead of wanting to make a noise, we may discover that twice as much thinking will save more than half of the bustle—in other words, if once you settle a thing right you will never have to settle it again.

Whether he is right or wrong, his book pleases the bookish, mightily, for its graceful English style, its easy yet piercing satire, and its implication that perhaps the bookish are a worthier part of the population than they are usually allowed to be by their more strenuous and noisy neighbors. Incidentally, it is a powerful stimulant to the desire for deeper learning, that has started many brilliant minds anew upon the road to knowledge.

THE COUNTRY EDITOR.

Not long ago the late Governor Johnson of Minnesota had an article in the Youth's Companion on the country editor, and in it appeared the following passage:

"It has often been said that Minnesota is governed by the country editor. This may not be strictly true, but certainly the 'fourth estate' is more numerously represented there in public place than in any other commonwealth. The governor, his private secretary and executive clerk are country newspaper men; so are the labor commissioner, the executive agent of the game and fish commission, the state oil inspector, the state librarian, the secretary and assistant secretary of state, the assistant labor commissioner, the state fire warden, the assistant fire marshal, the deputy public examiner, the secretary of the dairy and food commission, the assistant clerk of the supreme court, and the secretary of the board of control."

SINGERS' UPS AND DOWNS.

The New York Sun says that importunate relatives and injudicious speculation are the two great foes of operatic singers who try to save part of their earnings. Edouard de Reszke and Emilio di Marchi are examples of extravagant financial faith, and it is rumored that Madame Melba has joined their class, though she is more fortunate in having a rich father to fall back on.

Jean de Reszke and Victor Marnet have recouped the losses of good fortune and lost voices by becoming teachers of voice culture. Emma Calvé bought a large annuity while she had the money, and lives well. Sembrich, Eames, Homer, Schumann-Heink, Dippel, Nordica and Lehmann have all been prudent, and are rich. The richest of all singers is Adeline Patti, but she had the wise business counsel of Alfred Rothchild, who invested her money for her.

J. M. Barrie has presented Ethel Barrymore with a new one-act play and all the rights thereunder. Through Miss Barrymore this is Mr. Barrie's tribute to the actors' fund of America, for whose benefit he hopes that Miss Barrymore will some day act the playlet.

AN EXILE'S WISH.

By Edwin Chase.

(For The California Weekly.)
So long I wish, the wish is almost hope,
That I, a hunter from the hill turned home,
May find thee waiting on the Southern slope,
As star for star high in the evening dome.
Outheld thine arms, fair portals to thy breast,
Thy fond eyes guiding to that place of rest—
The while I hear thy sweet voice crooning
this:
Day time's for striving. Night time is for bliss.

"SYMMES' HOLE."

It matters not whether Dr. Cook or Commander Peary discovered the north pole and nailed the American flag to it, or both got it, the feat effectually demonstrates that the theory of concentric spheres was all an illusion, and "Symmes' Hole" a myth.

In the early part of the nineteenth century John Cleves Symmes, the nephew of a man of the same name who had made one of the first colonizations on the wild Ohio frontier, announced his "Theory of Concentric Spheres, demonstrating that the earth is hollow, habitable within and without at the poles." He lectured extensively throughout Ohio, Kentucky and the Eastern states, and made many converts. In 1822 Capt. Symmes petitioned congress, setting forth his belief in the existence of a habitable and accessible concave of this globe; his desire to embark on a voyage of discovery to one or the other of the polar regions; his belief in the great profit and honor the country would derive from such a discovery, and asking that congress fit out two vessels of 250 to 300 tons burthen, and grant such other aid as the government might deem necessary to promote the object. The request was "laid on the table." In the years 1823 and 1824 he sent similar petitions, which were "indefinitely postponed." Subsequently, through the influence and co-operation of Messrs. Rush and Southland, members of John Quincy Adams' cabinet, with the large fund acquired through his lectures, Mr. Symmes fitted out a national ship to explore the ocean towards the south pole, to test the truth of his theory; but before he could set sail the hard-headed Andrew Jackson came to the presidency, and stopped the project.

Californian Poets' Corner

TO A WAVE.

By Col. E. D. Baker.

Dost thou seek a star with thy swelling crest,
O wave that leavest thy mother's breast?
Dost thou leap from the prisoned depths below
To roam of yore calm and constant flow?
Or art thou seeking some distant land
To die in murmurs upon the strand?

Hast thou tales to tell of the pearl-lit deep,
Where the wave-wheeled mariners rook in sleep?

Canst thou speak of navies that sunk in pride
Ere the roll of their thunder in echo died?
What trophies, what banners are floating free
In the shadowy depths of that silent sea?

It were vain to ask, as thou rollest afar,
Of banner, or mariner, ship or star;
It were vain to seek in thy stormy face
Some tale of the sorrowful past to trace.
Thou art swelling high, thou art flashing
Free—

How vain are questions we ask of thee!

I, too, am a wave on a stormy sea;
I, too, am a wanderer driven like thee;
I, too, am seeking a distant land,
To be lost and forgot ere I reach the strand.
For the land I seek is a waveless shore,
And they who once reach it shall wander no more.

C. W. STODDARD BURNED POEMS.

Miss Ina Coolbrith, literary executor, and A. M. Robertson, publisher, have discovered that the late Charles Warren Stoddard, author of "South Sea Idyls," destroyed on his deathbed a number of unpublished poems written a short time before his death.

Robertson expected to publish the collected poems of Stoddard, who died recently in Monterey, but when he sent for the manuscripts none could be found. Then the poet's housekeeper was questioned, and she said that on the day before he died Stoddard had her make a fire in the fireplace and then he cast into it many manuscripts. Among these were unpublished poems and the originals of many which were printed.

Stoddard had read several poems to Miss Coolbrith and others during his last illness, but these were evidently destroyed by him.

FRENCH AUTHORS' REWARDS.

While the serial story is at anything more popular than ever as a newspaper feature in France, Robert Sherard writes in "My Friends the French" that the remuneration of the writers of this kind of fiction is not as good as it used to be.

That is because the editors find they can get very good fiction from foreign publishers. The payment for the translation rights of a good English, Russian, Italian or German novel would not amount to the twentieth part of the fee which would be demanded by one of the popular masters of the feuilleton.

Formerly these fees were very large. According to the Bookman, Jules Mary used to receive 30,000 francs for first serial use of one of his thrillers. That would represent about half of what the manuscript would produce, but after the tale had appeared in the paper the publishers who issue tales in ten centime parts would pay him another 25,000 francs for this use.

D'Ennery, the author of "The Two Orphans," received a franc and a half a line for his novels. "An Angel's Remorse" brought him 70,000 francs. But free trade in fiction, says Mr. Sherard, has injured the home manufacturers. The French publishers can get good translations for low sums. Hachette whenever a large price is asked for an English novel produces a receipt signed by Charles Dickens. It is for a sum of twenty pounds and refers to a novel called "David Copperfield."

ACTING NOW BETTER.

It is refreshing to hear one old-time player speak of present stage conditions without a wail of regret for "the good old days." Minna Gale, formerly leading woman with Edwin Booth, has the following optimistic idea of the modern theater, according to the Chicago Record-Herald:

"Coming back to the theater after a long absence I have been surprised at the improvement I have found there. It seems to me the artistic level has been greatly raised. I think it is true that some great figures have passed away, the general average is, to my mind, far higher. I believe that modern methods are responsible for this; I believe that they are far more desirable than the ancient ones. Formerly, except for our positions on the stage, we were left to our own devices. Now we have the 'producer'—a careful, helpful critic, who has studied the play, ponders over the characters, and is always ready with helpful suggestions or acute comment. The result is one no longer is compelled to feel one's way. From the first rehearsal one grasps what effects one can accomplish. In the old days rehearsing was like dressing in the dark; nowadays one has daylight—and a mirror. Then, too, barrenness of the stage has gone. Lights and scenery have so improved that the actor really feels in the surrounding scenery what the playwright has conceived. Consequently one no longer is required to call on the imagination to create what the script is or broaden the effects. The result is inevitable. The modern performance is far more natural than the old."

McCARTHY'S UNSATISFACTORY RECORD

THE WORDS AND ACTS FOR WHICH HE SHOULD BE OPPOSED.

The California Weekly has been asked by The Star and others to name the specific acts of P. H. McCarthy which, in its judgment, are sufficient grounds for opposing his candidacy for mayor of San Francisco. The Star says, "What have you against McCarthy, where is his record bad?" We have heard the same question in the streets in the form of the assertion, "Nobody has got anything on him."

The California Weekly proposes to let P. H. McCarthy's political record and his own words as issued over his own signature, or as quoted verbatim by a newspaper that was his ardent partisan at the time of their publication, convict him of acting against the public interest of San Francisco.

In the municipal campaign of 1903, Schmitz was the candidate of the Union Labor party for mayor. He was opposed by Henry J. Crocker, Republican. Schmitz's administration for the two years preceding had been, so far as the general public specifically knew, a fairly good one. The stench of corruption had begun to rise, but only to the nostrils of the most "inside" of "insiders." McCarthy, the "friend of labor," issued "An Open Letter from P. H. McCarthy, Mayor of San Francisco, to the Government and in behalf of Henry J. Crocker," to quote the full title of the large sheet that was distributed around town.

In the previous campaign, in 1901, when Schmitz first ran and before there was any suspicion of him anywhere, in Langdon's absence, preferred technical charges against Langdon, had Langdon suspended, had himself, Ruef, named as his successor, notified Henry that Henry was removed from office as deputy district attorney. Ruef notified Henry that he (Ruef) would take charge of the grand jury and would call, as first witness, Henry himself, to disclose the information upon which Henry proposed to base charges against Ruef. This performance dazzled a gawping world as the apotheosis of sublime effrontery.

Now, where do we find McCarthy, friend of labor, enemy of Schmitz and of graft? We shall see. Ruef proposed to test the success of his coup by appearing in Judge Graham's court on Friday afternoon, October 26, 1906, when the last grand juror was to be chosen, and demanding of Judge Graham recognition as district attorney of San Francisco, with authority to direct the examination of evidence upon which to base an indictment against himself. A movement was instantly set on foot, hurried into effect, to have a demonstration of decent citizens in Judge Graham's court room to counteract the effects upon the judge's jury of the Ruef supporters who, it was known, would mass there in Ruef's behalf.

This demonstration appealed to many people as savoring of mob intimidation, simply making two mobs in court instead of one. Representatives of this sentiment appeared at this meeting the following Friday afternoon and delivered temperate addresses, urging that this demonstration was wrong in principle—urged this and nothing else.

Now, we shall see where P. H. McCarthy stood. He addressed this meeting and, while doubtfully appearing to the subject, in reality he launched into a vicious attack upon the prosecution and the prosecutors of Ruef and Schmitz.

This address McCarthy made in Walton's hall, at Golden Gate avenue and Buchanan street, on Sunday afternoon, October 28, 1906. The following quotations from this address are taken verbatim from the Evening Post on Monday, October 29, 1906 (the following day), on the fourth page. The Post was then and later McCarthy's staunch supporter.

McCarthy said:

"Graft, graft, graft! It is the same as the cry of 'wolf, wolf, wolf!' I take this opportunity to say to you men that there is no greater grafter in this glorious land than that creature—grafting corporations who promise so much and does so little—Francis J. Heney!"

Further on in this address, McCarthy said: "Francis J. Heney says that he is honest and patriotic, and lays claim to being clever and public-spirited. I say that if it takes a clever or an honest fellow to shoot a man in the back—I say if it takes a clever or an honest fellow to get away with \$105,000, sent here for the purpose of buying flour for poor people, then I am done—I want to be either a clever or an honest man!"

And again, McCarthy said, in this address: "I say to you now, why don't they arrest some one? Why don't Heney arrest some one? Why don't they give their evidence to the public, if evincence they have, and make short work of the scandal that is tarnishing the fair name of San Francisco in all parts of the world? It is not so difficult to understand; it might be shown by their own intended victims and by themselves are guilty of it. It may be that they are making a grandstand political play, as they did one year ago. I do not believe, and I here publicly proclaim that in my opinion Heney and his accomplices have no honest evidence of graft in their possession."

Further along in McCarthy's political career, when he was candidate for mayor in 1907, he gave voice to the following expression of opinion of the prosecution of the grafter— "What is now known to the derision and scorn of the world at large as the prosecution," (Evening Post, Monday, October 7, 1907, page 7. Verbatim interview with McCarthy. Same issue of paper devotes four full pages to an editorial advocacy of his candidacy.)

Just before the bond election of May 11, 1908, when the public was asked to vote \$18,200,000 of rehabilitation bonds, P. H. McCarthy caused to be printed and circulated a handbill, signed by the Building Trades Council, which McCarthy controls, two paragraphs read, "Vote Against the Bonds! Working Men and Business Men, Go to the Polls and Rebuke the Bunko Steerers and Shylocks who are Trying to Hand You a Gold Brick," and ending with this paragraph of bathos and buncombe:

"Fine prosperity, indeed, for the banker, but increased poverty for the producer. Hence, if you have the best interest of the city at heart—if you love your home and your children—if you do not wish to mortgage this city and its working people for generations to an unscrupulous band of Shylocks and political money sharks, then go to the polls next Monday and vote down the entire bond issue."

The bonds, that P. H. McCarthy demanded should be voted down, were the bonds for schools, hospitals, hall of justice, sewers, garbage system and system of fire protection that have provided the municipal rehabilitation work that has been done in San Francisco since the fire. These bonds carried by a vote of 15 to 1, notwithstanding McCarthy's implacable hostility to them.

P. H. McCarthy has made a great deal of his slogan of "A business administration," which he promises San Francisco, and of a well-regulated government. "A well-regulated government cannot come from a man possessed of any other than a well-regulated mind. P. H. McCarthy, in a verbatim interview reported on page 5 of the Evening Post of October 7, 1907, when he was running for mayor, gave an example of the balance and judgment and regulated processes of his mind in the following comparison which he drew between San Francisco as it would be if he were elected mayor and San Francisco as it would be if Taylor were elected mayor:

"... the plain citizen gazes upon two pictures and his conclusion is speedily reached. He first reflects upon more than five years of astounding and unparalleled prosperity, in which period his own services have been rewarded with the highest of wages; when commodities have sold at a good figure—when money was plentiful and when peace reigned. Then he turns to that other picture—the picture of the aristocracy in the saddle, with the police department swinging batons over the bleeding heads of working men and working women, and with the hatred raging fiercely. He sees strikes and suffering, commercial stagnation, general depression and a widespread lack of confidence. He sees happiness and plenty on the one hand—woe upon the other."

"To which vision will this man turn? Since he is a human being, he will turn to the image of peace and prosperity, of advancement, good feeling and contentment. He will turn toward the wall that other picture of the wage-slasher, the slave-driver in the saddle with the blood of the American toiler dripping from the lash of his backside."

This is worse than mere buncombe and pyrotechnic bombast (which it is); it is the display of a mind as disordered and irrational and ill-regulated as one could imagine short of complete hypocrisy or sheer madness. A man who could say such things, even in the heat of a campaign, is not fit to be the executive head of the business of a great city, and the pathetic infelicity of his prophecy is witnessed by two years of the profoundest "industrial peace," of which he prates so much, that San Francisco has ever seen.

To conclude:

P. H. McCarthy was against Schmitz when Schmitz was not known to be corrupt.

P. H. McCarthy espoused the cause of and fought his prosecution, when it was known to the whole world as a corrupt, debauched, and treacherous public servant.

P. H. McCarthy has persistently opposed the graft prosecution in San Francisco.

P. H. McCarthy fought the vital issue of municipal bonds.

The space allotted this article is too brief to permit the exposition of the fact that McCarthy was against a municipal water-supply until about four months ago, that McCarthy is carrying the campaign of independence element that he denounced in the campaign of 1905, that McCarthy's labor record has earned the enmity of every union laborer in San Francisco who values his craft above political advancement led by a political adventurer. Yet these are facts and could be proved if time and space permitted.

The Star declares that P. H. McCarthy has been before the public for fifteen years and, in substance, that "nobody has anything on him." His record, given above, mainly out of his own mouth, proves to the contrary.

But a man who has been before the public for fifteen years has small claim to honor or office if such claim be merely upon the negative proposition of "nothing on him." He should have a positive record to recommend. What of that part of P. H. McCarthy's record? What great public good has P. H. McCarthy, during the last fifteen years, openly and courageously espoused and stayed with until it was realized? The Star's answer to that query will be waited for with interest.

As a curtain raiser to her performance of "The Chaperone" this season Miss Maxine Elliott will present a little play called "Soyona." Miss Elliott has accepted "Deborah of Tods," by Mrs. Henry De La Pasture, for production about the first of the year.

Miss Florence Roberts will appear shortly in a drama by Kate Jordan Vermilye, "Mrs. Dakan" is the name of which. Thurlow Bergen will be Miss Roberts' leading man.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

Ere the Gringo Came.

I saw it all, as in a dream, today on the crowded street,
Where the banners, waved their yellow and red
a vision from old to greet,
Where Portola gray rode proudly on, his cavaliers by his side,
Each tricked in such garb of the ancient days as a modern art supplied.
'Twas the phantom march,
Or I deemed it so,
Of the people's arch
In the long ago;
And I knew, in my dream, it was not the same
As it was in the days ere the gringo came.

Oh, league on league, like a sea of gold, our fair California lay,
'Neath the shine of suns or the gleam of stars,
in that dreamy elden day.
And the padres taught, 'mid the vine-clad fields, in the missions now grown old,
To their red disciples the story sweet that Bethlehem first heard told.
Ah, the peaceful days
On the poppyed slope
As they sung the praise
Of the one dear God,
Teacher and pupil, in one great Name
They served and loved ere the gringo came.

'Twas a world asleep, but a world of peace.
Then "Gold" was the cry that ran
O'er our bastioned hills and the wind-swept plains, to the uttermost haunts of man,
And westward, westward, westward still, o'er wastes that were yet untrod,
The maddened tide of humanity ran, with gold as its one red god.
And our high walls rise,
And our engines beat,
While laughter and sighs
Forever meet.
And I sometimes lone, in the world's sad game,
For the peace of the days ere the gringo came.

A Talk With Elnathan.

You are just starting out in the world, my boy, and you calculate that you will fly high. When it comes to high flying, you are pretty well assured that there is nothing in the aviation line that will be able to get where it can cast a shadow upon you. Moreover, you have examined the hand you hold in the great game of life, and are pleased to notice that it includes several fine trumps. Trump No. 1, health. Good! Trump No. 2, ability. Excellent! No. 3, ambition. Fine! No. 4, honesty (enough for business purposes). Better take another look at that last trump, my boy. I am afraid it came out of the wrong deck. Yes, on the whole, it is a good hand, and it ought to win; probably it will win, but—
I will tell you what that "but" means, Elnathan. It means that the world has many—oh, very many—just such hands as you hold. On almost any corner, or hanging to almost any strap in a car, you may find men who have health, ability, ambition and honesty. They get along well enough, but they don't fly very high. They started out with the intention of outlying everything on the field, but soon they learned that there is considerable competition there, and that they must be remarkable men who soar farthest toward the zenith. To keep right on mixing my metaphor, son, they find that there are in the pack several larger trumps than those they hold. They observe, too, that it requires considerable patient application to maintain even a fair mediocrity.
I do not wish to discourage you, my boy; I am merely wishing to remark that on the beach of time there are several fine pebbles, and it is possible that you are not the largest and brightest of them all. What then? Why, then, accepting such size as the Almighty gave you, it but remains for you to see to it that none of the brighter "silver lining" of course you will do that? Yes?

The Opinions of Rufus.

It's the hen's cackling my talkative friend, that notifies them that's interested that the time has come to rob her of one more egg.
Lots of times I haven't realized that a man wasn't real bright till after I've heered him talk awhile.
The aeroplane's some like our good intentions—looks mighty pretty way up high, but it started from the earth, an' it's dead certain to git back there again.
Lots of us in this town say, "Dern the Southern Pacific machine!" in private talk when we wouldn't say it in print fer considerable. Course we ain't cowards, Eph'rim, but we're muddin' keurful.

The more I watch the kind of fellers that smoke cigarettes the more I'm convinced that the habit ain't es likely to injure brains es some folks claims.

The original condition of the earth, according to scripcher, makes me think of some fashionable women I've seen. It was "without form an' void," you know.

I knew a man that claimed he was sanctified. He had two farms, an' his family lived on the other one.

Dynamite bombs an' hold-ups are considerable alike. If they ain't handled with care they're likely to blow up the wrong person. Still, es Mr. Calhoun says, if you must make a choice, take the bomb.
I'll bet Mr. Portola would be surprised if he could git away from his other engagements an' be in San Francisco this week. Like 'es not he never realized what an important thing he did.

Just by way of a word fer the automobilists, hev you noticed that they ain't parshal? They're es likely to kill themselves es anybody else.

The Same Old Thing.

It is breakfast in the morning, and it's dinner toward night,
And it's lunch some time between them, if you've time to take a bite;
It is seize your pen or mattock for your little daily thing,
And, no matter what you're doing, it's the same old thing.

It's eat to keep the strength to work; it's work for food to eat.
First work to eat, then eat to work; the circle is complete.

It's toil for clothes to clothe for toil—oh, here's a merry swing.
Or haply it's a treadmill, of the same old thing.

We go to bed, get up again, then go to bed once more,
And it's button and unbutton, till the fact we must deplore.

Oh, perhaps you like the circle, but I'm weary
Of the ceaseless repetition of the same old thing.

He Was Used to Roars.

"The tame lion got loose, and, after it was on the street, it roared terribly."
"Yes."
"Yes, everybody except Nupoppe was scared nearly to death by the roars."
"And wasn't he scared at all?"
"No. You know his baby is only seven months old."

Written in the Fog.

Somewhere the sun is shining;
Somewhere the day is fair;
Somewhere's the "silver lining"—
But, then, I am not there.

Mr. Calhoun Again Donates.

Patrick Calhoun again has donated, this time the sum of \$5,000 to the Portola fund, and, as one of his papers indirectly suggests, the public should feel grateful to him.

It should. In the first place, such a donation undoubtedly was most acceptable, and the public, which shares in the Portola festivities, should justly recognize that Mr. Calhoun has helped to make them possible. It should hold up (unfortunate words, but unintentional) a high standard of appreciation of generosity. It should thus hold—unless, of course, the straps all are occupied.

In the second place, popular gratitude to Mr. Calhoun should be particularly acute because his donation this time did not take the same form it did the last time, for one of that kind is enough. Of course his donation at that time was much the larger of the two, but, then, just consider how many people it had to be divided among. You see, there was Abe Ruef and his Schmitz and his eighteen supervisors, and it would be a paltry soul that would consider \$200,000 too much to be divided among so many.

Mr. Calhoun's former donation was divided about as follows: Ordinary supervisors, \$5,000 apiece; one or two superior supervisors, useful as winged Mercuries—between \$10,000 each; one Schmitz, perhaps, \$40,000; one Ruef, \$60,000. At the present time, one Portola festival, \$5,000. From this list it becomes possible to prepare a table of comparative values, as recognized by Mr. Calhoun, the public benefactor, and here it is:

One ordinary supervisor equals one Portola festival.

One superior supervisor equals two Portola festivals.

One Schmitz equals eight Portola festivals.

One Ruef equals twelve Portola festivals.
And on top of this large and unavoidable expense Mr. Calhoun has donated to the Portola fund! We should be ashamed of ourselves if we are not grateful.

If Teddy Came to Town.

The most genial of our Presidents, William Howard Taft, has come and gone, but the memory of his smile yet lingers with us. We liked that smile, and, as it shone upon us, we realized why so many carried it had been a success on diplomatic missions. Diplomats are but men, after all, and how could they help responding to a smile which fairly beamed with good-fellowship and fraternal feeling? Of course, they could not.

Yes, it is a winning smile and it would seem that it should have evoked popular enthusiasm—but it did not. You know it did not, and so do I. It ought to have been a winner; as compared with our Teddy's graven-ness chasm of amusement it was as Hyperion to a satyr, and yet our people looked upon it and didn't enthuse. On the contrary, they seemed to say to themselves, "It's genial, but I wonder what virile, helpful strength there is behind it!" It wouldn't have been so with Teddy. He would have turned that double ivory row upon us, and we would have gone mad, with enthusiasm born of belief in him. We were very gentlemanly and modestly non-effervescent in our reception of President Taft and his smile, but—

How every hat would seek the sky.

If Teddy came to town!
How gongs would boom and banners fly.

If Teddy came to town!
And men and women, children, too,

Their canned emotions would unscrow,
And yell, "We all have faith in you."

If Teddy came to town.

We would not stand on form, my friend, you know,
If Teddy came to town!

We'd touch 'er off and let 'er go,

If Teddy came to town!

We'd rend the air to make it known,

Since faith in him is fully grown,

That Frisco's heart is all his own,

If Teddy came to town.

POLITICAL TABLE TALK

By THE WATCHMAN.

Great Tribulation For McLachlan James McLachlan is now serving his sixth term in congress and he feels sort of wotted in Washington and would like to remain there. As, in his younger days, he taught school "just one term more" several times, it is now his duty to serve in congress one term more if not more terms more, but the outlook is not all that he could wish it to be. In an evil moment (for his standing with the political powers that be), he introduced in the lower house, and even went to the bat with a bill providing for the establishment of a line of government steamships between Pacific Coast ports and Panama, in order that the unlawful combination between trans-continental railroad and steamship lines might be broken up. The Southern Pacific's political bureau likes a joke as well as anyone, provided that the joke is on somebody else, and that one wasn't. That bureau has plainly intimated to McLachlan that he must not fool with matches if he wants its support, as, of course, he does. Besides, McLachlan has long enjoyed the implacable hatred of the Los Angeles Times. With the friendship of the Southern Pacific's political machine, and the hatred of the Times, he has made shift to become the senior member of the California delegation in the lower house of Washington, but the tables have turned. Not that he has become the victim of the hatred of the Southern Pacific's political bureau and the love of the Times. His situation is not as bad as that, for the Times still hates him, but he is under discipline by the Herrin machine and it is not certain that he may not have to fight both the Times and the "organization" for a re-nomination, and McLachlan has no real love for a fight.

Evidences of Displeasure Little else sometimes speaks so loudly as a man's silence. All through the state, gentlemen representing the Southern Pacific's political bureau made themselves a bodyguard to protect the President from contact with progressive Republicans. They honored whom they would not excluding men under indictment for grafting, and set down at the foot of the tables men whom they wished to make feel the point of their displeasure. At Los Angeles men whom the "organization" wished to have back in the smiles of the President were given seats at the President's table, some on the right of him and some on the left, but McLachlan they ignored. Not that he was not there, for he was. Almost any one who could put up the price of a plate at table could grace the occasion with his presence, but McLachlan was not permitted to occupy one of the seats of the mighty. He ate in glum silence in his own little corner, catch-as-catch-can with the common herd. There is this to be said of Representative McLachlan, he is harmless and wants to be right if he can find out how to get right. In 1896, when silver was an issue, he went to the trouble to come to San Francisco to hold conference with other former free silver shouters to find out whether he ought to shout on, notwithstanding the Republican platform, or shut up. What he finally determined to do The Watchman has forgotten, but the people of his district left him at home for two terms under the implacable hatred of the Times boosted him into office again. Such is political life under a corporation-ridden commonwealth.

Let the Discussion Be Pull and Free One good result, at least, will follow Senator Frank P. Flint's early announcement of his probable retirement from office. It will set people to talking and thinking about the choice of his successor, and that, after all, is the most important question to be decided next year. Mr. Flint is Mr. Herrin's senator, and to get rid of him will be as great a gain as California can make, provided he is not succeeded by some one else

chosen and elected by the same influences. If such a result as that should follow the Republican voters would have themselves principally to blame, because it is now possible, under the direct primary law, for the majority to give such expression to its wishes that the legislature will not be likely to disregard them. Next year, for the first time, every voter in the state will find printed on his ballot the names of all declared candidates of his party for the high office of United States senator, and by a wise use of the opportunity thus presented the voters can effectually checkmate Mr. Herrin's best laid plans with regard to the senatorship. But, on the other hand, it is just as easily possible—in fact, it will be a good deal easier—for the people to vote as to deprive the popular vote for senator of any serious influence and to leave Mr. Herrin as much master of the situation as he has been hitherto. That will be the condition if there is no concentration of the vote upon a suitable candidate, and no such concentration will stand about unless there is a full, free and prolonged discussion of the subject. For that there is time, but not too much time, between now and the general election of 1910.

Anti-Bard Sentiment Was Made to Order But in the meantime it is worth while to go back five or six years and to study for a few minutes the tactics by which Mr. Herrin eliminated a people's senator and substituted a Southern Pacific senator. By the way, Mr. Herrin's tactics are nearly always worth studying, for he is a consummate master of political arts. Thomas R. Bard was elected to the senate in the year 1900 as an eleventh-hour candidate, after the legislature, in a struggle which lasted through both a regular and a special session, had finally exhausted itself, and a dark horse candidate was the only kind of candidate who had a chance. By good fortune, choice was made of a candidate who in respect to integrity and elevated standards of political conduct had no superior. Senator Bard had never posed as a distinctly anti-railroad man; indeed, he never posed in any way; straightforward sincerity is the keynote of his character; but it required only a very short time to make it clear to railroad politicians that they could in no way influence his course in the senate. He was equally insensible to flattery and to intimidation. So soon as this was established the campaign of detraction commenced, and it was carried on steadily in every artful way, until the object aimed at was accomplished and Senator Bard's reelection was defeated. The newspapers were made the conscious or unconscious agents for disseminating the belief that Mr. Bard was a misfit in the senate—that he was unable to acquire influence sufficient to accomplish anything that he was obstinate and stupid, that he frequently stood in opposition to the interests of California and the west, that he had needlessly embroiled himself with the administration, and that, in short, he was politically incompetent. Every newspaper in California which was under Southern Pacific influence spread these reports, and every hireling who went to Washington on a Southern Pacific pass returned to tell the same tale.

Bard Left His Cause in The Hands of the People Of course this campaign of systematic detraction was carried on under cover, for with characteristic disingenuousness the Southern Pacific politicians always represented to Senator Bard that they were friendly to him and would do nothing to oppose his return to the senate. They were most diligent in keeping up that pretense when they were busiest with preparations to undo him. There is a public sentiment, latent rather than expressed, which favors the selection of any senator who has proved worthy of public confidence, and will undermine and destroy this in the case of Sen-

ator Bard was the task of the railroad politicians. To a considerable extent they succeeded, and so made possible his defeat. They would not have succeeded, however, had he been more active and aggressive in his own behalf. In the ordinary sense of the term, Bard is "no politician." He refused, despite constant urgings by his friends, to enter upon anything which could be called a campaign in his own behalf. He insisted upon leaving it all to the people, assuming that they, through their representatives, would determine the issue and that manipulation on his part was as unnecessary as it would be undignified. Such an attitude would not have been fatal in a state in which the traditions with respect to the senatorship are different, but in California public sentiment, blinded as it had been by the state so long thrown into its eyes, was unable to assert itself sufficiently to prevent the success of the railroad program. Senator Bard left his cause in the hands of the people and the people left it in the hands of the Southern Pacific's political bureau and so Flint got in.

The People's Loss Was Greater Than Bard's It is perhaps doubtful whether the public eye will come to a clear understanding of Senator Bard and the part he played during the time he represented California in the senate; but the facts were very different from the current impressions. He is not in any sense a pliant man, and there was no reason why he should at once take a front rank in the senate; nor did he do so. But there was every reason why he should command confidence by his probity, by his independence, by the soundness of his convictions, and by the breadth of his views. He was continually growing in influence and usefulness; he was coming to the front by that same process of selection by which some of the most influential members of our bodies have been chosen, though naturally no more gifted men than Mr. Bard, have come to occupy foremost positions through long continuance in service and by consistent devotion to principle. The feeling which Eastern senators entertained toward Mr. Bard was that he was not a mere errand boy for his state; that he did not stand for local interests exclusively, but that his views of public policy were national ones and therefore entitled to a respect higher than those of a representative whose chief object is to secure river and harbor and postoffice appropriations. In short, Mr. Bard, before his retirement at the hands of Mr. Herrin, had reached that position where he was frequently, if not regularly, called into council by the Republican leaders in the senate when deciding the largest questions of national policy, and that is a degree of influence seldom obtained by any California senator.

Change of Masters Not Impossible Mr. Herrin has not gotten clear home yet and John C. Lynch has gone East, presumably to report to his superior and, if rumor be true, to make his own political nest more secure than it has been. Tim Sullivan has been shaking the limb that Lynch has been making his nest on and it has grown as wobbly as that of the wobbly bird. Rumor has it also that William G. Henshaw is to succeed Lynch as chief political lieutenant under Mr. Herrin, and, being as big a man as the two of them, he is to succeed both Johnny Lynch and Jere Burke. These gentlemen have developed so many raw spots as to be no longer slightly and a newer reputation would look better for a time. Be it remembered that if this reported change is made it will be only a change of masters and not a change of policy. The Southern Pacific's political bureau will govern California just the same unless the people rise in revolt and cast the whole caboodle. Henshaw, Lynch and Burke, into outer political darkness.

Our Judgment as The California Weekly To Supervisors recommends to its readers the following candidates for supervisors, after a careful study and independent investigation of all the candidates. This list is the same as that of the Good Government League, with one exception: Fred L. Hilmer appears on that list and is removed from this one. Every report received by this paper on Mr. Hilmer was adverse. We have substituted for his name the name of John O. Walsh, of the Union Labor ticket, after a careful process of elimination:

Edgar Apperson, D.	J. Emmett, Hayden, D.
*Paul Bancroft, R.	*Thomas Jennings, D.
George W. Bell, R.	*James A. Johnston, D.
*James P. Booth, D.	*Chas. A. Murdock, R.
Henry Colombat, D.	*Daniel C. Murphy, D.
*Geo. A. Connolly, D.	*Henry Payot, D.
Edward A. Cutten, R.	W. W. Sanderson, D.
Matt Harris, Sr., D.	R. John O. Walsh, U. L.
*Oscar Hooks, R.	Thos. S. Williams, R.

*Incumbent.

Senatorship The plaint of Senator Flint is For a Career that, in justice to his family, he ought to get busy and make some more money. He is reputed to be worth \$150,000. Unless he desires to have his family move in swifter circles, and his children to toil not, neither spin, that is fortune enough for any American public man. The late George F. Hoar regarded \$10,000, and some life insurance as enough, exclusive of his library and home, to see him through, and it was. What California needs in the United States senate is a youngish man, on the edge of the forties, who has a little some-

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The California Weekly

26 Montgomery St. San Francisco

thing laid by and who does not regard money as the only good either for himself or his family, to go to Washington with the hope, prospect and expectation of devoting the next thirty years to becoming and being an American statesman. By preference this office should be filled from the House of Representatives, if any member of that body from California had proven himself of senatorial size, but unhappily, of the eight men there not one can scratch his claws high enough up on the bole of the tree to make it appear that he is a big-enough bear to sit in the seats of the mighty. They are good men, some of them, and would not be dwarfed by the overshadowing statesmanship of the state senator, but the state should be able to do better. It would be necessary to go outside the ranks of "organization" politics, but that should be done anyhow. Better a free man, even though of mediocre ability, than one bound foot and hand to the allied industries, even though nature may have endowed him liberally. The idea of a senatorial career for some young man fit for it is worthy of the public's pondering over. The Watchman has such a man in mind.

What Belshaw Said This is what Senator Down at Riverside Belshaw said when he was in Riverside recently.

The Watchman quotes from the interview with him that appeared in the Press: "If I enter the race for governor, it will be as the candidate of no faction in the party; and my platform will be a square deal for all. I recognize that the railroads and other corporations have rights just as much as the humblest individual, and those rights should be respected. But I am opposed to the domination of the politics of the state by the Southern Pacific and allied corporations. The railroads should attend to the transportation business and not undertake to select political candidates and dictate to legislatures. If I should be elected governor of California, no man and no corporation could hand me any set of appointments or dictate to me regarding the state patronage. I should propose to be governor myself, and the recommendation of the humblest individual would be given the same consideration as one coming from W. F. Herrin."

To which the editor of the Press adds: "How does that strike Editor Pillsbury? Does he want anything better than that?"

Quite Good Enough No one who knows the As Far as It Goes legislative history of

Charles M. Belshaw will accuse him of taking anybody's program but his own, but this paper is inclined to the opinion that the corporation grip on the politics of this state is not to be broken by any species of negative righteousness. The Southern Pacific's political bureau must be whipped to a frazzle right out in the open. This issue is not between factions within the Republican party. It is between the Republican party on the one hand and the enemies of Herrinism on the other. The Republican party must say to Herrinism: "Take your grip off my throat or feel my poniard in your vitals," and then go to it, neither asking nor giving quarter. An attitude of impartiality between these warring elements will not suffice. If this paper is right in its concept of tendencies at work then free government in this state and this nation is being subverted by an association of corporations inspired by a community of interests to secure for themselves special privileges of great value, shirk as much as possible of the common burdens of government and make the judiciary as much the spoils of partisanship as purely political positions. If this be true then the occasion calls for warfare and not for a passive resistance to a tremendous evil. Mr. Belshaw has not yet put his war paint on.

Sufficient Provocation.

"He was arrested for striking his wife, but the judge, after hearing the evidence, discharged him."

"Didn't he strike her?"
"Oh, yes, but the evidence showed that she was in the habit of singing, 'Oh, you kid!' after he got home from a day of hard labor."

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AMERICAN SHIPPING IN AMERICAN SHIPS

V. WHAT OTHER NATIONS DO TO HELP THEIR SHIPPING.

By G. W. DICKIE.

For the sake of comparison I shall give the amounts paid by the United States Post Office Department to American ships under the law of 1891. For this comparison I shall take the best year (1906), which includes the payments made in that year to the Oceanic Company for their Australian mail service.

American Line to Europe.....	\$762,638
Oceanic Line to Australia.....	249,885
Oceanic Line to Tahiti, etc.....	42,180
Ward Line to Cuba and Mexico.....	203,282
Red D Line to Venezuela.....	109,155
American Mail Line to Jamaica.....	114,775
Non-Contract at \$1.60 per lb.....	247,835

Total\$1,729,750

The American Line to Europe operates 20-knot steamers of the first class and receives a compensation of \$4 per statute mile for each outward voyage; the amount given above is the best this line has done under the law; in 1908 the amount earned by this line was \$737,332, while we paid to foreign ships \$817,718 for service rendered on the Atlantic in carrying our mails.

American Line to Australia Abandoned.

Immediately after the defeat of the shipping bill which failed to pass in the congress which adjourned in March, 1907, the Oceanic Steamship Company of San Francisco notified the postoffice department that the line to Australia would be withdrawn. This line had been operating under the Ocean Mail law of 1891 and after five years of trial had found that the rate of compensation provided by that law was utterly inadequate for running 16-knot steamers on the long and costly voyage of 8,329 miles from the Golden Gate via Honolulu to the South Pacific to Samoa, New Zealand and Australia. The requirements of the mail contract were such that the Oceanic steamers were forced to attempt a speed beyond their capacity over such a vast distance; for this arduous service this American company employed highly paid American officers and crews, was given by the United States a compensation of only \$16,659 per voyage, as compared with the \$41,604 per voyage given by the German government to the Australian liners of the North German Lloyd, \$47,814 per voyage given by the French government to the French-Australian liners, \$21,917 per voyage given by Japan to her Yokohama-Australian line, and \$23,077 per voyage given by Great Britain to the Orient line for Australian service; this latter amount has lately been increased to \$36,250 per voyage on account of an increased speed—that is the speed was increased from 15 knots to 16 knots. All these ships are manned at a cost at least 30 per cent less than the American ships and with the exception of the new contract with the Orient Line are allowed to proceed at a slower speed. The three ships of the American Line were taken off the route, their officers and crews dismissed, and the ships dismantled and laid up in Mission Bay, where they now are.

Thus the American flag has disappeared from one of the most important commercial routes of the Pacific, the only communication with the naval station and garrison at Samoa cut off, and the good passenger, mail and freight ships are eliminated from the traffic between our island territory of Hawaii and the main land, forcing the Hawaiian people to ask congress to permit foreign ships to fill the blank.

Our business men communicating by mail with the merchants and business men of Australia and New Zealand have now to send their letters in a roundabout way by some British or Canadian steamer subsidized with an agreement that her owner will do all that he can to advance the trade interests of Britain and Canada. Under these circumstances what are we to hope to hold of the export commerce that we have built up with Aus-

tralia which has grown from an annual amount of \$12,000,000 to \$29,000,000, largely through the service given by the Oceanic Line? This company disbursed over \$1,000,000 annually on our water front, over 2,500 travelers carried on these vessels passed every year through our city, and they left not only no impression upon us but money with us. San Francisco's exports to Australia have fallen off \$1,250,000 per year with the stoppage of the Oceanic steamship Line; that means something to our producers.

A recent event that must be deplored by all Americans who desire the upbuilding of our merchant shipping is the transfer of the two largest American-built steamers in the Atlantic trade, the "Finland" and the "Kronland," of the Red Star Line, from American to Belgian registry. This lamentable event has a certain bearing on the free-ship question, for the change of nationality is accompanied by the frank explanation that its purpose is to secure the advantage of lower wages and cheaper equipment which operating under foreign colors offers. If the last American-built ships that we now have in the foreign trade are being transferred to foreign flags it is manifest that the free ship cure so urgently prescribed for the upbuilding of the merchant marine, is as many of us have steadily maintained, "a delusion unworthy the attention and serious consideration of practical men."

What Great Britain Does.

The following is a summary of the mail subventions in force in the United Kingdom:
For direct mail service, per annum...\$4,297,940
For admiralty subvention, per annum...1,139,065
For Jamaica fruit trade, per annum...200,000
For Canada and West Indies, year...260,000
For other mail services, per annum...618,720

Total\$6,515,725

The above is exclusive of the agreement with the Cunard Line. As the terms of this agreement illustrate what the British government is ready to do to preserve her commercial supremacy on the Atlantic, I shall give them here in as condensed form as possible.

Under the agreement with the British government the Cunard company is furnished with \$13,000,000 wherewith to build two new vessels, the much-talked-of "Lusitania" and "Mauretania"; this loan is secured on debentures bearing interest at 2 3/4 per cent per annum, the principal to be repaid in annual installments, each of which will be one-twentieth of the total indebtedness, twenty years being the term of the contract. Besides this the government will pay an annual war service subsidy of \$750,000 on condition that the company build in the United Kingdom (note where they must be built) two steamships of large size, capable of maintaining a minimum average ocean speed of 24 1/2 knots in moderate weather. In the event of this speed not being maintained, if the actual speed does not fall below 23 1/2 knots, a deduction is to be made from the annual payment by agreement, such agreement to be determined by arbitration, the arbitrators to be appointed by the Lord Chief Justice for the time being.

It is further stipulated that the government is to have the right of hiring the boats at a rate of \$6.25 per gross register ton per month plus \$1.25 per ton per month if the company provides the crew. As the gross register tonnage of these vessels is 32,500 tons, the British government would pay for these ships, in time of war or at any other time that they were wanted, \$200,000 per month, and for the officers and crew, \$40,000 per month. In addition to the above war service subsidy the government will pay an annual subvention for mail service of \$340,000. Under this agreement the Cunard company will receive for mail service an annual subsidy a total for the twenty years during which the contract runs of \$21,800,000. They will pay a total of \$16,575,000 for interest and annual installments

on the loan so that they will have their two great steamships for nothing and a profit of \$5,225,000. The Cunard company must find the protecting influence of the British government much more comforting than the rival companies find the shelter of a Wall Street holding company. Indeed the agreement will always be a precedent to the British when it becomes necessary to do for other companies what has just been done for the Cunard company.

What France Is Doing.

France is engaged in working out a very complicated problem in her efforts to build up a merchant marine. At the present time she is paying, per annum:

For mail service	\$ 5,336,355
Bounties on ship construction, about.....	2,000,000
Bounties on navigation, about.....	3,500,000

Total\$10,836,355

The French have tried various methods, mostly of a kind to be avoided. The first reformed effort that occurs here is the law of 1866, providing for a reduction of the duty charged on foreign-built ships and the admission of all foreign materials to be used in shipbuilding free of duty. One part of this law worked against the other; shipbuilding in France was encouraged, but the number of ships built abroad increased. In 1893 the clause relating to foreign-built ships was cancelled at the request of the French shipbuilders who were, I have no doubt, gainers under the new arrangement.

The law of 1902, which replaced that of 1893, provided three kinds of subsidies. Compensation was paid to steamships of foreign construction at the rate of 10 cents per ton, gross register tonnage, per day, of foreign trading under the French flag for a minimum of 2,000 tons and at less rates for each 1,000 tons additional down to 4 cents per ton between 6,000 and 7,000 tons. Navigation premiums were to be paid to all French-built sailing ships at various rates per 1,000 miles sailed per day of gross register tonnage. For navigation premiums the maximum carrying capacity was put at 1,000 tons for sailing ships and 7,000 tons for steamers. No encouragement was given for building ships of greater dimensions. The total sum provided by the law of 1902 amounted to \$30,000,000 and it was figured by the framers of the law that this sum would be sufficient to last for twelve years. Within one year subsidies had been paid or claimed for the total amount and foreign built ships got the most of it.

The third form of subsidy was a premium on construction to be granted over a period of twelve years to 300,000 tons of French steamers and 100,000 tons of French sailing vessels all to be built in France. The total sum paid as building subsidy was not to exceed \$10,000,000. At the end of the first year one-half the total amount for the twelve-year term had been used and French shipbuilding slackened considerably. In four years after the law of 1902 came into force the funds provided for twelve years were exhausted and a new law was demanded.

This new law went into effect on the 19th of April, 1906, and first provides building subsidies for iron and steel ships at the rate of \$20 per gross register ton for steamers and \$19 for sailing vessels. The grants are to decrease annually during the first ten years by ninety cents for steamers and seventy cents for sailing vessels per gross registered ton. At the end of this ten-year period the subsidy will remain at \$20 for steamers and \$12 for sailing vessels. When a ship is lengthened or enlarged with a view to increasing its carrying capacity it will be paid a subsidy on the number of tons by which it has been increased and at the rate paid for new ships. Under this law the engines and all auxiliary machinery including the boilers will be subsidised at the rate of \$55 per ton

weight, this subsidy to decrease annually during the first ten years and to remain at the end of that period a fixed rate of \$40 per ton, the same rate to be used as a basis for a subsidy on all new machinery and mechanical parts used in improving or repairing a ship.

The second part of this law provides a shipping subsidy to be paid to all sea-going ships flying the French flag and engaged in distant trading; a subsidy is also provided for French ships engaged in the international coasting trade. The rate per day of service is eight cents per ton gross for steamers up to 3,000 tons, six cents in excess for steamers from 3,000 to 6,000 tons, and four cents per ton in excess for ships over 6,000 tons. Sailing ships receive six cents per ton up to 500 tons, four cents per ton in excess from 500 to 1,000 tons, and two cents per ton in excess for vessels over 1,000 tons. This subsidy will cease to be applied to any vessel which has completed her twelfth year. It is increased 10 per cent in the case of steamers that made fourteen knots on trial half loaded, 20 per cent for those that made fifteen knots, and 30 per cent for those that made sixteen knots or over. There are many other provisions in this French shipping law as to the average distance that must be made per day and the average loads carried, but these averages are so low that a French ship may lie for a considerable time in idleness or move about in ballast and still earn her full subsidy.

The French subsidy law is a hard thing not only for the American shipowner to struggle against but also for the British, as the present appearance of the harbor here will show, for the trade formerly monopolized by the British barques and ships is now largely in the hands of the French.

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Germany and Her Shipping.

Germany is not as yet paying subsidies to her shipping, trusting rather to the efficiency and skill of her seagoing people. The Germans are firm believers in home-built ships and every encouragement is given to shipbuilding at the great German ports. When a steamship line is to be established for the purpose of extending the German trade or sphere of influence Germany pays what is necessary to accomplish her object. She is paying at present to the various German steamship companies operating under the government requirements about \$3,000,000 per year.

The German method of encouraging shipping has been to spare no expense in providing splendid harbor facilities practically free to her own shipping and at reasonable rates to foreign ships.

The Hansa towns have shown a determination to exceed their ancient reputation for spirited enterprise; the sums they have expended and are still expending are enormous. In 1898 the expenditures under the head of harbor works, etc., for the ten years that had elapsed since the amalgamation in the matter of customs with the German Empire, was estimated to be \$75,000,000 for Hamburg, and \$28,500,000 for Bremen and Bremerhaven, in addition to \$100,000 expended on improving the Weser waterway. Since then and up to the year 1906 these figures have been increased by \$22,500,000 for Hamburg and by \$10,000,000 for Bremen, making a total for these two towns of over \$146,000,000. The shipping of Hamburg has increased enormously during the period in question; in 1888 the entries at Hamburg were 7,524 vessels, aggregating 4,355,500 tons; in 1905 the entries were 15,118 vessels, aggregating 10,400,000 tons. Next year Hamburg's shipping will approach 14,000,000 tons; this is now being provided for. The present extensions at Hamburg are expected to cost \$35,000,000, the new harbor works at Bremen are to cost \$25,000,000. The state of Prussia decided to Bremen for her new harbor works 1,490 acres and the North German Lloyd guaranteed the interest on the outlay. That is the way to get and to hold shipping and commerce and wealth.

In the next article we will continue our inquiry into what other nations are doing to maintain their merchant marine.

UP AND DOWN THE STATE.

Between Chico and Biggs, one day last week, a Southern Pacific freight train, two hours stopped by multitudes of black crickets which covered the track and made it so slippery that the wheels would not run.

William J. Fouzer, an inmate of the Veterans' Home at Yountville, recently was killed, near Melita, by falling from a passenger train while it was in motion.

Adolph Peterson has been arrested at Napa for stealing diamonds, valued at \$3,000, from Mrs. L. Owens. He was captured while digging up the jewels from the place where he had cached them.

The Sacramento Weekly and Alta California is the name of a new and neat publication which is being issued in the capital city. E. B. Willis is editor and Joseph M. Anderson business manager.

Government experts assure the orange-growers of the San Joaquin valley, who have been somewhat agitated by the appearance of red spiders on their trees, that the insect will not injure their fruit.

By a majority of 585 votes citizens of Stockton have decided that the reopening of the saloons on Sunday will be advantageous to their city.

The Phoenix mine, near Hurlston, Yuba county, is yielding more than \$1,000 worth of ore daily to Dr. W. F. Burke, its owner, and it is estimated that it will yield \$400,000 annually for eight years.

At Auburn a company has been organized for the manufacture of glass fruit jars on a large scale.

The Pioneer Fruit Company will build a fruit-packing house at Auburn, and expects to have it completed before the fruit season opens next year.

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Chapter XX.

CONSERVATION AT HOME.

COMMENCEMENT week at the State University is a jealous festivity. It brooks no rivalry. No matter what else may occupy the public mind this event holds the center of interest in and about the bay cities. It is a good news, bad, and unsurprising dailies vie with each other in featuring its events. The morning after the final function one of the San Francisco dailies achieved a notable "scoop." It paired off and announced the engagements of half a dozen senior couples that were known to be at least on terms of great friendliness during their college courses. Among these were Clayton Brayton, the noted athlete, and Helen Singham, the honor student of the graduating class. Their photographs had been surreptitiously procured and saved up for that occasion. Although these engagements were wholly unauthorized the announcement did not far miss the mark. In the case of these two there had been no engagement. They had confessed to each other their love for each other and the matter had rested. With the remnants of Peacock's winning Clayton bought an engagement ring and slipped it upon Helen's finger. "That the prophecy might be fulfilled," he explained. Helen accepted it radiantly and both received congratulations unabashedly.

When the San Francisco morning daily was read in Tulare county it was different. All had not gone well between the two families. The truce patched up at Hell's Half Acre had been only for that season. If Brayton and Singham hated each other less cordially after the battle than before, they loved each other little the more and their points of antagonism were not fewer than before.

In the formation of the "Sandlapper" district a square mile of Brayton's plains land had been included against his protest. It was good land, but had no source of water supply for irrigation, save such as the district might afford, and so the county board of supervisors kept it in the district. Brayton regarded it as lost to him, and so allowed it to go delinquent for state and county taxes for irrigation district taxes. It cornered on Silas Singham's section. Every time Brayton passed that way he hated Singham the more. The announcement of the engagement of Singham's daughter to his only son angered him beyond expression. He had been proud of Gabriel's athletic achievements and had offered to wager money on coming events, but otherwise his son's college course had interested him little. It was out of deference to the mother's wish that the lad had been encouraged to go to college, and not that Brayton had any appreciation of the value of a college education, particularly on the agricultural side. If his son had wanted to be a lawyer his wanting a college education would have had more to commend it to the father's eyes than the prospect of riches. As he had turned Peacock out to grass the day after he had allowed himself to be beaten by the "sandlapper horse" at Porterville, so he now seemed inclined to turn his only child out of his heart because he had allied himself with the "sandlapper" race. He did not strive to break up the match. It was sufficient for him to have washed his hands of both of them.

In the Singham household the event was equally disappointing. Silas blamed himself for having suffered those two children to be so friendly during all these years of bitterness between himself and Brayton. It looked like disloyalty in Helen to take up with the son of the arch riparianist, but, evidently enough, there was nothing to be done about it. Mother Singham kept a tight rein and her loss of grief in redoubting her watchful care of the younger children. As for Mrs. Brayton, whatever her son found to love she would love, for it was upon him that this lonely woman poured all the power for loving of a deep and fervent nature. She meant to take Helen to her heart whatever her husband might say, and she could see plainly enough that the best that was to be expected of him was a sullen tolerance.

Affairs had not gone well with Brayton since the advent of the "Sandlappers." Settle-

THE SANDLAPPER

(Continued.)

BY

ARTHUR J. PILLSBURY

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ments had closed in about him, confining his herds to his own land, and upon his own land feed had become increasingly short. His herds had dwindled, cattle were low in price and the supply of water for flooding grass lands had been cut short. He had gambled more than in former years, and had been less successful. For the first time in his business life his bank account had its balance on the wrong side of the ledger.

The young people came home from college. They came together, and on Peacock's tired dusty trail traveled a beautifully sunburned. They drew rein at the Brayton ranch, it being on the direct road for Helen's home. It was mid-afternoon, and Brayton sat, as was his wont, on the front piazza with chair tipped back against the side of the house, smoking a pipe and reading a newspaper. He looked up as the pair dismounted, but neither arose nor greeted them. On the contrary he took his pipe from his mouth, expectorated over the veranda rail and resumed his reading.

Not so Mrs. Brayton. Hearing the clatter of hoofs she had hourly expected, she hastily cast her apron aside and ran out to clasp her son in her motherly arms and kiss him on each cheek. Then she turned to Helen and held out her hands toward her: "Daughter," she said, "if my son says yes, I shall love you and you look enough like the Helen I loved and lost for me to love you, anyhow. But do you come in and rest a bit before riding on. Papa, don't you see that the children have come?"

Brayton laid aside his paper, arose from his chair and stepped down into the yard. He scarcely more than looked toward his son, but fastened his eyes upon Helen, who looked him fully and frankly in the face. As she looked she saw his color heighten and the second pair of beady black eyes behind the first, whose existence had almost come to be a superstition among old settlers, come plainly into view and then recede again as quickly as they came. Then a strange thing happened. The hard look went out of his face, which perceptibly relaxed, and in its place came a look of tenderness that had not been seen there for many a year. He, too, advanced and held out his hand toward Helen.

"Daughter," he said, "what mother says goes around this place. If she takes you in I shan't keep you out. You are welcome." Helen gave him her hand and he escorted her to a chair upon the veranda, but presently excused himself and went for a walk under the oaks out in the pasture. That, as his wife and son knew full well, meant that he was having something out with himself. Ever since he as a young vaquero, had wooed and won Lemmo Farish and, through her, had inherited this stock ranch, he had fought out his battles with himself under this irregular, double and treble row of sturdy oaks that formed branches and stretched for half a mile across the pasture. The better part of his nature had not always come off first best in these struggles, that often lasted for hours and sometimes for days, but sometimes it had. He had over been a turbulent man, resentful, cunning and fairly criminal in some of his instincts, and yet he meant to be an honest and honorable citizen, to deal justly and to play fair. He coveted nothing that belonged to another, but for his own rights, as he saw them, he stood ready to jeopardize his own life or take

the life of another. He was looked upon as a man with a history, if only that history were known.

"It will be all right between you and Dad," Gabriel had whispered to Helen when he had an opportunity, and his mother, hearing it, nodded her assent. "Your resemblance to the Helen we all loved and lost broke down all barriers betwixt you. I'm the fellow who will catch it."

"Well, son," the mother observed with much feeling, "we must all be patient and careful with papa. If you had wanted to be a lawyer, or go into politics, he would have turned us all out of house and home to help you, but when you decided to be a farmer, and an educated farmer at that—a farmer with 'frills and fads,' as he considers the educated farmer to be—he was ready to wash his hands of you. Nevertheless, if you make a success of your educated farming he will come around all right. Don't cross him more than you can help. Let him have his way, and you take yours. I don't know what plans he has for you, but don't expect too much. I have some plans for you, too, and will see that you get a chance to carry out your own. I'm not for nothing that I have devoted myself to chickens and turkeys all the years since Helen was taken from us. I had to have something to occupy my mind."

After tea, in which the elder Brayton did not participate, Gabriel and Helen entered on toward Helen's home, but she would not let him come all the way, preferring to "have it out" with her family alone. It was arranged that he should come over the following evening to be formally presented, and, as Helen believed, adopted into the "Sandlappers' family."

Chapter XXI.

A FARMER WITH FRILLS AND FADS.

That evening, when Gabriel had returned from his part-wash ride home with Helen, he found his father sitting alone on the piazza smoking, as was his custom, it being too dark to read the newspapers and too warm to sit inside the house. Gabriel stepped up in front of his father and held out his hand. "Shake hands, Dad," he said, and his father took his hand mechanically, after which Gabriel drew a chair to him and sat down opposite, tipping his chair back against the veranda rail. For a few moments neither spoke.

"I suppose you want to get busy," the father said, by way of observing.

"Got to, Dad; money all gone," was the reply.

"What are your plans?" the father asked. "Have not made any yet except that I want to get hold of a chunk of land to make an up-to-date farm out of."

"How would section ten do you out there, cornering on your prospective sandlapper father-in-law's?"

"It is good land, and I think I could make good on it if I had a clear title."

"That's the rub," the father replied. "It is in that sandlapper irrigation district, and the district is in limbo. I don't believe it will ever get out, so I've let the land be sold for state and county, as well as for irrigation district. Guess, and I have, you got more to land after, but in redeeming it. But if you want to get into that boat with the rest of the sandlappers, as you seem inclined to, I'll quit-claim my interest in that section to you and you can rustle out the best you can. There are those four bay mares that graze in the pasture and the two duns if you need them, doing nothing to speak of, and I reckon you'll find wagons and plows and scrapers enough about the place to fit you out for a team. Mother will board you for a while, anyhow until you get set on foot, so of a slack up and things started; but that is all I can do for you. When I am done with what we've got it'll be yours and mother's, but not till I am."

"All right, Dad, and many thanks. I'll look things up tomorrow and let you know," Gabriel replied, and then went to find his mother, out in the garden as usual at that hour in the evening watering her flowers and shrubbery.

He went over with her what his father had told him. It was much as she had divined it would be. As for her, she believed that the "sandlapper" district would pull out of its

trouble, that a compromise would be somehow effected with the bondholders and that the value of the section of land was worth the risk. She had upwards of \$3,000 in bank at Visalia, the profits of her poultry for ten years or more, and against that her son could draw for the redemption of the ranch from taxation and for levelling and leveling the best go first and take the advice of John Middleton.

On the morning following he went to see John Middleton, and found him sanguine of the ultimate redemption of the district from confiscation and bankruptcy. That evening Gabriel went to Visalia with plans determined. He would take over that section of land from his father, redeem it from state and county taxes and buy up enough irrigation district bonds to make a probable sett-off to the bondholders' claim on that ranch when the day of settlement came. He had determined to have a minimum supply of water for irrigation, wet or dry, and to that end would bore a well, put in a turbine pump and buy a crude-oil engine. Then he would buy all the cows his mother's money and his own credit could command, start a dairy and ship cream to Los Angeles until he could have a butter factory of his own. As for their wedding day, it could wait until he got things to going and a house up fit to live in. Meantime she could tend him in town as she had done of old, and they could see each other every day. He talked so earnestly and enthusiastically of the task before him that the Singham household was quite won over.

Within a week after arriving home from college this young adduct of a farmer had purchased in town a small shell of a house and moved into upon Section Ten and there set up bachelor quarters. He had a well down, and he and the mules his father had left him use were hard at work leveling and checking forty acres to be seeded to alfalfa in the winter. In another fortnight a crude-oil engine and centrifugal pump had been installed and water was flowing in the ditches for the irrigation of land for a late crop of corn and sorghum. The feed was good that year and Section Ten was then untroubled—a nucleus of provender for his dairy herd.

He bought some old sheds in town and built something that would serve for a dairy barn until he could do better, and in one corner, he set a place for a cream separator and for handling his milk cans with cleanliness and ease. Then he took about all the money his mother had left and went over to San Luis Obispo county and bought half a hundred head of good young dairy cows. Feed was so cheap, in fact bought out a renter's outfit at a bargain, and leisurely drove homeward, bringing with him a young Swiss to help him herd the cows on his own land, and milk and take the cream to the station for shipment.

Then he remembered how his father's cattle had eaten with avidity, when the rains had crashed down and softened it, the prickly alkali weed that covered the waste places of the plains with sprangling, blossoming, tangled yellow beauty, a jackrabbits could see and find his way through. He took his mowing machine and mules and went out upon the waste places, cut, raked and cocked the prickly stuff as green as possible. After it had gone through a sweat in the cock and had come out green and fresh and soft as a kid glove, his cows took hold of it with avidity, and he knew that he had a winter's feed supply that would not fail him. He spent half the fall hauling this stuff in and stacking it in his barnyard while his knowing neighbors laughed at his feat. The idea that that prickly pest of the plains could be made into hay was preposterous!

What this young college athlete accomplished in half a year amounted the settlement. It was now a fact, as it was in the coming train, carried care of cream to Los Angeles, greedily for all that he could furnish, and more, too. With the proceeds he bought more cows, as they could be picked up, and he had shipped up from the south a young registered Holstein bull. With the coming rains that fall alfalfa went into the ground as fast as land could be ditched, checked or contoured for the distribution of water when it should come down the canal. Meantime, he found

that, with a reservoir he had scraped up near his well, he could irrigate two acres a day with his pump and engine at a cost not to exceed one dollar per acre, so he stole a march on the season and had his alfalfa, barley being sowed with it for a first crop, well started early in the fall and winter. By Christmas a hundred acres were seeded down, and six mules with a hired man were plowing, seeding and harrowing seven acres of plains land a day for a grain hay crop to be fed to more cows for the skimming of more cream with the same cows that more cream might be skimmed.

All this while devoted Mother Brayton drove with her own horse and buggy over to Section Ten with sundry hampers filled with things that her boy liked to eat, and, every Saturday morning, certain other two hands and ten delicate fingers took possession of the "shack," as Gabriel called it, to make amends for bad bachelor housekeeping.

And so things went for the first year. Then there was a change. The alfalfa had come on admirably and the grain hay crop had bettered the average. The remittances from the cream had yielded fully \$6 per month per cow, and this farmer with frills and fads was now milking a round hundred of them. Then some workmen came and the winter was a vacation system, and set up a butter-making machine. Thereafter no cream went to Los Angeles, but gilt edged "Section Ten" butter instead, and, instead of sending the cream to town each morning, neighboring farmers of Enterprise were invited to bring their milk to "Section Ten" to have it skimmed, be paid for the cream and haul their skim milk home again. The business grew. The ranch was fenced stanchly, calf pastures first, a hog lot next, then the half section of salt grass land, and, finally, the cultivated area. More ditches were "dredged out," more contour lines run and levees built, so that the second fall and winter a second hundred acres were seeded to alfalfa.

When the schools closed that season Helen Singham was not an applicant for her position in the Tulare high school, and people said, "Aha! the farmer with the frills and fads must be getting on." But she went to the coast for the summer, and nothing happened yet. Yes, there did, too; Gabriel stole away for a week, leaving them in the hands of a foreman, who was also an agricultural college graduate. There were plans of a house to go over, and he had to go over to the coast to go over them. That was all.

Then came the burning of the bonds that set the sandlapper district free.

Chapter XXII.

THE BURNING OF THE BONDS.

October 19, 1903, was the great day for Tulare and the "sandlapper" irrigation district. It was the day of deliverance out of bondage. It had been a hard struggle for the people to raise and place in bank \$283,000 wherewith to redeem a debt which, with interest and interest on interest, had deluged the people already, now reached a round \$700,000. But the thing was done, and bravely done. Now, at last, the cancelled bonds were in the hands of the district officers ready to be burned.

Invitations had been sent to the public generally to come and rejoice with the delivered people and be glad. And they came by train loads. A barbecue had been prepared for their feeding, flags waved, bands played and orators showered the people with praise for their fidelity and courage. The Governor of the state graced the occasion with his presence and himself applied the torch to the bonds, and while they burned the people stood, for a few moments, mute, watching the tongues of flame lick up the evidences of their bondage. It seemed too good to be true, but when the cent-up flood of feeling found expression, from a thousand throats there poured forth a song of praise for nearness to God, and, afterward, cheers upon cheers, handshakes, embraces, the wiping out of old scores, the healing of old wounds, the healing of life anew for the retrieving of impaired fortunes.

In all that multitude there was but one man who stood apparently unmoved. That man was Moses Brayton. In the far edge of the

standing crowd stood Brayton narrowly watching all that took place, more ample of waistband than in former years, but still well set up, his close cropped beard grizzling and his keen black eyes glittering as of old. When Silas Singham was called to the speaker's stand and Brayton's jaws together with the flap, but, reaching to the ground, a twig to white into bits, he nevertheless listened attentively. He had an ordeal yet to go through for which he had little stomach, but he had made up his mind to see that through also, and so he stood, too, the ordeal of listening to Singham.

"I helped you people to get into this trouble," declared Singham, candidly, "and I have helped you to get out of it again; but as God is my judge I have done both with charity toward all and malice toward none. Once, in my younger days, I was lost on the desert, without water, and saw in the treacherous mirage visions of rivers of water in the distance, of lakes whose shining surfaces I saw through imaginary tree tops waving in cooling breezes. I staggered toward them with tongue protruding when it seemed that every step taken dragged a ball and chain at each ankle. Out of my misery inarticulate I called as Dives in Hades for water, and when at last I found it—stagnant, hot, alkaline—I quaffed it, as though it had been sweet nectar distilled from roses, fit for the gods.

"So it was that I heard these desert plains calling for the water that God poured out and stored upon the tops of yonder mountains, and I pitied these thirsty lands; and I pitied them, as I had suffered, and I pitied them. I saw the eddying whirlwinds making sport of their blistering misery. I saw the orchards, farms, meadows, homes filled with the voices of children, that were possible if only God's water could be brought to the God's land to give it life, and I swore that, cost me, cost you, what it might, I would see that water married to that land and the twain abiding fruitfully together. With this one purpose in my mind I strove for it as I had at another time striven to find my way to the promised land. I turned to God, the nuptials of that marriage are today celebrated in the burning of these bonds that held our spirits down and unmoved our right arms, as well as in the welding of the bonds that unite Enterprise Irrigation District to the waters of the river for forever, by an action sanctioned by law and reinforced by custom and usage.

"In this struggle for an idea I have looked into a gunbarrel that seemed to spell death. I have crossed arms with stout manhood and both given and taken measures. I have measured without accounting it ill fortune. I have seen my neighbors turn their backs upon me and my friends denounce me as a public enemy, but I have neither flinched from the ordeal nor cried to you for mercy. If I have been insistent, dictatorial, defiant, it was because I heard the plain lands calling, calling for the moisture whose abundance, in the form of snow, I could see glistening from those mountain summits morning and evening.

"Friends, I have served you for a service I have wounded you, any of you, forgive me as you hope to be forgiven by the Father who was author of us both. I meant you well, whether riparianist, adverse appropriator, plainman or what, but above and beyond you or any of you, I reckoned the need of thirty crops whose sufferings, agonies, dyings, I witnessed season after season.

"If to any of these lands I have carried the cup of cold water I have done it in His Name and with malice toward none. Asking for your forgiveness without apologizing for trying I have done (inasmuch as I should do it all over again if the need arose), I say to you one and all, Let us go home and put our several farms in order. We are free men; let us live in free manly and in amity, in beneficence, not slothful, but diligent in business, honoring the Lord."

With the conclusion of this address the crowd cheered, hands were stretched toward the platform to be shaken, and the herculean, towering form, with whitening beard covering a broad expanse of bosom, visage deeply etched, descended into the midst of the multitude to extend and receive the hand of fellowship from hundreds whose ill will toward Silas

Singham went out in admiration for his undoubted sincerity and undaunted courage.

Moses Brayton shut up his knife, thrust it into his pocket, and, turning upon his heel, walked out under the spreading umbrella trees on the far side of the plaza, where he paced back and forth alone. Anyone who knew him well would have known that he was having something out of his head, and needed less of all to be intruded upon by anyone.

There were other addresses, including a stirring one from the Governor of the state congratulating the people as much for their maintenance of good faith with their creditors as upon their deliverance from debt. But no one among them all struck so deep or affected the vast audience so profoundly as the simple, fervent unassuming of the heart of Silas Singham. It was his first appearance upon a platform since the day, five years before, when he had, by resolution of his assembled neighbors, been asked to withdraw himself from them and their affairs and had, in part at least, refused to abide their wishes.

As he had felt that insult cut through to the quick, so now he enjoyed to the full the prompt ovation tendered him. With him by-gones were to be by-gones. Passionate, quick to resent an affront with a blow if the occasion seemed to warrant it, he had found life too short and its concerns too important to justify the carrying of an enmity. In truth he had not hated Brayton, but only the things that Brayton did for the hurt, as Singham believed, of God's country, and he looked upon that as treason. He looked upon the traitor as worthy of death because of his treason and not because of a spirit of malignancy directed against the man.

This day Singham was virtually born again. He shed his partisanship as he might an overcoat, and if he could, in the hour of his triumph, have found Brayton he would have forgiven his forgiveness and proffered his love for in that hour, Silas Singham literally loved everybody and everything that God had made.

(To Be Concluded.)

("Little Talks"—Concluded.)

only the plain truth was told of them, and we have known others, "not in entire sympathy with the views we take," who thought in saying maniacs or babbling idiots. I remember at this is the first criticism we have received to precisely the above effect, but we have received many charging us with being wishy-washy, mealy-mouthed and lacking in aggressiveness. What do our readers think about it?

PERSONALIA.

John Mitchell, former head of the United Mine Workers, has assured Mrs. O. H. P. Belmont of the national woman's suffrage organization the support of the American Federation of Labor. When asked if he would cooperate in the work he said: "Well, I can hardly say that if you mean any systematic active work for suffrage. I am too busy to bind myself to any other cause than the one to which I am now devoting myself—the amelioration of the conditions of the working classes. I agree with Mrs. Belmont," he went on, "that if women voted the child labor problem would probably be solved very quickly."

Prof. Henry Morse Stephens, of the University of California, will for Spain on November 27 to investigate the history of early California and the lives of Portola and Junipero Serra.

Madam Gaski recently asked: "Why is it that your American girls must take their marvelous voices to Europe? There is more love of art in Chicago than in New York, and there is abroad. Singers with great names in Europe who can shout and can scream come to America and are nobody. It is because the Americans know the very best music and must have art. But you need grand opera in English in all your cities. Without that you will waste all this rich talent that is yours."

Miss Nellie Horton of Fort Worth, Tex., has been elected treasurer and secretary of the Farmers Union of the State. She has just passed her twenty-fifth birthday. The Farmers Union is said to have upward of 250,000 members.

SHEAR WIT

She: "Whoever started the habit of calling a boat 'she'?" He: "Probably the first man that tried to steer one."—Century.

What's this? Methuselah 900 years younger than the Bible reports? If this is true, how old was Ann?—Yonkers Statesman.

Wantano: "Why do you call that boy of yours 'Flannel'?" Duzno: "Because he just naturally shrinks from washing."—London Tit-Bits.

Farragut had just lashed himself to the mast. "Much safer than getting nailed to the pole," he observed. Herewith it was pleased to note the absence of controversy.—N. Y. Sun.

Magistrate (discharging prisoner): "Now, then, I would advise you to keep away from bad company. Prisoner (feelingly): "Thank you sir. You won't see me here again."—Lippincott's.

Jones: "That young man who plays the cornet is ill." Green: "Do you think he will recover?" Jones: "I fear not. The doctor who is attending him lives next door."—London Spare Moments.

Typographical errors are often amusing. T. P.'s office prints an excellent one. The editor wrote: "When Mrs. Jones lectured on 'Dress' she wore nothing that was remarkable." How the compositor came to the conclusion that this should read "When Mrs. Jones lectured on 'Dress' she wore nothing. That was remarkable" is a mystery.

There was a backward student at Balliol who, for failure to pass an examination in Greek, was "sent down." His mother went to see the master, the late Dr. Jowett of Oxford, and explained to him what an excellent lad her son was. "It is a hard experience for him, your daughter," said the master, "but he will have the consolation of religion, and there is always one Book to which he can turn." Dr. Jowett eyed her a moment, and then answered: "Yes, madam; the Greek grammar. Good morning."

John Winslow spent his honeymoon at Niagara. He left the bridal apartment late one night to bathe, and on his return knocked, as he supposed, on his wife's door, calling softly: "Honey!" There was no answer. Winslow knocked again. "Honey!" Still no answer. Winslow thundered on the door. "Honey!" he cried, in a voice of agony. Then a reply came at last. "Sneek, you bloomin' idiot!" a male voice growled. "This is a bedroom, not a blooming beehive!"—Washington Star.

Count d'Orsay, on his first visit to England, chanced to be seated at dinner next to Lady Holland. That remarkable and many-sided woman was in one of her imperious humors. She dropped her napkin. The count picked it up gallantly. Then he forked, then he forked, then he forked, and, as often, her neighbor stooped and restored the lost article. At last, however, the patience of the youth gave way, and, on her dropping her napkin again, he turned and called one of the footmen behind him. "Put my plate on the floor," the count said. "I will finish my dinner there, it will be so much more convenient to Lady Holland."

When the United States fleet entered Asiatic waters during the famous round-the-world voyage, a small cruiser was sent ahead to a Chinese port on the official business of the fleet with the cruise. Upon arrival the ship's officers were invited to dine by a Chinese mandarin, and during the meal one of the officers wished a second helping of a certain savory dish which he supposed was duck. Not knowing a word of Chinese, he therefore extended his empty plate, remarking with smiling approval: "Quack! quack! quack!" But the officer's appetite failed him suddenly as his host, with a twinkle of slant celestial eyes, shook his head with simple but horrifying response: "Bow! Wow! Wow!"—Harper's Monthly.

THE COLLEGE SPIRIT.

The October Lippincott's is responsible for the following story:

In the course of a recent dinner of college men, at which the "college spirit" had been extolled, this story followed an unusually impassioned speech dealing with the manner in which the alumni stick together and help one another out:

Smith, a graduate of Yale, was middle-aged and hard up, so in his distress he determined to appeal to the generosity of Jones, his old-time classmate, now a prosperous business man. Going to Jones's office, he sent in his card to the great man, and was promptly admitted.

He found his old friend Jones seated at a fine, big mahogany desk. The furniture and rugs were of the most expensive sort, and the caller experienced a feeling somewhat akin to awe as he contemplated all these evidences of prosperity. The great man first pressed one of a long row of mother of pearl buttons that occupied one side of his desk, dismissed the clerk who responded, with a few whispered instructions, then turned to Smith:

"Hello, old man! I'm real glad to see you. Why, I haven't laid eyes on you since class day. How are you, anyway?"

"Prosperity hasn't spoiled my old classmate," said Smith to himself. Then he opened his heart, telling Jones all his troubles: how he had had a wife and three children, a happy home, and a good-paying business, but the children died, one after another, his wife became an invalid and also died; his partner swindled him; he first mortgaged his home, then lost it; now he was "down and out."

As Smith talked he was carried away by the recital of his woes, and the tears ran down his face. Jones was similarly affected, and when he pushed one of the mother of pearl buttons his caller was sure that help was at hand.

In answer to the ring a darkey of imposing size appeared and stood at attention. To him Jones said, "He's choked with emotion."

"George, put this out," said Jones. "He's breaking my heart."

INVENTOR OF "BILLIKENS" A WOMAN.

Miss Florence Pretz of Kansas City is said to have already made a small fortune by the sale of the good luck tokens known as Billikens. Miss Pretz is described as a young artist who before her creation of the saucy clay image had never been able to do any work with a marketable value. While all her little world acknowledged her artistic ability no one would buy the fantastic Oriental drawings that she turned out. Her first lot of Billikens were taken to Chicago by a friend who promised to try to sell them. They met with such ready sale that the friend wrote back advising that others be made and sent as quickly as possible. Within a month the little images were the talk of the town and orders were coming from almost every state in the union. With the proceeds of their sale Miss Pretz was able to carry out a long cherished plan of having a studio in Chicago and being able to work under the best teachers.

TO HELEN.

By Edgar Allan Poe.

Helen, thy beauty is to me

Like those Nemean barks of yore,

That gently, o'er a perfumed sea,

The waves, away, waver, grander bore

To his own native shore.

On desperate seas long wont to roam,

Thy hyacinth hair, thy classic face,

Thy Naiad airs, have brought me home

To the glory that was Greece

And the grandeur that was Rome.

Lo! in yon brilliant window-niche

How statue-like I see thee stand,

The agate lamp within thy hand!

Ah, Psyche, from the regions which

Are Holy Land!

OUR SCHOOL FOR CITIZENSHIP

A Law and How It Is Made.

A law is a rule of conduct. That is all it is, but to be effective it needs to be prescribed by some power possessing sovereignty over the person for whose conduct the rule is prescribed. There is a difference of opinion among experts as to where and how law originated, but it is the old issue of which came first, the egg or the hen, only in a different form.

The most common assumption is that law had its origin in custom, that people in their associations with each other came to lay down certain rules for one another's guidance as well as their own. Their own preservation depended upon their so doing, and these customs were by and by recognized as having the force of law, and then they became law. That process is going on about us every day, and courts recognize and enforce such customs as grow up in new departments of life.

There is another theory that, first of all, a law must have been in the form of a judgment. That the head of the tribe or clan, having some disturber brought before him, pronounced judgment upon him and, in doing this, was guided by what other heads of clans or chiefs of tribes had done under similar circumstances, and so law had its origin in precedents, of the binding quality of which we hear so much popular complaint. In all of our human relations, few acts or customs have greater warrant than that it has been so ever since before anybody can remember to the contrary. Our lives are mainly ordered by customs and usages that have come to us few know whence or how.

After these customs, or original judgments, whichever doctrine of origin we accept, it is important enough to justify it, laws finally get crystallized into statutes, and the statutes into codes. Statutes are carefully worded statements of these rules of conduct. Sometimes they are made and promulgated through an autocrat, as in Russia; and sometimes through a parliament, congress or legislature, as in most of the civilized countries of the earth, but especially so in England and America, where statutes come in no other way.

Codes are logically arranged in abbreviated statutes. Statutes are generally arranged in the order of their enactment and are not easy to find. When one wants one of them, and does not know in what year it was enacted, and in what volume to look for it, he has a good hunt on his hands. The codes are arranged according to subject and as conveniently as possible for quick reference. When so arranged by a commission or expert, the code provisions are generally re-enacted into law and so given all the obligation of the statutes from which they were compiled.

There is another very prolific source of law-making that the native modesty of courts, and the legal fiction that courts do not make but only construe law, prompt them to disclaim, and that is the law of judicial decision. In construing law, that is, in explaining it and fitting it to the needs of each case that comes before them, the courts make as much law as the legislatures and, all things considered, much better laws, more reasonable and more just than legislatures can make, but they do not like to be accused of doing this and resent at all times the imputation. It is good that the courts do make law, for codes and statutes are inflexible things and difficult to make fit the innumerable forms in which human ingenuity contrives to inflict wrong. The courts bend and twist, tuck and let out, until the statutes are made to fit somehow if any how.

Not all statutes are reduced to the codified form, but only those that fall under four general heads. The rest of the law, and there are great volumes of it reaching back to the organization of the state government, is to be found in the statutes as enacted, amended, repealed and re-enacted again, it may be, a bulky volume following each legislature, and growing more bulky session after session. For in-

stance, there were fifty changes made in the school laws of California, some of them far-reaching, by the last legislature, and yet this was only one-third of the number of changes proposed to be made by different bills introduced, but which failed of enactment. This shows the shifting character of our laws and statutes and emphasizes the need for a legal profession to help the ordinary citizens to straighten out the tangles they get themselves into.

The codes of California are, first, the Political Code, which has to do with the framework of government; the Penal Code, which commands what is right and forbids what is wrong and metes out penalties for transgressions of the law; the Civil Code, which deals with the relations of citizens toward one another; finally, the Code of Civil Procedure, which provides how, with what legal machinery and by what orderly processes, the business tangles which men get into with each other may be straightened out in courts of law. It may be profitable to devote a lesson to each of these codes by and by, but our next lesson will be on the legislature and how it does its work.

COUNTIES COMMITTEE MEETING.

The twelfth semi-annual meeting of the counties committee of the California Promotion Committee, which is to be held at Visalia Saturday, November 13, will have for its theme a subject that will deeply interest every one in California. The development of the fruit growing industry has meant much for the development of the state and at Visalia representatives from all parts of California will discuss "Horticulture in California."

There will be a wide range of topics, each having for its exponent a man especially fitted to talk on the special subject. These will include not only the industry of fruit raising, but also the allied industries of curing and preserving fruits. Arrangements are already being made to have this one of the most enthusiastic and successful meetings.

STATE NOTES.

Fred E. Unholz has sold the Ontario Record to S. W. Wall and P. W. Tournison, and it will henceforth be published by them.

In order that a mile and a half of the bed of the Trinity river, in Trinity county, may be mined for gold, a tunnel has been constructed at a cost of \$125,000 and the river will be diverted from its course.

Up to October 12 of this year 12,053 carloads of fruit had been shipped from Sacramento. At the same date last year the number of carloads that had been shipped was 10,481.



A WORD TO THE PARENT

Educate that boy of yours for business :

- ☞ IT IS HONORABLE.
- ☞ HE WILL BE LOOKED UP TO.
- ☞ HE WILL HAVE SPLENDID PROSPECTS.

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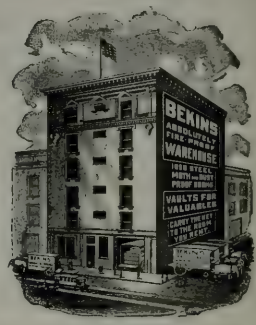


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This Week: "HYDRO-ELECTRIC POWER IN CALIFORNIA."

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The Issue Is Heney, Not McCarthy.

THE ELECTION OF P. H. MCCARTHY to the mayoralty would be unfortunate. The defeat of Francis J. Heney for district attorney would be a disaster. The Heney candidacy is the paramount issue. Therefore the slogan, "anything to beat McCarthy" is fraught with danger. San Francisco is engaged in a supreme effort to establish equality before the law for rich and poor alike. Unless that can be achieved we have no government worthy of the name and no civilization that has a right to endure. The Declaration of Independence is made a lie, the Constitution of the United States a fraud and the Constitution of California like unto it. The election of Heney being the supreme issue the acceptance or rejection of every other candidate should be determined by that issue. Those who are for Heney will wish so to vote as to uphold his hands if elected. They will vote for a board of supervisors that will furnish the sinews of the war for equality and for a candidate for mayor who will exert executive power to the same end. The voter will find such a list of supervisors on another page of this paper in our Political Table Talk. He will find such a candidate for mayor in Dr. T. B. W. Leland, and none other.

Crocker or Leland, Which?

P. H. MCCARTHY WILL BE ELECTED mayor of San Francisco if honest Republicans and Democrats stand stubbornly for the nominees of their respective parties until the votes are all in. The dishonest members of both parties will vote for McCarthy. Manifestly the weaker of the two, Crocker or Leland, should be sacrificed to the stronger to save San Francisco from the McCarthy disgrace. Which shall it be? Prima facie Leland should be sacrificed because there are more Republicans than Democrats in San Francisco, but the truth lies deeper than surface indications show. Party will count for little in this election. It should count for nothing. No party issue is involved and only the demagogic bellows for party loyalty in this crisis. Nor is the issue one of men. Both Crocker and Leland are unobjectionable as men and neither of them is preeminently fit above other men. Therefore it is a question of what the men stand for. Doctor Leland stands for the continuance of the graft prosecutions until the law has done its uttermost to establish equality before the law. Mr. Crocker may beat about the bush as much as he likes, but his whole support stands for confessing the prosecutions a failure and for the quashing of the indictments against our malefactors of great wealth. That is what the demand for "civic peace" means if it means anything. Hence every man who stands for Heney and his cause should vote for Doctor Leland and the same cause. Every man who wants the prosecutions to cease will vote either for McCarthy or Crocker. The path of duty is so plain that the blind should be able safely to walk therein.

Fighting For What It Already Has.

THE STAR SUPPORTS MCCARTHY for mayor because, "He stands for the democratic principles (Initiative, Referendum and Recall) that will, when adopted, insure government of the people, for the people and by the people." Bless the Star's luminous soul, that battle was fought and won for San Francisco with the adoption of the new charter ten years ago. Why fight for what you have already got? Has James H. Barry been asleep these ten years? Sections 20, 21 and 23 of Article II provide for that holy democratic trinity. The California Weekly favors initiative, referendum and recall in all those things in which they may profitably be employed, but of one hundred affairs of government

scarcely one can be determined by either one of the three. In the ninety and nine cases government must be representative, and, to that end, this paper favors the election of few officers and the appointment of many. The few great questions of policy must be determined by the people. The many less important must be left to the few. Social order will break down under any other system.

The Basis of Our Faith.

THE CALIFORNIA WEEKLY HAS FAITH TO BELIEVE that Heney and Leland and a good, strong board of supervisors will be elected on Tuesday next. The basis of that faith is this: That an aroused public sentiment anywhere in America can be depended upon to measure up to the highest requirements of manhood. Public sentiment in San Francisco is aroused. Whenever it has been aroused it has done the right thing and has done it bravely and well. The voter alone in his booth with his ticket and his God has, in a good majority of cases, honored his God in stamping his ticket. It is to the voter who obeys neither his party nor his boss that the honor of San Francisco is committed. The California Weekly believes it safe in his hands. Therefore the coming of next Tuesday is looked forward to with calmness and in confidence that a substantial victory for equality before the law will be achieved.

A Bay Cities Event.

WHILE FELICITATING OURSELVES upon the success of San Francisco's Portola celebration let it not be overlooked that all the bay cities took hold loyally and joyously in helping to make the event a success. Sometimes big men have small spots in them and the same is true of big cities. In a larger sense all these bay cities are one city and bickerings between them are like bickerings in a family, destructive of good breeding. Oakland did her part well and will do it again. San Francisco is duly thankful and will reciprocate when opportunity offers. The bay cities are one city in purpose and enthusiasm for all.

Are the People Incurable?

A SQUARE DEAL FOR THE RAILROADS was demanded by our Big Pacificator in an address to a waterways convention at Corpus Christi, Texas. He lamented that people who would go to any extent to induce a railroad to come to their country, once there, would deprive such railroad of reasonable profits through prejudice. That is a severe arraignment. Are we, then, a perverse generation? Do we, as a people, smite the hand that feeds us? Or did the President, with an unconscious simplicity, explain the situation better than he knew when he went on to say that, "Scarcely a friend to a railroad can be found anywhere except, perhaps, in the local (city) council." If friends to the railroads are to be looked for only in local city councils, boards of supervisors, legislatures and nowhere else may it not be because the railroads have sought to elect their friends to such positions to the detestation of everybody else? When and where was an usurper of governmental functions loved? When did usurpation of the prerogatives of government excite in the breasts of freemen any sentiments except those of scorn, resentment and, sometimes, also of revenge? In our judgment the American People are neither perverse nor incurable, nor would they knowingly deprive any railroad of a reasonable income upon an honestly stated investment. The President might, with greater propriety, have demanded a square deal for the people from the railroads, and with particular reference to their looking for friends elsewhere than in local councils, legislatures and courts.

OUR DOUBLE-BARRELED PRIMARY.

It is commonly understood that our new direct primary law does away with conventions. Such is not the fact. Conventions are still to play an important part in our political life.

There are two very distinct functions which the new direct primary law undertakes to perform. One is to nominate party candidates for offices to be voted for at general elections. The other is to elect delegates to party conventions to be held for controlling party management and declaring party principles. The second function is as important as the first. Whoever controls the party in power will control the government and whoever controls the party conventions will control the party in power.

Under the convention system that formerly obtained the platform of principles was made before the candidates were nominated and each candidate had an opportunity to know beforehand upon what platform he was expected to stand. If his principles were such that he could not approve then he could refuse to be a candidate for nomination. Under the new system the candidate will not know what his platform is to be like, or whether or not he can stand on it, until from two to four weeks after he has received his nomination.

Voting constituencies are going to know what their candidates stand for before they nominate them. Suppose, then, that the conventions are so manipulated as purposely to make platforms upon which certain candidates will find it impossible to stand because inconsistent with pledges already given to the constituencies that nominated them. What then? Will the candidate stultify himself before his nominating constituency or disregard the platform of his party? We may be sure that men who make politics a profession will not fail of making the most of this opportunity to confuse the campaign of a candidate whom they wish to have defeated, and there is nothing easier than to manipulate a resolutions committee. This, in part, serves to show how important it is going to be not to overlook the convention feature of the direct primary law or permit it to default into the hands of crafty politicians.

Besides, it is the first concern of special interests to secure control of party machinery no matter how small or inconsequential any party may seem to be. By virtue of possession of the executive machinery of the Republican party in California Mr. Herrin has been able to designate who shall fill positions on the federal bench and, during all the years of Mr. Roosevelt's presidency, Mr. Herrin was able, for the most part, to turn out of federal offices the friends of Mr. Roosevelt and to put in their places men covertly, if not openly, hostile to Roosevelt and his policies. We must look well to our conventions or the Southern Pacific's political bureau will continue to do exactly this under our direct primary system.

Finally, some form of public pre-primary caucus or convention is inevitable for naming candidates to be voted for at our primaries, else the whole system will become the sport of crafty manipulators. In short, we are far from having done with conventions and the sooner this truth is realized the safer will the public interests be.

AN IMPENDING CONFLICT.

For three score years there has been unbroken peace between this country and Mexico. When, by the treaty of Queretaro, we placed our southern boundary at the Rio Grande and west to not far north of the head of the Gulf of California, taking to ourselves California, Texas and the great southwest, we were sated. Since then we, as a people, have known little of Mexico or its people; what it

THE STAFF

A. J. PILLSBURY..... Editor and Manager
A. WATERHOUSE..... Assistant
E. FRENCH STROTHER..... Assistant
V. E. FRANKLIN..... Business Manager

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Subscribers wishing their addresses changed should give their old as well as their new addresses.

and they were doing or becoming, and we have cared less. Our outer garment has not been pinching under the arms and we have been able to stretch our legs from ocean to ocean. We have been racked with growing pains only and have not been cramped for room in which to grow.

The profoundest fact in our 300 years of civilization has been free land. As long as that lasted radical differences in condition among the people rested only upon differences in mental and moral constitution. The common man could not be oppressed. If pressure was anywhere sought to be applied the free farms that Uncle Sam had to give relieved the tension. Men could go west and be free. Those free farms are all gone and Secretary Ballinger declares that lands made habitable through reclamation are not for poor men. Where, then, shall poor men go? They are pouring now into the southwest at the rate of 200,000 a year, and the stream is augmenting. Will it stop at the Rio Grande?

We are beginning to learn things about Mexico. Our financiers have invested hundreds of millions in the railroads and mines of that country. The government of Mexico exactly suits Big Business. It is autocratic. It recognizes gentlemen on sight and makes the proletariat keep its place. Strikes are little known and disturbers are pricked into quiescence with the bayonet. It is a strong government and property rules. Rich subsidies are passed out to favored adherents and those who give Diaz what he wants get what they want.

But the American people are learning things about Mexico. John Kenneth Turner, a little spectacularly, perhaps, but with essential truth, is turning the light upon more abominable practices than slavery in our own south ever inflicted upon a defenseless people. Conditions which obtain in Mexico are going to become more intolerable in our eyes than those which obtained in Cuba. The American appetite for information about Mexico has been whetted and not all the power of Diaz and his soldiers can prevent a searching showing up. Herman Whittaker's "The Planter" may prove to be the "Uncle Tom's Cabin" of the Yaquis and the peons.

Meantime the old autocrat, Diaz, cruel as the Indian blood in his veins can make him, is growing older. He can not last always. In anticipation of his death or the weakening of his grip on affairs, all Mexico is in a ferment. The DeLara incident is only a forerunner. While we shall not permit Mexican anarchists, or even revolutionists, to make our land a base of operations against a neighbor with whom we are at peace, American sentiment will not tolerate the returning to Mexico of political refugees that they may be shot at the whim of an autocrat more unrestrained than the autocrat of the Russians.

Meantime a great human flood pours from the Middle West into the Southwest in search

of new homes. Will it stop at the Rio Grande? If it crosses over will it become Mexican? Not much!

THE SALOON-KEEPERS' SALOON ORDINANCE.

The saloon-keepers of San Francisco are to be given full credit for knowing what they want and why they want it. Nor are they disposed to suffer the reformers to monopolize the initiative. They have asked the people of San Francisco to give them just the sort of saloon ordinance they want. What is it? It is to be voted up or down on Tuesday next and everybody should know.

It makes the \$500 a year license permanent unless changed by a referendum vote. The license fee should be raised as the revenues of the city require it and upon no account should it be less than \$1,000 per year for a saloon and \$1,200 would come nearer to making whisky pay what whisky costs the community, a sound regulative doctrine, and as fair as sound.

If adopted this ordinance will take from the Board of Supervisors all power to amend the ordinance in any particular to prescribe regulative resources, determine hours of closing, or to have other control over an evil that needs, at all times, to be under a control of the most vigilant character.

If adopted it will take away from the police commission the chartered power to refuse to grant a permit for a license if for any reason the granting of a permit would be opposed to the public interest.

It injuriously restricts the power of the Police Commission to revoke a license where the public well-being requires such revocation, the most salutary remedial measure yet devised for making saloon-keepers obey the law.

The submission of this ordinance was procured through misrepresentation. Many of those signing the referendum petition were assured that it only sought to make stable the \$500 a year license fee, but, alas, it was full of jokers only recently discovered. Its adoption would be a calamity. Vote it down.

Among the things for which San Franciscans are forced to apologize with humiliation is the backwoods, frontier, old foggy treatment of the saloon in this city. Not counting places where liquors are sold with meals, there are in San Francisco, in round numbers, 1,800 licensed retail drinking places, or approximately one for each 250 inhabitants. To have more than one for each 500 of population is a disgrace to any civilization and one to each thousand people would be life-saving stations enough for a section of the great American desert and an undreamed of godsend to the Sudan. It is a poor time, when only a single forward step has been taken, to vote the present status into the organic law of the city.

And notice may well be served upon the saloon interests that, if they crack this ordinance through, those who oppose their domination of San Francisco may also avail themselves of the initiative provision in the charter and go to the public with a rational, progressive, restrictive ordinance that will focus the moral sense of the nation upon the issue. There are many who are weary of having to apologize for saloon rule in the Queen City of the Pacific.

THE SPIRIT OF ITO.

With the assassination of Marquis Ito there perished one of the great men of our time. No truer patriot than he ever fought, thought, struggled, stood steadfast through evil report and through good, endured adversity and success, and finally died a martyr to country.

This world is to be governed by those fit to govern it. There is not a land under the sun which, if it abdicate the responsibilities of sane and safe government, will not pass into hands fitter to control. The needs of the race

transcend all legalities. Inheritance, lines of descent and immemorial custom can not prevent the progress of the world.

Ito was one of the first of his compatriots to perceive this truth and he threw himself into the regeneration of his own country regardless of consequences to himself. He made himself at once the Washington and the Jefferson of Japan and, more than any other man, helped to make his country a nation and to give it an equal station with the other nations of the earth.

Korea, by its slothfulness, cowardice and imbecility, forfeited its right to be a separate nationality. Japan fought its battles for it, contended over its prostrate body with both China and Russia, and finally, in very self-defense, took it under Japan's own protection. Ito was sent to Korea to bring order out of chaos and he did it. He will prove to have been the regenerator of Korea as well as of Japan.

For this he was slain. The spirit of the reactionary is the spirit of the assassin. It hates implacably. Manchuria was perhaps to come next. Why not? Russia has shown its incapacity to govern wisely and humanely. China is still a hulking mass of superstition and incapacity with only a promise for better things. Japan gave China a whipping with no other purpose than to arouse her out of her sleep of twenty centuries to make her take her equal station with the nations of the earth, foreseeing that dismemberment must follow if China did not. Japan has never stood for the dismemberment of China proper.

And in what attitude are we of America viewing this splendid drama? Judging from the tone of our daily press we are viewing it from the standpoint of peanut politics. The predominance of Japanese influence in Korea and Manchuria is in line with the progress of the world and a human uplift where such an uplift is needed. Why may not Japan build railroads in Manchuria if she can obtain the capital for it? What possible objection can we have?

Are we afraid of the open door? Are we afraid that Japan will take to herself the supplying of all the wants of the Chinese and Korean millions? Japan could not do that if it wanted to. It isn't big enough and has not hands enough to supply half the wants of those countries. The more Japan opens up Manchuria with railroads the more opportunities will Americans have to push their commerce into that country, if ever American manufacturers think it worth their while to divert a part of their attention from cinching their own people to giving heed to foreign markets and the wants of foreign consumers.

Let not Americans be less broad, less generous, less alive to the paramount human interests of the world, than the Japanese. If we had more of the spirit of Ito in our own national politics we should be the better for it. Let us not worry about that open door. It was opened to stay open. To stand for its being kept open we shall be able to count on British influence as certainly as upon American, and upon Japanese influence as certainly as upon British. These three nations have from the first stood shoulder to shoulder for the open door, and not one of the three will attempt to close it.

THE BLOOD OF MORRIS HAAS.

Whose hands are stained with the blood of Morris Haas? That is an issue which those arrayed against the graft prosecution have again forced upon the attention of the voters of San Francisco and, this time, they have done it under cover of sympathetic women.

Suppose that Mr. Heney did blunder. Suppose that he was less considerate of the reputation of a man without reputation than he

might have been. Does that convict him of unfitness to continue the great struggle he has so long maintained for the equal vindication of the law? If he blundered he paid the price of it and came near to paying it with his life. Let it be remembered, however, that the defense was seeking to pack the jury with men of bad character, men who would swear well and truly to try defendants when, in fact, they were going upon the panel forewarned to undo the prosecution and the state. Let it be remembered that an exposure of their purpose was essential to a public understanding of the truth, and that opportunity came to make that exposure in the person of a convict. Who shall say, that the demands of justice did not require that the truth be brought out at whatever cost?

But whose hands are stained with the blood of Morris Haas? If he was not hired to kill (because he had a grievance that might be made the excuse for killing), as Pandovaris and Claudius were hired to kill, and by the same malign influence—if he was not by that influence murdered to prevent his "squealing," then the blood of Haas is upon the hands of those careless officials who inadequately searched him and not upon the hands of Heney.

Morris Haas had been a thief and it was his own bad aim that prevented him being a murderer. The idyllic family life portrayed by the circulars being sent out did not exist. It was to another woman and not to his wife that he gave his confidences. He was morbid, unwholesome, drunken and criminal. To drag this miserable being from his grave to render service in this campaign against the power of the law to vindicate itself is not less cruel to the family of Haas than the act of which the circulars complain, taken at its worst. The blood of Haas is upon the hands of those who would have used him to advance their own ends and aims. Francis J. Heney was not of that ilk.

No Graft In San Francisco Now.

The Chronicle rejoices that there is no graft in San Francisco now, that "Since the unseating of Schmitz and Ruef and their satellites, nearly three years ago, San Francisco has been the most honestly governed city in America." By virtue of whose efforts has this great good come to San Francisco? By those of Spreckels, Heney and Burns. These are they who turned the rascals out, set up a clean government in their stead, procured the nomination and election of a new non-partisan city government and made it possible for San Francisco to be rebuilt without being preyed upon at every turn by a horde of official thieves aided, protected and shared by a police force in the same hands. It is only when these men propose to finish their work and send to state prison those men whose ill-gotten millions made grafting profitable alike to briber and bribed that the Chronicle wants to "stop knocking" and pull for "civic peace."

Ruef's Transcript on Appeal.

After being bid on by a number of printers the contract has been let for the printing of the transcript on appeal of the case of The People vs. Abraham Ruef. It will contain about 1500 pages, the equivalent of about forty volumes of 400 pages each, and the printing will be upward of \$12,000. The document will contain, in round numbers, 5,000,000 words, and the volumes, set on end in front of the First District Court of Appeal, will fully occupy Dr. Eliot's five-foot shelf designed to contain the cream of the literature of all time. Is it a wonder that the wheels of justice are clogged and the courts overburdened when such monstrosities are permitted to be inflicted upon the judge?

The Deeper Significance : : : : of Living : : : :

"It is an insult to a young man whose soul is stirring in him, and to whom great aims are calling from the ends of the earth," declares an editorial in the New York Outlook, "to offer him a fortune and tell him to go off and be happy."

And yet how many young men would like to be insulted in just that way of all ways!

But would they be young men whose souls were stirring within them? Would they be young men who hear great aims calling from the ends of the earth? There are young men who would accept the fortune gladly, but not that they might go off with it to be happy. Unless they were the merest novices in philosophy they would know that the way not to find happiness is to go in search of it. They would know that happiness is never an end within itself, but always an incident to an end. A young man who hears the ends of the earth calling to him may find happiness in finding gold away off in the snow and ice of Alaska, but he will never find gold in striving to find happiness.

Look and Fenny found happiness standing at Ultima Thule where, as they believed, man had not stood before, and because men had not stood there before. All about them were frost and ice and desolation and hardship. A great place, was it not, to look for happiness? But they had heard great aims calling from the ends of the earth.

Only be sure that the soul of a young man is stirring within him, and that he hears great aims calling, and it will be safe to trust him with the greatest fortune that human rapacity ever piled up. There will be no danger of his becoming a social butterfly, a "good thing" at the club, a debauchee and, finally, a misanthrope if not a suicide. Any young man who would accept a fortune, merely that he might be made happy in the self-indulgence which a fortune would afford him, must never have felt the stirring of the soul within or heard the call of a great aim. It is Luke who tells us that when Mary came to Elizabeth the babe in her womb leaped for joy and Elizabeth herself was filled with the Holy Ghost. So is it with all young persons, male or female, who feel the soul stirring within, who hear the call of a great aim. If lifts them above themselves. They walk with their heads in the skies. Their feet are winged like the feet of Mercury.

How dead a thing is that soul into which there comes no stirring of the enthusiasms! How deaf are those ears that hear the call of no aim above that of the gratification of physical appetites! There are such people. They go in troops down all our streets. Their highest concept would be to have a fortune put into their hands with which to gratify their bodily lusts and appetites. They worship at the shrine of chance. If there be lotteries they spend their all on tickets and then dream, if they can, of some lucky number that shall lift them above the need for toil, or they make their investments on the turn of cards, or, if nothing of dice, the pools at the racetrack, and, if nothing more promising comes their way, they content themselves with feeding nickels into slot machines; but at no time will they settle down to figure out the probabilities of a legitimate investment or build their hopes upon a prudent and industrious life.

We are told that there is a form of sin which, if the soul commit, it shall not be forgiven it here or hereafter. Perhaps the smothering of the stirring of some worthy enthusiasm within the soul may not be that sin, nor yet the turning of a deaf ear to the call of some great duty or aim, but this they do know: The soul that has never stirred, and the ear that has never heard the call to some purpose higher than being happy, was dead from the beginning. Hence the need for kindling dormant enthusiasms in the breasts of the young. Hence the freighting of every wind that blows with calls to noble aims that some listening ear may hear and answer, "Lord, here am I."

WHAT THE WORLD IS DOING

Railroad Business Indicates Prosperity.

When, after a season of business stagnation, railroad affairs pick up, there are large shipments of commodities and many people are traveling. It is at best of indications that better times are at hand, for the commerce of any country is in the veins of its organized life. Recognizing the foregoing as the statement of a truism, the people of the United States are entitled to congratulate themselves that much-heralded prosperity is close upon them. Railroad men report that the vast volume of business that has been booked is necessitating tremendous outlays for new equipment for their lines. During the second week in this month the orders placed for cars and locomotives aggregated \$8,650,000. Mark that this was in one week. These included orders for 310 new locomotives, approximately valued at \$4,650,000, for the Baltimore and Ohio, the Erie and the Norfolk and Western railways, and the Baltimore and Ohio alone will place orders for 250 engines. The New York Central is having 4,000 steel cars of the gondola type manufactured at a cost of about \$4,000,000. Orders for 100,000 steel cars and 110 locomotives had been placed recently, but prior to those above noted. All these orders, it should be remembered, are based on the necessities of the business and in response to its imperative demands. Bearing these things in mind, it requires neither a prophet nor a son of a prophet to foresee that prosperity even now is at our door.

Our Facilities for Wired Conversation.

More and more man is conversing over the wires, and it is a natural inference that his facilities for doing so must be enlarging rapidly. The inference is sound; they are. In 1880 the telephone companies of the United States operated 34,305 miles of wire. Twenty-seven years later, or in 1907, the mileage of their wires had increased to more than 13,000,000. They had multiplied by 400 their capacity for reaching the people. In addition to this 13,000,000 miles of wire, the telegraph companies operated about 2,000,000. Fifteen million miles in all; enough to put a belt of lightning 600 times around the earth at the equator—and all to give little great man an opportunity to converse with greater facility! Then, too, there is the wireless. Oh, our chance to talk is not very limited. Of the telephone companies' 13,000,000 miles in operation in 1907, which amount must have been largely increased before now, more than 8,000,000 miles began operation within five years prior to 1907. In that year the mileage of the telephone companies was eight times as great as that of the telegraph companies, while in capacity invested, business transacted and wages paid the telephone companies exceeded their competitors by three and one-half to one. Fifteen million miles for talking purposes! Is it no longer true that "silence is golden?"

To Set the Briton Talking.

W. T. Stead, one of the most spectacular of journalists, who looks with deprecation upon his countrymen's unsocial attitude toward the world in general, has evolved a plan for dissipating the Englishman's taciturnity and making him a social creature. With this object in view, he has established what he calls the "flag section" of the Roundabout Club, of which he is president. Every member of this section wears in his buttonhole two miniature flags, one English and one that of some foreign nation. These flags indicate that the wearer is willing to converse with anybody, civilly answering civil questions, for instance, without the prior formality of an introduction. If, at any time, the wearer is too occupied for conversation, all he need do is to turn the foreign flag. This flag indicates that an inquiring world of his preoccupation. In order that the palpable advantages of this plan—in England—may not be confined to

the Roundabout Club, the great British public is invited to wear the flags at its pleasure. The scheme appears to be a good one; travelers in England say that it is much needed, and it remains to be seen only whether it will work. Perhaps it will, but British reserve is British reserve, don't you know.

The Difficult Japanese Language.

The study of the Japanese language as light intellectual employment for the spare hours of the winter season is not recommended. It would be found that the employment is all but enough, but the lightness would be lacking. Even a Japanese finds it difficult, but it is not far this side of impossible for a person of Anglo-Saxon lineage. For example, consider the nature of the alphabet, which a Japanese child is seven years in acquiring and then he by no means has learned it perfectly. First the student must familiarize himself with 214 signs, and each one of these bears about the same relation to the alphabet that the initial letters of an English dictionary do to its contents. In other words, it is necessary to know the 214 signs in order to be ready to acquire the alphabet. Again, the Japanese practically have two languages—the written and the spoken—so that in reading one virtually has to translate what one reads into the oral language in order to make oneself generally understood. The alphabet really is one of ideographs, and in order to read one of the better Japanese papers it is necessary to understand at least 2,500 to 3,000 ideographs, while a larger number would be decidedly useful. In short, the Japanese language, in its written expression, is the most conservative feature of Japanese life today, seeming far behind the needs of so progressive a people.

Are Gobelin Tapestries Passing?

The manufacture of Gobelin tapestries is a family affair. From generation to generation, through centuries, has been handed from father to son, and from son to grandson, the knowledge of how to weave this finest of tapestries, the pride of kings, long reserved as the decoration of royal palaces alone. So microscopically fine is the work that an average craftsman manufactures but a yard and a half of the tapestry in a year, while the best workmen can hardly more than double that amount. Now it is said that the art is likely to die entirely out, and at no distant day. Once there were 250 of these workmen; now there are but fifty-one. While fabulous prices are paid for the specimens of their art, the craftsmen themselves are being practically starved. On a recent visit to the factory Deputy Lehoucq, of Paris, who called the workmen martyrs to their art, found that after 10 years of labor the craftsman received \$320 per annum for his services, after 20 years \$480, and after 36 years \$600. These are the men whose tapestries sometimes sell for \$20,000 or \$30,000 apiece! Every year the number of the workmen decreases, and the reason why is evident enough. If the manufacture of these tapestries becomes a lost art, as it promises, it will be because the workmen make too little, and somebody else too much, on the labor they represent.

Steps Looking to a Canadian Navy.

It begins to look very much as if it would not be a great while until there will be a Canadian navy. It is semi-officially announced that the Dominion government will ask of the next parliament an appropriation of not less than \$25,000,000, to be used in beginning the construction of a navy. It is the intention of the government to build its war vessels in Canada, and also of Canadian materials. So runs the story, as it is told at Ottawa. Adding to the force of it is the fact that the greatest shipbuilding firm in the world, Harland & Wolff, of Belfast, Ireland, has decided to establish a branch plant in the Dominion, probably at Halifax, Nova Scotia, as that city

is the most available for the desired purpose. It is said, also, that a number of other prominent British shipbuilding firms are negotiating with the Dominion government with the view of establishing plants in Canada. All these things lend significance to the Ottawa report that Canada soon is to have a navy of its own.

The Diamond Mines of Arkansas.

Experts of the United States geological survey report that in the state of Arkansas are diamond fields of considerable extent. How rich they may be is yet indefinite, but, as people are beginning to take an interest in them, it is likely that more will be known about them soon. It is claimed, however, that up to the first of last July more than 700 diamonds had been found. Most of these were small and "off" in color, averaging only about \$10 a carat in value, but some have been found which, after they had been cut, were valued at \$175 a carat. The extent of the territory in which they may be found is yet unknown, but it is known to be of considerable size.

London's Tradesmen Lord Mayors.

Sir John Knill, who has just been elected Lord Mayor of London, is a wharfer, and this calls attention to the curious fact that London elects almost none but tradesmen to the highest office in its keeping. Sir John's immediate predecessor was a stationer.

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Taine's English Literature.

Naturally the best part of Taine's classic work on English literature is that which describes the golden age, the Elizabethan era of intense and general intellectual curiosity, of bold frankness of speech, of grand passions, an era when the palpitating emotions of men thrilled robust constitutions instead of shattering sickly frames. Taine's interest is sympathetic, his heart beats high and glad with the splendid rhythm of the age he depicts, his spirit warms to these burning barbarians who clothed their visions of life with the most gorgeous paintings of fancy in the most brilliant colors of nature. A full range of feelings, throbbing animal energy, a superb dash and courage, the spirit of sensitive yet self-confident youth, he finds to be characteristics of the age that produced Marlowe and Jonson, Beaumont and Fletcher, Bacon, Drake, Raleigh, and—most towering shaft of an imperial monument—Shakespeare, the poet, lover, dreamer, seer, prophet, searcher of hearts, most melodious and greatest of writers.

Taine's style cannot be described—vivid, laudatory, vigorous, eloquent, penetrating, ornate—all, and more than these. This Frenchman subdues his racial pride to bring to the altar of a foreigner the supreme tributes of a profound admiration. To the American reader he shows the height to which Anglo-Saxon genius once rose and may rise again, the summit achievement in the noblest of all arts, which is the reproduction of the fullest natural expression of abounding human life.

CONVENTION AND THE THEATRE.

The distinguished English actor, Forbes-Robertson, recently expressed the following pregnant ideas regarding one limitation of the modern stage and his theory of a proper remedy. He said:

"The modern tragedy is a new note in the theater. It compares sometimes favorably with the Greek play, which is the basic element of real drama, after all, but it has undergone a conventional vanishing that is a bit anæmic. One of the great modern plays revealed this to me, 'The Great Divide.' It was splendidly written, it had the broad sweep of Greek tragedy, and I felt the thrill of poetic drama in it, but I kept saying to myself, 'What is the matter with this? What is the matter with it?' Then I discovered that I wasn't interested in the woman. I wasn't sorry enough for her. Her resentment toward the man didn't seem justified, since he had married her. Of course, I learned afterward that the play had been changed to meet the conventions. Why? The conflict of her feeling, her sense of outrage against the man was reasonable, if he had not married her. Why alter the chief inspiration of the drama, since it was far more beautiful and sublime a conflict in human understanding as it was first conceived? That is an instance of the modern tragedy crippled by convention. Not that I want to see the theater used as a medium for crude actualities, but it must do what all art does, take us out of ourselves, not leave us depending upon ourselves to feel it.

"Once it was the theory, a theory very much tabooed in the theater, that the stage should accomplish what literature does. But the literary quality of the play should not be an objection to it. In fact if any effort in art deserves literary gift I think the theater does, but it should appear in the quality of literary reserve rather than literary expression. The stage is the rostrum of the spoken word, which is the most vivid of all artistic influence.

"But, after all, a play or a book should, and I believe does, depend for its value upon the beauty of its theme, the skill of its tragedy or comedy, or the spiritual sincerity of its symbolism.

"The theater is a reflection of the quality that is in the men and women who serve it; not in the selection of theme or idea."

A BOOK FOR THE CITIZEN.

"Government of American Cities" is the title of a valuable book by Horace E. Deming, of New York, chairman of the executive committee of the National Municipal League. Among other things, Mr. Deming has wisely set forth the pre-requisites of municipal self-government contained in the League's municipal program. As Mr. Deming has presented them they follow:

1. A city is not a province to be administered by some outside authority, but a government.

2. A city should have all the powers requisite to satisfy the local needs of the community within its corporate limits.

3. Within its corporate limits a city should be invested with all the powers of government not inconsistent with the State Constitution or general State laws.

4. The qualified voters of a city subject to the State Constitution and to general laws applicable to all the cities of the State—and, as a consequence, not liable to alteration or amendment at the caprice of the State Legislature—should be free to make and to amend their own form of local government.

5. The merit principle should be applied throughout the purely administrative public service of the city.

6. The structural plan of a city government should be simple, centering in a few officers responsible to the people.

7. The successful candidates for elective city office should represent the prevailing local sentiment upon the issues of city politics.

A NEW THOMAS PLAY.

Play-goers who saw Augustus Thomas' "The Witching Hour" will be interested in the New York Sun's synopsis of his latest play, "The Harvest Moon."

The action revolves around Dora Fullerton, who believes herself to be the daughter of a Harvard professor. Only he, his sister and one other know that the girl was born two years after he and his wife had separated, and under the domination of the aunt the girl has grown to womanhood, unhappy in the constantly invoked memory of her mother. This atmosphere of "negative suggestion" is noticed by a celebrated French playwright, M. Vavin, the girl's real father, who does not declare himself because of the affection between Dora and the professor. So Vavin sets about to counteract the aunt's influence, practically succeeds and the girl is about to marry when she learns of her doubtful parentage. Vavin's restoration of her self-confidence and ultimate disclosure of his identity finish the development of the play.

Californian Poets' Corner

SCIENCE.

By Ambrose Bierce.

The lines entitled "Science" were contributed by Ambrose Bierce to the *Overland Monthly* before he had become famous as a writer. When he printed a column of verse some years ago, he did not see fit to republish this poem.

The winds of heaven trample down the pines.
Or creep in lazy tides along the lea;
Leap the wild waters from the smitten rock,
Or crawl with childish babble to the sea;
But why the tempests out of heaven blow,
Or what the purpose of the seaward flow,
No man hath known, and none shall ever know.

Why seek to know? To follow Nature up
Against the current, why, who cares?
Vain is the toil; he's wisest still who knows—
All science is but formulated prayer—
Prayer for the warm winds and the quickening rain,
Prayer for sharp sickle and for laboring wain,
To gather from the planted past the grain.

FROM THE LAWYER'S BAG.

The humors of legal coincidences are discussed by a writer in the Cincinnati Enquirer who found many odd titles of lawsuits:

There is sometimes much that is humorous or comical indicated by a fortuitous juxtaposition of names. Example, Call & Settle, a firm of tailors. A recent law journal has been getting together a number of titles of cases, reported in the law books and comments amusingly on the unexpected and unusual situations they suggest. In 62 S. E. Reports we have Boswell vs. Johnson, something impossible to imagine. Then we find as antagonists in the courts instead of the Senate, Calhoun vs. Webster (3 Ill. 221). It has a familiar sound, but the two great senators were too friendly ever to get into a lawsuit. Next comes along Lazarus vs. Caesar (137 Mo. 199), which, taken literally, won't do at all, for they were far apart in point of time, but in another sense it expresses an enduring situation. Lazarus and Caesar, always have been opposed, and probably always will be, for they are both, by the processes of evolution, eliminated from the scheme of things. Following is the unnatural opposition of Ice vs. Ice (83 S. W. 135). It must, as the journal says, have been a cold day for both parties. More natural relations appear when we find Faucett vs. Freshwater (31 Ohio 637), an opposition constantly existing. Rains vs. Rainey (11 Hump. 261), it would seem, should be Rains and Rainey, and Bridge vs. Ford (4 Mass. 641), raises the question of how to get across, and Knut vs. Nutt (35 S. W. 686), suggests the problem of which would be the hardest to crack.

HOW TO DEAL WITH AN OBSTACLE.

By Charlotte Perkins Gilman.

I was climbing up a mountain path
With many things to do,
Important business of my own,
And other people's, too,
When I ran against a Prejudice
That quit out on the view.

My work was such as could not wait,
My path quite sure and stout,
My strength and time were limited,
I carried quite a load,
And there that hulking Prejudice
Sat all across the road.

So I spoke to him politely,
For he was huge and high,
And begged that he would move a bit
And let me travel by—
He smiled, but as for moving!—
He didn't even try.

And then I reasoned quietly
With that colossal mist,
My time was short—no other path—
The mountain winds were cool—
I argued like a Solomon,
He sat there like a fool.

Then I flew into a passion,
I danced and howled and swore,
I pelted and belabored him.
Till I was stiff and sore;
He got as mad as I did—
But he sat there as before.

And then I begged him on my knees—
I might be kneeling still
If so I hoped to move that mass
Of obdurate ill-will—
As well invite the monument
To vacate Bunker Hill!

So I sat before him helpless,
In an ecstasy of woe—
The mountain mist was rising fast,
The sun was sinking slow—
When a sudden inspiration came,
As sudden winds do blow.

I took my hat, I took my stick,
My load I settled fair,
I approached that awful incubus
With an absent-minded air—
And I walked directly through him,
As if he wasn't there!

WITH THE LUMBER JACKS

THE STURDY BREED OF MEN WHO CLEAR THE FORESTS.

In all the din of controversy over the conservation of our forests, no word spurts out to remind one of the men who are the actual hewers of the woods, the obscure and nameless "lumber jacks."

But here is an admirable breed of men, to whom, while a tree is only a tree or a log of lumber, a man is a man—a forthright, upstanding, independent, stubborn and hardy race, that do a day's work in the honest sweat of their brows and fear no man.

The lumber jack carefully distinguishes himself from the "hay hopper," as he contemptuously dubs the casual plainsman who drifts to the mountains for a summer's work and who has no pride in the traditions of woodcraft. The lumbering season is short in the Sierra, from May to November, and the lumber jack may shift through the winter as farm-hand, bartender, man of all work, stationary engineer, miner, or what not, but when the first breath of spring sweetens winter's air he drops anything he may have in hand and answers the call of the woods.

Generally by that time he is broke. Never mind, the boss of the woods knows his skill of old, and will advance him money for carfare, outfit, and stage fare, and with the comrades of last season he hits the road at the steeper grades on the way to the camp and feels himself again on his natural ground.

A good woodsman must have the primitive virtues. Felling trees and logging are dangerous employments, calling for strength, courage, invention, and at times a nimbleness that leaves the fraction of an inch between safety and sudden death. It is a grim commentary, but the writer recalls an instance in which the lack of a ready wit to know how to dodge a falling tree made a raw hand literally "lose his head," for the remains of his body were indistinguishable from the wreckage that lay beneath the fallen trunk.

Such virtues the lumber jacks have. But it is rather of certain higher types of virtues they possess that one who knows them likes to think. They are, for one thing, the manliest men the writer ever saw. Take one type of incident that fell repeatedly under his observation as an example:

Most of the work of logging is done in "crews" of two to four men. Each man in a crew is, necessarily, judged by the work the whole crew does. It frequently happens that an old, silent woodsman, proud of his skill, is paired with a raw recruit who bungles the job or loses time in doing it. Maybe the crew gets a "cussing" from the woods boss, or perhaps only a silent view of an inadequate job. After the supper in the cook house is over, the old woodsman hangs around outside waiting for the boss. He waylays him and says:

"Want my time, Bill."

"What's the matter with you?"

"Nawthin'. Got 'em down the hill."

"Don't the grub suit you?"

"Good enough fer me."

"Well, what's your kick, then?"

"Nawthin'. Want my time."

"I know what's the matter with you, you old son of a gun. Your partner's falling down on you. I'll give you another."

"Nope. Want my time."

And his time he gets, rather than "peep" on his partner, and down the hill he goes, or to another camp, "cussing" to himself and "cussing" also the boss, to whom he applies next season for a job—and gets it.

The best of the lumber jacks take no "back talk" from anyone, not even from the awesome and terrifying woods boss, who scares the average hay hopper out of seven years' growth every time he appears on his big black horse. The true lumber jack accepts suggestions or help where it is needed, but he takes no orders, and the boss knows that one is enough either to start a fight or to lose him a man he needs and admires.

The boss, in turn, has his code. He is boss because, in his day, he "worked down" the strongest, fastest men who pitted themselves against him, thrashed every man that overstepped the primitive man's code by a hair's breadth, and so worked and fought his way to a natural leadership amongst strong men. His men work for him because they admire him, as a man and as a workman. And he still lends a hand; does the work the two men with the rest when occasion calls. And he proudly reserves to himself the brunt of the most dangerous work. He asks no man to attempt anything he does not risk himself, and permits no one but himself to do the very most dangerous thing; that have to be done. No wonder he is boss; no wonder they follow where he leads. He is a man.

And he and they have qualities that belong with the tenderest attributes of women. The writer has seen a lumber jack whose profanity would shame the invectives of Milton against the Cavaliers, who was dour and grim and rough in his ordinary work, treat a woman book agent as if she were a queen and he a knight, and buy from her a cheap, tawdry "Life of Christ" to send back East to a little niece whom he thought it might please. The writer has seen a half-dozen men who looked like tramps or highwaymen, and talked in tune with their looks, as gently solicitous over the illness of another lumber jack as if he were a child.

Not all these men are unlearned. One of them can repeat whole scenes from Shakespeare's plays from memory; another explained in detail the theory and practice of the railroad air-brake in a way that would have done credit to a teacher of physics; a third, a German carpenter, wrote out from memory the last chapter from Goethe to grace a piece of his handiwork.

They have a fine democratic instinct. They are familiar with one another, but do not allow familiarity to become impertinence. Father and son work side by side. To everybody the father is John, the son is Jack. The "water-buck," seventeen years old, calls the boss of his crew, who is sixty, "Jim," but without any trace of impudent assumption. Every man stands on his own feet; if he respects himself and does his work, everybody else respects him. Fights are rare, but they are clean-cut fist affairs when they come, and fair play is enforced by all hands.

They have, too, a genuine feeling of respect for women that is much more impressive than the surface gallantry of town clerks and society men. To these men politeness is merely a mellifluous mixture in ordinary conversation to even the flow of words, but they will drop it absolutely and instantly within the range of a woman's ears.

This little sketch does its purpose a great injustice if it does not convey the writer's intention to express an unfeigned tribute of admiration and regard for these men. They made one summer of his life more pleasant than most he has ever enjoyed. They surprised him, not that they equalled the townsmen with whom he was familiar in the "downward" virtue, but that they excelled the people to whom the amenities of life have been always preached, in the gentler and more likable attributes of character—manliness, independence, regard for the feelings of others, respect for women, fraternity and democracy. To become well acquainted with these men was to refresh and strengthen an abiding faith in the soundness of the foundation upon which the American republic is built, and to widen the sympathies with a class of men of whom nothing is heard in the public places, but who do the thing that comes to hand with all their might, with a man's courage and good will.

ROOSEVELT'S LIBRARY.

Mr Roosevelt gives as an appendix to his first African hunting articles a list of the

books constituting the portable library of the expedition, says the Chicago Inter-Ocean.

There are fifty-eight in all, representing his own taste and Kermit's. He adds that these "represent in no way all the books we most care for, but merely those which, for one reason or another, we thought we should like to take on this particular trip."

The most striking feature of the list is the number of volumes of poetry. These make up about 40 per cent. of the total. Shakespeare, Spenser, Marlowe, Homer, Shelley, Lowell, Emerson, Tennyson, Longfellow, Poe, Keats, Milton, Dante, Bret Harte, Browning, Euripides and Percy's Reliques are all named.

In fiction Scott, Cooper, Thackeray, Dickens, Mark Twain, Bret Harte and Borrow alone have secured admission. Macaulay, Carlyle, Captain Mahan and Froissart stand for history. Emerson, Holmes, Macaulay, Lowell and Bacon and the authors of the "Federalist" are the essayists.

The Bible, the Apocrypha and "Pilgrim's Progress" minister to the needs of the spiritual man.

The list introduces us to a new side of Mr. Roosevelt's character—the love of poetry and of calm delights.

LOMBROSO AND HIS OPINIONS.

Cesare Lombroso, the Turin professor, who is chiefly noted for his reputed discovery that the genius is a sign of abnormality, and that geniuses insane—has died at his home in the Tuscan city, being nearly seventy-three years old, says the Springfield Republican. Lombroso was born at Verona in November, 1836; was graduated from the university of Turin as a physician and entered upon general practice in that city. But his reputation as a student of mind led to his appointment as lecturer on medico-psychology at the university of Pavia, and there he began those researches into the causes of crime which have made him famous. One of the by-products, so to speak, of these studies, was the discovery of that queer disease which has but recently arrived in this country—pellagra, or "black skin," which is an old scourge of Italy. It was he who traced the origin of the disease to a fungus which grows with a fungus growth, and ground into meal for the food of the people. He obtained from legislation and the action of societies measures which have checked pellagra. This was but one step in his studies of malnutrition and mental deficiency, from which he developed his theories of the close connection of genius, eccentricity and crime; and he then began his career as a physiological and psychological "criminologist"—a term which has no solid basis, since even with Lombroso's own contributions there is no such science as criminology—though from many points there are endeavors to produce such a science. Lombroso's books, "Uomo Delinquente" and "Umo di Genio," are now quite well known; they have been translated into English as well as into several European languages.

Extravagant as his opinions are—making Shakespeare, Keats, Tasso, Poe and indeed almost every one of extraordinary individual mentality, essentially insane—it is asserted that his writings have been of large value. A writer in the London Lancet, an authoritative journal, says:

The net result, however, of his teachings or, I should say, his propaganda, has not been without its salutary side in his native Italy, where the conditions, physical and moral, which antagonize healthy and normal development, particularly among the poor, have prevailed long enough to produce a population in which crime multiplies itself out of all proportion to its manifestations in other continental countries. It is the recognition of the good he has done directly by individual work, indirectly by example and influence continued over twenty years, that the testimonial has been accorded him to-day (in 1906) by the public to which the leading anthropologists interested in the phenomena of crime have appended their signatures, at this, the sixth international congress of the science which he is known to have fostered as well as founded.

AS THE WORLD WAGS

By A. J. WATERHOUSE.

With the Poetry Left Out.

He was fond of readin' papers, and to me he often said
That he found a mental tonic in the things he daily read
And, as bein' strong on tonics, first the markets page he sought;
Then he read about the people who are sinful an' are caught,
'Bout the man that stole a million an' was laughin' at the Law,
While the chap that stole a dollar was digestin' in its maw.
Oh, he found a mental tonic I have never felt a doubt,
For he always read the papers—with the poetry left out.

He was yearnin' so for tonics that he scanned with eagle eye
Every item—they were plenty—'bout the folks who go awry,
'Bout the woman, heaven help her, who had left the narrow way
Whence, of course, the men may wander, but the women should not stray,
'Bout the murder that the paper serves with several added thrills,
All about the things that mortals do to add unto their ills.
'Takin' of these mental tonics is our duty," he would shout,
So he always read the papers—with the poetry left out.

Had no time for readin' poems, so he said.
I don't condemn,
But I noticed that he also had no time for livin' them.
Had no time for seein' beauty on this planet grace-embossed,
For his eyes were on his pocket, lest a dollar should be lost.
Had no time for God-made music that the soul of man may heal,
For he only heard the roaring of great Traffic's mighty wheel.
Well, he's passed beyond the glamour of the tinsel-maddened rout,
And perhaps he's found a heaven—with the poetry left out.

A Talk With Both of Them.

She is just the sweetest and dearest and loveliest thing that ever came down the pike, isn't she, Leonard? And he is the noblest and bravest and finest creature that ever set a girl's heart to acting queerly, isn't he, Rebecca? To be sure, you both are, and you realized it that time when you said good night to each other on the front porch. So you are going to build a little nest, and the bird of love will fit to and fro about it, and oh, it will be perfectly heavenly to be there.

It is the old, old dream, children, and it is a poor specimen of a man or woman who remembers no time when such a dream glorified life and made it beautiful. Old and worn are we, but the memory of that dream lingers with us, and, remembering, we know that something divine has touched our sordid lives, making us but "a little lower than the angels" inasmuch as ours is the capacity to love and be loved.

So dream your dream, young people, and be glad for it, but remember, too, that the blessed nest to which you are looking forward will be feathered with human frailty. Rebecca is a dear girl, and Leonard is one of the best-meaning chaps in the world, but, dear, dear! the morning when we get out of the wrong side of the bed! And all of us will do it—even Rebecca and Leonard will. It is at such times that the little bird of love makes an excursion to some unseen place, and sometimes—ah, the sadness of it—it does not come back.

So when you go to the nest, children, do so ready and resolved to bear as much as the other one will have to bear, and even a little more. Do that and the bird will stay, for it likes right well to nest where the occupants cheerfully bear and forbear.

The Opinions of Rufus.

After sizin' it up quite a while I've 'bout made up my mind that the most unforfeited thing that can come to a feller in this world is to thoughtlessly s'lect the wrong pa' an' ma.

If I was a United Railroads employee, frinstance, I should feel mighty grateful that a man known by the company he keeps 'stead of by the company that keeps him.

Men 'bieved in an eternal hell till they found out that corporashuns have no souls. Since then they haven't taken much 'rest in it.

Don't be too certain that Ahmury's an angel, Jotham. If she was don't you reckon she could find some better business than marryin' you?

I 'pose the reason some women think their lovers are heroes is 'cause they can't imagine the dear men would marry them 'less they was.

It's a 's'prin' fact that the man that can drink or let it alone almost allers concludes to do the former.

I've heered say that a feller feelin' makes us wondrous kind, but I should think it must depend a good deal on what it is a feller's feelin'.

Praise is perfected out of the mouths of babes an' sucklins', but they's times, long 'bout 3 or 4 o'clock in the mornin', when the dear men would be willin' to git along with less sech praise.

Somebody said that patience an' perseverance 'll accomplish all things, but he wan't a married man.

If my Christian Scientific friends is right in claimin' that the inflammatory rheumatism that hit me last spring was only an evil thought, I hain't got nothin' to say 'cept that I never 'fore realized that I'm sech a hard thinker.

Thoughtful Man on the Situation.

"I represent the citizenry of San Francisco," the Thoughtful Man suddenly remarked. "I represent the noble laboring classes and other hoi polloi for whom the gallant Calhoun fought and bled, by proxy, when he choked the immortal life out of the street-car strike. I appeal to the splendid toilers and other rabble when I beg of them to vote for McCarthy and Fickert, or Crocker and Fickert, or Leland and—but when did I? Let them vote for them, and down the malignant Heney, that Business may survive. Let them swap horses while crossing the stream if Business is being drowned in the wagon."

"Sir, the divine form of Business here lies crushed in the dust and confetti. I say it with streaming tears, but it is none the less true that it is longer is safe here to be hid up for thousands in order to make millions. The underlying principle on which some of our great enterprises have prospered is threatened with eternal destruction. Ruf is in jail, except when they let him out, and Schmitz is paying the highest prices for lightning rods to place on the buildings in which the higher courts sit. The old, glad days when Business prospered and grafted with impunity are past. And it all is because of the odious Heney!"

"Rouse, ye Romans! Rouse, ye Slavs, and anybody else that has a vote! Have ye brave sons? Look in the next fierce hold-up to see them Heneyized. Have ye fair daughters? Let Fickert escort them home, for in some way Business must be rescued. Have ye unintelligent votes? Do them in for McCarthy, or Crocker will shove."

"Tis a time to get busy. The nefarious Heney must be downed, or, perhaps before we know it, the time will have arrived when Justice will interfere with Business and all will be lost."

With a business-like air the Thoughtful Man departed to find another person to unload himself upon.

The Strength to Bear.

Mine is the strength to do, my Lord,
Though scant its measure be;
To meet the needs my days record
The might exists in me.
'Tis not enough; e'er runs my prayer:
Not strength to do, but grace to bear.

I build a structure fair to see,
And in it I delight.
A wind blows from a mist-hid sea,
And lo, 'tis vanished quite.
All I had hoped lies buried there—
Lord, give me, then, the strength to bear.

I feel the pang of countless woes—
Ay, give me strength to bear—
The travail-cries and moans of those
Who grapple with despair.
I may not aid; then be it so,
That I must feel and bear their woe

The patient One of Nazareth,
He served and bore for all—
"Ye, late hath triumphed over Death,"
God's high archangels call.
Ah, let me for my brothers care,
Forgetting self, their load to bear.

Fable of the Man Who Fell.

A certain man who had fallen into a great chasm was sadly bruised by his fall and cried piteously for assistance.

Thereupon another man came and lowered a rope to him, wherewith to draw him from the chasm.

But the chasm was deep, and the process of drawing the man from it was slow and laborious, and the sufferer wearied exceedingly.

"Hey!" he at length cried, "How long is this to continue? I am tired."

"So am I," his would-be rescuer responded, "but I am doing my best. I will get you out just as soon as I can."

"I don't like to dangle here," the sufferer replied. "It is tiresome, and it interferes with my business. I have a knife, and I have a great notion to cut the rope."

The would-be rescuer bowed his back to pull again, and then he responded:

"Well, of course you may cut it if you desire, but—"

Being occupied in pulling at the time, he did not continue the sentence.

Moral:—Of course San Franciscans could cut the rope that unites them to Francis J. Heney, but—

Pessimist and Optimist.

A dreary, weary pessimist.

Of dreary, weary style.

Who sought disasters for his list

And ne'er was known to smile.

Where'er he went, where'er he did,

Would moan his cheerless lay.

Of exiled peace and joy forlorn,

Which ran about this way:

"Ods bodkins, oh! and heaps of woe!

All blessing has withstood me,

Forever here is grief and fear,

And nothing's as it should be."

Though birds might sing, the bright suns

shine,
And flowers bloomed, he moaned his moan.

A merry, merry optimist

Of merry, merry mood,

Whose features wore a cheery twist,

As everybody's should.

Where'er he went took laughter, too,

Companion on his way.

And all the world the brighter grew

The while he sung his lay:

"Heighho, heighho! The world's aglow

With gladness all-caressing,

And though it needs our kindest deeds,

It gives them back in blessing."

One's world is wet, one's joy-impaired—

And yet it was the same old world.

POLITICAL TABLE TALK

By THE WATCHMAN.

Independent Republicans Hold Deciding Votes

The result of next Tuesday's election hinges upon the action of the independent Republicans, at least so far as the election of the mayor is concerned. The disposition of the other factions is this: The Democrats, and those who look to the Good Government League for advice are solid for Leland. Even the San Francisco Democratic Club, which first opposed Leland because of his friendship for McNab, have come into line for the party candidate. The more reputable "organization" Republicans will vote for Crocker. Perhaps half the union men will vote for McCarthy and the other half will probably divide naturally into Leland and Crocker followers from force of inherited Democratic or Republican tradition. McCarthy is sure of the tenderloin vote en masse. That, of itself, should drive every decent voter from him, but it won't.

McCarthy's Lavish Money Campaign

McCarthy is counting upon the ability of the Southern Pacific machine to keep its promises made on February 17th, and May 10th, to deliver the machine vote to him in return for his swinging the major vote to Charles Fickert for district attorney. He hopes also that the machine can swing to him the straight-line Republican vote, but this is a stubborn member, made up largely of bankers, professional men, and the like, to whom McCarthy's name is anathema. McCarthy is also relying largely upon the huge campaign fund which has made his candidacy twice as conspicuous as that of any other candidate on the city bill-boards, in costly silk banners in all the saloons, and by dozens of printed circulars mailed to every voter. He is spending not less than \$50,000 on the campaign, and the commonest phrase in every group of men who discuss politics on the street is, "Where did he get it?" McCarthy's headquarters on Market street is the most elaborate in town, and a clerk in that office is authorized for the statement that "you don't have to ask if you can afford to do things; bills are OK'd for anything that looks as if it would help his campaign." McCarthy's statement that his entire fund was raised from the quarters and half-dollars of his union followers is unbelievable by anyone who has seen the evidence of prodigal expenditure from that fund.

Fickert's Unstable Creed of Faith

Charles M. Fickert, candidate against Francis J. Heney for district attorney, has been in a curious position throughout the campaign. From the day he asked for elocution lessons from a lady teacher in San Francisco and was rebuffed, and from the days just before he began his speech-making when he emulated Demosthenes by pitting his voice against the wind in the red rocks of the Santa Cruz mountains, Fickert has been balancing his oratory and his campaign on the two horns of a political dilemma, trying to seem loyal enough to Crocker, whom the machine that nominated Crocker and Fickert both has deserted, and trying also to elude his way into the Union Labor vote without becoming enthusiastic enough for McCarthy to queer himself with the more staid Republicans. The fact that he has at last been forced to throw his fortunes mainly with McCarthy, and the fact that he is a son-in-law of J. H. Wallace, of the department of maintenance and way of the Southern Pacific Company, lend more than a passing interest to the current belief that McCarthy made a deal with the Southern Pacific (which wants Fickert elected especially) and is now threatening to throw Fickert overboard if Fickert does not stand out plainly for McCarthy.

Heney's Candidacy The Biggest Issue

Heney's campaign has grown steadily in public interest and a strong interest in politics of optimism among his supporters is evin-

dence that the reports of its effectiveness are encouraging. The comparison with his opponent is always in Heney's favor, and he makes friends at every public appearance. Below the surface even more powerful forces in his favor are at work. First is the silent moral purpose of the body of the people, who do not make campaign noise but who clearly see the moral issue involved in Heney's candidacy and are determined that he shall be continued in his task of regeneration. Second is the collapse of the "hurting business" buncombe, which has been punctured by its innate idiocy and buried forever by the enormous success of the Portola festival, indicating the rising wave of prosperity. Third is the growing consciousness amongst business men that a decent city is a more attractive place than one "corrupt and contented."

Leland's Growing Strength for Mayor

Of the candidates for mayor, Leland looms largest, for he is the only one of the three who has squarely faced the vital issues of the hour and placed himself irrefutably on record on the right side of those issues. Crocker and McCarthy have mouthed political catch-phrases while Leland has discarded lies and men. Leland's frankness has enlisted the hearty support of some of the best elements in the ranks of the Independent Republicans, and their public appearance on the platform in his behalf is having its effect upon the minds of the men whose votes it is unanimously conceded will decide the election. Mayor Taylor came out recently in a ringing speech in favor of Leland, and his influence is effective in a certain very desirable body of public opinion.

The Importance of Good Supervisors

In all the campaign a curious lack of interest has been shown in the candidates for supervisors. This is easily explained, but it is disquieting. The incumbent members who are candidates for re-election received the highest votes at the primary; and the public has been inclined to take for granted their success next Tuesday. This should not be. The success of the best candidates should be assured by earnest work, for upon the board will devolve the important financial problems of the prosecution of the municipal water supply, of the gas cases, and other vital public concerns. The California Weekly therefore reprints from last week its ticket of candidates for supervisors, and earnestly commends it to its readers:

Edgar Apperson, D.	J. Emmett Hayden, D.
*Paul Bancroft, R.	*Thomas Jennings, D.
George W. Bell, R.	*James A. Johnston, D.
*James P. Booth, D.	*Chas. A. Murdock, R.
Henry Colombat, D.	*Daniel C. Murphy, D.
*Geo. A. Connolly, D.	*Henry Sayot, D.
Edward W. Connelley, R.	W. W. Satterton, R.
Matt Harris, Sr., R.	John O. Walsh, U. L.
*Oscar Hocks, D.	Thos. S. Williams, R.

*Incumbent.

Things That Lincoln Might Have Written

Andrew Farusest is an unlearned, unskempt and unpretentious as Abraham Lincoln ever was, and somehow, he has a Lincoln facility for putting things so plainly as to carry conviction to his every listener. Here are a few phrases of his that Lincoln might either have written or spoken, and there is little wonder that they hit the bull's eye every time:

"Whatever you believe when you are alone at night with the little imp of conscience seated on the bedpost, and whispering to you what to do, whatever you believe best for yourself and best for your city at that time, you do that thing and you won't be far wrong."

"Let us analyze this immunity business: When men commit bribery they won't do it where there are witnesses. If you want to

catch them you have to get one to squeal, and in order to get one to squeal you have got to give that one immunity. That's common sense."

"Have you ever thought of the danger of putting a man like Fickert into office? If you put into office a man who will dismiss a case in which the evidence is so notorious as in the Calhoun case do you think that he will hesitate to prosecute an innocent poor man whom the men who put him there direct him to punish? On the one side in this fight is the prosecutor who will prosecute the rich man for his crimes—that's Heney. On the other side is the man who will dismiss—that's Fickert. Which do you want?"

Where in Lincoln's sayings will you find anything simpler, straighter, clearer than the foregoing sentences?

Senator Charles W. Bell There is talk in Southern California of running Senator Charles W. Bell, of Pasadena, for the Republican nomination for Secretary of State. He has not announced his candidacy and has not concluded to try for the nomination, but he has many friends who would like to see him shy his castor into the political arena for it. That he is a fit man for the place nobody who knows him questions, but he is not without a bit of political history and there is some question in some minds as to whether that history would militate against him. Four years ago he was a candidate before the thirty-sixth senatorial district convention for the nomination for state senator. Walter Parker controlled the convention and programmed it for another man and Bell was beaten. There was great dissatisfaction in Pasadena when the Parker candidate nominated and Bell was persuaded to run independently. He did so and the Democratic convention endorsed his candidacy. He was triumphantly elected over the regular, Parker, Republican state organization's nominee. The indication was to great to be forgiven when Senator Bell reached the state capital he found that he had been read out of the Republican party. He was not admitted to the Republican caucus and everything possible was done to make him feel that he had been cast into outer darkness. Of course Parker holds his own conventions and his own candidates and passes the word down the line to support Democratic nominees every now and again, but that is different. It is no sin for an "organization" man to bolt an "organization" nomination, but for a free man to do it is treason. Many are wondering if this event in Senator Bell's political life will hurt him much before the rank and file of his party. Why should it?

Be Careful About Signing Those Nomination Papers

The Special Verification of Candidates act is abroad in the land. He is a new creation in the political world and he owes his multitudinous existence to the new direct primary law. His office is to go about among the busy unwary and hook them fast to the political ambitions of men for whom the aforesaid busy unwary do not care a snap of their fingers. Many are falling into the trap head over heels, because of their habit of signing all petitions presented, rather than muster the resolution to say, "No, not on your life." These Special Verification deputies are hired by the candidates. Their strong suit is sagacity, which they employ in hooking the right men to their respective candidates, just as they would do in starting off a subscription paper, a campaign for selling books, life insurance, or any old thing. If the right men can be gotten to head the list the rest will follow. The law does not allow an elector to sign the nomination paper of more than one candidate for the same office and when one does sign such a paper he must swear, with his hand lifted to his heaven, that he intend to support for such nomination the

candidate named herein." Therefore be careful not to sign any nomination paper unless the candidate named on it is clearly your man, a man whom you can afford to stand by through thick and thin until the primary ballots are counted. This is no perfunctory matter. It is at the heart of good citizenship.

Some Smart Politics In Nomination Papers

It comes to the Watchman as a rather straight tip that one H. S. Morrow, of San Diego, believed to be the Gillett candidate for Secretary of State (and known to be a protégé of Walter Parker), has already put into the field certain Special Verification deputies. These deputies are carefully selected and are doing good

work for Mr. Morrow and his candidacy. They have had the assurance to make a special effort to obtain the signatures of Lincoln-Roosevelt Republicans to Mr. Morrow's nomination papers, and they have met with a distressing degree of success. They have booked a number of very, excellent names, names that will do to conjure with. Of course they are not taking all from this class, but "a right are smart sprinkling" of them, enough to make it appear that progressive Republicans are just as well satisfied with a Gillett man as with any other and that they are willing to take hold with Walter Parker to make up a ticket to be presented to Republican voters for their adoption. Now the primary election of 1910 is likely to be THE election of that year, unless the Republican ticket proves to be the rawest ever. So it behooves every Republican to have a care as to what candidates he helps to offer to the people, and progressive Republicans are very unlikely to find any candidate acceptable who is backed by either Governor Gillett or Walter Parker. Candidate nomination papers may easily be made into a trap which the busy unwary set for themselves, get into of themselves, and catch a fine assortment of political idiots. Therefore have a care.

Rattle-Dazzled At Palo Alto San Francisco is not the only place where original sin has sought to make illicit use of the initiative and referendum. Palo Alto also is sitting in consternation because of the use that may be made of these engines of reform. Palo Alto has a new charter with all the modern conveniences, including initiative, referendum and recall. It also has a new ordinance abolishing slot machines. A friend to the machines cautiously felt around to see if he might be able to have the issue submitted to a referendum vote and found that he might. Those who wanted the machines back jumped at it as a drowning man at a straw, as being the only possible hope in sight, although faint indeed. Others signed the petition in the belief that it is good to have the people legislate directly upon such issues, others in the belief that once the people of Palo Alto got a chance to vote on the issue the slot machines would be killed so dead that they would never know what hit them. Well, the petitions were signed and presented to the city board of trustees, received and favorable action taken. Then it was discovered that the charter provided that, in such cases, the ordinance on which appeal is taken to the people shall be suspended in the operation until the next general election. The children of darkness were wiser than the children of light and the slot machines are likely to click as lively at Palo Alto as elsewhere until the next general election comes around. This may not give them more than a year of life, but in common with other criminals, slot machines are duly thankful for a reprieve that will last even for a year.

FIRST OIL WELL IN 1859.

That the first oil well in the world was sunk only fifty years ago was brought forcibly to notice the latter part of August by the celebration of the event at Titusville, Pa., says Popular Mechanics. The qualities of petroleum had been known for centuries, but the first artesian well to be sunk in its search was the venture of Col. Edwin W. Drake near Titusville, August 28, 1859. On that date the drill tapped a vein of oil which lay seventy feet below the surface, and the result was forty barrels a day.

"What's the difference between a suffragist and a suffragette, as you understand it?"
"Ever see anybody handling hogs?"
"I have. What has that got to do with it?"
"Well, a suffragist would call the hogs to dinner; a suffragette would drive them. Know hogs?"
"Yes."
"Well!"

"Do you know what is the line of grace?"
"The curved line, of course."
"Well, hardly! I guess you haven't seen Grace lately."

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HYDRO-ELECTRIC POWER IN CALIFORNIA

V. . HOW SHALL THE INDUSTRY BE REGULATED IN THE PUBLIC INTEREST?
By E. FRENCH STROTHER.

The preceding articles in this series have described the magnitude of the hydro-electric power industry in California, the tendencies toward monopoly through physical limitations and through the amalgamation of corporations, the relation of the Southern Pacific Company to the control of a large proportion of possible power sites, and the federal regulations as applied within the national forests.

The article, that follows is not descriptive. Its purpose is to open a discussion of the problem of government regulation, and to leave the subject for the reader's mind to work upon. This problem is not yet solved. It will soon be a matter of concern, as it is already a national issue in congress, and as it will soon become a state issue in the legislature.

Scope of Federal Regulation.

The scope of federal regulation was fairly well covered in the preceding article of this series. But certain questions have been asked in connection with that regulation, one of which should be repeated here: How does the federal government propose to protect the ultimate consumer of hydro-electric power from extortion?

In three ways. The forest service requires every power company operating in a national forest to apply for a permit, of which the following is Clause 19:

If any of the works for which permit is hereby applied for shall be owned, leased, trusted, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever so that they form part of, or in any way effect, any combination or are in any way connected with any combination in the form of any unlawful trust, or form the subject of any contract or conspiracy to limit the output of electric energy or in restraint of trade with foreign nations or between two or more states or territories or within any one state or territory, by the generation, distribution of electric energy, the permit hereby applied for shall be forfeited to the United States by proceedings instituted by the attorney-general of the United States in the courts for that purpose."

It will be observed that the national government here goes to the extent of declaring that a power company operating under a permit from the national government shall abide by the regulations the government imposes or forfeit the permit; and that permit prohibits monopoly and the restraint of trade within any one state as well as between any two states, and this prohibition extends to the sale as well as to the generation and distribution of electric power. The language is certainly explicit, and it if means anything it means that the national government reserves the right to permit a power company to license its practice extortion upon its customers.

A Second Guarantee.

The second guarantee of protection to the consumer is Clause 19 of the same form of permit, which reads:

"The permittee shall, except when prevented by the act of God or the public enemy or by unavoidable accidents or contingencies, continuously operate for the generation of electric energy the works to be constructed under the permit hereby applied for, in such manner as to generate after such generation begins, not less than the following percentages of the full hydraulic capacity of the said works measured in Kilowatt-hours: (here naming the percentages required).

This clause prevents a common form of extortion practiced by public service corporations, viz: the reduction of expenses by the reduction of output together with increased charges upon those consumers who are still served. It also protects a consumer from discrimination in the receipt of power when necessary for his use.

The third guarantee of protection to the consumer is supplied by clause 20:

"The permit hereby applied for shall cease and be void upon the expiration of fifty years from the date of approval hereof, but it may then be renewed in the discretion of the duly authorized officer or agent of the United States upon such conditions as he may in his discretion fix. **Provided**, that such officer or agent, in fixing such conditions, shall consider the actual value at that time for power and all other purposes of the lands and rights of way within National Forests occupied and used under the permit hereby applied for and the actual value at that time of all improvements lawfully made by the permittee within national forests under the permit hereby applied for, **but neither the property of the permittee, if any, outside of national forests, nor the permit, franchises, bonds, capital stock, or other securities of the permittee shall be considered in fixing such conditions.**"

This clause protects the consumer against the operation of a very much more common practice of public service corporations, viz: (ignoring the value of such assets as a franchise (which the public owns and lends to the company) as if it were a part of the company's own cash investment in the business, upon which it is entitled to earn interest by charging the public that much more for services.

This clause further protects the consumer by limiting the life of the company's franchise to fifty years, making impossible the perpetuation of abuses of corporate power if they should arise.

But a very large proportion of the power sites in California are not in the national forests, and the companies that develop these sites will do so under the sole authority of the state laws. It is, therefore, important to learn the status of power companies under state law, especially because a considerable number of people, led by Congressman Samuel H. Baker of Berkeley, are trying to oust the national government of all authority to regulate power companies and to throw the whole burden of this task on the state government.

No California Law.

California has no laws regulating hydro-electric power companies specifically. The Australian commonwealth of Victoria has such a law; Oregon, with one-third the population and one-tenth the wealth of California, has such a law; California, which was the pioneer of the world in the modern utilization of hydro-electric power, has none, because the political powers in control of California have wanted none. They have preferred to be a law unto themselves.

The appropriations of water by electric power companies in California have all been made under a water law passed in 1872, framed to suit the conditions existing in the days of hydraulic mining and the first application of water to irrigation. Even to provide against the contingencies that arose under the later development of irrigation this law was inadequate, as is proved by its history of the irrigation communities—a history of interminable and extravagant litigation. Such a law is certainly inadequate to meet the contingencies of the vaster development of water uses for electric generation. An echo of the old lawsuits and a premonition of the new kind of suit is impending is picked offhand from this morning's San Francisco Chronicle:

"Redding, Oct. 25.—The most important water suit ever coming to trial in Shasta county was begun this morning in the superior court. The suit is between the Northern California Power Company and twenty farmers and others claiming water in North Battle creek, in the neighborhood of Shingletown.

"The stream carries ordinarily 5,000 inches of water. The many claimants have had a great deal of trouble among themselves. Injunctions have been obtained from time to time, and in several instances dams have been blown out with dynamite.

"In the main the big suit begun today is a friendly one, its object being to have the court pass finally upon the priority of the various claims and determine judicially the exact amount of water each one is entitled to. Because of electric power development every inch of water in North Battle creek is worth \$100. So the property interest represented in the suit over the 5,000 inches is \$500,000."

State Water Law.

The substance of the water law of 1872 can be given in a paragraph: The right to the use of running water flowing in a river or stream or down a canyon or ravine may be acquired by appropriation, which appropriation must be for a beneficial use and is valid only to the extent to which its use is beneficial; as between appropriators, the first in time is the first in right; to appropriate water, the claimant must post a notice, at the point of intended diversion, stating how much water he claims and how and to what point he intends to carry it, and he must record a copy of the notice with the county recorder of the county in which the place of diversion lies; the appropriator must begin within sixty days either to construct his proposed works or to make the necessary preliminary surveys, and he must use due diligence in prosecuting the works to completion.

That is practically the whole law of California on water rights. Under it, the other day, one power company claimed practically all the water of a whole river in northern California. Under it practically all the best (not all, but all the best) power sites in California have long since been claimed by the Shasta claim, that have no idea of beginning bona fide construction work in sixty days, or sixty months, for that matter. The Pacific Light and Power Company, of Los Angeles, has twenty such sites in the Sierras; the Southern Pacific Company has claimed in the Sierras. These sites are held because they will be valuable some day and because somebody else will get them if they are not now filed on. But they are clearly not held legally, or, if legally, on the baldest kind of technical stretching of the clear intent of the law. They are so held successfully largely by virtue of the power of bluff; if anybody else tried to get them for immediate development, these companies would make a show of active development and "law" their adversary to death.

State Unprepared.

These facts suggest a doubt as to the immediate expediency of thrusting upon a state so poorly prepared to meet it all the responsibility of legislating for the regulation of tremendous businesses with complex rights and strange new problems. They suggest that a different turn of mind might incline to leave the national government alone in its task of regulating the minority of companies under its present jurisdiction, if only that the state may profit by the nation's errors as well as by the very large amount of study and preliminary work which the forest service has already applied to the solution of these problems.

There is another point that makes it worth considering how the state shall do its share of the regulating. This is the possibility that a mere act of congress may not be sufficient to oust the national government from the right to regulate some, at least, of the power companies; and, if it is not sufficient, many problems arising out of conflicts of state and national jurisdiction must be thought out.

That congress may run into the constitution of the United States in any effort to restrain the forest service is suggested by the fact that the Supreme Court of the United States has held, in the case of the California Debris Commission, that the constitutional authority vested in the national government to control commerce extends beyond the control of navigable rivers to the control of the tributaries

of those rivers wherever any interference with those tributaries affects the navigability of the rivers to which they flow. The storage of water in clearly such artificial interference with the water supply of the navigable San Joaquin and Sacramento rivers, and friends of conservation, even President Taft himself, have suggested the possibility of this fact being sufficient ground for the exercise of federal authority over electric power companies.

Possible Conflicts of Jurisdiction.

Supposing this possible extension of federal power should come about, certain power companies would still be outside its operation and solely under state law. But most of them would be under national jurisdiction. Suppose the national permit fixed maximum rates that might be charged to a consumer, say \$5 a day in a certain case. Suppose the state law fixed \$4 a day as the maximum rate for the same service? Could the company appeal from the state law to the nation for the right to collect the \$1 difference?

Thousand variations, in rates and other features of service, would undoubtedly arise under such a conflict of jurisdiction, and a practicable state law must provide against them.

This fact, and two or three points raised above, indicate the necessity of thought upon this subject by the people of California. Their main interest is to prevent monopoly and extortion. The state law leaves them defenseless, and must be revised in the public interest. The national example only partially protects the public. State and nation must somehow come into agreement before the shadow of monopoly becomes a fact of vested right.

Laws of Other Commonwealths.

Two examples, cited above, are worth study: the examples of Victoria and Oregon. Regarding the first, I quote from an article by Charles Edward Wright, assistant attorney to the Secretary of the Interior, published in the Annals of the American Academy of Political and Social Science, for May, 1909, as follows:

"No one (in Victoria, Australia) may per-

manently divert water; a license is granted for a limited period. And no diversion is free. Every user pays for what he uses, the charges being apportioned to the amount diverted and the value of the diversion to the user. For the development of hydro-electric power, for instance, the annual charge is about five dollars per H. P. A large revenue is thus produced, relieving the general taxpayer. The justice of this plan is apparent; he who enjoys pays therefor, and he who has an equal right in the water but cannot use it, is indirectly the beneficiary of the rental paid by the user; for general taxation is reduced. Moreover, the user has an economic reason for avoiding waste; he must pay for what he diverts. Every user is a conservator. During the last decade there has not been a single lawsuit over water rights in Victoria. Furthermore, the commonwealth reserves the right at any time to apply the water to a paramount use whenever the necessity arises. Naturally there are no 'vested rights' to figure largely in the matter of compensation. There is no such thing as a riparian right in this progressive British colony. On substantially all streams a frontage from four to eight rods is reserved to the public. This solves the pollution problem and in other ways simplifies the conservation of the public's rights in the water."

The Oregon law limits the life of a franchise to forty years (ten years less than the forest service permits); it makes the annual charge for power developed 75 cents per 1,000 kilowatt hours as against the maximum 32½ cents of the forest service, and 9.3 cents per 1,000 kilowatt hours as against the minimum 2½ cents of the forest service. Or, for purposes of comparison with the Victoria law (\$5 per kilowatt hour for horsepower), the Oregon law provides a sliding scale of charges from 25 cents minimum to \$5 maximum per horsepower per year; but the Oregon law puts this charge on the theoretical capacity of the water "appropriated" and the head "available," no on the amount of water or head "utilized." This makes the charge proportionately larger, because the company loses whatever is lost through loss of head in canals and pipes and loss of energy in the process of generation.

New York has a law, which has been in operation for three or four years, and this example should be studied, but the reports of the Public Utilities Commission for the Second District of New York are not at this time accessible to the writer, so it is merely suggested to the interested reader that they contain matter that will throw light on the subject.

To conclude: Regulation of hydro-electric power companies in the public interest is an issue in this state today, and it behooves every citizen to acquaint himself with the facts so that he may use his influence intelligently for the common good. If this article has opened two or three lines of thought upon the subject its purpose is served. State, or national, regulation? Or both? And what sort of regulation? And in whose interest?

UP AND DOWN THE STATE.

By a vote of 349 to 27, people in the vicinity of Oatland, last Saturday, decided to organize an irrigation district.

About one-third of the village of Moron, not far from Bakersfield, was destroyed by fire last week. The loss amounted to about \$35,000, with small insurance.

Mrs. Mahala Oliver, of Orland, Glenn county, celebrated her one-hundred-and-first birthday recently.

Coalinga has a new daily paper, the Times, of which Jess D. Pritchard is editor and W. B. Perry manager.

The first shipment of oranges—a carload—from this state this season was made from Fair Oaks, near Sacramento, about a week ago. It was about six weeks in advance of Southern California shipments.

A plant for the manufacture of cream of tartar from grape pomace is to be erected in Victor, San Joaquin county.

Indications are that about 30,000 acres in the Imperial valley will be planted to cotton next year, experiments having demonstrated that the plant can be grown successfully there.

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Chapter XXIII. OTHER BONDS.

THE Day of Deliverance for the "Sandlapper" district was now far spent, but there were some hours remaining before the "greatest display of fireworks ever witnessed in the Upper San Joaquin valley" was to be made, for the rejoicing people had poured into the treasury of the celebration committee whatever remained of their store of cash after the taxes had been paid. It was at the moment of this intervening rest period that certain carriages took the dusty road in a speeding procession toward the west.

Leading the way was a smart carriage pulled eagerly along by two horses that had earned honorable reputation under the saddle, for Roanoke and Peacock had been broken to trot in double harness in advance of their respective owners, yet not without a protest which required the best of Gabriel's horsemanship to overcome, for were they not running horses, and shall a running horse be put in harness and made to trot like another? They had less reason to protest than they knew, for other horses, raced off their feet, have spent their declining days as cart horses, while these had been cared for as tenderly, now that their racing days were over, as though they were in preparation for some supreme event on the track.

Following came Silas Singham and his carry-all filled with the brim with his family, save that the eldest daughter rode ahead with Gabriel. And then came Moses Brayton and his patient wife in their carriage drawn by a span of swift-footed mules that would go more miles in a day, and fewer in an hour, than any of them. The children carry-all was tired but happy, the children singing and Silas positively glowing with enthusiasm. In the Brayton carriage there was silence, scarcely a word being spoken between husband and wife during the ten-mile drive. The patient mother was thoughtful for her son, but scarcely did the father husband wonder she could "make out" with less divination this time than ordinarily. She knew, though, that he was "having it out" with himself and that it were best to leave him undisturbed.

Then followed two or three carriages filled with intimate friends, and, in one of them, rode a minister. The hauling of the grain crop to town, lately completed, had cut the roads up badly and, though they had been straved liberally from the stubble fields, the passengers were well peppered with dust by the time they reached the Singham homestead, for the rains of the fall had not yet begun. However, a shaking of skirts and coats and a liberal threshing with turkey-feather dusters restored the company to acceptable Tulare presentability and they were soon made at home on the garden lawn, for, although past the middle of October, it was still out-of-door weather.

"Mr. Brayton, how would you like to drive over with me to Section Ten?" asked Silas Singham as he extended to the river man and his wife the heartiest possible greeting. "The women folks will have their place in their possession for a while and there will be time enough to look about a bit. That son of yours is a wonder."

Brayton assented and the carry-all rattled along the half mile of roadway between the two houses at a general wobble. Moses Brayton had not set foot upon Section Ten in the two and a half years that had intervened since he had quitted it to his son. He had driven by often enough on his way to his lake ranch, and it was surmised that he had seen what was going on in a general way out of the corners of his eyes, but if he had he had not "let on" to his son, or to anyone else, what he thought of what the faddist was doing. To-day he was forced to see all or provoke a breach of the peace and he submitted.

Singham directed the irrigated lands, showing with pride he could not have betrayed had the possession been his own, how admirably the land had been prepared for irrigation and what a splendid stand of alfalfa had been obtained. Then came the grain field with its thick stubble, showing the re-

THE SANDLAPPER

(Continued.)

BY

ARTHUR J. PILLSBURY

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sults of intensive plowing, harrowing and rolling; the reservoir and pump irrigation system, the cow barn with its stanchions and cemented trenches, cleaned in half an hour every morning until as sweet as a spring morning; the compost heap under a roof and screened in to avoid the breeding of flies, the milk room and butter factory with refrigeration system, the pasture field with hay racks, the silo just filled for the first time, the herd of dairy cows, not as well bred as it was destined to become, and the calf pasture filled with promise for a year or two later. Then came the young orchard and vineyard, spick and span ready for the founding of a new family.

Throughout the excursion the enthusiasm of Singham for the accomplishments of the son of the other was so genuine and overflowing, and he himself was talking so incessantly, that he barely noticed that his companion barely grunted a word of appreciation now and again, and seemed much of the time lost in far-away thoughts, but, at all events, there had been no note of discord, no betrayal of ill-humor, nothing more disagreeable than an impenetrable reserve.

The shadows were lengthening and the women folks had all things nearly ready for the crowning event of the day when Silas and his companion returned from their tour of inspection of Section Ten, and, for the first time in his life, Moses Brayton passed through the swinging gate and to the lawn at the Singham homestead.

It was a simple ceremonial, this union of two schoolmates in bonds of wedlock under a floral marriage bell suspended from a limb which overspread a corner of the lawn. It was a sun-tanned but comely pair that plighted their marriage vows, the groom standing six feet, broad and deep of chest, with muscled shoulders making his coat fall clear of his body; bride nearly able to stand under his outstretched arm, clean limbed and lithe. Did their minds run back to that day in the road when the water wagon left a gurgling trail in the dust all the way to the corner of Brayton's river ranch?

Then followed the wedding feast on the long tables at the foot of the lawn under the umbrella trees. The day's doings had whetted the appetite beyond the satisfaction of a mid-day lunch, either from baskets fetched from home, or from the less tidy, if more ample, barbecue tables where the crowd ate out of hand and standing. Even Moses Brayton so far lost his reserve as to participate with unstinted relish.

Just how the culminating incident chanced is not clear. Somebody blundered. Down toward the middle of the table there had been a discussion of some event of the day and a woman's voice rang out clear with, "Why, that is as great a mystery as to who it was that rang the school house bell the last time the Brayton cattle came into the settlement!"

There was consternation on every countenance and Helen fairly whitened under her dark skin as she cast a furtive glance across the table to her father-in-law. He caught the glance and understood her trepidation, and he seemed to be the only person at the table at all at ease.

"Why, is that still a mystery over here?" he asked. "I gave that son of mine the only cowhiding he ever got from me on suspicion

that he was the right one and I have never seen any reason to doubt that I caught the guilty party."

"You did that!" Helen exclaimed, turning to her embarrassed husband, "Why, you never told me!"

"You never told me that you rode all the way to the Half Acre at dead of night to pull the wire that set off the bomb that blew the dam out of the river, but I found it out next morning," was the reply.

"And saved me, just as likely as not," said Silas Singham, slowly and with a choke in the throat, "from being a murderer! It was well enough that I did not find out then who did it, for I might have rawnhided you, too, but how did you keep it to yourself all these years?"

"By saying nothing about it, Papa, that's how," was the reply. "It was a long and lonesome ride, no mistake. When I heard the cry of the lynx from the swamp I thought my blood had turned to ice water, but when, after scratching in the sand under the willow for the wire that connected with the trigger for my fingers bled, my courage almost failed me, and, when the thing did go off, I did not know for sure that I wasn't killed until Roanoke and I had struck the main road on our way home."

"I thought you must have left in a hurry," observed Gabriel.

"How did you make that out?" was the reply.

"Because you left the prettiest pair of shoe tracks that ever was on the bank of the river where you settled down to dig for the wire. I had to cover them up for you or you were dead away. It was not until I saw those that I understood how to account for Roanoke's swinging gallop along that road as Clay Babe and I went along it the next morning. By the way, I have kept that wire and a fragment of the pistol it was attached to over home to this day."

"You seem to be a precious pair," declared Moses Brayton, half jokingly, "and, while you are confessing, I'd like to have someone tell me who it was that threw the cartridges all out of my rifle and saved me, too, from being a murderer. I don't know just as much like being one as ever a man could."

"I could not well do less for her father than she had done for mine, could I, Dad?" was Gabriel's response.

"Well, you are indeed a precious pair, as my friend Brayton says," declared Silas Singham, betraying emotion that he made little effort to conceal. "A precious pair, indeed! God bless you, both of you. I don't know what the last ten years would have been like without you."

"I do," said Moses Brayton, rising to his feet. "I can tell you exactly what they would have been like, and Silas Singham, one or the other of you would have been a murderer and either dangled from a gallows until he was dead or, what would have been worse, lived in a cell in a prison clad in stripes while the other rotted in his grave. That is what the last ten years would have been like if these children of ours had not saved us from ourselves, and I want to add my 'God bless them!' to yours."

"I have been wrong, awfully wrong, all along," continued Brayton, "but I never understood it clearly until I heard what you said from the speaker's stand at Tulare to-day. I know that you must have done it the first time I, to-day, heard the call of the dry land for rivers of water, and, for the first time, I have felt the justness of that call. You have shown me to-day on my own son's ranch, a ranch my spirit of bitterness toward you has heretofore kept me from visiting, because I blamed you for its loss to me—you have shown me what the plain and the river married together can bring forth. For the first time I can see the possible orchards and farms, the homes with houses full of happy children, and I know that you have been right. Those waters must somehow be distributed over adjacent lands as far as they will go and, from this time on, I am willing to help. It has seemed to me till now that you were trying to take my property away from me in order to build up yours, and in

defense of my property I have been willing enough, if need be, to kill or to be killed."

"It is not as easy for me to do right as it is for you, Silas Singham. Your hot head may carry you into wrong paths, but you can and will think better of it when your hot head has cooled. I can hate with deliberation, premeditation, malice. If I have not taken your life before now, as I have had a hundred chances to take it, it was neither for your sake nor for mine, but for my wife's. God knows I have given her enough to bear without that! Only my love for her, and for our Helen whom we buried, has prevented my becoming a criminal in fact as well as in heart. The fights I have had with myself out under those oaks in the back pasture! Many a time the weight of a feather would have turned the scale the other way."

"As for that boy of mine, the night he turned traitor to my interests, and forewarned you 'sandlappers' of the coming of my cattle, as I next morning made sure he had done, I washed my hands of him. I was proud enough of him at that time, but not until this day and this hour have I loved him as a father should. Now I do. Son, give me your hand. I want you to come over home sometimes and teach Dad how to make a farm out of that river ranch. Daughter, give me yours. You look as if you had with yourself, or might have looked if she had lived, and I could love you for that if for nothing more. Mr. Singham, give me yours. I accept the designation of 'friend.' Bear with me, all of you. I can't be other than I am except that I will cherish ill-will toward you, any of you no longer, and am ready to take hold and help try to make this a bit of God's country. I was wrong when I thought that a cattle range was best."

The strain upon the little company at dinner had been tense beyond expression, and when the handshaking at the head of the table had ended, and Helen had arisen from her place and thrown her arms about the neck of the father and then around the neck of the father of her husband, handclapping broke the stillness right heartily. When this had subsided the minister from town, at the psychological moment, rose in his place and offered prayer for the people in the "sandlapper" irrigation district, for the union of these two families in a mutuality of respect and confidence, for the blessings of the waters upon the soil and the fruition of the efforts to be made to establish a new Eden there in Enterprise district. Finally, that the souls of men might cease to wander in dry places but seek after God and the peace that passeth understanding, even as the hart panteth after the water brooks.

The shadows of night were now gathering and if the fireworks were to be seen in their splendor the horses must be thrown in harness again and driven to town. Half an hour later the procession of carriages started, a very happy bride and groom leading the way, and, as they reached the edge of town, the first rockets shot into the sky.

And from that day to this a new spirit has characterized the "Sandlapper" district. Having learned through tribulation how to pull together for a common cause the people have kept on pulling together. Their amity and enterprise have attracted new people to the country. Dairying has become a dominant industry and "Section Ten" butter still has the call of the Los Angeles market. There are small voices in the Bungalow and seldom a Sunday passes that Grandpapas Brayton and Singham do not sit out to vie with each other in spoiling the children. Farmers still come from far and near to learn how to meet problems from this "farmer of fads and fancies," whose bank account grows the fastest, and whose automobiles makes about the quickest time of any on the road.

Roanoke and Peacock, pensioned in rich pasture for good, they have done, much like young colts until they are then, with necks crossed, fight flies in fence corners, living over the while victories won in by-gone days.

The End.

HARRIMAN'S SUCCESSOR.

A new figure has come into the domain of American activities, to dominate in the great transportation field, the master of many thousands of men and whose word carries with it an authority more far reaching than that of the Czar, says an Eastern exchange. As the head of the colossal combination of railroads, known as the Harriman system, Judge Robert S. Lovett challenges world interest. He is the apotheosis of American opportunity.

A farmer's son, born in Texas, he has, at the age of 49 years, stepped into the very forefront of the world's affairs.

He is among those, the pride of American story, who have, step by step, made their way to position and power. A graduate from the plains of Texas he is the central factor in the nation's activities. His rise has not been phenomenal.

This Titan in a world's affairs grew into the conditions by which he was surrounded and mastered them. His rise finds its counterpart in the story of Lincoln, of Garfield, Grant, only with this difference, the political career offers easier advancement than the way along the lanes paved by capital. Eloquence and personality are the factors in politics. They do not figure where capital dominates.

The financial activities permit of no errors, mistakes of judgment or the failings of humanity. It is a school that is harsh and unsympathetic, yet the successor to Harriman in his face shows that his character has passed through the ordeal with its sympathies as deep as they were in boyhood when he toiled on his father's farm. His head is molded to the judicial form and his manners and executive ability are portrayed by his massive forehead and clear-cut features. His brown eyes are clear and penetrating and display interest in everything that comes within the focus of their glance.

He is physically a large man, standing fully six feet, with broad shoulders and of athletic form. He appears to be the personification of health and activity and though at the turn of fifty his hair is untouched by the frosting of time.

He is reserved in manner, though he possesses a personality that courts approach, and he displays keen interest in conversation and at times the lines at his mouth and a twinkle in his eye give evidence that he is inclined to appreciate the humorous side of life. He is deliberate in his answers. It is "yes," or "no" as soon as he has given the case momentary consideration. Judge Lovett is not affected by success. His habits are simple and he dresses in modest form. His voice is soft, though every word is littered with decision and bears the tone of authority.

The new railroad factor shuns personal publicity.

He is not unlike his predecessor, E. H. Harriman, in his earlier years. The railroad magnate then preceded the newspaper interviewers, but the latter made them his confidants and had among them many of his most ardent admirers and in some cases advisers as to the tendency of conditions. Judge Lovett realizes his responsibilities. He has the determination, coupled with the desire, to do what is right by the great interests he controls and the public whom he serves.

In his first interview after his promotion to wield the power of Harriman he declined to talk on the problems that confronted him, but remarked:

"The people will judge me by my acts."

He is intensely American and his thorough knowledge of and acquaintance with the national domain enables him to keep in touch with every feature of the great railroad system under his control. Coming out of the great mass of American people he is in complete harmony with their needs and ambitions.

He does not figure as a "Wall street man." He does not accord in early training or later experiences with the speculative feature of railroading. His early training on his father's farm in the then wilds of Texas gave him a wholesome view of life.

For a time he found employment at the town of Shepard, near his parents' home, as a clerk in a general merchandise store, for which service he was paid \$2.50 a week. In that position he had to make frequent trips in the store wag-

on to the little depot to get the consignments of merchandise to his employer. That gave him his interest in railroading and he secured a position as station agent at the town for the Hudson East and West Texas Railway, which was afterward merged into the Harriman system.

Serving here for a time he removed to Houston, where he became a clerk in the general freight office under C. B. Urell. While a clerk in Houston young Lovett studied law in his spare hours and upon admission to the bar he resigned his position in the railroad freight office and became a member of the law firm of which then Congressman Charles Stewart was the head.

Shortly afterward he was appointed as one of the attorneys for the railroad on which he had commenced his career as a clerk and was remarkably successful in defending the cases which were brought against his client. The company having gone into insolvency he was chosen by the receivers to aid in straightening out its affairs and had his office at Nacogdoches.

His achievements in this direction earned for him promotion to the post of chief counsel, with headquarters at Houston. He then became assistant general counsel for the Texas Pacific Railroad and later was made general counsel for the road.

At this time he entered into a legal copartnership forming the firm of Baker, Botts, Baker & Lovett. His great achievement was the merging of the Houston and Texas Central roads into the Southern Pacific system, which brought him to the notice of Harriman.

The latter made him president of the road on which as a boy he had started his career in life as station agent in a remote country town. From that time on he was frequently consulted by Harriman in matters involving corporation and railroad law and finally the then railroad king found his services at hand essential to his interests and he was induced to remove to New York. For the two years prior to his death Harriman leaned upon the Texas lawyer. He entrusted him with every secret and until the very day of his death Harriman referred every detail of his vast interests to Judge Lovett. When it came to confiding those interests to other hands there was no one more intimately acquainted with Harriman's masterful plans and ultimate policies than the Texas lawyer. It was to him those concerned looked and trusted when the great railroad chieftain passed away. He has now taken up the work of Harriman and in his own words—

"The public will judge me by my acts."

TO PROTECT THE BIRDS.

The National Association of Audubon Societies has issued a circular letter to all the granges advocating a revision of the bird laws in this country for the protection of the birds and the benefit of the farmers. The letter reads:

"If the bird laws are to be improved, it can only be done through the powerful influence of the grangers, who are more deeply interested than any class of citizens. Every bird that is wastefully destroyed means loss of money to the agriculturists of New York. The millinery trade does not wish the bird laws changed; it fights every attempt to improve them."

"Have you ever contrasted the relative size of the two interests—millinery and agriculture? If not, carefully examine the following figures taken from the last United States census report (1900):

"Capital invested in the millinery (wholesale and retail) business in New York state, \$11,805,220.

"Capital invested in agriculture in New York state,

"Land, \$551,174,220.

"Farm buildings, \$337,000,000.

"Total, \$888,174,220.

"There are 226,720 farms in the state. Almost 250,000 families depend on the products of these farms."

"There are 22,648,109 acres in these farms; every acre harbors swarms of insect and rodent pests that destroy crops, entailing enormous losses annually."

SAN FRANCISCO.

By Otto E. A. Schmidt.

(For The California Weekly.)

Born of the sea! When first Balboa's startled gaze

Enraptured scanned the broad and placid flood

Whence art thou sprung—a regal parent-hood!

He thought recked of thee beyond the northern haze.

A naked babe that smiling sprawled on shifting sands

And Time struck many a chord on History's lute

Ere yet thou heardest thereof a single note,
Nor bore the winds thy faintest lisp to other lands.

The wandering children of the wild their rude abodes

Here reared, left mountain-stream and gloomy wood

To break thy long and lonely solitude
With mystic rites and plaintive prayers to myriad gods.

Until the eager hither-stumbling padre came—
Anon beneath his earnest touch arose

The humble mission hamlet, thy swaddling clothes—

And christened thee that sweet forgotten childhood name.

Thou heardest his droning orisons arise by day.

The music of sweet chiming at vesper hour,
Nor dreamed the coming richness of thy dower

As slipped the happy years of careless youth away.

When, lo, by frozen strait and over stormy sea,
O'er snowy range and death-parched burning sands,

A host, of lion hearts and willing hands,
Came first for gold, then stayed for love—for love of thee!

Ah God, the shudder and the shock, the raging flame

That refit thee of thy crown and fairest gems—

The ash-strewn ruins, black and twisted beams,

Left but a wistful mocking mem'ry and a name!

Alas, most pitiful of all, in this sad hour,
While wept the stranger world appalled, dismayed,

Thine own dishonored sons thy trust betrayed

And like the viper struck the breast that gave them power.

Beside thy prostrate bleeding form crouched ghoulish greed

And sought with tainted gold to make of thee

A loathsome creature of venality,
To draggle in the mire of shame thy helpless need.

But virtue is not dead, and honor's more than name,

For thou hast other sons of nobler strain
To rally to thy call and raise again

Thy banner proud and plant it firm on the heights of fame!

Thou sittest still "serene beside the Golden Gate."

And vistas gold of glorious ripening years
Stretch long and fair beyond the mist of tears;

Thou art thyself again, "indifferent to fate."

Thy glorious heritage with fearless faith maintain,

The eyes of East and West are fixed on thee.

For written large in the book of destiny
Is San Francisco, Queen of the broad Pacific Main!

SHEAR WIT

"Bridget," said a Ludlow lady, "have you turned the gas on in the parlor, as I told you?"
"Yes, mum; can't ye smell it?"—Yonkers Statesman.

The housewife vents with failing nerve Preserving-time's proximity; She fears she can't at once preserve Her fruits and equanimity.—Catholic Standard and Times.

Mother: You have one great fault, Emerson. You won't take "No" for an answer. Boston Child: And yet it was that same trait in father which led you to marry him.—Life.

"Tell me," said the superintendent, "what a skeleton is." "A skeleton?" the pupil asked. "A skeleton? Why, a skeleton is a man with his insides out and his outsides off."—Philadelphia Ledger.

"What are you going to do with the money you got for your caps this year?" "I guess I'll get one of these centaurs I read about in a book to run the new carriage I bought last year." "Why, a centaur is an imaginary creature." "Well, this is an imaginary carriage."—Washington Star.

Steve Long is noted for attending to his own business and saying very little about it. One morning an inquisitive neighbor met him returning from the woods with his gun over his shoulder. "Hello, Steve. Where ye been? A-shootin'?" "Yep." "What ye been a-shootin'?" "Dog." "Yer dog? My! Was he mad?" "Wall, he didn't look so danged well pleased."—Everybody's.

Senator Tillman was praising the humor of a Republican Congressman, says an exchange. "His humor, however," he concluded, "is a rather grim. I told him the other day about a mutual acquaintance who had died, a man he had never liked. 'And his wife is dead, too,' I said. 'He himself died on Monday. His wife died two days later. The papers didn't say what killed her.' 'She was tickled to death,' I guess," said the Congressman grimly.—Houston Post.

"My friend Woolleen—William Wesley Woolleen," said Speaker Cannon—"was starting on a trip to Europe. He needed a steamer rug in a hurry and telephoned for one to be sent to his house. The clerk took the order, but couldn't understand the name. 'Spell it out,' said the clerk, 'and I'll write it down.' So Woolleen started, 'W,' said he. 'Yes,' said the clerk. 'W.' 'Yes,' 'W.' 'Yes,' 'Double O.' 'Yes,' 'Double L.' 'Say,' interrupted the clerk, 'what do you think you are—twins?'—Harper's Weekly.

A practical joker recently made his first trip to Niagara Falls, and a guide that he hired was trying to impress him with their magnitudes, says the New York American. "Grand!" suggested the guide. The visitor did not seem impressed. "Millions of gallons a minute," explained the guide. "How many in a day?" asked the tourist. "Oh, billions and billions," said the guide. The other looked across and down and up as if gauging the flow, and then turned away disinterestedly. "Runs all night, too," suppose," he remarked nonchalantly. The guide never recovered.

The teacher of "conversational French" in a certain eastern college was a lively mademoiselle "just over." One bright afternoon she stopped two girls very excitedly. She wanted to buy an "eponge pour bain," but did not know what to ask for. "Bath sponge. Tell the salesman you want a big bath sponge to take home with you," said the girls in chorus, and they accompanied her to the village drug store. A young clerk stepped forward. Mademoiselle advanced bravely. "Please," she said, smilingly, "will you kindly take a sponge and give me a big bath sponge?"—Success.

Reginald de Koven, the famous composer, motored recently to his native Middletown, says an exchange. There, as he strolled in a sunblistered street, he met one of the friends

of his boyhood. The friend threw down his pick, climbed out of the hole he was digging and shook hands warmly. "By the way," he said, "are you any relation to Reginald de Koven, the composer?" Mr. de Koven smiled. "I am he," he answered. "No, no," said the other, impatiently. "I mean De Koven, the great composer from New York. The one that's writing a grand opera on 'Tribby,' you know." "Yes," said Mr. De Koven, laughing. "Yes, that's me." With an exclamation of disgust, the boyhood friend turned and leaped back into his hole. "De Koven," he sneered, "you always were a liar."

"Going the whole way, mister?" inquired the passenger with a green necktie, as he took out his snuffbox preparatory to settling himself for a cross-examination, says Tit-Bits. The man interrogated eyed him attentively, then replied: "No, I get out at the third station, am going to collect some money due to me for groceries supplied. You see, I am a wholesale grocer. The business was left to me by my father. I am married and have five children. The oldest is eleven years old. I am exactly twelve years and nine months old. I live in a semi-detached house, rented at forty pounds. My wife is fair and weighs twelve stone. She was a dairymaid before I married her and has been vaccinated twice. I have £1150 in bank and I was 14 when I left school." The man in the green necktie had a dissatisfied look as he inquired: "What did your grandfather do for a living?"

AMERICANISMS.

One must not forget that many well-known Americanisms are necessarily good old English expressions, of the date when English men and women first proceeded to make themselves into Americans. Hence the affinity between Locke's language and that of the modern Yankee. For all that, they are really Americanisms, because we have ceased to talk like Locke; and the American apparently has not; just as a word like "chuck" means something slang today, though in Shakespeare's England a king might have said "Chuck me my crown," and remained a king. Race relationships in words are always turning up in the career of the traveler. Go to Denmark and you will find that "hus" means customs house, and "barn" means child. And the Scots, closely allied in the past to northern races, still talk of "tollbooth" and "bairn"; and, allied also in the past to the French, still talk of a giggett, instead of calling it a leg of mutton.—English Exchange.

SUBMARINES IN 1635.

In Lord Bacon's delightful phantasy, the "New Atlantis," the marvels of modern science are thus anticipated: "We imitate also flights of birds," explained the father of Solomon's House to the shipwrecked strangers; "we have some degrees of flying in the air, we have ships and boats for going under water, and brooking of seas; also swimming girdles and supporters." Elsewhere we read of "new mixtures and compositions of gunpowder, wild-fires burning in water, and unquenchable." And, apropos of the grand olden, there is a curious passage: "We have certain helms which, set to the ear, do further the hearing greatly. We have also divers strange and artificial echoes, reflecting the voice many times, and as it were, tossing it; and some that give back the voice louder than it came, some shriller and deeper." Gas and electric lighting, tinned provisions, meat lozenges, Liebig, fruit essences, aniline dyes—all these and many other discoveries and inventions seem to have been the possession of the New Atlantians several hundred years ago!—Exchange.

GROWTH IN COLORED SOILS.

The effect of the color of soils on the growth of vegetation has been studied in France at the experimental meadow of Montpellier, with interesting results. Says Cosmos (Paris):

"The experimenter covered the surface of a vineyard with a thin layer of cement, easily traversed by moisture, leaving a small space around each stem. Then he painted part of the surface with a part of red and part red, and he found that the red and black plantations were almost twice as vigorous as the white."

OUR SCHOOL FOR CITIZENSHIP

The Legislature and Its Organization.

On the first Monday after the first day of January, in odd numbered years, the legislature of California convenes in regular session. This it does of constitutional right and without the proclamation of the governor or anyone else. It sits until it is ready to go home. The governor may call the legislature together at any time if he wishes to, but if he is a wise governor he will not wish to, for there is no knowing what a legislature may undertake to do. Calling the legislature in extraordinary session incurs so great a responsibility that any cause less important than was the great fire in San Francisco would hardly be held to justify it.

The legislature of California is composed of forty senators and eighty assemblymen, sitting in two bodies at far ends of the capitol building. Each senatorial district is as nearly as may be the same size, as to population, as every other senatorial district, and assembly districts are constituted on the same principle, but they may all of them differ immensely in area or wealth. In the heart of the residence sections of San Francisco or Los Angeles it may require no more than a few city blocks to constitute an assembly district, while, in the mountain districts it may require two or more counties to make an assembly district and four or five counties to constitute a senatorial district. The basis of representation is population and not area or wealth or agricultural, industrial or financial importance. Nevertheless, when the legislators reach the state capitol they do in fact represent interests and not population.

The state is redistricted once in ten years, after each United States census has been taken. The senators hold office for four years and the assemblymen for two, but they both receive the same compensation, \$1,000 each for each regular session, together with a mileage allowance and \$25 for each session for contingent expenses. In the event of an extra session they are allowed \$10 per day each, besides mileage, for not exceeding thirty days.

When the legislators reach Sacramento they are only so many individual men. The Secretary of State has prepared their respective legislative chambers for them, at the far ends of the capitol building, and has allotted each member his seat according to the rules of chance, and the chief clerks of the last legislature have prepared the rolls of membership. The senate has a presiding officer prepared for it in the person of the lieutenant governor, whom the constitution assigns that duty in the way of something better for him to do. He is seldom a trained parliamentarian and so a president pro tempore of the senate must be elected in order to furnish that body with a person who knows how to preside until the lieutenant governor can learn the duties of his new position. For president pro tempore the senate chooses a senator of much experience and proved executive ability.

The presiding officer of the assembly is known as the speaker, and he is elected by the members of the assembly as soon as the roll of membership has been approved.

Generally the members of each party in the assembly are called to meet in caucus for the selection of a candidate for speaker and the issue is there fought out within the party. As a matter of fact, in most instances, the issue has been fought out before the caucus assemblies by a process of trading or compromising of claims on the part of some party or corporate political boss. The caucus merely ratifies the action of the boss and then the assembly ratifies the action of the caucus. The majority party nearly always elects the speaker, although sometimes there may be enough independents, allied to neither large party, to hold the balance of power and so do some trading on their own hook. The consideration is generally better places on committees than they would otherwise receive. Ordinarily the majority party names all the legislative officers and the minority party has

to content itself with passing around empty honors.

Having elected a speaker the assembly proceeds to elect a speaker pro tempore, a chief clerk, sergeant-at-arms, minute clerk and chaplain. The chief clerk appoints an assistant-chief-clerk and three or four assistant clerks. The minute clerk appoints three or four assistants and then there is a history clerk with an assistant, a journal clerk and one assistant, an engrossing and enrolling clerk and five assistants, a file clerk and two assistants, a chief stenographer and six or seven assistants, eight or ten pages, and each legislative committee has a clerk and some of them more than one. The office of the assembly sergeant-at-arms requires forty-five to fifty subordinates aside from the postmistress and her assistant.

The senate elects a chaplain, a secretary, and a secretary and page to the president of the senate. In the office of the secretary of the senate are about thirty clerks, nine or ten stenographers, besides clerks to all the senate committees with two or three special clerks to important committees. The senate sergeant-at-arms has about as big a force of clerks, assistants, porters, pages, etc., as has the assembly.

It may be doubted if the legislature of any other state in the union supports such an army of attaches, and yet the number employed last session was much smaller than for years, because of a constitutional amendment adopted by the people limiting such expenses to \$500 per day for each house. Before that attaches were positively underfoot and many of them rendered no service at all.

Since the adoption of the new constitution, and until the last election, the members of the legislature were unable to draw pay after the expiration of sixty legislative days, but it was found to be impossible to do the useful legislative work in that time however anxious the legislators might have been to do the work cut out for them. They may not do any better under a system that gives them a longer time, but at least they have the opportunity, whereas, before, the opportunity was denied them except at their own expense. This they often bore for a few days, but soon tired of it and went home.

In our next lesson we shall complete the organization of the legislature and show how the work is theoretically done and, perhaps, actually, too.

The Anaheim Gazette, of which Henry Kuchel is editor and proprietor, has entered upon the fortieth year of its publication, and rightfully congratulates itself on having done good work for Anaheim.

It is reported that the Southern Pacific Company will build a fine steamboat to make fast daylight runs between San Francisco and Sacramento.

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This Week: "SHALL VOTING BE COMPULSORY?"

—By Courtenay De Kalb

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Francis J. Heney.

FRANCIS J. HENEY HAS MADE MISTAKES, offended against good taste, shocked the proprieties. He has bluffed and he has blown, proclaimed his readiness to scrap with anyone who would come at him from the front, lost his temper and boasted of the big things he was going to do but must now leave undone. His English has not been choice and he has used too much of it. His course has centered upon himself all the hatred and opposition of organized cunning, vengeful greed and political power of this city and commonwealth. These are the worst things that can be said of Heney with truth.

But Francis J. Heney has done what no other man in our history has done, worked like a slave for three years, without money and without price, facing the threat of assassination every hour of every twenty-four, dropped in his tracks with a bullet only to up and at 'em again as soon as he was physically able. He has turned a leprous condition of civic life inside out and wrong side up, and laid as bare the iniquities of malefactors of great wealth as they will be laid on the Last Day. He has aroused the civic conscience of a continent. His voice has echoed around the world. His faults are the faults of Roosevelt. Those who hate him hate Roosevelt and for the same reason. Those who love Roosevelt will love Heney. The fight for equality before the law must now go to the makers of law. The appeal must be made to the State of California. **Francis J. Heney is the man to lead that appeal.**

Rudolph Spreckels.

WEALTH IS POWER. THAT IS WHY men never become sated with it, and power is the supreme love of the human heart. The men of our generation have centered vaster wealth in relatively fewer hands than before in 2,000 years of history. If this aggregated wealth will stand together, if it will "take orders," and execute them, the world will be its oyster and the industrious millions will be its bondservants for ever. The only hope for the rise of the common man is through dividing the oppressive power of concentrated wealth on an issue of human rights sustained by a militant conscience. Rudolph Spreckels is hated by his class because he has gone back on his class. He has been separated from it on an issue of human rights and his spirit is energized by a militant conscience. If his life is spared, and he can learn to work with other men, to lead instead of dominate, there is no measuring the good that he can do his country and his time. He is rich, he is young, he is strong, he loves justice and hates greed, and if he can so hold his imperious will in leash as to win men to him and co-operate with them he can make his life of greater service than though he were to endow a great university or found the noblest of charities. God grant him length of days and singleness of purpose!

Charles M. Fickert.

THERE IS NO MAN WHO, ON THE 3RD OF JANUARY next, will take oath of office in San Francisco from whom less will be expected than from you. No man entertains the hope or expectation that you will continue the graft prosecutions with any purpose other than to whitewash the accused in the speediest way possible and suffer them to go hence. It is anticipated that when you take your oath of office you will do it with such a mental reservation as will leave you free to carry out the expectations of those who procured your nomination and election at vast expense in order that the forms of law may be employed to thwart the law. It is not believed that, even if disposed to

respect your oath and enforce the law without fear or favor, against rich and poor alike, you have the ability so to do. You were selected because of your front elevation rather than because of your ground plan. By taking the direction of least resistance you can make your incumbency of office easy and easily earn the unforgettable contempt of those who shall have used you as well as of all right-minded persons. And yet if there is manhood in you, if you have ability and sincerity, if you fear God and have regard for an honorable reputation among honorable citizens, you have the opportunity of your life, an opportunity that comes to few, an opportunity that will not come a second time to you. We shall see what we shall see.

Why Off Hunting Lions?

OF COURSE THEODORE DESERVED A REST. After seven years of strenuousness he had earned a play spell in the wilds of Africa, but it was deucedly unfortunate that he was off hunting lions at a time when San Francisco so much needed to have him speak to its people. They had become dead tired of being good and needed someone to fire their hearts anew. President Taft smiled upon them benignantly, but had no message for them. It would have been different with Theodore. He would have spoken and those ivories of his would have glistened with a meaning that no man could have mistaken. Well, there will be big game in abundance at home when he gets back. It has gained the courage, since he went away, to come right out onto the open veldt in broad day.

An Epoch-Marking Discovery.

THE DISCOVERY THAT POVERTY, shiftlessness and dirt are the results of hook-worms is monumental, and it is good news that that enemy to poverty and shiftlessness, John D. Rockefeller, has come to the rescue of the Sons of Rest a million dollars strong. This is a real benefaction and warrants us in looking for a speedy social uplift, not alone in the South but, if late reports be true, in California also. Well, there were never any hook-worms in John D. That's a cinch.

Who Is to Have Peckham's Place?

IT IS LESS IMPORTANT TO HAVE A DEMOCRAT on the supreme bench of the United States, to succeed the late Justice Peckham, than it is to have a really big man there. That bench is at all times more or less the victim of senility. To make it the victim of mediocrity also will be to bring it into contempt. If somehow the cards could so be shuffled as to put the President on the bench and Elihu Root, for instance, in his place the nation would greatly be the gainer, but the next best thing might be for the President to put Root on the bench and stay where he is.

Ox Team Competition.

THE BEST JOKE OF THE SEASON, in shipping circles, was the digging up of an old Southern Pacific rate sheet showing what rates were charged when the S. P. was forced to compete with ox teams for business, and showing that the rates then charged were little, if any, greater than they are now. As a matter of common knowledge in railroad circles there are many local rates with which good mule, if not ox, teams could profitably compete were it not for the fact that a team line would no sooner be established than rates would be so lowered that not even a mule could live on what he could haul. In railroad ethics no rate is looked upon as unreasonable that does not kill the business, and even a killing rate is regarded as perfectly reasonable if it results in a longer and better haul from somewhere else. That is what it means to be ruled by a railroad.

WE APPEAL TO CAESAR.

Every indictment reads, "The People of the State of California against—" The indictments found against the grafters do not read, "The People of the City of San Francisco against—" Therefore we appeal the case of the People vs. Graft from the city to the state, from the superior court to the Legislature. San Francisco is not our Caesar. If justice can not be vindicated in the Legislature appeal will be made to the American People instead of to the People of California. The problems here raised are national problems, problems involving the perpetuity of free institutions. Democracy is on trial before the civilized world and the head of this nation himself has confessed, what the head of no other civilized nation on earth would think of confessing: That attempts to establish justice under this free republic are a disgrace to the civilized world. And they are.

There are many reasons why the election held in this city on Tuesday, as it did, not one of which reasons had any moral justification for existing; but the paramount reason was that an incorporated plutocracy had planned to that end and had executed its plans with consummate ability. If this achievement of the forces of evil can have the effect of bringing home to good citizenship a realizing sense of the menace of an organized and incorporated plutocracy, a knowledge of its evil character, final victory may be snatched from defeat. Otherwise the substance of the democratic idea will be sucked out of free institutions leaving the form, the husk, the shadow to beguile the people into believing that they have the thing that they have not.

Our fight is for equality before the law. Our enemy is an incorporated plutocracy, working through a class-conscious proletariat, both ends being played against the middle. Tuesday this combination achieved the victory in New York, Philadelphia, Cleveland and Sacramento as well as in San Francisco. Against a divided, unorganized, unaroused and uninspired commonality it is strong. Confronted by a solidified, determined, organized, moralized patriotism it will cringe and crawl and kiss the toe of manhood's boot.

Our criminal procedures must be so revised as to give the prosecution every right of appeal, change of venue, challenge of jurors that the defense enjoys, and certain hampering legal maxims, that grew out of conditions that have not existed for two hundred years, must be blotted out. To accomplish this the emancipation of our political parties from corporate control is a part of the campaign. These two reforms must go hand in hand, and other than these there are no issues worth mentioning.

As for the grafters under indictment, no one doubts their guilt and no one entertains the shadow of a hope that Charles M. Fickert will inaugurate anything more than a perfunctory prosecution designedly intended to whitewash the accused; but, no matter how thick the whitewash may be smeared on, the deep damnation of their guilt will never be eradicated from the public mind. No man who voted for Fickert, and the quashing of the prosecutions, doubts that Calhoun caused that \$200,000 to be paid to Ruef with intent to debauch the supervisors, and that they were debauched therewith; but it is to be doubted if Fickert, or Hency either for that matter, can obtain a jury in San Francisco, under the law as it stands, that would bring in a verdict of guilty. It was this feeling more than any other that contributed to the defeat of Hency and the election of Fickert.

Fortunately, justice has its extra-judicial vindications and not a man among the accused will outlive the taint of treason to the

THE STAFF

A. J. PILLSBURY.....Editor and Manager
J. L. WATERHOUSE.....Assistant
E. F. H. EBBOTTS.....Business Manager
V. E. FRANKLIN.....Business Manager

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state. The accused have used the machinery of the law to crush the law and have done it successfully, but the stigma of their infamy will live while they live and be a heritage for their children.

The result of the election in San Francisco was a disappointment, but it need not be a discouragement. This nation was dedicated to equality, equality before the law and equality of opportunity. Neither exists. Both must be reconquered. They can be. There is manhood enough in America, in California, yea, in San Francisco, to win that fight on any battle ground if that manhood can be mobilized, centralized, energized. Leave out the temporizers, harmonizers and quitters. It is a fight with quarter neither asked nor offered. Then go to it!

SHALL VOTING BE COMPULSORY?

Education in America is free for all. It required a long and hard fight to make it so, but the battle was won and now any child may begin at the primary grade and go through a postgraduate course at the university free of cost for the educational facilities afforded.

It was supposed that so great a boon as a free education would be reached out for so eagerly as to require no compulsion to make its use general. Such was not the fact. It was found that the most trivial hindrances kept tens of thousands of children out of school and that the efficiency of the American system of education was low. It was urged, however, that this was an affair that concerned parents alone, that the educational facilities were there to be made of use or let alone as each parent or guardian might prefer and that the public had discharged its duty when it had supplied the educational facilities.

Gradually it dawned upon public comprehension that to school or staying away, securing a common school education or growing up in illiteracy, was not wholly a personal matter; that a government founded upon ignorance and stupidity was a dangerous experiment to try, and so compulsory education laws began to be enacted. In order that the American Republic may not prove a failure among the nations of the earth we are still occupied with the problem of compelling American youth to become fit for American citizenship.

It is dawning upon the American mind, too, that a free suffrage, like opportunity for a free education, is not wholly an affair for private concern. With much complacency it has been declared that those who do not exercise the right of suffrage are entitled to just such government as those who do exercise that right see fit to give them, and that whether a man votes or does not vote is exclusively his own business. It has been commonly held that a citizen may vote or

not vote as his humor or convenience may dictate, with the qualification that if he does not vote, and does not like the government given him, he shall hold his peace regarding that government.

The extent to which this view obtains is well exemplified in San Francisco where, at the last general bond election involving more than eighteen million dollars, 23,560 out of a total registration of 75,388 voted. It was exemplified again at the recent direct primary when 36,998 votes were cast out of a registration of 84,571. In round numbers, in both of these important elections, one-third of our electors voted and two-thirds shirked the obligation of citizenship.

Now, it has been discovered that, at primary and bond elections in particular, that portion of the electorate votes whose votes the public welfare could best dispense with. The element that would naturally vote wrong generally votes while the element that would normally stand for Right Things, if it stood at all, remains at home. Therefore it becomes evident that the public welfare is mainly dependent upon the non-voting constituency.

Elsewhere in this issue of The California Weekly will be found a thought inspiring article on compulsory voting. Shall the voter be compelled to go to the polls on election day, to cast a blank ballot if nothing more, for the same reason that education is made compulsory—because the public welfare demands it? If he does not go what shall the penalty be?

What does the thoughtful man think of the idea? The California Weekly would like to know. Any citizen who has an idea on the subject is cordially invited to fire it at The California Weekly, and through The California Weekly at the public.

INEFFICIENCY OF RIGHTEOUSNESS.

There is nothing that the man who is in politics for what he can make out of politics holds in such disfavor as the "clergy in the pool of politics." This is partly because the clergy do not make much of a figure in the pool of politics and partly because of the fear that they might if they were ever to learn the rules of the political game. The political efficiency of righteousness is low. It scatters. It is easily divided into hostile camps and conquered because divided. And yet every church and church federation contains the nucleus of a political power that would have to be reckoned with if that power were focussed, directed, and made efficient by some master organizer working for Right Things.

Church members have so often been told that, "The clergy can not exercise an important influence in politics, but can seriously injure the cause of religion by dabbling in politics," that they have almost come to believe it themselves, although told so by as arrant knaves as ever packed a caucus, sold out a convention or reduced the honorable profession of journalism to the moral level of harlotry. It is time that the forces of righteousness, in church and out, reviewed the situation to see if this disqualification be well founded.

Of course we do not wish the church to go into politics for the benefit of the church. No church will warrant any other church in doing that and public sentiment will not tolerate it, but relatively little of the work the church does is done for the church. It is mainly done for humanity, for charity, for purity, for justice. In the name of religion men have dared to demand of Almighty God himself that he be just, and just before being merciful. Greater courage than this hath no man.

The head boss issues his orders to his po-

litical subordinates and they reissue them to their corporals and privates clear down to the odd-jobs man who carries his earthly possessions in his grip and at a day's notice changes his residence from boarding house to boarding house, precinct to precinct, ward to ward, or wherever his ballot can do society the most harm. This is convenient but not indispensable to political efficiency.

We are not a nation of political irreconcilables. We believe in majority rule and will submit to it whenever we have had our say in regard to what policy shall be followed, have cast our vote and know that it has been counted. If we have been outvoted on the square we yield the point with grace, even if we go on arguing in favor of a lost cause. The forces of righteousness will have to act through representative bodies, after full discussion, but when the final vote is taken every true American will admit the result for the nonce at least. An effective political instrument can be founded on good conscience and the representative idea and every church federation can be made the nucleus of such a political mechanism.

What is needed to constitute a political machine more than a head and a few good hand-to-hand workers in each precinct? That is all that any political boss ever has or needs. These church federations in San Francisco has ready at hand. All that is needed is to organize and discipline them. The organization must, to be sure, be on a representative and not an autocratic basis, but that is only a hindrance and not an obstacle. The moral forces will "take program" if they have had a hand in making the program. So organized, the moral forces can be made tremendously effective in "the political pool," so effective as to make it something better than a pool. And moral influences reinforced by religious influences will be all the stronger. That moral influence that has behind it no religious sanction may be looked upon as negligible so far as practical results are concerned. It is time to make the political efficiency of righteousness as much an object of fear to the politically unregenerate as it now is an object of derision.

Had the church federation of San Francisco been organized on the lines above laid down it could, in the campaign just closed, have threshed out the issues between Crocker and Leland, and aligned its power with one or the other, as to have forced the one discarded to retire from the race, and so saved the city from humiliation. To neglect or refuse to make use of the power for good ready to hand is to bury the talent instead of to employ it fruitfully.

The Legal Craftsmen.

According to Dean William Reynolds Vance, of the George Washington University law school, the lawyers of America are mainly craftsmen and not professional men at all. The administration of the law in America, according to Dean Vance, is two generations behind the rest of the civilized world, and for two principal reasons: One is that of a low moral tone at the bar that results in a legal parasitism coupled with a selfish indifference to the public interest. The other is that lawyers lack a knowledge of the law as a science and only know it as craftsmen.

If deans of law schools are coming to see and know these truths we may, in the near future, look for better equipped men in the legal profession, but the public must demand them or the law schools can not supply that demand. A good beginning here in California would be to exact four years of preparatory work in Hastings Law College as well as at the University. If the profession of the law can not be kept on a parity with that of medicine it is a pity.

Tamalpais Center.

The dedication of Tamalpais Center, at Kentfield, Marin county, on Sunday last, was a notable event. It marks what we may hope will become a characteristic feature of rural or suburban California life, the fixing upon and preparation of a convenient center upon which to focus the intellectual and social life of a contiguous community. People need to be brought into contact with other people. They need to be enticed out of their self-sufficing shells, without which there is neither intellectual, moral nor spiritual growth. In founding this enterprise, Mrs. Adeline E. Kent, the donor, has broken new ground in that she has sought to apply to a rural and suburban district a form of benefaction heretofore held to be applicable to congested urban centers only. It was out on the heath, and not alone in the Ghetto, that Christianity and civilization made slow progress, in the Ghetto because the people thronged each other, on the heath because they lived solitary lives with nothing to draw them out.

The dedicatory address was delivered by Rev. Jenkin Lloyd Jones of Chicago, the great liberal preacher and humanitarian. He took for his text this from Middlemarch: "Things are not so ill with you and me as they might have been but for hidden lives of those that rest in unvisited tombs." His theme was the debt which the living owe to past generations and which must be paid forward and not backward. The obligation is stupendous. The speaker left little in the pretensions of so-called self-made men. Take from them what was bequeathed them from the past and they would be wanting a habitation, a language, an upright position, the adequate functioning of their own bodies—everything. As a partial recompense for benefits received from countless ages gone we can not, without ingratitude, do less than our best for those who are to come after we have gone and, in the opinion of Dr. Jones, a philanthropist of more than forty years of service, "The best bequest to a growing state is a healthy community," and a community, like a pond, can not be healthy if it is allowed to stagnate.

The Tamalpais Center problem has not yet been worked out. The people accessible to it must make it a necessity to their lives or it will fail, but that also must be a work of time and effort. The want has not been long felt, but may be, and whoever shall make the feeling of that want vital, insistent and enduring will prove a greater benefactor than the donor. In this service all may share and others, seeing the good results flowing therefrom, may be prompted to do likewise. Neither religion, culture nor happiness thrives alone.

The Western Pacific.

Not as much attention as the event deserves has been given to the driving of the last spike in the construction of the Western Pacific Railroad. The finishing of this road completes two parallel bands of steel running from Oakland's water front to the docks at Baltimore. The advantage to be gained by an ocean-to-ocean line will be such as to make it imperative to consolidate other lines so that they may have one end washed by the Pacific and the other by the Atlantic. The more the better for both Atlantic and Pacific. The Western Pacific comes to us without clamoring for bonuses or special privileges. If it proposes to run the politics of all the country it goes through, as its great competitor, the Southern Pacific, has undertaken from the first to do, that fact has not been apparent. This, also, should commend the enterprise to the favor of good citizens. Shippers may well strain a point to throw a generous share of their business that way.

The Deeper Significance : : : : of Living : : : :

How like foolishness do fairy stories seem to grown up! Stuff and nonsense! Filling the child's head with airy nothings worse than useless! What we want is facts, rigid realities, truth that touches bottom and builds up from a rock foundation unshaken and unshakable. None of your dreamy nonsense for my children. I mean that their heads shall be filled with something real, not smoke. How have we all of us heard the matter-of-fact man inveigh against fiction, the unreal.

And yet it is upon the fairy story that the foundation for the religious life is to be laid if there is to be a religious life. If there is not, if the influence of the unseen world is not to be felt, if the slave to the demonstrable fact is always to look down and never up, then it does not much matter upon what the growing mind is to feed for that life will not be worth the living anyhow.

The Rev. Dr. Rainsford, whom ill health drove from the wilds of Great North York to the wilds of tropical east Africa, to live among a less savage if a more densely ignorant people than he left at home, found that the black tribes among whom he has spent the last two years are alike untouched by past or future. They have neither tradition nor history, no belief in God or in a life after death. The only peg upon which this fisher of men, one of the most successful of our country has produced, is able to hang a hope for the future of that race is the fact that those aboriginal blacks all believe in witchcraft. It is through the door of that superstition that he believes the truths of the Christian religion may effect an entrance for the regeneration of a debased but essentially lovable people, and for the reason that a belief in witchcraft presupposes imagination. No person without imagination will ever come into fellowship with the supreme Father of the race, "See God in the slain in the wind."

Imagination is a God-given grace. No person without it has ever impressed himself upon his people or his time and few without it have ever added one fact to the world's store of useful knowledge. The scientific method, popularly supposed to be so exact, and to allow so little opportunity for imaginative conjecture, consists in the results of careful observation connected together by imagination into a working hypothesis, afterwards verified by countless other observations that make certainty doubly sure. Without imagination no working hypothesis would be possible and science would make no progress. Indeed there would be no science to progress.

The truths of religion are not demonstrable like propositions in geometry. Even a proposition in geometry can be understood without imagination to transform the lines on the blackboard into real geometrical forms in the mind. The drawn chalk lines are only visible symbols of what the soul sees.

Therefore when your child sees the lightning flash across the dark sky asks if that is because God put a light in the window of heaven do not squelch the child as a dreamer. Direct and develop that imaginative faculty as you would a vein of gold, for it is through that faculty, if through any, that he will by and by come into a closer walk with the celestial author of his being.

Than a good, wholesome, lively imagination there is no better human quality, but it needs training, cultivation, nurture, else it will grow askew. It will manifest itself in belief in witchcraft, clairvoyance, palmistry, spiritism, astrology or some other morbidism that sharpens use for fleecing the unwary. Feed it on wholesome fairy tales, on imaginative literature of the best class, and the parables of Jesus and the visions of John, the missionary spirit of Paul, will become understandable. So feed your children's minds, and they will be able to live in the companionship of the great souls of all ages, and if that does not constitute the communion with the saints, in which so many believe, then what does?

WHAT THE WORLD IS DOING

Great Palaces of the Deep.

The Lusitania and the Mauretania, the greatest of sea-going vessels, will be eclipsed, both in size and luxurious appointment, by the Olympic and the Titanic, two gigantic steamships which are now in process of construction, at Belfast, Ireland, by Harland & Wolff, for the White Star Company. The tonnage of the two former is 33,000 each; the vessels being built will be of 45,000 tons each. That is, the latest leviathans will surpass the others in size by more than one-third. Each of the new steamships will be about 840 feet long, or somewhat less than the length of three city blocks, and the boat deck will be more than 60 feet above the water. Each will carry more than 5,000 persons, or enough to populate a fair-sized town. There will be not only suites of rooms but complete flats, and some of the cabins will have private shower baths attached. One of the upper decks will be completed as one great room, to be used as a ballroom or a skating rink. A veranda cafe will be built out over the sea from one of the upper decks, and a complete gymnasium will be found on each boat. A conception of the immensity of the entire structure may be formed when it is noted that each one of the four funnels, on each vessel, will be so large that double-decked street cars might pass through it side by side. The vessels are not being constructed with a particular view to speed, but it is calculated that they will average 21 knots per hour, which is not slow. The Olympic and the Titanic will cost about \$10,000,000 each, and it is expected that their first voyages will be made in the spring of 1911.

The Ownership of London City.

The city of London has a population of more than 7,000,000, and it covers a land surface of 115½ square miles. A memorandum recently issued by the London County Council gives some suggestive ideas concerning the ownership of the city. In the first place, 20 square miles, or more than one-sixth, are owned by the Crown, the Ecclesiastical Commissioners, the London County Council and the City Corporation. This leaves but 95½ square miles which is owned by individuals, and a living interest pertains to the nature of the distribution among them. Here it is: Forty square miles, which is not so much less than half, is owned by 187 persons; 34,413 persons own 55½ square miles; more than 7,000,000 persons own neither a fraction of one square inch nor "the hereditaments and appurtenances thereunto pertaining." So stand the facts relating to the great city's ownership, as the County Council gives them to the world. As for the moral of these facts, there will be many of them, but more of them will drip with tears than weathen themselves in smiles.

Londoners the Smallest Englishmen.

Possibly one of the morals of the foregoing paragraph may be found in the fact, asserted by British military authorities, that Londoners average the least in stature of all Englishmen. The rifle regiments, which are mostly recruited by Londoners, are compelled to place the minimum height at 5 feet and 3 inches—a fair height for a woman—and the average does not greatly exceed the minimum. The Seventh Royal Fusiliers is given the privilege of picking carefully, and, by dint of doing so, it manages to maintain a minimum standard of 5 feet and 5 inches, but the Hussars, who are not given so broad a selection, very frequently are not more than 5 feet 4 inches in height. When it comes to securing dragoons and guardsmen, ranging from 5 feet 5 to 5 feet 7 inches, London is left behind and their ranks are recruited from the country. When it is considered that a large proportion of these city soldiers come from the "slums," it is not difficult to understand why they are stunted in body, and, although the military authorities do not say so, there is room for a suspicion that they may be dwarfed in mind as well.

Man's Death Rate Is Decreasing.

The president of the Actuarial Society of America, at a recent meeting of actuaries of life insurance companies, asserted that "for more than 250 years there has been in Europe and America a more or less continuous increase in the mean duration of human life." It is true that, until the last half century, statistics had not generally been kept, but an exception to this rule exists in Geneva, Switzerland, where, excepting the years 1556 to 1576, records have been kept since 1551. According to these tables, the death rate of the seventeenth century, as compared with that of the sixteenth century, so far as ascertained, shows a decrease of one-fifth from birth to 50 years of age, one-fourth from 51 to 60, one-eighth from 61 to 70, one-fiftieth from 71 to 80, and after that an increase of one-fifth. To bring the matter closer home, there has since 1850, in the United States, been a decrease in the death rate as follows: From 1851 to 1863 the rate averaged 28 to the thousand, from 1864 to 1875 it averaged 25, from 1876 to 1888, 23; from 1889 to 1901, 21. Stated in another way, this means that from the average year 1857 to the average year 1895 there was a decrease of one-fourth in the death rate. The death rate is decreasing, but nothing indicates that the extreme limit of life is being increased.

The Telephone's Home Is America.

It is estimated that there are in the world about 9,500,000 telephones, and of these 7,000,000 are in the United States, 2,000,000 in Europe, and the remainder in outlying parts of earth's surface. It seems almost astounding that nearly three-fourths of the entire number are in this country, but the National Telephone Journal, published in London, admits that the estimate probably is correct. In all France there are less than 200,000 stations, while Austria and Hungary together have less telephones than has Chicago. Commenting on the surprising situation, the Journal says: "Ancient cities of universal renown, counting 400,000 or 500,000 inhabitants, and moreover of greater commercial importance, such as Rome, Naples, Antwerp and Prague, are far behind American towns with 50,000 to 100,000 inhabitants, such as Peoria, St. Joseph, Dayton and Norfolk, Va., which few Europeans have ever heard of; while Vienna, with a population of nearly 2,000,000, has not so many stations as San Francisco, with 350,000 souls. If the countries of central and western Europe were as well developed telephonically as even Great Britain and Germany, to say nothing of Scandinavia, the comparison with America would be vastly more flattering."

On Guard Against Suffragettes.

The suffragette Amazons of Great Britain have not yet attained that for which they battle, but that they have made a large dint in political affairs over there is demonstrated by the manner in which public meetings now are held. Formerly such meetings, if of a political nature, were free to all; the doors were wide open, and anybody might enter. It is different now. Suppose, for example, a cabinet minister has been announced to speak in the first place, everybody who attends must have a ticket. Then the approaches to the building in which the speech is to be made are stoutly barricaded, and the neighboring streets are closed to traffic unless it be of an extraordinary nature. Guarding police are numerous, and would-be auditors must be prepared to show their tickets to them at any moment. At the hall they are not unlikely to be called upon to give their names and addresses, and they must respond. All this change in the conduct of such meetings seems to pass solely because the constant invasions by suffragettes so frequently resulted in riots that steps had to be taken in the interest of public peace.

American Students in Germany.

The invasion of Germany, in the winter season, by American students who go there with the purpose of studying music, German, or for some profession, adds a very neat sum of money to Meinher's pocket change. Early registrations at various institutions of learning in Berlin indicate that few, if any, less than 5,000 such students will be in that city this winter. It is estimated that on the average one of these students remains there about six months and expends a hundred dollars a month. This would make a total of \$3,000,000, which all of them would spend, and this is Berlin's share in the picking. Yet other students go to Heidelberg, Munich, Jena, Dresden, Göttingen and other cities, and it is believed that these expend not less than \$2,000,000 annually, so that the total of American-student contributions to Germany would be about \$5,000,000 annually. It is said that numbers of the best-known and most accomplished vocal and instrumental teachers in that country would absolutely fail to "make both ends meet" financially if it were not for the pupils who go to them from this side of the Atlantic.

A conference of rabbis is to be held in New York city November 9. The objects are practical; the rabbis will visit Ellis Island, where so many Jews come in, and as well all the Jewish charitable institutions, and moreover there will be an important discussion of intermarriage of Jews with other races.

Byron Mauzy

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GOSSIP OF CURRENT LITERATURE AND REPRINTS OF OLD FAVORITES.

ANCIENT ROMAN SUFFRAGETTES.

The Chicago Evening Post is delighted to discover through the researches of Professor Frank Foster Abbott of Princeton, which he has given to the world under the title, "Society and Politics in Ancient Rome," that the Roman women as far back as 195 B. C. demanded and got their rights, though the historian Livy and the great Cato were not only scandalized but "fighting mad." All well-read persons will probably remember, though the more frivolous many won't, that after the battle of Cannae, "when a display of wealth by the rich might have stimulated a class feeling which would have been disastrous," the Oppian law was passed forbidding any woman "to have more than half an ounce of gold, to wear a parti-colored garment, or to ride in a chariot within the city or within half a mile of it, except for religious purposes." The women did not object to this edict, taking into consideration existent conditions and willing to deny themselves for the good of Rome. But the war ended; prosperity smiled upon the country, and the women very reasonably saw no occasion for further restrictions in apparel. Still the law remained in force. The Roman dames did not lack for spirit, and when their reasonable request was denied, they first secured the services of two tribunes to compel the repeal of the sumptuary law, and then proceeded to work up a popular demonstration in their favor. They poured into the streets, and the records say they swarmed at the approaches to the Forum and by persuasion and argument sought to influence men to vote in their favor. And the sour-tempered Cato, waxing furious, addressed first the women thus:

"Are your ways more winning in public than in private, and with other women's husbands than your own? And yet not even at home ought you to concern yourselves with the laws which are passed or repealed here. Our fathers have not wished women to manage even their private affairs without the direction of a guardian; they have wanted them to be under the control of their parents, their brothers and their husbands. We, by our present action, if the gods permit it, are letting them go into politics even; we are letting them appear in the Forum and take a hand at public meetings and in the voting booths."

And to the men he said:

"Pray, what will they not assail, if they carry this point? Call to mind all the principles governing them by which your ancestors have held the presumptions of women in check and made them subject to their husbands. Though they have been restrained by all these, still you can scarcely find them so bound. Tell me, if you let them seize privileges and wrest them from you one by one, and finally become your equals, do you think that you can stand them? As soon as they have begun to be your equals they will be your superior."

How these arguments of long centuries ago sound like those of today! The sequel of the affair was what Kipling's clever Bengalee in "Kim" would have called "a creaming joke." The Oppian law was repealed by a unanimous vote of the assembly!

MUSEUM AT NAPOLEON'S BIRTH-PLACE.

There is some talk of establishing a small museum in the house at Ajaccio, Corsica, where Napoleon was born. A good deal of attention has been given to it, so French papers say, by visitors to Corsica of late.

The house is a little old world Italian villa of yellowish plaster work and windows with shutters which are nearly always closed up. A small garden with palm trees and other semi-tropical vegetation separates the house from the roadway. There is not much to single out the historic building as having any special interest except for a marble slab over the doorway with the inscription: "Here was born on August 15, 1769, the Founder of the Imperial Dynasty."

TO A WIFE.

By Edwin Chase.
(For The California Weekly.)

Prologue.

I joy for her to be my friend,
A Fire by night, a Cloud by day,
To be my friend who knows my way
O'er hill and dale; can comprehend
The love I hold in hallowed place
For her, God's gift to me and Grace—
I joy for her to be my friend.
I joy for her to be my friend,
A Fire by night, a Cloud by day,
Whose heart, a compass, points my way
O'er hill and dale; can comprehend
Her need, as meadows live by rain,
Her need to me, my love her gain—
I joy for her to be my friend.

NOTES.

Theodore Roosevelt's book, "The Strenuous Life," has just been issued in the Portuguese language, for circulation in South America, under the title, "A Vida Intensa." There are probably some half-cocked republics down that way which have nothing new to learn about the life strenuous.

The Funk & Wagnalls Company are about to publish "The Speeches of William Jennings Bryan," with a biographical introduction by Mary Baird Bryan, his wife. The speeches are to be published in two volumes.

Nearly 3,000,000 copies of "Little Women" and Miss Alcott's other stories have been sold, and although the author died in 1888, they are the most popular juvenile books to-day.

Robert Mantell has added "As You Like It" to a repertoire of Shakespeare's plays that is already formidable. He will alternate the roles of Orlando and Jacques in the comedy. This revival gives him ten of Shakespeare's plays.

Henry B. Harris announces that the first performance of Charles Klein's newest play, "The Next of Kin," will be given at Powers Theater, Chicago, on December 6.

The Bible contains 3,566,480 letters, 810,697 words, 31,175 verses, 1,189 chapters and 66 books. The longest chapter is the 119th Psalm; the shortest and middle chapter is the 117th Psalm. The middle verse is the 8th of the 118th Psalm. The longest name is in the 8th chapter of Isaiah. The word "and" occurs 46,627 times; the word "Lord" 1,855 times. The 37th chapter of Isaiah and the 19th chapter of the 2d book of Kings are alike. The longest verse is the 9th of the 8th chapter of Esther; the shortest verse is the 35th of the 11th chapter of John. In the 21st verse of the 7th chapter of Ezra is the alphabet. The name of God is not mentioned in the book of Esther.

Californian Poets' Corner

GROWN OLD WITH NATURE.

By John Vance Cheney.

If true there be another, better land,
A fairer than this humble mother shore,
Hoping to meet the dear ones gone before,
I fain would go. But may no angel hand
Lead on so far along the shining sand,
So wide within the everlasting dark,
All lost will be this good green world. No
more
Of Earth! Let me not hear that drend command,

Then must I mourn, unsoothed by harps of
Mourn for the boughs, the birds, which
taught me song,
Mourn for the nightfall on the forest fold;
Yea, must bemoan, amid the joyous throng,
These early loves. The heart that has grown
With Nature can not, hanny, leave her long.

TENNYSON ON SHAKESPEARE.

Alfred Tennyson once wrote the following impression of Shakespeare's most affecting lines:

There are three repartees in Shakespeare which always bring tears to my eyes from their simplicity.

One is in "King Lear," when Lear says to Cordelia, "So young and so untender," and Cordelia lovingly answers, "So young, my lord, and true." And in "The Winter's Tale," when Florizel takes Perdita's hand to lead her to the dance, and says, "So turtles pair that never mean to part," and the little Perdita answers, giving her hand to Florizel, "I'll swear for 'em." And in "Cymbeline," when Imogen in tender rebuke says to her husband: "Why did you throw your wedded lady from you?"

Think that you are upon a rock, and now, Throw me again!"

—and Posthumus does not ask forgiveness, but answers, kissing her:

"Hang there like fruit, my soul,
Till the tree die."

MODJESKA'S MEMOIRS.

Mme. Helena Modjeska's memoirs, finished just before her last illness, are to be published in the Century. Reminiscences of unusual interest and charm are promised, dealing with the great in many arts and walks of life; and abounding in observations on the art of acting in general, as well as on the characteristics of contemporaries in both Europe and America.

HARRY LAUDER ON HUMOR.

Harry Lauder sees much resemblance between American and Scotch ideas of humor. He says:

The understanding of a Scotchman is like that of an American, and he can see a joke with the same quickness of perception. In most cases anything that will make a Scotchman laugh will tickle an American, and vice versa, always, of course, making allowances for times, places and conditions. A joke that deals with American political conditions, for example, would not strike home to a Scotchman, but he would at least see the funny end of it, even if the people or circumstances concerned had no interest for him.

There is a dry satire to the Scotch joke and the Scotch idea of humor in his entertainers. I am told that the New England Yankee has this same characteristic—a trait that is always notable among men who fight hard for a living on a rocky soil. The Scot has a hard time. He lives in an inclement climate, where a bare sustenance must be wrung from reluctant nature, and, as a result, he becomes a somewhat embittered thinker, with the dry sarcasm that is inseparable from such a state of mind.

The American is of a lighter, livelier nature—more like a Frenchman in the particular—but of a bright, easily comprehending mind. He sees a joke quickly, he tells one with great speed. The American can not abide a joke that takes a long time in telling. The Scot can see the point as quickly, but will stand for a long-winded and argumentative joke, which would be rejected by the American.

HALS' PORTRAITS HIGH.

The huge sum of \$400,000 is the price paid by Duveen Brothers of New York, Paris and London for the painting by Franz Hals of himself, his wife and two children, says the New York Times. The picture is from the collection of Colonel Warde, in whose family it has been for 150 years. It is generally held to be superior to the work by the same master recently acquired by the British National Gallery. The present purchase constitutes the high-water mark of the furor for Hals pictures which began a decade ago. It is believed to be more than likely that this portrait will soon find its way to the United States.

"THE PEOPLE'S PLACE"

(A SOCIAL CENTER AND A SCHOOL FOR FUTURE CITIZENS.)

Down in the heart of the North Beach district of San Francisco is a crowded and picturesque settlement of Italian fisher-folk—a mixed breed, partly immigrants from the turbulent Sicilian island, partly from the more peaceful dwellers of the province of Italy above the "toe." Their picturesque qualities have been made famous in pictures and stories; their quaint customs and costumes, and their many dialects.

But to the student of sociology they offer a different and more serious front. Half of the adults of the quarter do not speak English, are not naturalized, and have no interest in America except as it is to them a land where life is easier and where one's labor brings greater material rewards than in their "sunny isle."

Of American ideals of citizenship, of the duties and privileges of that citizenship, they are both ignorant and careless. It is a literal fact that today (November 2nd), when the people of San Francisco are exercising their democratic right to elect their public servants for the next two years, half of these people are untouched at the sight; and to the other half, Abe Ruef, convicted felon and betrayer of the people's government, is their idol. Why? Because he used to live in the neighborhood and on every election day hired four or five men to stand around the polls and do nothing and get paid for it.

Surely here is a field for missionary work in teaching the principles of American citizenship. The adults are mostly proof against instruction, either through indifference or because they have become petrified by age or habit in a low ideal of civic duty. But these Italians are a fruitful people; their generation is profusely populating the district with boys and girls who, being born and reared here, teach American citizenship by example and initiative age and to whom instruction may be given effectively if it be made interesting.

There is another side of the picture: these Italians are an acquisitive people; they are poor; they live poorly as they are paid; they may save. This means overcrowding in insanitary quarters, cheap food, early removal of children from school to enter the ranks of earners.

This opens another field for the settlement worker—the opportunity to uplift these people through instruction in hygiene, domestic science, and manual training.

"The People's Place" is one of the most interesting of the "settlements" which seek to remedy the unfortunate parts of life in this district, and its work is mainly directed toward supplying the two deficiencies suggested above—lack of education in citizenship and lack of wholesome home conditions of life.

The People's Place was founded nearly eleven years ago by the Rev. Henry A. Fisk, and in the seven or eight years preceding the great fire had been brought to high usefulness in the community. Mr. Fisk had the co-operation of his wife and of a large staff of assistants. Their ideal was (and is) to make the Place a "social center," attracting to it the interest and good-will of the neighborhood by club work, gymnasium classes for the boys and girls, musical entertainments, illustrated lectures, reading rooms, and the other rational and pleasing diversions that people more fortunately situated in life pay largely to enjoy, and that combine very necessary instruction with diversion.

By these methods large classes of people are reached to whom the ordinary advantages of life would be otherwise denied. For instance, few of the boys reached by the Place ever get beyond the fifth grade in school, as they are as they grow up, and as they grow up they are withdrawn from school by their parents and placed in gainful employment. They miss the broadening of the mental horizon that a few more years' schooling would have brought. And they miss even the most rudimentary

instruction in the form of American institutions that are essential to an understanding of the responsibilities of citizenship.

The girls miss knowledge that is just as vital. They marry young, and rear large families. Few of them know even the merest elements of sound cooking or of sewing or of hygiene. The result is a heavy mortality rate amongst the children; dyspepsia amongst the mothers, tending toward an insatiable craving for the alcoholic stimulants and the multiplication of the evils of saloons; insanitary dwellings; improper and inadequate instruction of children in the first principles of hygiene, which result in physical deterioration and considerable immorality.

Mr. Fisk and his assistants have attacked these problems by going right down among the people, adjusting the activities of the settlement to the convenience of the people to be reached, and devoting most of their efforts to gaining the attention and molding the characters of the children. The fire burned out all the buildings and all the equipment of the earlier settlement, and the hard times have hindered the rehabilitation. But renewed interest has been aroused, the settlement has retained some real estate and acquired adjoining property by gift, and the support and co-operation have been enlisted of such men as the following as incorporators and directors: Edw. F. Adams, Chas. H. Bentley, Charles R. Bishop, Arthur H. Briggs, F. P. Cole, Charles H. Fish, Henry A. Fisk, J. F. Forrester, Livingston Jenks, Dr. Hartland Law, Thos. Richardson, H. S. Stedman, John H. Stevens, Rev. Robert Whitaker and J. T. White.

So Mr. Fisk has replaced the permanent structures with temporary shacks and begun anew the building of a great work.

The settlement is reached by boys and girls are reached by the settlement. The little gymnasium is marked out as a hand-ball court, and at specified hours every week the place is opened alternately to the girls and to the boys. After the wholesome fun of the game comes the first elementary and practical instruction in hygiene, the compulsory bath for every player. The necessity for this compulsion is easily apparent: in the dwellings of nine families adjacent to the settlement—families comprising from four to nine children each—there are only three bath tubs, and these are not too often used. The practical results have been noticed by the workers in the bathing-habit formed by many of the children who come at regular intervals and avail themselves of the privilege of a free bath.

The boys are especially interested in the band. Something over twenty boys belong to this organization, which meets on Mondays and Wednesdays. A drum corps also attracts many boys to the Place.

The direct and valuable charity is the old-clothes room. Here are stored clothes and hats and shoes donated by charitable folk, and these are distributed free to the very poor, or sold for a nominal sum to those who can afford to pay a little.

The old-clothes room has a direct connection with a useful part of the instruction of the girls and young women. Usually these clothes have to be altered for the use of the persons receiving them, and a confession of inability to sew opens the way for lessons in the art, which are gladly supplied without charge.

The Place now has, also, a kitchen equipment which will be used to teach young women how to cook. The settlement workers have long noticed the connection between ignorance of cookery, the multiplication of cheap wine-cho and the craving for liquor; and a model kitchen in a poor community has proved itself a regenerating agent of surprising efficiency.

A women's club is now in process of formation. This club will attract the young mothers

of the neighborhood, for whom it will provide a basis of sociability amid pleasant surroundings, and such diversions as music and tea.

This gathering of mothers, supplemented by the illustrated lectures and musicals in the gymnasium for both men and women, draws the parents of the neighborhood into bonds of interest and sympathy with the settlement, and increases the opportunity to influence the children.

Some instruction is given the boys in carpentering and brush-making as aids toward practical training for manual trades. A library has been started. The dispensary handles a good many neighborhood cases of minor ailments and injuries.

One of the most important works, however, is the education of the boys in citizenship. The first step in this is the enlistment of their interest through a club called the Castle of the Knights of King Arthur. This club has three degrees, of page, esquire, and knight, progressively attained by merit in the virtues of chivalry, and made desirable in the boys' eyes by ceremonies that appeal to their sense of display.

From this club the boys are attracted to the performance in miniature of the duties of citizenship, such as becoming acquainted with the structure of self-government, instruction in the rudiments of parliamentary procedure, and the rights of citizens in the ordinary events of life, such as the discovery of adulterated milk, or of the proximity of infectious diseases, or the methods of voting, and like simple instances of public functions. For example, the boys held a mock city election, using sample ballots—an interesting and practical demonstration of methods, invaluable for growing voters.

The Place is incorporated solely for the purpose of holding realty, and is supported by the contributions of charitable people. These contributions are applied to equipment and the maintenance of the necessary staff of regular settlement workers. This fund amounted before the fire to \$400 a month, but it has now fallen below that, and subscribers are needed to bring it back up to a level insuring full efficiency. The Place owns enough land, practically free of debt, to suffice for a large settlement from which an invaluable work may radiate. Next year the first of the permanent buildings will be constructed, and by that time Mr. Fisk hopes to have enough support pledged to bring the work back to the high standard it had attained in 1906.

The help of workers who will devote a few hours a week to forward the various activities is needed, such activities as teaching sewing or cooking, visiting in the neighborhood, directing the work of boys' or girls' clubs, and the like.

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

This Is Our Creed.

We have heard. The People have spoken,
and here is the creed they cry
To him who aforesaid doubted that wisdom
with them shall die:

Go, tell to the waiting peoples,
Confess to the One on High,
That Justice here is a chattel
That he who has wealth may buy;
Whisper, but whisper it bravely—
Ay, though our sore he raves—
That here we do breed the briber
Who tramples on helpless Law.

Lightnings shall bear our message
Unto the startled ether;
Riches are more than Honor,
And Treasure is more than Worth.
Say to the little children—
Yea, though the truth be grim—
One came with the sword of Justice,
But we would have naught of him.

Mutter it to the heavens
That Henev may war for God,
But we will bow to the briber
In sandals of riches shod.
Cry, that the world may hear you,
Justice is but a name;
Ours be the briber's gear;
Wealth—and the briber's shame.

Murmur, but weep to murmur,
That little for guilt care we—
We know the name of the briber;
Secure in his wealth is he,
There is joy in the grafter's palace;
He whispers to all who heed:
"Shall wealth be bought by dishonor?"
We answer him, "Yea, godspeed!"

This is our creed—God help us yet—add, as in
letters of light:
No problem shall ever be settled until it is
settled right.

Gentle Woman and Man's Pockets.

Once upon a time, Ethel, I knew a young
and lovely woman who married the man of
her choice. Such instances are not remarkable,
and I am mentioning this one only for
the sake of what comes after. She was very
sweet and devoted, this young woman, and
she was determined that she would give her
husband an ideal home, and for a time she
succeeded. Then, in a dark and bodiful hour,
she was tempted, and she fell.

Her husband's suit needed pressing, and she
said that she would press it. He never com-
plained about the manner in which she did the
pressing, and I presume it was all right, but,
in getting at the job, she took the things out
of the pockets of one suit and attempted to
put them into the pockets of the other suit.
Ethel, it can't be done. Never yet has a
woman succeeded in placing a man's pocket
articles in the pockets where they belong. The
secret of how a man disperses his bric-a-brac
throughout his pockets is, and forever must
remain, a solemn and unsolvable mystery to
gentle woman. Sometimes she tackles it, and
it unseats her mind. More than one woman is
in an asylum because she did not resolutely
turn from the problem presented by her hus-
band's pockets and their filling.

The young woman of whom I write put all
she could into one pocket, and then she put
the remainder into another pocket on the
same side, and when the husband donned the
suit he toppled over sideways. The fall hurt
him, and his remarks hurt his wife, and the
rift was within the lute. So they drifted ever
farther and farther apart—all because she
couldn't understand about her husband's pocket-
etc.

It is better that you should understand
about this now, Ethel, thus being prepared to
avoid the pocket-rock on which the happiness
of many a faithful but too aspiring wife has
been wrecked.

The Opinions of Rufus.

If a merchant that makes his money by sell-
in' out below cost an' a saloonist that opposes
prohibition because the most liquor's sold in
prohibition communities would explain their
theories to each other I'll bet it would be a
mighty interestin' meetin'.

Just remember, son, that any man can know
another's reputation, but it takes the Almighty
to be real well acquainted with his character.
Generly speakin', the man that thinks the
most bout himself has the least to think
about.

Feller complained to me that Joaquin Miller
poses too much, but when I asked him
what he'd give for a pose that would work out
in a "Passing of Tenyson" or a "Columbus,"
he never said a word.

I wouldn't want my son to live too much
like King David or Bobbie Burns, but if he
could write a few psalms or a "Cotters' Satur-
day Night," I couldn't help trustin' that he'd
more'n evened up his accounts with the world
an' the Almighty.

I believe there was more chance to serve
God in one vote in San Francisco last Tues-
day than there is in ten prayers on ordinary
occasions.

Some folks remind me of some furniture
I've seen—mighty nice till the veneer's knock-
ed off, and then dern shoddy.

In the pullin' and haulin' of many creeds
men get mixed and befuddled, but, thank heav-
en, they's only one "love thy neighbor as thy-
self," an' they's no misunderstandin' that.

I read in a book that man evolved to where
he is through the jelly-fish. Well, after look-
in' round me more or less, I've come to the
conclusion that consider-ible of it stuck to him.

Somewhere Is Justice Waiting.

We do the deed of our error,
Then cry in our foolish glee,
"I have scouted the claim of Justice,
And Justice has winked at me.
The God who sits in the shadows
Is blinded by clouds that press;
He sleeps while I win by scheming
The guerdon men term success."
But somewhere is Justice waiting.

Patience and unafraid,
Noting each debt that we owe her yet,
And knowing it shall be paid.

For dollars, and yet more dollars,
We stoop to the shameful deed;
We may bow our heads in the churches,
But here is our living creed:

"The God of Justice is dozing,
Nor heeds when His children call;
I reap the fruits of my cunning,
And never He knows at all.
But somewhere is Justice standing,
Patiently waiting yet;
Though our deeds we hide, she is eagle-eyed,
And she knows we shall pay each debt.

Nay, not in the courts where judges
Seek for the precedent still,
And not at the regal banquets
Where beakers to Wealth we fill.

But over the tinsel pretense,
Apart from the wind-blown scum,
Standeth our fair, white Justice,
Biding her time to come.

She standeth, and aye she waiteth,
Patient and unafraid,
Biding in trust the reckoning just
When all of our debts are paid.

The Diploma in Latin.

"He is a university graduate, I believe!"
"Yes, he is."
"But he doesn't talk good English."
"I know it."
"And he doesn't read it well."
"You are right."
"And he spells atrociously."
"Yes, but what difference does it make? His
diploma is in Latin, you know."

Thoughtful Man on the Daily Papers.

"It is the daily paper, sir," the Thoughtful
Man observed, "that is the life and salvation of this
country. As a dispenser of news, what would
we do without it? What would home be if it
were not there? Can you conceive of a happy
hirsede without its daily account of a murder
to cheer it up and make it look pleasant?
Where would the fares and penalties get off if
we had no means of knowing which train Mrs.
De Style took when she eloped with the
Count? Would not the God-Bless-Our-Home
motto turn over on the wall if there should be
a 'function' and we were not informed con-
cerning who was there and what she wore or
didn't wear? Could we rest easy in our beds
at night if we felt that there might be a shame-
ful scandal and we not inhale the rich odor
of it? Truly a great and uplifting mission is
that of the daily papers, and nobly do they
perform it."

"But it is when Business lies crushed and
bleeding, and the magnates don't know
whether they will be held up or tripped up,
that the daily papers hesitate not in exhibit-
ing their heroism. An election is approach-
ing, candidates have been nominated, and the
people are looking to the daily papers for
information as to their character and qualifi-
cations. They get it."

"Writing calmly, dispassionately, logically
and patriotically," says the Scoop, "we wish to
assure all our multitudinous friends that our
candidate, the distinguished Mr. Secker, is
actuated by a divine purpose to help the dear
people whether they like it or not. The op-
posing candidates are liars, traitors, and per-
jured villains. The only safety is to vote for
Secker."

"An all-knowing Providence," says the
Whoop, "realizes how spotlessly pure are our
motives in urging the high duty of the people
to elect the patriotic statesman, Beaker. The
opposing candidates are scoundrels and assass-
ins. The only safety will be found in voting
for Beaker."

"Yearning for the welfare of the dear pub-
lic," says the Soup, "our tender conscience will
not allow us to do otherwise than to demand
votes for Mr. Reeker, that fond lover and de-
voted friend of the people. The opposing candi-
dates are falsifiers and supposititious dynam-
iters. Vote for Reeker, and be saved."

"So it goes, until the public doesn't know
which one of the candidates is not a liar, but
fancies that they all are, generally ending by
voting for the man that yells the loudest. In
paying tribute to his lungs they feel that they
are standing on sure and recognized ground.
Naturally the men who want a chance to be
held up see that the right candidates—candi-
dates with tested lung capacity—are named
and await the outcome with serene confidence.
And all because of the daily press! Oh, it is
a great and noble institution. By the way, did
you read about the Hockhasset wholesale
murder?"
I didn't.

Political Maxims to Fit Some Cases.

The ballot of ignorance counts as much as
that of intelligence, and sometimes costs much
more.

The loudest bass drum does not necessarily
make the most proselytes.

Possibly the man who would scorn to plead
with anybody to vote for him would make a
good official.

The politician who appeals to prejudice
rather than reason generally does not have to
complain of small audiences.

Brass bands are a feature of most political
campaigns, but there are some of us to whom
they do not prove much.

All you need to secure the votes of some
men is to demonstrate to them that you are
on the wrong side.

Very often they who rejoice most in the
outcome of an election are they who should
be most ashamed of it.

LITTLE TALKS WITH OUR READERS

Editors The California Weekly:

It would be a great pity to discontinue your "School for Citizenship." For some time I have been thinking of these articles as eventually gathered into one book to be introduced to the high schools of our country as a companion book in the study of civil government.

Mrs. E. TIELEN,
National City, Cal.

November 1, 1909.

We regard the foregoing as a great compliment to our "School for Citizenship," and yet we cannot be insensible to the fact that it has not accomplished all the things we have dared to hope for from it. It has seemingly gone over the heads of the younger people or else has not sufficiently been brought to their attention. A rather amusing incident of the "Pledge for Citizenship," which has been looked upon as related to the "School," is that nearly all signers have been middle aged and quite a number have passed their three-score-and-ten, while but one pledge from a first voter has come to hand. The Staff of The California Weekly wants further testimony on the issue: Shall the School for Citizenship be dropped or shall it be continued? If it is to be continued how can it be made more interesting and better worth while?

The California Weekly:

My compliments to the man who wrote the editorial in your paper of October 8th, entitled: "He Uttered Not a Word." It is a restrained but very effective piece of writing—more effective because it is restrained. I wish we might get some of you people, such as the writer of this editorial, for instance, to do something for this magazine. We are, after all, working under the same impulses and purposes, though in a different form.

Very sincerely

JOHN S. PHILLIPS.

Phillips Publishing Company,
Office American Magazine,
New York, October 29, 1909

Mr. Phillips is correct in saying that The American Magazine and The California Weekly are working under the same impulses and for the same purposes. Neither is doing any muck-raking in the offensive signification of that term, but both are striking hard blows for Right Things in sincerity of spirit and with no other purpose than to serve the common good. The American magazine is a mine of basic information upon which to found sane, sound and healthful conclusions. We acknowledge our obligations for the generous compliment paid us and tender our services to the American Magazine on demand.

"BE OF GOOD CHEER."

By Francis J. Heney.

The first battle for equality before the law has been fought and lost, but the war against graft will continue to be waged by all true soldiers who have been fighting with me in the great cause of common honesty, common decency and civic righteousness.

The fight between the forces of evil and the forces of good is and must be a perpetual one. The first battle of Bull Run cast gloom over the entire earth, but that disaster only inspired the immortal Lincoln and his followers with stern resolution and fresh courage.

San Francisco has received a sad blow and the cause of equality before the law a great setback, but be of good cheer and take fresh courage, you many thousands of good men and women who have joined in this fight for the maintenance of the purity and protection of our homes and the uplifting of the moral standards of our city!

We have been defeated in this election, but the sober moral sense of the community will again reassert itself and San Francisco will vindicate herself before the world.

I retract nothing that I have said during the recent campaign. On the contrary, I reassert the truth of all that I have stated from the public platforms. I have no regrets except that for poor San Francisco and the many thousands of people who fought shoulder to shoulder with me in the good fight.

Let it all finally result that we will continue the battle for equality before the law

with unabated vigor until success has crowned our efforts.

A NATIONAL MOVEMENT.

By Rudolph Spreckels.

"I am more firmly convinced now than ever before," said Mr. Spreckels, "of the real need of reform in business, in politics and in labor. We must restore the old confidence in each other that once prevailed, and we must come to a realization that honesty must prevail in all of our activities.

"It is my belief that the people will come to a realization that the rich man who debauches government for his personal gain is of the most vicious type of criminal, for the undermining of government is the most vicious crime of which any man can be guilty. I see no way to stop this.

"I am going to continue to serve the cause I have espoused. My method will be to work upon educational lines, to bring home to the people the necessity of action upon the part of the rich man and of the poor man to compel honest dealing between man and man, and to bring about a new condition of self-respect among citizens.

"I shall continue to organize the citizenship that has seen the light. My work is intended to become national because I believe there is not a city or state that is not corrupt, and I cannot even accept the national capital."

A MODEL BENEFACTION.

The purposes for which Tamalpais Centre was designed were, some time since, quite fully set forth in The California Weekly, and editorial reference will be found to it elsewhere in this issue. The formal dedication of the property to public use took place last Sunday. We give below Mr. William Kent's brief introductory remarks, in making the audience acquainted with Rev. Jenkin Lloyd Jones of Chicago, who preached the dedicatory sermon, and we do this as furnishing a model for that form of public benefaction which helps without pauperizing and lends a hand without undertaking to carry the whole load, the only form of benefaction that really benefits.

"My mother has asked me to say a few words for her at this dedication service. She represents the idea that her gift should be described as generous, rather it should be considered sensible.

"She believes it is merely putting land and capital to better and more productive uses. This land can raise better livestock than calves. This building can pay better rent than any calculated in terms of dollars. Land and building have passed beyond her control but not beyond her ownership. That ownership is more precious because it is equally shared with each of her neighbors and has become part of the commonwealth, the living, growing commonwealth. The best of the commonwealth is human love and sympathy, and that this land and building may be a fruitful seed plot is her hope and wish.

"The trustees have accepted this trust for the public welfare. Every gentle interest that can be taken up will find here its opportunity as fast as people are willing to support it. Nothing will be tolerated that is injurious to the public welfare, or hostile to the rights of others. Personal liberty shall not here be degraded to license, nor the privilege of the few subordinate the welfare of the many. In the clashes of opinion that may come, you must trust to the representative capacity of the board of trustees who know the neighborhood and who know California. The man who is going to address you is a Lincoln man, and is Chicago's great democrat. He fought three years for human rights on southern battlefields, and ever since has loyally followed the standard that has led toward greater opportunity for men and women and children.

"Doctor of Laws, Head Resident of Lincoln Centre, leading citizen of a great city, disciple and prophet of democracy, preacher of the gospel; we, who are putting our armor on, salute you who, though entitled by service to put your off, are still vigorous in the battle, Jenkin Lloyd Jones."

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POLITICAL TABLE TALK

By THE WATCHMAN.

Sombody Proud of Senator Frank Flint is an object of pride, not to one Mrs. Flint and her two children, and to William F. Herrin and Abe Ruef, but also to the town of North Reading, Massachusetts, where the able senator from the South was born forty-seven years ago. The people of North Reading "blow" over having produced one mayor for Boston, "Old Hutch" of the Chicago wheat pit and a United States senator from California—the second California senator Massachusetts has produced. The late A. A. Sargent was the first. Being "get there" Yankees the "blowers" of North Reading care little how their senator "got there" so he got there, and the fact that he left the home his great-grandfather built when he was only seven years old, and has not been back to his native town since, takes little or none of the wind out of their blowing. They are proud of him none the less and proud, too, that his great-grandfather, Col. Dan Flint, fought in the Revolutionary war and helped to frame a constitution for Massachusetts. The town of North Reading is content. It has produced something besides the biggest onions and the smallest potatoes.

Has Got All Out of It It comes to The Watchman, rather indirectly, but not after the way of the corkscrew, that Senator Frank Flint has put the senatorial problem up to himself in this wise: "I have got out of this senatorship all there can be in it for me. I have been a United States senator from California. The records of the state and of the United States will show it. All the honor the office can yield I have squeezed out of it. Posterity is not going to be curious as to who made me a United States senator, and if I quit the job now, that unpleasant bit of information will soon fade from the memories of the people of California. Perkins would have gained in distinction if he had quit a dozen years ago and stepped out of the senatorial office into a good law practice and make a lot of money, if I step out now. I can't make a lot of money while I am in the senate. Burton of Kansas queered that business forever. Having got out of the job all I can get in it FOR ME, why should I stay with it? What possible reason can there be? And I won't." And the "get there" type of man will appreciate the view of the situation that Senator Flint takes and say, in his heart, "Flint is a fool if he does, why should he?" Senator Frank Flint stands well in the United States senate. He was a good boy from the start. He "fagged" for the old fellows the first two years and complained of nothing. He worked well on the committees. Aldrich and Hale saw that he could be made useful, because obedient, and so Aldrich gathered him into the finance committee where he rendered important service to the interests. By way of recompense he was given half a cent extra on California lemons, so that there could be somebody outside of North Reading "blowing" for Flint. The fact that the S. P. took a third of this to itself tempered the breeze that blew in Flint's direction. The Flint tire is soft, not flat—that is not yet.

Not That Kind That California Wants It is time that California sent to the United States senate a man imbued with an ideal more lofty than that of getting out of the job all there is in it and then dropping it to turn to something more profitable to himself. Senator Perkins, many of his shortcomings are actually no such motive as that. He is in the senate because he likes the job and the associations and, according to his lights, he genuinely serves his state and his country. His early advantages were scanty. He has spent his life in "getting things" for himself, his friends and his state. He feels that he is sent to Washington that he may "get things" for California, and to that

end he works like a deck hand. When fault is found with him for his lack of a more exalted senatorial concept he exclaims in a pained surprise: "Why, what more do you want than I am doing for you? Am I not one of the most successful men in the whole senate in getting things for his constituents?" He is. But California needs to ask more even than that, more than "getting out" of the senatorial office "all there is in it" for the senator himself, more than "getting all the good things going" for his constituents and his state. California needs to have in the United States senate a real state-man, a man with a purpose well and truly to serve the highest interests of the nation and, in that service, to forget self, to fight the existence of a "pork barrel," to stand for Right Things even if public sentiment at home is temporarily on the wrong side and, above all else, to be free of corporate influence.

The Race Track Evil Not Out of Politics One who had not a little to do with outlawing the race track iniquity feels certain that the men who have so long fattened their purses at the expense of the suffering from horse madness are to be reckoned with in next year's campaign. They will try the temper of the courts by seeming to comply with the present law while transgressing it in effect. They will, at the same time, do their utmost to secure the election of senators and assemblymen who will make concessions in the interest of "breeding good horses" rather than good men. Nor is it so certain that this time the Southern Pacific's political bureau will keep hands off. The race track men have been taught a valuable lesson. They have been shown the standing alone, they are not so strong but that they can be beaten, that if they want protection they now know, better than before, where to look for it. But, at the start, those who used to be bookmakers will now become valuable voters, if not cash, betting with every individual who wants to bet. The cash will be handed up to employed stake-holders who merely hold the money, without receiving any commission (which the law forbids and upon which the law seems to depend), passing back the full amount to the winner, when the race betted on shall have been run. It is thought that this pretended compliance with the law, and practical evasion of it, may suffice when it shall have been subjected to judicial interpretation. If not, then for the legislature.

Will Frank Leavitt Succeed Abner Weed? If the fight for the race tracks is still to be waged a first consideration with the touts must be the keeping in the state senate of Senator Frank W. Leavitt of the sixteenth senatorial district, which district embraces Emeryville and the western portion of Oakland. The people of Oakland have become so incensed over the race track evil that the chances of Frank Leavitt's succeeding himself from that district are slim, but he is by all odds the best floor manager in the senate. He has not the finesse of Eddie Wolfe. The battles he wins are won by storm, while Wolfe saps and mines, deploys and skirmishes, lays ambushes and uses diplomacy. Leavitt swings the bludgeon, Wolfe thrusts with the rapier. Together (and they usually are together) Wolfe and Leavitt make a strong team. As neither of them possesses other than the most shadowy notions regarding right and wrong they can work without embarrassment for any iniquity that requires their services. The race track interests can count on them. Wolfe is in the senate for two years more. Leavitt's term is out. Abner Weed represents Siskiyou and other counties up that way. He is as unmitigated an old materialist as ever slaughtered a forest or carried a primary election by running in unregistered and unnaturalized Greek section hands and timber jacks to overthrow the

forces of reform at a primary, but he entered the senate too late in life to become efficiently pernicious. Beyond voting consistently wrong he can't do much harm and he is understood to be willing to step aside and help to elect Frank Leavitt to succeed himself. Leavitt has interests in Weed's district, and spends part of his time up there, and can as easily represent the second district until the sixteenth, as far as residence is concerned, if Abner Weed can furnish the Greeks to carry the primary election. It is to that end that the tangle of political gossip tends.

Never Had a Chance From Start to Finish It is gratifying to know that the Commonwealth Club of San Francisco, which fattered the bills to reform the criminal procedure, and which bills failed so miserably in the last legislature, has not been discouraged by that experience, but will renew the fight in the Legislature of 1911. The reform will certainly come if the contest is kept up long enough, but it ought to come in the Legislature to be elected next year, and it will if no mistakes are made this time. As in most movements for reform, it is necessary to pay some attention to the politics of the thing. Last year the Commonwealth Club laid the plan well; the needed legislation was drafted with unusual care; leading lawyers, as well as judges of the Superior and Supreme courts, were consulted on this phase, and public discussion was stimulated; the legislators elect were dined, in order that they might be talked to, and few stones were left unturned that the movement might be given a good send-off. But it never had a chance in the Legislature? Why was it?

Are Lawyers Against Reform of the Laws? Principally, of course, on account of the kind of men who made up the Judiciary Committees of the Senate and Assembly; with few exceptions these men are totally incapable of appreciating the need for legal reform; they are so selfish as to want to spoil the game at which they had been accustomed to play in defending persons accused of violating the laws; they were too prejudiced to be able to see anything in the proposed changes of the laws except an effort to injure the chances of the defendants in the San Francisco graft trials. Outside of the two sets of attorneys on these committees, it will be understood, the Legislature counted for nothing, because all strictly legal questions are left entirely in their hands. Such was the situation at the last session, and, more or less, it will be the situation at every session.

A Reformed Procedure Must Be Made an Issue It will be necessary to wage the fight both inside and outside of the Legislature. There must be constant agitation to stir up a vigorous public sentiment. Last time the members of the Legislature were not sensible of any pressure from their constituencies, and therefore they could see no politics in it except the politics being done in the Legislature, and that was all antagonistic to the bills. It will be necessary next time to have it understood that it will be good politics to pass the bills and dangerous to defeat them. The question must be taken up with candidates before the election, when they are in the soft plastic state which candidacy produces; a California senator or assemblyman of a certain kind can harden up wonderfully within twenty-four hours after he has been elected. In short, the sentiment on this subject, which has been latent, must be rendered active by the election of members of the Legislature, and it can be accomplished if a regular campaign for that purpose is inaugurated, but not otherwise.

Send No Boy to Mill, This Is a Man's Job Again, there must be elected, at least one Senator and one Assemblyman of first-class ability who will make

this their principal measure. In the last session the Commonwealth Club was weak in having no strong men on the floor to conduct the fight. It was assumed that the bills would pass on their merits, if their merits were explained to the committees. A representative was sent to Sacramento by the Commonwealth Club, but he was "on foot and alone" when he went up against the opposition in the Judiciary Committee; he was barely tolerated; the disposition was altogether to browbeat and trample on him. This kind of tactics will not do; when the Legislature meets the fight must be carried on from within and not from without; there must be strong lawyers on both committees, committed to this issue, who will not be browbeaten or trampled on. This also

can be arranged, if the Commonwealth Club will take it in hand in time, and pick its men and see that they get nominated and elected. The club has enlisted for the war and might as well go to work systematically, for it has before it a hard campaign but one full of glory if fought to a successful conclusion.

Another Union Labor Victory

Tuesday on the crest of the "tired" wave. The election demonstrated that the public is suffering from the reaction that invariably follows a strenuous constructive period. They want to rest their minds from the thoughts of permanency in civic morality. This is unfortunate, but it cannot be helped; it is human nature.

Good Government League Rescued the Few Survivors

That the wave was not tidal is probably to the credit of the Good Government League. Twelve thousand straight ballots were cast by adherents of the league, and these votes undoubtedly saved from defeat such men as Percy V. Long for city attorney and Paul Bancroft for supervisor. Having demonstrated the utility of the league, steps were taken Wednesday morning to finance it as a permanent institution, and to keep it compact for future occasions when a nucleus of action for reform movements is needed.

Crocker's Candidacy Fault Of Chronicle and Call

A good deal of the responsibility for the defeat of Leland and Heney falls upon the Chronicle and the Call. These papers kept Crocker in the field when they knew he was a hopeless thing in the race, and when Crocker's best friends had warned him that his candidacy was not only hopeless but an aid to McCarthy.

McCarthy's Administration Responsible for Next Years

The Union Labor party now has the opportunity for which it has sighed, the opportunity to rehabilitate its good name from the odium of the Schmitz-Ruef regime. It is to be hoped that McCarthy intends in good faith to work toward that end, but one cannot escape recalling that the political alliances into which he entered as a part of his successful campaign are not of the sort that encourage any rosy hopes. He is, however, entitled to a suspension of judgment until his administration has shown what it intends to do, and this suspension the public will generally make in his behalf. There is one advantage in the situation for everybody: his ticket is so nearly completely elected that he can claim the full credit for its good work, and his opponents can lay the full responsibility on him for its evil works.

Does Heney Step Down, or Up Higher?

Francis J. Heney's defeat puts him in a new political category. As a candidate for prosecuting attorney he is a "has been" of the completed order. But his unflinching courage, the high standard of his morality, the stanchness of his character, and the dash of his methods as a campaigner may easily project him by popular demand into a wider field of public usefulness. The country exchanges of The California Weekly and the best political acquaintances of The Watchman turn strongly in sentiment toward Heney for next governor of California. It is possible that the people of San Francisco have relieved him from a thankless task just in time for the highest honor in the gift of the state.

Sacramento Also Slumps

Amid so many election results of greater moment the outcome in Sacramento will not excite particular interest outside of the capital city itself; but that city appears to have repented of some of its recent progress and gone back at least two years. Marshall Beard, who re-

(Concluded on page 798.)

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The California Weekly

26 Montgomery St. San Francisco

SHALL VOTING BE COMPULSORY?

A SUGGESTED REMEDY FOR INDIFFERENCE TOWARD THE FRANCHISE.
By COURTENAY DE KALB.

In Paris, not many weeks ago, before the irritated Clemenceau had made ready for Aristide Briand, a remarkable scene occurred. It was during the attempted general strike, when the government was challenged at every repulsive step it took. From the extreme left of the Chamber of Deputies arose the tones of a chant; instantly every socialist and radical was on his feet, and the solemn hymn proceeded. It was the same weird monotone which a few days earlier, like the sound of a wind among the rocks, had swept through the galleries of the postoffice when the employees laid down their work and hurled a challenge in the words of *l'Internationale*. It is curious to reflect that the answer to this song, which by government order no one is allowed to sing, and which therefore everyone knows and sings when he can, was a feeble effort by the Moderates to sing the Marseillaise, the battle hymn of the revolution of a century ago. The radicalism of one age becomes the conservatism of the next. It reminds one how often it has been shown that reason takes it last appeal to the new wise heresy. Monsieur Briand sits among his fleurs de lis and roses, puffing his scented cigarettes, the type of a lover of ease, whom one would expect to shrink from violence. It was but seven years ago that this same man incited the people to resistance with fire and dynamite. Few recent orators in France have been more inflammatory in their utterances than he; yet today he is conservative enough to lead the ship of state, and sustain respect for the established order. It is not a paradox; it is the expression rather of that energy which jerks the organism forward, which loosens the fetters which have worked evolutionary change, while the old structure still prevents a mad dash to destruction. But France is nevertheless directed by a socialist, and it marks a new departure in the history of liberal government. It reminds us of the power of the movement which has worked through so large a part of the world that ministers and kings are compelled to make plans with reference to it; that renders misgovernment more and more an opportunity to radical theorists to sweep the discontented into line for successful attack upon the strongholds of conservatism. Change we must and change we will; we may not become socialists, but we are getting farther away from autocracy. The tendency to substitute the tyranny of paternalism for the tyranny of the monarch is manifest not only in Europe, but it has invaded and swayed the Parliament of Great Britain, and is showing its strength in municipal and state legislation in America.

There is always some false note in every great human expression of sentiment—some one weakness, some spot on the body of Siegfried where the linden leaf fell when he sought to render himself invulnerable by his bath in the dragon's blood; and the facts are often flung at us in melody. The despair of those who seek to guide the masses are the scorching truths that find utterance in popular song. So in *l'Internationale*, amid a vast deal of savors of blood and violence and exaggerated humanism, there flashes forth one gem-like ray, illuminating a defect in democratic government:

"No rights without duties;
No duties without rights."

It is that which gives vitality to the revolutionary hymn of today. It seems to sum up the difficulties that arise so commonly in the administration of popular government.

Indifference Democracy's Weakness.

The weakness of democracy is that weakness in the individuals which has made it easy for monarchies to thrive in the past—indifference as to how we get governed; political inertia, exaggerated by selfish devotion to personal ends. The average man shrinks from actually beholding the administration of government; apparently he wishes to be governed in the way that he submits to a surgical oper-

ation—under the influence of anesthetics. He shrinks from a tax, hence he chooses to conceal it in the prices added to his daily necessities; the indirect tax is submitted to, while any form of direct tax is strenuously resisted. A perfectly healthy social organism would welcome the obligation to sustain the commonwealth at least partially. It would have no desire to evade the discharge of its civic duties unconsciously. Moral responsibility toward the state weakens when co-operation is impersonal. The normal, vital relation of every citizen toward his government should be that of a direct and active participant in the work of guidance, protection, and support. He should know when he contributes for its sake, and how much. The citizen who evades direct taxation, and prefers oblique methods, is shirking responsibility and inviting corruption and oppression. The chief argument in favor of a poll-tax has been that it serves as an object-lesson to remind the voters of civic responsibility. In effect it is a sort of branding iron, to show the herd we belong to, and as many as can make a dash to escape the annual rodeo. Its very artificiality makes it the more repugnant. If it did not stand alone, but were part of a system of direct contribution to the government it would perform a better function.

Evasion of Jury Service a Symptom.

The tendency to shirk responsibility appears again in the persistent evasion of jury duty, and in the general ignorance of what it entails. The average citizen has never sat on a jury; he has no conception of the operation of the judicial system, nor of the function of the jury. He is ignorant of the meaning of controlling the public honor. There are men who refrain from registration as voters, not merely through indifference, but with the motive of hiding from summons to perform jury duty.

Lack of participation is the great evil of popular government, leading to the loss of rights without duties, the unwillingness to sacrifice personal convenience for the sake of a better conduct of affairs. It used to be commoner for men to enter public life for patriotic motives than it is today. A man who pretends to good government and discommits himself to himself places himself under suspicion; he is deemed a hypocrite; he is expected to desire office for ulterior ends. If the case be clear he is flattered into incompetent vanity, proving how true is the rule to which he stands as an exception. The man who attends to his duty as a voter at inconvenience to himself and from altruistic motives, is still more rare. The popular impression is that the elective franchise is a privilege, not a duty. If he is zealous it is because he is an ardent adherent to a party; he is voting not for his city, his state, his central government, but for a party scheme, for a legislature or a judiciary that will favor the purposes of a limited class. The end of such special aims is the control of government by demagogues and the subversion of the general good to the interests of a minority. The inevitable consequence is corruption, and the correction as inevitably comes by a sudden spasm of righteousness. Reform by spasms is necessarily weak. Its very violence leads to speedy collapse; high tension invites excesses; too much is attempted at once; the changes are inharmonious, and the party of reform soon finds itself discredited.

All this is true, but terribly true. I had a valued assistant who has made many journeys with me through the wilderness, and if ever I grew impatient to hurry on, he would say, "Don't get nervous; it's the steady count that counts." That is true in politics as well. It is a law of nature; the effective, permanent improvement comes as a result of patient, ceaseless effort, of slow evolution. The defect of radical measures lies in their disregard of the past. We must build on the old foundations to insure stability. We must discover

the unused potentiality in the old, and the changes must proceed from an extension of the principles which have already received the approving stamp of past success.

Non-Voters Worse Than Partisans.

We have demonstrated the power for good of popular suffrage. It has become the cornerstone of independence, but it is also a ready means for working incalculable harm unless the whole mass of voters exercise the right. The only safeguard of a right is the consistent use of it. If we do not use it, some one else will, and that leaves open the door to abuse. The protection of the state involves the exercise of the suffrage by all who are entitled to it. **The non-voter is a greater danger than the violent partisan.** How to awaken his sense of responsibility has always been a difficult problem. The socialists who chant *l'Internationale* have probably given the cue:

"No rights without duties;
No duties without rights."

The suffrage is a right which carries with it an obligation, but obligations are apt to be ignored save in moments of remorse or under compulsion. Reform waves represent the ineffective periods of moral revival. The trouble with revivals is that the faithful are few while the backsliders are many.

Obligatory Voting the Remedy.

The obvious remedy is to make voting obligatory. The suffrage is not a natural right, as the encyclopedia of the 18th century used to teach. It is granted by the state for its own benefit. No better statement of the case was ever made than that in Gougar vs. Timberlake (37 N. E. rep., 660, Ind.). The suffrage must come to the individual not as a right, but as a regulation which the state establishes as a means of perpetuating its own existence, and of insuring to the people the blessings it was intended to secure."

In another famous case (Blair vs. Ridgely), Justice Wagner of the Supreme Court of Missouri said: "The right to vote or to exercise the privilege of the elective franchise is neither a natural nor a vested right of which a man cannot be deprived but by due process of law, but it is purely a conventional right, and may be enlarged or restricted, granted or withheld at pleasure, with or without faults; for outside of society, and disconnected with government, no person either has or can exercise the elective franchise as a natural right, and he only receives it upon entering the social compact, subject to such qualifications as the state may prescribe."

In like vein Chief Justice Cartter of the District of Columbia (Spencer vs. The Board of Registration) announced: "In all periods and in all countries it may be safely assumed that no privilege has been held by the people exclusively within the control of conventional power than the privilege of voting."

No Guarantee of Suffrage in Constitution.

The Constitution of the United States guarantees no right of suffrage. The power to control this lies with the separate states. The Constitution defines the qualifications of those who may exercise this function, but that provision does not execute itself; it requires legislative action to give authority to vote. The United States only guarantees the right of exemption from certain prohibited discriminations. Until the adoption of the fourteenth amendment there was no safeguarding of such privileges as had already been accorded to citizens by the several states.

From this brief review of the legal status of the suffrage it is plain that no man can claim it as a right except in so far as the states concede it, and what is granted is a privilege to this extent—legislation has been warped by an undue regard for individual liberty. **The sacred duty of sustaining the state by the performance of a service has been overlooked.**

The obligation to aid in the direction of

public affairs is as imperative as that of contributing to the expenses of administration by the payment of taxes. The separate states, deprived of the power to levy duties, have been formed to direct taxation. This has been distinctly beneficial, and there is no hesitancy in using the authority granted. The federal government possesses the right of impressment for national defense. By what sophistry then, should the individual be excused from the ever present need of helping to sustain his government by contributing his thought, and the expression of his opinion of reasoned judgment, as well as his money? Where may we distinguish between voting and taxing in this regard? If a man declines to pay his taxes, his property becomes forfeit. If he refuses to serve under arms at the call of national peril, he is imprisoned. If he avoid the great civic responsibility of lending his voice to the election of those who shall frame and administer the laws, why should he not suffer penalties for neglect?

The Example of Spain.

We may argue and educate forever, but the indifference of voters will not be overcome. It is curious to find that of all countries in the world, Spain is taken the lead in this eminently practical reform. The election of deputies was regulated by an act of August 8, 1907, whereby all males over 25 years of age, who are in possession of their civil rights, and have resided in their district for two years are under compulsion to exercise the function of the suffrage. Only those beyond the age of 70, and certain judicial officers, are exempt.

It has been proposed in this country to fine those who abstain from voting. It would undoubtedly produce a salutary effect, but it would not exercise the moral force which would awaken the individual to a full sense of his responsibility. It could too readily be treated as a mere convention, and carry no more sting than an automobilist feels on being fined for "scorching." It is needful to arouse a regard for intelligent performance of his duty, and nothing will so surely do that as to deprive him of the privilege for his indifference. To brand him as an enemy of the state would awaken his dormant regard for

the obligations of citizenship. Failure at first might be met by the imposition of a fine, and these fines might be made cumulative for persistent neglect, ending in deprivation of the right. Self-respect as a man might thereby be extended to self-respect as a citizen.

Personal Liberty Not Everything.

Accentuation of personal liberty and independence is well enough as far as it goes, but we do not stand alone. We have our little atomic orbits of gyration, but we are, after all, only parts of a larger organism. As social beings we are invested with social duties, and if we fail to perform them, like all effete matter we must expect to be cast out; otherwise we impair the health of the body politic.

Do not understand me as decrying the effort to better political life by appeal to the moral sentiment of the community. No purely mechanical method can supplant the conscience either of the individual or of the people. It would be perhaps as uplifting as the Buddhist prayer-wheel, and no more tiresome. The prayer-wheel was founded on the desire to pray, on a religious sentiment evidently somewhat exhausted and out of breath at the moment when this particular machine was invented. The enactment of sentimental provisions into law is not only part of the process of social evolution, but it is also ossification of social tissue. It is part of the inevitable course of the race in growing old, or I might say in growing older, for I doubt whether the human race has yet passed beyond its adolescence. The ossification of tissue need not be feared; it is necessary for giving strength and power to the body-politic.

It is our duty to not steal, and the sentiment of the world is against it; even the savage will go to war to protect what he regards as his own; the sympathy of the world is with the one who is robbed (unless it be a big corporation) and we might say that the instinct of men, and their promptness to make reprisal when theft is committed, would be sufficient deterrents, but nevertheless there have been laws down through the ages to protect property. Laws that stand for generations are the expression of the settled conviction of what is good and necessary for the commonwealth; even the fleeting statutes, which do not bear the test of time, represent good intentions—for some body.

Forced to a Mechanical Method.

We are forced to the mechanical method; we have adopted it because there has seemed to be no human probability of living in a state of spontaneous and universal brotherly love. Brotherly love is spontaneous when it arises, but spontaneity is not dependable. The good things, when we find them, have to be crystallized for preservation, so as to be available when needed. The good things have usually been fought for; paid for, not in money, but in anguish and tears, in heroic sacrifice, and in human blood. Our liberties have been bought in that way; our right to govern ourselves has been wrung from the hands of oppressors on the battlefield; and now before us is the certainty of another great change in the political and legal status of all peoples.

We in America are prone not to realize how the great revolution has been gaining progress. We are still individualistic; our courts have not shown unanimity as to the principles which shall determine in cases where plainly there is conflict between the right of an individual and the public advantage.

Within a year two famous treaties have been decided in the West on diametrically opposite bases, both within the law, but tending in antipodal directions. In each case it was a question of damage to property of neighboring farmers by large corporations engaged in the reduction of ores. One held that the individual was entitled to be freed from the continuing cause of damage to his property; the other that he might recover damages in court, but might not restrain the operations of an industry that had contributed to the support of a large number of men and women. It was Individualism vs. Utilitarianism. That is the trial in progress today all over the world, and the utilitarians are winning.

The socialists are making their appeal to this principle, regardless of the fact that at

(Continued on Next Page.)

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LARKIN had lost her, and he knew it. It was wholly his fault, and he knew that, too, and he admitted it to himself as he saw her coming up the street. Tough, too, for there was a prettier girl south of Market, whence, in Larkin's opinion, most of the pretty girls come. And she was as sweet as she was pretty. Just to see her at a dance, for instance, smiling and happy—Larkin's eyes watered a little at thought of it and of what he had lost. All that feminine daintiness and charm had been promised to him—and he had thrown it away! The thought stung. "But it's a good thing for her, I reckon," he whispered to himself. "A fellow that's got a chance at all that and won't let booze alone, well, he deserves what he gets sure." Thus Jim Larkin at his best to Jim Larkin of the Primrose Path.

She was a deserted path at present. It all had happened more than two weeks before this evening, and he had been "on the water-wagon," as he explained to convivial friends, since that time. She had "thrown him down" rightfully enough, but he would prove to her that there was in him the stuff of which men are made. She had promised nothing in that final interview, but—who knows?—she might hear that he was playing the man's part and—Larkin did not quite dare to express the rest, even to himself.

She was drawing nearer, and while he longed to see her, while his very soul rejoiced at the sight of her fresh daintiness, he did not wish to be seen. There was a deeply sheltered doorway at hand, and in a moment he was a part of its shadows. She was fairly fellows whom he had seen behind her passed her, and one of them turned and accosted her. Larkin saw her start as in fear, turn as if to retreat, and then hurriedly press forward, to be again accosted.

Red rage boiled in the heart of the man in the doorway, his fists clinched convulsively, and the muscles corded themselves upon his brawny arms as he sprang at the ruffian. The latter saw him coming, and dodged, but not so quickly as to escape a blow which staggered although it did not down him. Then he turned, and prepared himself for defense.

Physically the two were seemingly well matched, with little difference in height and apparent weight, but another factor set the odds desperately against Jim Larkin. While the two rained their blows, some of them well guarded, others reaching home, upon each other, a blow from an unseen quarter brought Larkin to his knees. The other ruffian, crafty after the manner of his vermin kind, had stolen up behind him and dealt the blow by that treacherous blow. The ghosts of his battling forebears, of men who had lived in the days when might made right and death was the penalty of weakness, lived in him again. He forgot self and its law of preservation, forgot everything but a maddening, desperate desire for revenge. There should be no room in the one city for these immeasurable beasts and himself. He sprang to his feet, and the unequal battle was on.

How it went he knew not, nor did he care. Giving or taking mattered not; he would have his revenge. He scattered houses along the street swam in a bloody haze, the faces of his enemies were ghastly, fitting, brutal masks which in some way he must annihilate. Blood crept down his face and blurred his eyes, but he shook it away and did not notice it. He had been fighting, he did not know how long; it might have been minutes, it might have been inestimable hours, nor did that matter—there were two reptiles before him whom he must crush, and he would do it. The ghosts of dead warriors whispered this to him, and he knew that it was so.

Larkin scarcely realized it, but the instinct of self-defense had caused him to seek the wall of the adjacent building, and there, although the odds still were two to one, he was at any rate protected against treacherous attacks from the rear. Nor are two to one odds so unequal as they appear, when the one is a man and the two are of the slinking litter of woman-accosters. In the fury of that mad battle, the grim silence of which was broken

A MILITANT CUPID

BY
ALPHEUS JAMES

only by muttered oaths and the thud of blows, Larkin realized this, and it nerved him. What was a flow of blood, save as it blinded one's eyes and interfered with the best use of one's fists? What were contusions and bruises? He might mind them to-morrow, but to-night a task was set for him: he must give a lesson in etiquette to two of the scum of the big city, and it would be for her. No matter what the odds, he must fight on until the end, the right end, was attained.

It was finished, and Larkin did not know it. All he knew was that, in some way, his fist had reached one of the brutish masks, and then it had disappeared. He waited for more blows against which he must guard, and they did not come. He wiped a red mist from his eyes, and looked about him. At his feet lay one of the combatants, evidently just returning to consciousness, and retreating steps in the distance indicated that the other had slunk away after the manner of his kind, when it became a man to man contest. Directly the other fellow gained his feet, and, finding himself unmolested, also ran. Then Larkin sat down and investigated his condition as well as that condition would permit.

It was the roaring in his head and the tendency of the lights along the street to leave their places and join in a sort of goblin dance which principally interfered with the investigation, but gradually the roaring ceased and the lights wearied of eccentricity, and then he discovered that, beyond various painful cuts and bruises, he was uninjured. At any rate, no bones were broken; he could walk home, and thus avoid the possible coming of one of the police who occasionally strayed into that out-of-the-way neighborhood.

He sat up at length, somewhat tottering, but as he did so the lights along the street resumed their hobgoblin dance, and he stood still, waiting for them to resume their normal behavior before he made his way home. Then, for the first time, he wondered what had become of the girl. She was not far away when the fight began, after that he had forgotten her, and now she was gone. Unconsciously he had hoped that she would appreciate that he had defended her, but—oh, well, she knew her own business. When a girl has turned a fel so sure of it was he that he did not even look to see whence the voice came, but started on. He would be controlled by no sick fancy. The thing to do now was to get his disabled body home and to bed before his mind showed other signs of weakness. Curious, by the way,

that the lights again had begun to dance just because he had fancied he heard the voice of one who probably would call him no more. Evidently he had forgotten to forget her, but now he would do better. He would—

Jim. No mistake about it this time; no distracted fancy. It was Her voice. She was coming down the street behind him. She was running to overtake him; Her hands were in his; Her face was—yes, no mistake, it was against his shoulder. The shoulder had felt somewhat battered a moment before, but now it was all right, oh, perfectly all right. She was half-speaking, half-sobbing, something—was it to him? It was—

"Jim, dear Jim"—yes, She said it—"why didn't you wait for me?"—ran for help for you, you splendid fellow!"—She really said that, too—"and I couldn't find anybody, and then I came back, and you were gone. Tell me, dear, dear Jim, that you are not killed!"

Say, did somebody say that Jim Larkin had had trouble with the sweetest, and the dearest girl in the world?—then there was an unbridgeable gulf between them? Then who was this who was sometimes crying, sometimes laughing, and sometimes doing a little of both in one and the same moment, against his shoulder? Who was a who did not protest was a brawny arm, with a bruised fist at the end of it, stole about her? That was the way She used to treat Jim Larkin, but somebody said there was trouble. And who was it, too, whose lips responded to the pressure of his own as if they were quite enjoying themselves? Never any mind about the one dear, sweetest and most gracious answer to all of these questions. Jim knew what it was, and She knew what it was, and nobody else has the least right to do more than guess, and guess without telling anybody, at that.

It is an interesting fact, and possibly worthy of scientific investigation, that, although Jim Larkin received neither medical nor surgical attention, he almost immediately recovered from the effect of his bruises. There can be no doubt of it, for, within five minutes, he assured Her no less than seven times that he was not hurt at all. The fact is mentioned here because it ought to serve as the basis of several profound treatises by learned gentlemen, entitled, "The Co-Relationship of Wounds and Recovering Her," or something of that sort.

There is one more, and most convincing proof of Mr. Larkin's complete recovery. They had reached her home, for he was able to accompany her, and, after they had said good night in the good, old-fashioned way of which some people know, she turned to him, naturally being anxious, and said:

"And you are perfectly sure, Jim, that you are not hurt?"

"Naw, not at all."

"I am so sorry, dear, that you got into this trouble on my account."

"Well, I ain't. I'm mighty glad of it," said Jim Larkin.

And there is a large number of people who would agree with him.

(**"Compulsory Voting"**—Continued.)

bottom socialism means the denial of the individual initiative. That is the ultimate morass of difficulty into which it must logically fall unless in the process of making over the social system it be guided by the constant and thoughtful co-operation of every voter. It is precisely the more capable and intelligent men who are most remiss in attention to this great civic duty; it is necessary that these men be sharply rounded up to the performance of their obligation as citizens.

I have said little concerning the need of due regard for civic responsibility in suppressing political corruption. If men acquire the habit of doing their political duty it will be effective in regard to all details, in so far as any system can accomplish it.

Certain it is, reform is not feasible by sudden enthusiasms; it is the steady performance of duty, and the resultant acquaintance with the minutiae, that give power to control and direct affairs for the general good. If all men were careful and conscientious we would need no safety devices; they are made for those

who are indifferent. The machinery of state requires men—all the men and mind it can get to insure that the governor is kept in working order so that the engine may not race and wreck itself. That is the ground of my plea for compulsory voting.

("Political Table Talk"—Concluded.)

tired from the office of mayor when Clinton White was elected, two years ago, has been again chosen, and it remains to be seen whether he will permit his second administration to be dominated, as his first was, by Tom Fox, the Democratic boss. Possibly the re-made mayor can rise above his former self in this regard, and if he can and does, due credit should be given him. In some other respects Beard's first term as mayor was by no means a failure. The event has proved that the Republicans' choice of John E. Sullivan as a candidate for mayor was not a happy one; but it is likely that any other candidate they could have put up at this time would have been defeated by the combination which was behind Beard. A really more important and regrettable result of the defeat on popular vote of a wholesome saloon restriction ordinance, which it is said the Prohibitionists joined with the liquor dealers and gamblers to vote down.

Shall Standing Timber Be Exempt From Taxation? In the annual convention of the county assessors, held in Chico recently, the question whether there ought to be a different method of taxing timber lands, in order that destruction of the forests might be delayed instead of hastened, was given consideration which was at least respectful. One of the assessors from mountain counties read a paper which presented this view, and the proposition appears to have been discussed rather keenly, although it was argued that so long as T. B. Walker and other great timber land owners are not compelled to pay more than fifteen or twenty-five cents per acre each year they will not be driven to cut the timber to save themselves from being eaten up by taxes. It is Mr. Walker's claim that he is a victim of the income, and is running a literary bureau, and conducting quite a campaign of publicity which is nominally in the interest of conservation, though T. B. Walker's private interest in it is very apparent. Yet, after all, there really is a large question of public interest also in it.

Shall Cash Also Be Exempt From Taxation? Another point of interest was developed, according to newspaper reports of this meeting. In the course of a discussion between Theodore Sell and John Ginty, the latter speaking for the banks, it was argued that to compel banks to reveal the commercial deposits of their customers, in order to give the assessor a chance to assess them, would be to produce all-around bankruptcy. That was figured out in this way: If the banks keep the secret of their depositors, and the latter lie to the assessor, telling him they have no deposits, when they have; if the banks should be required to tell on them the customers would draw their money all out of the banks just before assessment day, in order to be able to do so without detection, and as the banks could not meet such a universal demand, they would go down. Therefore the present arrangement is best, and universal perjury is the safeguard against universal bankruptcy. Shall we lend our money or break all our banks every Thanksgiving? Why not exempt from taxation cash which is not wealth but only an order on society for wealth?

Gillett Will Make Race On Good Roads Scheme The piece de resistance of the Gillett administration is his scheme to bond the state for eighteen millions in order that the politicians of California may construct some fine long stretches of macadam for the automobilists to scorch over. It leaks out from rather reliable sources that James N. Gillett will try for a new nomina-

tion for governor, and base his candidacy on the good roads measure in order that he may have four years in which to work out the problem. This will mean a great deal to the manufacturers, vendors and menders of automobiles, considerable to roadhouse keepers, something to tourist hotels, and perhaps some good sales for real estate dealers, inasmuch as it will tend to make California attractive to swift people. Incidentally it will mean a vast expenditure on the part of the taxpayers, principal and interest, and will not mean very much to the farmer whose need for good roads is between his farm and the nearest railway station. Insufficient though this claim is for a second nomination and election to the gubernatorial office, it is without doubt the best card Governor Gillett has to play.

Rights and Wrongs Of the Automobile No doubt the automobile interests would contribute handsomely to Governor Gillett's campaign fund if he were to hazard his political fortunes on the \$18,000,000 proposition. The automobile is with us. Its owner has a right to say something about roads, and those who must pay for raising and keeping in repair the roads also have a right to say something about him. That something is to this effect: Nothing not made of iron or steel will stand the wear and tear of the automobile as it is and as it wants to run and does run. Either the automobiles must be put up on tall wheels, to reduce the suction on the "humpion" on the roads, or they must be geared down to twenty miles an hour. Else they must be taxed to within an inch of their lives to pay for the roads they destroy. Until this problem is somehow solved what folly to propose an eighteen-million-dollar experiment! Talk of expert knowledge of road building is nonsense. There is no expert road-making known that will stand the sucking and bumping of a low-wheeled automobile going forty miles an hour. The only kind of road that will stand it is a railroad. Perhaps, however, the roads can render a more important service than he knows by going before the people and, by making himself and his good road scheme ridiculous in their eyes, setting wiser brains than his to working out a real good roads policy toward which the state may work.

UP AND DOWN THE STATE.

As the result of an election held last week the city of Martinez will be enlarged by the addition of the Fairview district.

The Newman Mining Company, which is boring for oil near Napa, struck a strong flow of natural gas last Friday. It will go deeper in the expectation of striking oil.

Franklin Williams, who crossed the plains to this state in 1849, died at his home in Berkeley last week.

The Lindsay Gazette is in the ninth year of its existence. It calls attention to the fact that "it began with Lindsay and has recorded within its volumes the history of the community."

In a recent election citizens of Placerville defeated a proposition to issue bonds in the sum of \$20,000 for the purpose of constructing two grammar school buildings.

At its recent meeting in Chico the Assessors' Association of California elected E. J. Kay of Sacramento as president, M. D. Lack of Shasta county as vice-president, T. H. Robinson of Alameda county as secretary, and E. W. Murray of Hanford as treasurer. Next year's meeting will be held in Fresno.

The recent meeting of the Northern California Teachers' Association, in Red Bluff, was the most largely attended of any session ever held by that body. About 600 teachers were present.

The Woman's Christian Temperance Union of Pasadena is endeavoring to have a censor appointed for the public library of that city. The fact that Marie Corelli's "Sorrow of Satan" was one of the library books started the movement.

It is reported that the Reno Power, Light and Water Company will expend a million dollars in constructing an electric plant on the Truckee river.

SHORT TALKS ON DOMESTIC SCIENCE

That science which fits girls for their high work is commonly known as Domestic Science. This big subject was given an unfortunate introductory name, for to the majority, the word domestic means everything that is undesirable about a house, or in other words, about the menial side of life. When this sense of the word is taken only the woman is meant and this, of course, means "household servant." Can any but a dwarfed mind interpret domestic science in such a way? As an adjective the word domestic means "pertaining to the house or household affairs; private, home-made."

Some have attempted to remedy this seeming mistake by calling the subject Household Economics. Can a better definition of Domestic Science be given? Do teachers of this subject make this definition clear in the minds of their pupils? Lack of interest in the subject and snobishness concerning it have their beginning at the very first lesson, if this sane, wholesome idea is not conveyed to the young mind.

"Definition is the kernel of education, and the use of the best word to express his meaning is the half-battle for the woman means that."

Sufficient stress is rarely laid upon the two fundamentals of life and education, the knowledge of right living and the knowledge of English grammar. Domestic Science in the public institutions and schools is yet in its infancy, while in the home it is certainly in its second childhood. The latter is the more deplorable. The lax methods at home have made greater demand upon schools and of girls. The training has thereby been more fully equalized with that of boys.

Economic government for woman means that every girl in our land shall be taught a trade or a profession whereby she can earn a living. It means more than this. It means that we must see to it that she earns her living; that we blot out pauperism from respectable families and from our homes; that we demand there shall be no more pauper desires of wanting something for nothing. This education will be needed by fathers, husbands, lovers and brothers fully as much as by mothers, wives, sweethearts and sisters—and this education, which we know we can not make rational beings out of the indigent poor, those who are helpless and in poverty when fortune flies.

So many contend that owning a home is mere sentiment; possibly so, probably so, undoubtedly so, but, if so, with the existing conditions, we need not fear an over indulgence. Apartments, boarding houses, lavish expenditure and consequent shallow thinking, shattered nerves and enfeebled bodies seem to prevail. Can there be much sentiment in an apartment crowded by a score of people, where not and for whom we care not, do we use with the same respect or pleasure old furnishings belonging to some stranger, and in such an environment are the dear little homey, comfy things done for those who come back from the bustling world? No, it is all too conventional! Ruskin has well said, "We have warped the word 'economy' in our English language into a meaning which it has no business to bear." In our use of it, it invariably signifies merely saving or spending.

Economy more means saving money than it means spending money. It means the administration of a home, its stewardship, spending or saving money or time or anything else to the best possible advantage. With this latter definition in mind, Francis Gannon's "Eugenics" and Mrs. Richards' "Eugenics" seem to supply the two words needed to express the upward and onward steps of the growth of a most vital science. Eugenics or right environment will, of course, in its teaching couple hygiene and the importance of wider knowledge in sex relation. The ignorance of these sub-subjects is so widespread that no wonder the results are appalling.

In our agricultural universities all sides of lower animal environments are discussed, and congress appropriates three million dollars yearly for research work along this line, while for man only twenty thousand dollars have been expended and there has been no appropriation since 1906. Should we wonder, when we read in a paper that graham bread gives more nutrition than white bread and in a few months in the same paper we find just the opposite view, or that human beings so often represent quantity rather than quality?

Research along any line can not be made without money and scientific men are usually not of the money class. Because of ignorance and lack of respect for the subject we find classes in physiology, anatomy and hygiene bored to death—or else asleep—that is, unless they are medical students. Is it too far reaching to suggest that osteopathy is a strong co-efficient of Domestic Science or Household Economics, Eugenics and Euthenics?

MARY ROBINSON THOMAS,
Mill Valley, Cal.

November 2nd.

A ROUNDABOUT MAIL DELIVERY.

One of the most remarkable mail routes in the world is that which a letter journeys in getting from Beebe Plain, Vt., to Beebe Plain, Quebec, Canada, says the Cleveland Leader. While the two offices are within ten feet of each other—are located in the same room, in fact—a letter mailed from one office to the other must make a trip of 294 miles—sixty-seven miles in Canada and the rest in the United States.

The plain old fashioned store building, which is situated on the international boundary line, contains both the United States and Canadian offices. There are separate entrances to each, but both are in the same room, have the same lobby, and there are no partitions to mark the division between the domain of Uncle Sam and the possession of King Edward.

"If you mail a letter from the Vermont side addressed to the Quebec side," says the postmaster, "it goes from here to the junction, then to Newport, then to White River Junction and back to Lennoxville, Quebec, over the Boston and Maine. There it is transferred to the Grand Trunk and goes to a south-bound mail pouch and comes to Stanstead Junction and then back to this same building, a distance of 294 miles."

FOURTEEN ERRORS OF LIFE.

The fourteen mistakes of life Judge Rentoul told the Bartholomew Club of London are: To attempt to set up our own standard of right and wrong and expect everybody to conform to it.

To try to measure the enjoyment of others by our own.

To expect uniformity of opinion in this world.

To look for judgment and experience in youth.

To endeavor to mould all dispositions alike.

Not to yield in unimportant trifles.

To look for perfection in our own actions.

To worry ourselves and others about what can not be remedied.

Not to alleviate if we can all that needs alleviation.

Not to make allowances for the weaknesses of others.

To consider anything impossible that we can not ourselves perform.

To believe only what our finite minds can grasp.

To live as if the moment, the time, the day were so important that it would live forever.

To estimate people by some outside quality, for it is that within which makes the man.

The University Club of San Diego, which is composed of the leading professional and business men of that city, has moved into its new and elegant quarters at Fourth and A streets. The club membership is rapidly increasing.

SHEAR WIT

There is a destiny that shapes our ends: the dressmaker, too, sometimes gets busy in this direction.—Montgomery Advertiser.

"Who is the heroine of your novel?" "Well," answered the authoress, "after seeing the photographs and advertisements used by the publishers, I guess I am."—Washington Star.

"Pa," said little Willie Skulebagger, "teacher told us to be prepared tomorrow to tell what meter 'The Charge of the Light Brigade' is in." "That's easy," replied W. Skulebagger the elder. "Gas meter, of course."—Catholic Standard and Times.

"Well, they've elected Blingsby to congress." "What! Did that soulless, truckling, low-down politician—" "Yes, and he told me he would push your name for local postmaster." "Oh!—Blingsby! Why I didn't understand the name. That fellow's all right, and I've always said so. He's got the makings of a statesman—Blingsby!"—Lippincott's.

A Yonkers teacher says she was instructing her class in composition. After a talk of several minutes, she wrote two sentences on the blackboard, one grammatically wrong, the other a misstatement of fact. The sentences were: "The hen has three legs. Who done it?" "Willie," she said, "go to the blackboard and show where the fault lies in these sentences." Willie did so. To her astonishment, he wrote: "The hen never done it; God done it."—Yonkers Statesman.

"What Is Your Money Doing?" is the title of a booklet issued by a bank and mailed to persons not now depositors. An official in a Yonkers institution says that one of these advertising devices came back to the bank that sent it out bearing on the front cover this reply: "Buying beefsteak at 28 cents a pound, eggs at 45 cents a dozen, milk at 8 cents a quart, paying a washerwoman \$1.50 a week, house rent at \$50 a month—But what's the use?"—Yonkers Statesman.

Little Robert and Jim, the grocer's delivery man, were great friends, and on the momentous day of Robert's promotion from dresses to knickerbockers, he waited eagerly in front of the house for Jim's coming, says Everybody. But the delivery man, when he came, busied himself about his wagon, without seeming to see anything unusual in his small chum's appearance. Robert stood around hopefully, in various conscious positions, until he could stand it no longer. "Jim," he burst out at last, "is your horses 'raid of pants?"

Near the approach of the final examinations, a few years ago, one of the law professors was cautioning his class against neglecting a thorough review of the semester's work and pointing out in a general way what the examination would cover. "I'll pause now to answer any questions," the professor said, "and then I must go to prepare the examination papers and hurry them to the printer." Nobody had any question for a moment and then a solemn thoughtful-looking student in the rear of the room arose and signified his desire to ask something. Says he: "If I may ask, who is the printer?"—Cleveland Leader.

The economy practised upon the Great Northern Railroad is well known among railroad men, one of the staunchest believers in the old saying that "Economy is the road to wealth" being the president, J. J. Hill. The story is told in the West that upon one occasion when President Hill was looking over a stretch of track he found a new railroad spike. Taking it to the boss in charge of that stretch of road, he handed it to him and said: "You must be more careful. Nothing must be wasted. Pick up all your spikes as you go along." "Why, Mr. Hill," replied the boss promptly, "I've been payin' a man a salary for three years to hunt for that spike."—Lippincott's.

PERSONALIA

Henry Sienkiewicz, author of "Quo Vadis," says he can write to his satisfaction only when he uses scarlet ink.

Mme. Bernhardt will soon enact the role of Mieris, a blind woman, in Brieux's "La Fol." It is the part Mrs. Patrick Campbell is playing in Sir Hubert Tree's London production of the drama.

Mrs. Dewey C. Bailey, president of the Denver Woman's Club, has been endorsed by the State Woman's Club of Colorado for the nomination for congress in the First district. Mrs. Bailey is the wife of the United States marshal of Colorado.

Oscar Strauss' new operetta, "Didi," was produced for the first time in Vienna at the Carl Theater on October 23rd, with only slight success, mainly owing to a weak and monotonous libretto. Some chansons and waltzes were encored, though the audience was not enthusiastic.

The retirement of Jules Claretie, a veteran litterateur, whose administration of the Comedie Francaise has been so successful, is now under discussion. It will not take place until after the present season, when M. Claretie will have attained the age of 70 years and completed a quarter of a century in charge of the theater of Moliere.

By a decision of Judge Stockbridge of the city court of Baltimore, Mrs. Ada Smith Lang has become the Socialist candidate for the Legislature in the Second district. It does not follow, however, that if the people rally at the polls for Mrs. Lang she will be allowed to take her seat. Judge Stockbridge calls attention to the right of the house of delegates to pass upon the qualification of its members.

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OUR SCHOOL FOR CITIZENSHIP

The Legislature at Work.

Last week we organized our legislature in session, elected its principal officers and appointed the greater part of the subordinates. To-day the gavel of the president of the senate and speaker of the assembly rap for order, the chaplains offer prayer and, for five minutes, there is order and dignity in both houses. In five minutes more the prayers are forgotten, the chaplains take their departure and the legislators begin to "do politics."

Some member, more alert than the rest (or possibly by prearrangement), addresses the presiding officer. His name is called in recognition and the member holds aloft a package of legal looking documents. "I desire to introduce these bills," he says. A page runs to him, takes the bills and runs to the desk of the clerk in front of the presiding officer. The clerk reads the titles of the bills. Then what?

Our constitution declares that, "No law shall be passed except by bill. Nor shall any bill be put upon its final passage until the same, with the amendments thereto, shall have been printed for the use of the members; nor shall any bill become a law unless the same be read on three several days in each house unless, in case of urgency, two-thirds of the house where such bill may be pending shall, by a vote of yeas and nays, dispense with this provision." The provision is very frequently dispensed with in the interests of expedition of the work in hand. "On the final passage of all bills they shall be read at length and the vote shall be by yeas and nays on each bill separately."

There are, perhaps, never fewer than 2,000 bills introduced in any California legislature during the session. It is impossible that any legislator shall be able, in the course of any session, however long, to look into the merits of each one of the 2,000 bills offered for his consideration. Therefore every legislature is practically swamped at the outset. The only way to grapple with the job at all is to divide the membership up into committees and parcel the work of inspection of the bills out among these committees.

The senate has thirty standing committees. Besides such special committees as may from time to time be required. The assembly has fifty-two. These committees are commissioned especially to consider such bills as refer to such subjects as agriculture and dairying, hauling, commerce and navigation, corporations, county government, drainage of swamp and overflowed lands, education, elections and election laws, fish and game, fruit and vine interests, hospitals and asylums, irrigation, mines and mining, military affairs, and so on to the end of the chapter of subjects that concern the public welfare, not omitting a committee on public morals, sometimes made up of saloon men and others engaged in preying upon, instead of praying for, the public. Then there are committees appointed to see to it that bills passed are properly enrolled, engrossed and placed in the hands of the governor for approval or rejection; committees on contingent expenses of each house, committees to determine what attaches are required and how they shall be appointed, committees to see that the requisite printing is done and that unnecessary printing is not done; committees to make rules for the government of each house, for the constitution empowers each house to make such rules for its own convenience as it may require. Besides these committees, and others, the senators from San Francisco have a committee of their own, to which is referred all matters relating to San Francisco. In the assembly are similar committees from both San Francisco and Los Angeles.

But the most important committees are the judiciary, of which each house has one, generally containing all the lawyers in each house; and the finance committee of the senate and the ways-and-means committee of the assembly. All measures about whose legality there is any question, and their name is legion, go to the judiciary committees

sooner or later. All bills that carry appropriations go to the finance committee of the senate and to the ways-and-means committee of the assembly.

And "no bill shall become a law without the concurrence of a majority of the members elected to each house," the constitution tells us.

The reader will see, therefore, that all the legislating done has to be done twice. It has to be such as commends itself to two separate bodies of men, at opposite ends of the capitol building, one body comprising forty men, of whom twenty-one must vote aye, and the other comprising eighty men of whom forty-one must vote aye, in order to enact a law. Nor is that all. The governor of the state must pass his judgment upon each measure before it can become a law unless twenty-seven members of the senate, and fifty-four of the assembly, override his veto. Of course the governor may neglect or refuse to exercise his veto power and suffer a bill passed by a mere majority to become a law, but that is looked upon as dodging the issue and is seldom resorted to.

Now it would seem, would it not, that with all these checks and hindrances to legislation little bad legislation ought to be enacted? But such is not the fact. A great deal of unwise, ill considered and unwholesome legislation is enacted at each session, in part because of the avalanche of bills introduced and the lack of time for their proper consideration, and in part for the reason that many small men and relatively few able ones are sent to senate or assembly. The personnel is mainly made up of legislative tinkers who tinker at the laws as their whims prompt them without breadth of view and with no great integrity of purpose.

In our next lesson we shall follow the work of legislation a little deeper.

Mrs. Mary Coonie is said to be the richest full blooded Eskimo woman in the world. Though she can neither read nor write she has accumulated a large amount of wealth, consisting of mining property and the largest private reindeer herd in the world. Besides young reindeer there are said to be more than two thousand animals in the herd all bearing her brand. Mrs. Coonie employs as her private secretary an Englishman who is a graduate of Oxford. By Eskimo standards Mrs. Coonie is the best dressed woman in the Arctic region.

Just Four Lines.

Dah's some dat looks foh happiness
On ebery kin' ob shelf,
When all de whites dat happiness
Is foun' right in deirself.



A WORD TO THE PARENT

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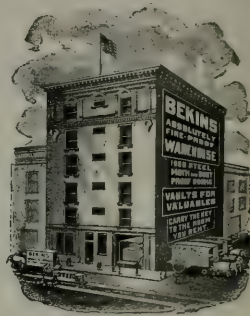


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The Leaven In the Lump.

COMMISERATION IS SOMETIMES HARDER to bear than pain, pity than enmity. For the past week the interior press, not to speak of the eastern, has rung all possible changes on "Poor Old San Francisco," but San Francisco is no Sodom nor is it a Gomorrah. Francis J. Heney received 25,992 votes in the late election, every one of them cast by a man who can be counted on in any emergency to stand for Right Things and to fight for them again and again. The leaven is sufficient for the lump and, in time, it will work its salvation out. It needs to learn some lessons in political efficiency, and especially how not to be divided against itself. We mourn not as one without hope.

Majority Rule At Berkeley.

NO PRINCIPLE IS MORE fundamentally democratic than that the majority shall rule and, wherever the principles of democracy are strictly applied, nothing less than a majority is permitted to rule. This principle is fundamental in the Berkeley plan of government. Under it the two highest for each office in the primary election automatically become the candidates at the final election and no others are possible. Had the Berkeley system prevailed in San Francisco McCarthy could not have been elected inasmuch as he received 3,882 less than a majority of the votes cast. The Berkeley plan has much to commend it. It is sound in principle and, so far, has worked admirably in practice.

A Game Old Sport.

THE REPORT THAT JOHN D. ROCKEFELLER witnessed a sparring exhibition given by big Jim Jeffries in New York, and pronounced Jeffries a great man, gives credence to the declaration of an old lady resident of Cleveland who remembers when John D. was the proud possessor of a brace of bull pups that he kept harnessed together with collars and connecting strap and led about the streets with him by a chain. In those days he was regarded as sporty and he does not appear wholly to have conquered the sinful spirit even yet. Jeffries is a big man, but not a great.

Doth He Protest Too Much?

IF THE CHAMPIONS OF THEODORE ROOSEVELT and his policies are out of conceit with the President it cannot be because of any lack on his part of protesting his loyalty to the Roosevelt policies. He has renewed his fealty to those policies as often as once a day during the fifty-seven days he was swinging around the circle and, about every time he did it, Ballinger has chipped in with: "Them's my sentiments." After all it is not a question of, How do you feel, Mr. President? but How do you do?

The Bitter With the Sweet.

MANY MEN WHO HAVE CHORTLED over the defeat of Heney have professed great grief over the election of McCarthy. What are they taking the intelligent public for? The election of McCarthy was the consideration given for the defeating of Heney and after the goods have been ordered and the package delivered according to contract is a poor time to squeal at the price. It is the part of manhood to take the bitter with the sweet without a grimace for there certainly were none so verdant as not to know the terms of the contract. It was: "Put our fellows in office and we will keep your grafters out of prison." There

was a full quid pro quo. Why should not both parties be happy?

Hurting the Town.

MANY NEWSPAPERS HAVE FOUND many ways for hurting their respective towns, but it was left for the Fresno Mirror to suggest that the "abolition of the saloon will hurt the moral tone of the community." Of course the converse must follow that the reopening of fifty or a hundred saloons must elevate the moral standards. Great discovery! Or was the Mirror deliberately trying to hurt the town?

The Fresno Republican.

THERE IS NOT A MORE INFLUENTIAL daily paper in California than the Fresno Republican. It covers the San Joaquin valley like a blanket, owns more automobiles and hires more rural carriers at bigger wages than any other paper in the state, prints as much telegraphic news as any paper in San Francisco and, in the domain of policy, does all the things which a prudent, safe and sane metropolitan journal would not dare to do for fear of its life, but with the result that it is kept poor buying new equipment to enable it to keep pace with its growing business and is now being pushed to the verge of suspension of payment by the necessity for erecting a new office building 75x150 feet, two stories high, to supplement an office building erected only six years ago, 75x150 feet and two stories high, which will still be occupied after the new supplemental building is finished. It has jumped the party traces, bearded the Southern Pacific lion in its den, talked religion as well as politics, and new crazes as well as religion. The only palliation offered for its eccentricities is that it is uniformly on the right side, no matter which way the crowd may be headed. Traditional journalism like traditional dogmatism is mainly not so.

Not Less But More.

THE SANTA CRUZ NEWS THINKS that, "The less we mix religion with politics the better." The better for which, religion or politics? Substitute "church" for "religion" and The California Weekly is agreed; but that religion which does not stay by a man in sickness and in health, in poverty and in wealth, in politics and profession, in prayer meeting and in business, on Sunday and all through the week, will be of no more use at St. Peter's toll gate than a dead transfer on a street car. In fact it will not be as good for the ticket taker will scrutinize more closely. If the forces of evil get together, as they do, the forces of righteousness have got to, and where shall we look for forces of righteousness well aggregated if not in a church fellowship and affiliation?

Aldrich Wants Information.

WITHOUT "LETTIN' ON" that he knows anything about finance, Nelson W. Aldrich is asking the American people to tell him what they know about the central banking idea, and other ideas relating to money. He shall not say that The California Weekly scorned the request: All currency should be tied to gold and take potluck with it up and down. The only place on earth where the requirements of elasticity in currency can be instantly and accurately known, and complied with, is through the windows of the paying and receiving tellers at the banks where the citizens transact their everyday business. Further than this deponent sayeth not.

A CONSPIRACY TO DOWN TAFT.

It is reported from Washington that friends of the President are suspicious that partisans of Roosevelt have entered into a conspiracy to discredit the administration of William Howard Taft, with the view of making Theodore Roosevelt their candidate for the presidency at the next election. That any such purpose has taken organized form is unbelievable. That there is in the breasts of impatient millions a wish, strongly felt, that Roosevelt were still at the helm of affairs in this country, goes without saying. That this is so is partly the fault and partly the misfortune of the President.

The President's limited and qualified, but palpable, certificate of character given to Nelson A. Aldrich at Boston rubbed the nation the wrong way of the fur.

His Winona speech on the tariff proved indigestible.

The President's failure at San Francisco to make any reference to the herculean struggle here going on for the establishment of equality before the law, left a dark brown taste in the mouth of the Pacific Coast.

His defense of Ballinger has not restored Ballinger to public confidence. While it was accepted as true, so far as the President knew, the feeling of distrust of Ballinger has continued, and the consensus of opinion is that the President has himself been deceived as to Ballinger.

The President's insistence that the government shall act only so far as the law authorizes or commands it to act for defense against corporate aggression, has begotten a feeling of disquietude in the public mind through fear that the spirit of the law may be subordinated to the letter. The belief is that wherever this is done predatory interests will gain their point.

The President's cabinet was not such as the general public would have liked to see him make up. It wanted Garfield retained in possession of the Interior portfolio and it has been suspicious of Wickersham. The Crane incident has made it suspicious of Knox.

Perhaps some of the champions of Roosevelt may have been unreasonable enough to anticipate that President Taft would pursue the methods, as well as adopt the policies, of Roosevelt, forgetting that the judicial type of mind is different from the executive, and that the temperamental endowments of Taft are dissimilar to those of Roosevelt.

Nevertheless, the square deal is the essence of Rooseveltism and no true follower of Roosevelt or friend of his policies is going to render a final verdict against President Taft until he has a reasonable time in which to prove the quality of his executive statesmanship.

The coming session of congress will be the testing ground for the Taft character and the Taft administration. During that session his friends will develop and his enemies will align themselves. By that session will his administration be judged. Every eye will be upon its every act and the President will be forced to show his hand step by step. The friends of Roosevelt will be fair to Taft. They will be fair to Taft through loyalty for Roosevelt if for no other reason; but it is not too much to say that, as the case now stands, the President will have to "show them." There no longer runs any presumption in his favor that will disarm his critics or bolster his friends in advance.

WILL IT BE WORTH THE RISK?

For many years frontier merchants did a fine business selling firewater and fire arms, gunpowder and lead, to the Indians, but afterward it cost the United States government half a company of soldiers, and half a million dollars, to kill every hostile Indian that was

THE STAFF

A. J. PILLSBURY.....Editor and Manager
A. J. WICKERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
V. E. FRANKLIN.....Business Manager

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killed. That form of merchandising did not prove profitable to the public and had to be penalized with severity.

Men of great executive capacity and acquisitive genius have mobilized the social villainies and taught them political efficiency. It was by organizing and centralizing the tenderloin vote in New York that Tammany Hall has held the government of New York and, through New York, has proven a powerful and baneful influence in national affairs. It was the tenderloin, and its patrons that, in the late election in San Francisco, first registered as Republicans for the defeat of Maunz and then voted as Union Labor party men for the election of McCarthy. There are more "cadets" and "maquereaux" in the redlight districts of our cities than decent people have any idea of and they all have votes. Add to these the patrons of their white slaves and the red-light vote is to be reckoned with.

In old times a Spanish army that failed of getting as much foreign loot as it hungered for was as likely to sack the most convenient Spanish city as any other. Suppose that the red-light voters, failing to make the white slave trade as profitable as they could wish, even though unhindered in its prosecution, were to take it into their heads that the public service corporations might furnish richer booty than the public treasury or their own unholy trade? It shall go hard with the cunning "cadets" and "maquereaux" if they do not improve on the lessons in practical politics they have received from malefactors of great wealth or their hired agents. Where, then, will lie the safety of the fortunes which these Big Ones will have left to their children? What guaranty can any government afford that looks for its sources of power to the least form of human being that walks the earth? There are not many who realize that the scum of the earth is the cream of the army which the Crockers, Murphys, Herrins, Lynches and Sullivans employ for the subjugation of honest citizenship. By splitting the better element on issues of party or policy, and plumping with the vote that has neither party nor policy, but is held together by the cohesive power of graft, effective political power may be exercised.

It must be admitted that the man who can make politics a business has advantage over the citizen who merely gives now and again an hour to public concerns and begrudges the time it takes for him to go to the polls to vote. The maquereau, like the paid political manipulator and odd-jobs man, is a man of leisure. By owning three or four victims of his lust he lives in affluence and can give all his time to political planning and to the executing of plans. Trained to efficiency, suppose he essays an independent political career?

It is a scientific truth that every wrong carries within itself the seeds of its own destruc-

tion. The political bureau that governs carries within itself the seeds of its own death. The forces that carried the election in this city last week may find, if they will look for it, their own death warrant written into their own constitution, but they will not look. They shut their eyes and say, "After us the flood." With their destruction will go the destruction of all the institutions whose integrity they sought to undermine, whose intents they prostituted to evil purposes. In the day of retribution and social reorganization the good is, as in the great fire, impartially consumed with the bad. That is where the interest of the so-called better element in public affairs becomes vital, else the devil might be suffered to claim his own without protest.

GENTLEMEN OF THE BAR.

Gentlemen of the California Bar: In common with your brethren of other states, you have been taking the direction of least resistance. As a profession you have lost your esprit de corps. You have not only not kept pace in the administration of justice with the requirements of an advancing civilization, but you have distinctly lost ground. Within the memory of practitioners now living you have permitted bench and bar to degenerate in ability, in learning and in integrity of character. There is no longer equality before the law except where the litigants pitted against each other are fairly equal in wealth and in social and political influence. You are under indictment at the bar of public opinion, and that indictment includes the bench, the bar, the laws that have been enacted, and the lawyer legislators who drafted those laws and pushed them through the legislatures, mainly to meet private ends. It is in vain for you to regret a too palpable public lack of respect for the laws and their administration. They will be respected when they are made worthy of respect and not sooner. It is up to you more than to all others to make them worthy.

Here are some hard facts that should make you put your thinking cap on if you have not already donned them. In New York and Illinois there are fourteen times as many judges in proportion to population as in England. In California there are fifty-four times as many, and every legislature is importuned to create more of the little fellows, mainly men who fare indifferently well in private practice.

There are now, in the United States, more than 100 homicides per year per million of inhabitants against fewer than 27 a quarter of a century ago. Our ratio of murders to population is from ten to twenty times greater than in Britain and in those nations of Europe lying west of the Danube and north of the Alps. The fault mainly lies with the administration of justice and the fault with the administration of justice mainly lies at the door of an indifferent, and irresponsible and overflowing bar.

You have tardily formed a State Bar Association. Your delegates to your convention have been told some startling truths and have listened to some inspiring addresses. There is no obstacle in the way of a reformed judiciary not of your own letting if not your own making. In common with the rest of our citizenship you gentlemen of the bar have suffered the government of California to fall into the hands of an incorporated plutocracy that has made our laws, named our judges and done more than any other influence to degrade the legal profession. It was that influence that defeated the Commonwealth Club bills at the last session of the legislature, that effected the passage of the infamous change of venue bill, for the vetoing of which Governor Gillett obtained a not too well-earned, or thoroughly established, reputation for official independence. You will have that same malign influ-

ence to fight whenever you seriously attempt to reform the laws or to create a non-partisan, well-paid and efficient judiciary.

Have you the manhood in your ranks to make a winning fight for political liberty as well as for equality before the law? If you have, God bless you and your profession, which should rank among the noblest pursuits followed by men! If you have not then may God d-d-do the other thing to you and to your profession. Whoever fights for justice fights for God, humanity and country. Whoever neglects or refuses so to fight is a skulker and a camp-follower if not an apostate and traitor. The whole issue is comprehended in that earth-born cry for liberty and equality that comes to us through blood and tears down the ages.

Gentlemen of the bar, more than all others, the issue is up to you.

Oakland's Forward Movement.

The coming week Oakland will hazard new fortunes. On Monday it will vote on a proposal to issue \$3,733,000 in city bonds to be used for the construction of municipal wharves, a city hall and a fire-proof fire alarm and police telegraph building. The very next day Oakland and a number of her suburban districts will vote on consolidation.

For many years Oakland was so under the domination of certain greedy corporations as to take the collective courage out of her people. They voted down everything they came to. In recent years Oakland has enjoyed a progressive and encouragingly honest city government with the result that new courage has been imparted to the voting public and the whole east bay district is minded to go forward.

Oakland needs the proposed wharves. Unless she builds them herself they will not be built. If she does build them the car and the ship will be brought together on the east side of the bay as well as on the west and the commercial possibilities of San Francisco bay will be enhanced.

Annexation should carry, too. It ought to carry whether taxation in the outlying districts will thereby be increased or not. The suburbs are necessary to the moral and social health of the parent city. They will offset the redlight vote. No suburb should be contented to be a parasite. May success attend these worthy enterprises, one and all.

The Case of Glavis.

When President Taft undertook to reinstate Secretary Ballinger in public confidence, he cast out L. S. Glavis neck and heels. There were two courses open to Mr. Glavis: to hide his diminished head or take his version of the affair to the public. He chose the latter course and, thanks to Collier's Weekly, his letter is now the talk of the United States.

He has made out a strong case. He has shown first that he was striving to stave off the consummation of the sales of coal lands in Alaska until congress could adopt a more rational plan for utilizing the common wealth for the common good, a most laudable purpose if it could be accomplished by methods legislative, executive or judicial—even Fabian.

He has shown that in taking the cases of the Alaskan claimants under two years after retiring from the office of Land Commissioner Mr. Ballinger disregarded the plain provisions of the statute.

He has shown from the records that Ballinger went before the public lands committee of the House of Representatives and there argued for the enactment of a law designed to enable the Alaskan coal lands claimants to perfect their titles and secure their patents, contrary to the highest interests of the people of the United States.

He has shown a shiftiness on the part of

Ballinger and his subordinates in dealing with these claims certainly not creditable if not criminal in a moral, though not a legal sense. Mr. Glavis has distinctly improved his status by taking the issue to the people.

Who Is Going to Washington?

The National Rivers and Harbors Congress is to assemble at the national capital on the 8th to 10th of December. Who is going to attend it? This question becomes important in the light of the truth that investigation has disclosed the fact that access to the waterways of the nation is vested in the possession of the railroads. Unless something is done to shake them loose the railroads will monopolize the waterways as surely as they now monopolize the track-ways of their own roads. What if the National Rivers and Harbors Congress is made up of men who represent the railroad interest to the exclusion of all others? Unless public bodies empowered to send delegates keep a sharp lookout they will find that they have sent only railroad attorneys to a waterways congress. Our California railroad push would have a special representative commissioned to attend every prayer meeting held in the state if they had faith to believe that there would be anything doing that would affect the interests of the Harriman system. They are seldom caught napping. There is no form of organization that gives promise of exerting power into the very core of which a special railroad representative will not worm his way.

Is There Any Other Way?

A correspondent desires to know if those who are espousing the ship-subsidy idea have taken into account what the American people will think of any plan that will pay a bounty to such railroad systems as those of Hill, Harriman and Hawley under conditions that will permit them to monopolize the deep sea carrying trade as effectually as they now monopolize carriage on land. The California Weekly cannot answer for others, but, as for itself, it agrees with its correspondent in believing that the American people will prefer no merchant marine at all to one that will prevent the world's highway being as free as a public road. The idea of a rehabilitated American merchant marine is taking root, but it will be a mistake for its proponents to tie themselves irrevocably to the ship-subsidy idea without first having exhausted every other resource. There may be no other way. This paper is inclined to the opinion that, so long as other nations subsidize, there is no other way, but if this be so the nation must be so convinced of it as to leave scarcely two opinions about it before congress can be induced to act. If it were otherwise the heads of congressmen would roll into the garbage basket more rapidly than the heads of aristocrats during the reign of terror in Paris. Mr. George W. Dickie, who has another article on the subject in this issue of this paper, has stimulated discussion as no other man has done, but there are other points of view than his. Let them also be brought forward.

Interior papers are in error in regard to the saloon license in San Francisco having been reduced at the recent election. The license was kept the same, \$500 per year, but supervisory and police control over the saloons was reduced, and hurtfully, and a license, too low already, cannot be increased without another referendum vote.

President Taft made 266 speeches during his just completed swinging around the circle, but that was not so hard on him as listening to the 266 addresses of welcome that preceded them and the banquet spiels that followed.

The Deeper Significance : : : : of Living : : : :

In the New York Outlook Dr. W. S. Rainsford tells many interesting things about a most uninteresting people, the black savages of East Africa. They have no belief in God, no desire for or expectation of a life after death, and in their nakedness and poverty they are content. All they want is to be let alone. And yet, for those people many missionaries are giving their lives, striving to carry to their dull understandings, mental and heart conceptions of religious dogmas of which they can have no more notion than of snow and ice, wholly foreign to their lives. While these missionaries are striving to uplift, other agencies of civilization are striving to pull down, teaching the liquor habit and injecting into undisturbed veins those venereal maladies that follow the flag of Christendom.

But did Dr. Rainsford need to go so far as East Africa to find those to whom God is only an expletive, a future life of no concern and the down dragging of purity, honor and high purpose a craft, a business, a profession? Did he need to go so far to find missionaries striving to make plain to a heedless, hulking, human mass the way of right living and right governing? Watching by a sick bed who has not seen one in that stupor of fever bordering upon death aroused with difficulty to look for an instant out of eyes that betrayed a brittle intelligence, move the lips as if to speak, smile ever so faintly and then sink back into an unknowing and unceasing unconcern for the things of this life or another? What a heart break for the watcher!

Is this not about the condition of the great human mass most of the time? A relatively few zealous workers for Right Things must toil upward like Sisyphus only his stone only to have the good they have seemingly accomplished slip from their grasp and roll back to where they started from. The dragging down process works like gravity, day and night, with neither rest nor recreation and, apparently, without ever growing weary of faint hearted. Small wonder that the psalmists sang of their enemies, that the prophets denounced them and that pious leaders of men prayed for their destruction and to be delivered out of their hands! Sometimes the reformer would fain have power to do with the forces of iniquity as David boasted that he would do with Goliath, smite him, take his head from him, give his carcass to the fowls of the air, and to the wild beasts of the earth, "that all may know that there is a God in Israel."

There are more Gethsemanes than many are prepared to believe, ay, and more Calvaries, too. Also there are more surging mobs of hatred, selfishness, bestiality, at war with Right Things because more pleasure is found in wrong things, who know not what they do, than may commonly be believed. But what of it if these things be true, did not God make the world and shall we quarrel with him for not making it to our liking? It is the duty of the soldier to obey orders. Having done this the responsibility lies with the commander. Shall soldiers for the common good do less than hired mercenaries? Job tried quarreling with God and made little out of it. He was forced at last to confess his ignorance of God's plans and we shall have to do the same.

Let us, who are striving for Right Things, and fretting because the world little heeds us, but persists in its wrong-headed way, reflect how little hurried is the maker of the universe, to whom "a thousand ages are like an evening gone; short as the watch that ends the night before the dawning sun." Shall we grudge our God the lives he sees fit to work into the maintenance of order, establishment of justice, redemption of the race?

WHAT THE WORLD IS DOING

Wireless Telephone Sets Air Brakes.

Fred Lacroix, an electrical engineer of San Antonio, Texas, has invented a wireless telephone, with steam whistles, which has been successfully tested by the Erie Railroad Company. The device may be used by train passengers as a telephone, but its most valuable feature is that by means of it approaching danger may be announced, while at the same time it automatically sets the air-brakes on a train, thus covering a danger zone of two miles. The device, which is operated by means of a third rail that can be touched, much resembles an ordinary telephone in appearance, and is placed in the locomotive cab. The engineer may so set it as to apply brakes immediately or by degrees. In the Erie test a train which was running 25 miles an hour was stopped within 60 feet, with little or no jar. It will again be tested, if it has not already been, in the near future, but the test already made indicates that it doubtless will be a great life-saving invention.

Our Differing Valuations of Education.

Probably the most striking feature of the recent report of the National Commissioner of Education was its suggestion of the apparent difference in valuation which the people of the several states set upon education. Taking expenditure as an indication of such valuation—and it would be difficult to conceive a better test—Nevada thinks more of public schools than any other state in the Union, while South Carolina values them the least. The former state, with her yearly expenditure of \$72.15 a pupil, pays between 11 and 12 times as much per pupil as does the latter, with her \$6.37, while California, with \$49.29, multiplies South Carolina's expenditure by seven and three-quarters. In general, our West stands high, although Oklahoma, with its \$15.79, appears to be willing to stand with the South, which makes the poorest showing of any section of our country in its expenditure being headed by West Virginia, with \$20.36. The average yearly expenditure throughout the country is \$28.25. One-fourth of the states spend more than \$35 yearly per pupil, while another fourth spend less than \$15. Three states exceed California in annual expenditure per pupil, and these are Nevada, New York and Montana, but, except in the case of the Silver State, the difference is small. Forty-two states below us, three above. Californians have a right to be proud of the record, but the first prize goes to yellow-coated and yellow-veined Nevada.

A Steam Turbine Electric Locomotive.

There has been much discussion of the feasibility of electrifying steam railways, but heretofore the prospective cost of such a proceeding has impeded progress in that direction. Now, however, comes President Hugh Reid of the Glasgow University Engineering Society and announces that a locomotive now under construction probably will lead to such a revolution in railway locomotion. In the locomotive to which he refers the turbine system will be used for the first time. Steam is generated in an ordinary locomotive boiler, but thence it is carried to a turbine of the impulse type, making 3,000 revolutions a minute, to which a continuous current dynamo is attached. The dynamo supplies electric energy to four series of wound traction motors which are built on the main axles of the locomotive. The exhaust steam from the turbine is condensed and used over and over again, and it is claimed that there will be a great saving of both water and fuel. If the locomotive does what is claimed for it, it is believed that it eventually will come into general use, although the cost of its manufacture will be rather heavy.

Concerning Those Who Walk the Tracks.

Some time ago the Pennsylvania Railroad Company inaugurated a campaign, which it

still continues, against the trespassers on its tracks, and how vigorously the campaign has been prosecuted is indicated by the fact that during the year 1908 it had more than 11,000 such trespassers (mostly track-walkers) arrested. This is radical action, but statistics demonstrate the urgent necessity for it. The total number of such trespassers killed on the roads of the United States during the decade ending December 31, 1908, was 47,416, an average of about thirteen a day. These figures read unpleasantly enough, but it is even more unpleasant to learn that the death rate is constantly increasing. To illustrate, the number killed in 1898 was 4,063, an average of a little more than eleven a day, while nine years later, in 1907, the number had increased to 6,512, or nearly eighteen a day. The Pennsylvania's share in the latter year was 915. No wonder that it is doing what it can to terminate such a condition. Of course, a large proportion of these victims are tramps, but included among them are a very considerable number of women, children and laboring men. It is a notable fact that the main obstacle which confronts the Pennsylvania in its campaign is the objection of the local officials to making arrests because of the cost they involve.

The Forest Service and Stockmen.

It is an encouraging fact that western stockmen more and more are co-operating with the National Forest Service, establishing amicable and mutually beneficial relationship with it. During the past year seventeen associations of such stockmen have applied to the Forest Service for its recognition of their advisory boards, and, as 29 had been applied, this gives a total of 46 such boards thus far recognized. Of course the Forest Service is benefited by the friendly co-operation thus established, but the stockmen are even more benefited, as the service acts as a species of arbitrator in disputes that may arise, for instance, between sheep and cattlemen, establishes their respective ranges and in various ways acts as both advisor and peacemaker. Formal recognition is granted an association whenever its membership constitutes a majority of the users of the forest or division for which it seeks recognition.

A Substitute for Dreadnaughts.

A London correspondent of the New York Sun says that the British Admiralty is considering a new type of war vessel as a substitute for the Dreadnaughts. The vessel under consideration may be designated a semi-submarine, its hull being shaped considerably like that of a submarine boat. In fighting condition it would be sunk, by admitting water into ballast tanks, until only the navigating bridge, chart house, conning tower, funnel and mast were above water. These would be protected by armor and so shaped that a ball would be almost certain to strike them, glancing, and consequently little effective, blow. On top of the water the speed of the vessel would be about 25 knots, while it would be 19 to 20 knots at fighting depth. It would carry two 12 or 13.5-inch guns, 12 4-inch guns, and 10 torpedo tubes, which is twice as many as a Dreadnaught carries. If the vessel would do a sufficiently effective work of death, its chief advantage over a Dreadnaught would be its greatly less cost, as one could be built for \$2,500,000, or just about one-fourth of the cost of the former.

Uncle Sam and His Pensioners.

Uncle Sam is generous in dealing with those who defend him in time of stress. His is no niggard hand; he pays out much more to pensioners than does any other nation on earth. It is estimated that thus far he has paid them considerably more than \$100 million dollars, of which probably 95 per cent has gone to veterans of the civil war, their widows and children, and still the distribu-

tion continues at the rate of more than \$150,000,000 annually. The civil war is 45 years past, and still every average man, woman and child in this country is taxed nearly two dollars annually to pay its expenses. There are five states which receive more than ten million dollars each in this annual distribution. These are Ohio, Pennsylvania, New York, Illinois and Indiana, Ohio heading the list with almost sixteen million dollars. The states receiving from \$4,000,000 to \$8,000,000 apiece are California, Iowa, Kansas, Kentucky, Massachusetts, Michigan, Missouri and Wisconsin. Forty-eight years is a long, long time for a war to continue, but that is what the civil war is doing—financially.

Physicians and the Drug Habit.

Dr. Oscar Jennings, who has recently published a book entitled "The Morphia Habit," brings some charges against the members of the medical profession which, it is to be trusted, are as unjust as they are severe. In retailing these charges—in the hope that some reputable physician will refute them—probably we can do no better than to quote exactly what he says in summing them up. Here it is: "One medical man out of four is a drug user. The proportion of medical addicts to the total of cases is in some statistics as high as 90 per cent, and one-fifth of the mortality in the profession is said to be caused by morphinism." Dr. Jennings is a recognized authority concerning the morphia habit, but there is a good deal of "it is said" in his book.

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OUR LITERATURE OF EXPOSURE.

All students of history and literature have observed that the Elizabethan age—the grandest era of productivity in English writing—was an age of unexampled, and since unrepeatable, frankness of speech. Please note the distinction between frankness and indecency. Later, the classical age, when the drama was polluted with the language of indecent suggestion, made itself odious for all time.

But in Elizabeth's time, a spade was called a spade, not because the writers wanted to be indecent, but simply because, being intellectually honest, they preferred to call things what they were.

The Victorian era developed the rose-water style of language. A leg was a limb and people never went to bed, they retired. A false modesty grew up that affected every branch of thought and custom, except the scientific, and sowed the seeds of an abounding ignorance of simple facts of life that has latterly resulted in a rich harvest of broken hearts and homes. In literature, its pernicious effects were seen in the lack of robustness of thought and expression, and in the remoteness of literary subjects from the actual life of humanity.

Lately, in America, the interest in public affairs has led to the long series of articles of exposure, begun by Lincoln Steffens in *McClure's Magazine*, and coming to its climax in Judge Lindsey's articles in *Everybody's*, and George Kibbe Turner's in *McClure's*, all designed to tell an inquiring public mind the exact facts, in plain English, that explain the corruption in our cities. The public reads because it is aroused; it does not gag at honest words because they are the only words that tell the truth. Twenty years ago, *The Daughters of the Country* could not have been printed in any American magazine. Today, *everybody* is reading it.

This return to honesty in the use of language indicates a return to broadness in thinking. If a thing is true, the public will now listen to a statement of it in words that really describe.

The effect upon literature of such a state of the public mind is certain to be encouraging. Literature is mainly a reflection of life, and so long as the public refuses to see obvious facts in life, or to hear the words that reflect them, every sensitive author feels the dead hand of restraint upon even the most innocuous use of language; but when the world is alive to its realities and unafraid of their names, this hindering sense of restraint is lifted from his pen, and he feels that he may deal naturally and truthfully with life as he finds it. Nor does good taste suffer, for sound authors describe life in proper perspective, putting morals in their proper ascendancy and depicting vice only in its true colors and in its relatively inconsiderable quantity.

So we may hope, if the public taste does not change again in the next few years, for the blossoming of a new literature with something, at least, of the freedom of motion that made Shakespeare's epoch great.

"JOE MILLER'S JOKE BOOK."

Joe Miller, who is generally believed to have been the soul of wit, never made a single joke in his life. He was an actor, and so grave in manner as to become the butt of other people's hilarity. When any witicism went in round Miller was accused of its authorship, and he would never deny it. He lived an exemplary life and died universally respected. But no sooner was he dead than appeared "Joe Miller's Jests; or, The Wit's Vade Mecum," compiled by "Edith Tenison, Esq.," that is to say, forged by John Motley, the Jacobite, just as, years before, Hobson's "Polly Peachum" and Ben Johnson's "Jests" had been forged.

It is said that James M. Barrie has made \$450,000 out of "The Little Minister" and that his plays as a whole have earned more than \$2,500,000 for him.

TO A WIFE.

By Edwin Chase.
(For *The California Weekly*.)

II. Appreciation.

When Justice fits her balance to thy hand,
Thy nerves are steady as the famous rock.
That guards the portals named for Hercules.
The curving ringlet of an infant's brow
Marks distance more than thou wilt turn the
cause

When once thine own fair conscience deems
it right.

When Mercy trusts thee with her healing
balm,
Thy throbbing veins are Springtime freshets of
Compassion sweet. And, from thine eyes
whose deeps

Reflect the tender hues of heavenly sky,
Shines forth the perfect Love of God in
Christ,

As beams the Spirit from yon constant Star.
Does Love present thee that transforming
wand

Cut from the timber of yon tragic Cross—
Thy Spirit, an obedient, tuned harp.

Will yield its music to the guide Divine.
Eternal justice thou, completed Grace,
Compassion sweet, Incarnate Love, and Wife.

Ada Rehan has just returned to this country from her summer home in Ireland. She is much improved in health but will not act this season, anyway. She is going to spend half her time in this country and the other half abroad in the future.

The original of George Meredith's "Diana of the Crossways" was Mrs. Norton, whose life, by Jane Grey Perkins, is soon to be published by Henry Holt & Co. Mrs. Norton was one of the "three graces" of English society in the first half of the last century. She was the great Sheridan's granddaughter; the author of several novels and many poems and songs, contesting contemporary popularity with Mrs. Browning. A friend of Lord Melbourne, Fanny Kemble, Motley, etc., her influence was potent in politics.

Californian Poets' Corner

WHEN RICHARD LOVELOACE CAME TO WOO.

By Henry S. Foote.

In the field of vers-de-secrete the following lines by Henry S. Foote take rank with the best which our Californian bards have done:

The feet of time make fast pace,

And we, like players in a play;

Strut up and down our little space,

And act our parts as best we may;

Alas! Alack! and well-a-day!

The stage is dim in somber hue,

Where once that stateliest vogue held sway;

When Richard Lovelace came to woo.

And much we marvel, as we trace

The feuds and foibles passed away;

While pomp of power and pride of place

Troop down the years in grand array.

In court and camp, in fete and fray,

Fickle and flippant, staunch and true,

Such were the gallants, bold and gay,

When Richard Lovelace came to woo.

In doublet line and frills of lace,

The lover sought his suit to pay;

With such a form and such a face,

Who could resist his plea, I pray;

And then that tender roundelay.

So like a wood-dove's plaintive coo,

Sweet Lucy could not say him nay,

When Richard Lovelace came to woo.

Envoy.

Ho, Kentish Towers! your lordly race

Had words to draw and deeds to do,

In that eventful year of grace,

When Richard Lovelace came to woo.

OUR FIVE-FOOT SHEL.

"The Three Musketeers."

The late Senator Hoar, of Massachusetts, was one of the greatest and most learned statesmen of his day, a rock of solid purpose and a well of serious information. But he snatched many an hour in the senate chamber from the tiresome platitudes of his colleagues to devour the adventures of Nick Carter and Dick Deadeye. He was, indeed, one of the most consistent purchasers of this primitive brand of fiction.

A clever French lady, scorns Dumas the elder as a spinner of children's tales. We modestly part ways with her in this judgment; rather, we accept the designation of children without admitting the necessity of qualifying it with "content." Admit "The Three Musketeers" is a children's tale, a swishing romance of sublimated cut-throats and hangers-on. It is, these, but it is more. D'Artagnan is more than a stage-dummy of swash-buckling; Porthos and Aramis have character and very human quality; and Athos, that pale ghost of a murdered love, that silent Nemesis and inflexible friend, how he stirs the heart as well as the imagination. Milady, too, where is a character more subtly fascinating in literature whom, at the same time, the gallery gods can appreciate?

Have done, fair carper! Back, for an hour, with us into the mud and blood and turmoil and intrigue of France, slay Buckingham again and sit once more in the stern of the boat at midnight in midstream when the grim headman's axe ends the romance and beauty of Milady, while Athos groans and the cold waves race shuddering down our spines. Many a love of books fed first upon these pages, loves that, with the poet, have risen on stepping stones of such dead selves to higher things.

SOME RARE OLD BOOKS.

Presentation copies from Queen Victoria of Great Britain are seldom met with. One of these rarities was sold recently in New York. It is "The Churchman's Year," written by George F. Townsend, two volumes, published in London in 1842. In each volume is an autograph inscription, "Edward Cust, Gift of Victoria, March 17, 1851." The inscription is in the Queen's handwriting, and the work also has Sir Edward Cust's book plate. It was this same year that he was raised to the rank of major general. He enjoyed the personal friendship of the Queen for many years. In 1845 he was appointed assistant master of the ceremonies to Victoria, and in 1847 master of the ceremonies. He held his post until 1870, when ill health obliged him to resign. He was thereupon created baronet in reward for his services. His wife was bedchamber woman to the Duchess of Kent, the mother of Victoria.

Other interesting rarities sold at the same auction were:

A copy of the rare "History of the Rise, Progress, and Termination of the American Revolution" by Mrs. Mercy Warren of Plymouth, Mass., three volumes, Boston, 1805. She was the wife of Gen. James Warren and sister of James Otis, the famous revolutionary patriot.

Some observations on the bill entitled, "An Act for Granting His Majesty an Excise on Wines Consumed Within This Province," a scarce Boston pamphlet, issued in 1754.

Sketch of the "Life and Voyages of Capt. Alvah Dewey," by Silas Judg. Chittenden, N. Y., 1838. It is a rare copy of 16 pages, known to Sabin. Commodore Perry, it will be recalled, died in Capt. Dewey's arms, and the author gives a full account of Perry's illness and death.

Observations on certain documents * * * in the "History of the United States for the Year 1796," in which the charge of speculation against Alexander Hamilton is fully refuted. Written by himself, Philadelphia, 1797. This is the first edition of this famous work.

THE REFORM OF LAW AND LAYWERS

REMEDIES SUGGESTED BY DISTINGUISHED MEMBERS OF THE CALIFORNIA BAR.

[The address of Hon. William R. Davis, of Oakland, was delivered without notes and the stenographic report was not transcribed in time for publication in this week's issue of The California Weekly. Extracts from this address will be published in our next issue.—Editor.]

The banquet tendered last Tuesday evening by the San Francisco Bar Association to the delegates gathered for the purpose of forming a state bar association, was the occasion for several speeches on the general subject of the reform of legal procedure. The California Weekly has carefully selected from these speeches those portions which suggest positive remedies for the evils of our present system of administering justice. Much of the interest of the addresses as oratorical specimens is sacrificed by this method, but our main interest is to show simply what lawyers themselves think should be done to correct the law's delays and inequalities.

Mr. Lynn Helm.

The first to speak on this subject was the Hon. Lynn Helm, of Los Angeles, who said, in part:

"We do not need more courts or more judges to transact the judicial business of the country; but we need better judges equipped for transacting business under a reformed and better system of legal procedure. We need a revolution of the entire judicial establishment."

As to justices' courts, their efficiency, and if possible, their jurisdiction, should be increased. These courts should be made more popular and justices should be selected apt in the disposition of business. In such courts **pleadings should be permitted.** This is the most essential reform and goes to the root of most of the evil in the present practice in justices' courts. Judgment should be entered forthwith. Appeals to the Superior Court should be permitted only on points of law."

There is no necessity for changes in organization of Superior Courts, but only in the procedure and trial of causes, and certain remedies for present delays and congestion of business.

In trials, rapidity could be obtained by presenting as rapidly as possible evidence *** for the decisions of fact, leaving the question of law *** to the more deliberate judgment of the court. "Arguments made during the trial either upon the admission of evidence or upon motion for non-suit should *** be reserved or presented after the verdict of the jury or findings of fact have been announced."

"Let *** the jury dispose of questions of fact, get them entered on the record *** and then let the case stand upon the record. From the order granting or refusing a new trial an appeal could be taken, the affirmation or reversal of which would determine once for all the entire controversy."

"In these courts, so far as possible, the judge should deliver his judgment immediately upon the close of the argument."

"Pleadings should be as simple as possible, but they may be settled, and all questions in reference to them *** by masters *** appointed by the court *** leaving the entire time of the judges for trial of causes. Any party *** may apply for a new trial and therefrom, for an appeal to the Supreme or other Appellate Court. No bill of exceptions need be prepared, and no bill of exceptions should be permitted in any case."

Appellate Courts.

"It should be possible when the case is called in the appellate court for counsel for the appellant to simply explain the case to the judges and state of what he complains in the way in which the trial was conducted below, or what he alleges the error is in the ruling of the judge or the verdict of the jury. The appellate court should be previously furnished with copies of the pleadings and the evidence and of any exhibits or documents of material importance. It should then have complete control over the action or matter brought be-

fore it on appeal and have all the powers, authority and jurisdiction conferred by law on the trial judge and generally to give any judgment and make any order which ought to have been made in the court below. The party complaining of an error in the trial court should show affirmatively that the result would have been different if the error had not been committed."

"If by reason of error a wrong judgment was entered below the appellate court will not, in reversing that judgment, remand the case for a new trial, but it will enter such judgment as in its opinion meets the justice of the case."

"In order that it (a compact system of legal procedure) should be elastic, it should be supplemented by rules or general orders applicable to the several courts in its jurisdiction, to be adopted by the highest court in the judicial system, thus insuring, also, uniformity of practice."

In criminal cases, abolish "any right upon the part of the accused to inquire into the motive of the properly constituted public authorities to charge a commission of a crime."

"* * * require of a defendant to plead guilty * * * and make it more easy to select a jury to try the only questions that should be presented, the guilt or innocence of the accused."

Reduce costs of litigation by abolishing fees and substituting salaries.

Give the judge more power than that of a silent spectator or mere umpire, and permit him, in charging the jury, to review the facts as adduced by the evidence, so that no essential point may be misapprehended.

Mr. Frank Short.

The Hon. Frank Short, of Fresno, after reviewing the origin of our system of jurisprudence and comparing it with others, made the following suggestions:

"The comparison of the brevity and efficiency of procedure in the English courts with the prolixity and delays in American courts, is conclusive in favor of the simplification of our procedure, and is a conclusive argument to the effect that there should be an end in this country of the adoption of new constitutions, the amendment of old ones, the enactment of statutes and the recodification of our laws, except with regard to most important matters, and then only after long periods of time, or where the necessity appears to imperatively demand action."

"If we are to have justice in this country, if we are to have honesty and efficiency in the enforcement of the law, the people, the press and the public generally must have some direct regard for the law and the administration of justice. It must be recognized that the very end sought can only be accomplished in cases of importance by the press and the public refraining from much or violent discussions of the guilt or innocence of a particular person so accused, until, by the liberated sober and dignified process of the law, which is nothing more nor less than the people themselves speaking through their ordained institutions, the guilt or innocence of the party accused can be determined. Comment, criticism and controversy, if such we must have, should come afterwards. This is not only necessary as a matter of theory and as a matter of sentiment, but as a condition to be applied to the question of results it is the only way, and the only method where we can hope to so administer our laws that within a reasonable time and in an orderly way, guilty men can be convicted and duly punished, and innocent men can be vindicated and acquitted. These considerations not only relate to the selection of juries, but to the entire trial."

"The people who imagine that by making the courts and the processes of law amenable to popular pressure better results can be more speedily obtained are the most deluded and misguided people in the world. The whole effort should be made to withdraw the

processes of the law from, and place them above politics, and beyond political or popular influence. The process of the law in this country is not the enforcement of the will of the majority, but the administration of justice in accordance with settled principles. Do not beguile yourselves with the idea that this subject is not one of profound importance. With some incidental exceptions, and probably of a temporary nature, this government today is the only government conducted with respect to constitutional limitations and principles of justice and democratic in form."

"Our judges should receive very much higher salaries. They should hold always for life, or for a very long tenure, they should be elected in the first instance, never be subject to re-election, but should hold either for life or for a certain period of years, or to a certain age. The people should come to appreciate that no lawyer is too able or successful to be advanced to the bench. Our judges should be the equal in character, attainments and learning with the judges of England, or any other country. Above all, both as a people and through the press, we should learn and practice self-restraint—respect for courts of justice and the law should be such that we would refrain from any discussion, action or procedure calculated to interfere with the due course of the law."

Judge Dooling.

The Hon. M. T. Dooling, of Hollister, offered an entirely different reason for the evils of the law and a different remedy. He said:

"All over this country to-day, from president to pound master, the question is asked, 'What is the matter with the law?' Bar associations and legislative bodies everywhere are endeavoring to meet the difficulties, which all acknowledge to exist, by means of remedial legislation. And such legislation as is enacted and being tried seems to fail of its purpose; and such legislation will be enacted and will continue to fail of its purpose, because it does not touch the root of the difficulty."

"For the greatest trouble with the law to-day, the chief obstacle in the way of its due administration, is the lawyer himself. Much of the apparent necessity for amending the law would be practically obviated by the more effective method, apparently as yet untried, of amending the lawyer. And the judges, you will say? Yes and the judges. For the judge is recruited from the ranks of the bar, and he is not now, never has been, and never can be any better than the bar that produces him. I know that all of us at some time or other have had the belief, and perhaps we have impressed it upon some enraged and over-inquisitive client, that the judge is not necessarily a lawyer. But, for to-night, I am going to include him in the category."

"The lawyers, then, individually and collectively, are charged by their oaths and their office with the administration and the enforcement of the law. The modern development has produced a class of lawyers whose office seems to be the evasion of the law. To what end, then, should we concern ourselves with the enactment of remedial

(Continued on Page 814.)

"THE HASTINGS"

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AS THE WORLD WAGS

By A. J. WATERHOUSE.

In the Dreadful Dark!

When the moon goes out, and the stars go out,

And the whole world's lost in shade,

Then the wee little tad in his nightie clad

Hides his head as he says, "It's fraid,"

For he's sure there are things—just listen!

hark!

That are hunting for him in the Dreadful Dark.

There are terrible things, with horrible games,

In mantles of darkness clad—

Though papas and mamas don't know their names—

Who wait for the tiny tad;

So I really don't wonder at all—do you?

That he shrinks from the Dreadful Darkness crew.

Sometimes his head by the clothes is hid,

But he looks again, for oh!

It would never do for the little kid

To be caught and never to know.

It would truly be awful, I should remark,

Not to know you are caught in the Dreadful

Dark!

There is just one place in the great world here

Where a bairnie may safely stay,

And it's by the side of his mama dear;

For she frightens the spooks away;

She croons him to sleep, while the angels

hark.

Till he quite forgets 'bout the Dreadful Dark.

Two Pictures.

Pick up your paper tomorrow morning, and the chances are that you will read that one more person have been driven to a state of desperation by the stress of penury. There, too, you shall obtain vague glimpses of women and little children who starve, while men go mad in realizing that they can do nothing for their dear ones. Self-incurred want, some mutter; yet insert a little "want ad." in the paper today, offering a living wage to thirty laborers, and tomorrow you probably would receive 300 applications for the positions.

Poverty is a grim, cruel verity here, as in other communities; and this is one of the pictures that hang on the walls of the gallery of life.

A society bud is to make her debut in this city, and, to lend an atmosphere of distinction to the select occasion, a party which will cost \$16,500 (not to mention sums that the guests will expend) will be given.

This is another picture that hangs on the walls of the great gallery. Side by side they hang.

A very good thing, some one says, that this money is to be expended, and thus put into circulation. Perhaps; and Dives, I doubt not, put money into circulation while he lived, but it is written that this fact had little effect later in cooling him off. It was not the money that he did, or did not, circulate, but the need he gave to the condition of Lazarus, that placed him where the temperature was too high for comfort.

Cruel want and callous indifference should not be fellow-journeymen, but too often they are. Not rarely is a Rockefeller's church with-stone's throw of a New York East Side. What we who crawl on the gray old planet need is more christianizing, in the best sense of the word. So runs my moral, but he who thinks that penury should tighten the comforting belt about its own waist will read another meaning into the two pictures.

"Blinks always makes the best of situations."

"What makes you think so?"

"You know he is quite deaf. Well, he went to church last Sunday and sat behind a woman who wore a fashionable hat."

"Well?"

"I asked him how he liked the sermon, and he said it smelled good to him."

The Opinions of Rufus.

When I hear some people talking I can't help remembering that the boy of a jackass goes a good way, but it ain't ever been considered much of an argument.

First Schmitz, then Taylor, an' now McCarthy. Seems ter me the shortage didn't have nough strawberries tween the layers. Fudas sold his master for thirty pieces of silver, but I understand that they's a general feelin' among the Calhoun papers that he didn't git enough.

I reely b'lieve that righteousness is mightier than evil, but sometimes it seems es if it wan't so easy to git it financed.

Generally speakin', a critic is a man who can't do it himself, but can tell anybody how it shoudn't be done.

The Almighty made the woman, an' then he rested. S'pose He knew that things would be kept lively 'nough down here after that.

I wish that the folks that make saints would make one or two that are alive. It's mighty discouragin' to look fer saints an' only find skeletons.

It's a queer thing, but reli'ble doctors have informed me that they didn't git any less calls from them that sang, "I want to be an angel," than they did from them that didn't join in the singin'.

Don't you find it mighty affectin' to look at a little one an' think that he'll grow up to be consider'ble like his pa an' ma?

Aten an' women are like children: Every time they fall down they've learned a little more 'bout how to walk without stumblin'.

The Song You Sing.

The peacock is a handsome bird,

So what does the peacock do?

Why, it hoists its tail, like a rainbow sail.

And displays it to our view,

And the people come from far or near

To see the beautiful thing,

And they much admire the bird, nor tire—

Till they hear the peacock sing!

Old Bullion rides in an autocar,

And rich are his garb's supplies;

He's highly respectable, wholly detectable,

So solemn we're sure he is wise,

And the people say, "He's a wonderful man,

A magnate, a monarch, a king."

Till there comes a day for a grafting play—

Then they hear old Bullion sing!

Good Goodleigh ever to chapel goes,

And he bows his head in prayer,

And he does not shy as the plate goes by,

And he yearns for "Over There,"

Then the hour arrives for a vote for right,

Or for Business, the strenuous thing,

God's summons is clear, but, business! my

And we hear good Goodleigh sing!

Len'voi.

Lassie or laddie, this'er is true

Of peasant and prelate and king;

Not the garb we wear, but the deed' ye do,

Is the key to the song ye sing.

Our Remarkable Higher Criticism.

When the voice of higher criticism of the scriptures is heard we who are not higher critics should listen with humility. Nevertheless, it is right to be astounded at the inevitable outcome of that criticism, and such is the emotion which the recent discoveries concerning the age of Methuselah produce in me.

The higher critic who was considering the case of Methuselah announced that the alleged 959 years of the patriarch's life really were 969 months, or about eighty years, and a considerable number felt much relieved to learn that the longevity of man had not been decreased so much as had been reported. Happy was the man who for me I had been satisfied with this relief and had looked no farther, but, alas! I went to browsing around in the fifth chapter of Genesis, and now I am

all at sea again. If a year in one part of that chapter means a month, it undoubtedly means a month throughout the chapter. Now consider the awful consequences.

In the third verse it says that "Adam lived an hundred and thirty years, and begat Seth," Adam at the time was ten years and ten months old, according to the higher criticism. We may not have suspected it of Adam, but are we to reject the higher criticism?

Really, however, Adam was not so swift as we are prone, in our error, to imagine, for "Seth lived an hundred and five years"—nine years and nine months—"and begat Enos." It seems impossible, but, remembering that Methuselah was but eighty years old when he died, we cannot doubt it.

Then Seth steps among the slow class, for "Enos lived ninety years"—seven years and six months—"and begat Cainan." This seems rapid, but "Cainan lived seventy years, and begat Mahalaleel," or according to this higher criticism, at the age of five years and ten months. And Mahalaleel improved the family record by begetting Jared at the age of "sixty and five years," or five years and five months. Mahalaleel won the race, except that Enoch tied him when Methuselah was born.

These figures are authentic, as anyone may satisfy himself by turning to the fifth chapter of Genesis, and certainly if years mean months in the case of Methuselah they must mean the same in the chronology of the other patriarchs mentioned in the same chapter.

"And Enoch lived sixty and five years"—sixty and five months—"and begat Methuselah." Sometimes I almost suspect that the higher critics prove more than they really set out to prove.

Thoughtful Man on What's Left Over.

"Sir," the Thoughtful Man remarked, "this is a time for joy and the care-free abandon of hilarity in this great city. The brave and intelligent laboring men have nobly responded to the appeal of their friend and squelcher, Mr. Calhoun, and have relieved him from an embarrassing dilemma. Now all we can do is honor the shade of his grandire turn his face and hold his nose in the opposite direction from him; no more need he pay out hundreds while he objects to Spreckles paying out units; no more will he be compelled to keep off the witness stand for fear that a thunder storm may come up. 'Tis a great and glorious day, and as soon as Fickick has given Calhoun a letter of recommendation we are going to give a banquet to ourselves.

"Yet as every cup of joy has its drop of bitterness, so has this. Pause in the natural expression of your gratitude long enough to consider the fate of the unfortunate wretches to whom the beneficent Mr. Calhoun, in his tribulation, has been a main financial support. What will they do for milk when the cow has gone dry? How will they play Hamlet when Hamlet has stepped out to get a self-congratulatory drink, and is likely not to come back? How will they sit on the limb after the intelligent voters have cut it off between them and the trunk? How will the Globe prosper when its bank has gone out of business? Where will the Chronicle pick up its windfalls, and the Oakland Tribune strike pay dirt? There will continue to be pick-ups, but the present turning off of the faucet hurts.

"Sir, in the midst of your inevitable joy, I plead with you to remember these weak and broken sisters. Remember, too, the able and honorable lawyers whose eight drafts on Calhoun henceforth are likely to be lost in the shuffle. I meet them on the street, and their tear-suffused eyes mutely tell me how successfully they really have concealed their situation. How are they going to pick the feathers when the bird has 'baw the coop'? So, although we well may rejoice, we sometimes should pause to drop a tear for these, the weary, the disinherited and broken-hearted. Forgive me, let us tenderly remember, the snow has gone and it is very hard sledging."

LITTLE TALKS WITH OUR READERS

Editor The California Weekly:

On October 29th in two leading articles, you seem to fling to the breeze a cheerful declaration in favor of conquest by the United States. I thought, however, the predatory strength of nations is less objectionable, in your view, than the predatory wealth against which you so actively campaign. May I ask you to reconsider this position, for, being in the way of spokesmen for the public conscience, you are rather bound to keep as near right as possible?

Of late years, and especially since my interest in Mexico was sharpened by a brief visit, I have felt an almost burdensome anxiety that our country might be preserved from aggression south of the Rio Grande. That we were in danger in that quarter was evident enough, danger arising from greed and opportunity, and danger to be avoided only by the prevalence of high principle and far-seeing policy over the cheap motives that feed the world's corruption.

It is disconcerting to find The California Weekly welcoming the temptations to national dishonor, and setting up smiling texts about the world's being governed by those who are fit—the filibuster's motto, but not his incentive.

The pouring of our capital into Mexico should not be injurious to its prospects of continued national development. It should rather contribute to its power to stand alone. Our strong men who find opportunity there should give something of their strength toward helping that government to a fuller service of its people. We are to move more and more over the border, why may we not go bearing honest gifts, seeking peacefully to build up true democracy there, not with the robber's plan in our mind?

It is for our government to safeguard by every sound device our relations of equal friendship with our weaker neighbors. It is for our interest that the people grow strong and wise and just. We shall not make them so by plotting their consanguinity.

Such revelations as those of Mr. Turner may well stir our desire to help the oppressed against the exploiters. We should give what aid we can, individually, to those who are moving in Mexico for a republic that shall exist for the good of all the people. We have some work of our own still unfinished, along those lines, but that need not preclude our sympathy with those who are in far worse case. But what could be the moral of a policy that to use this sympathy as a pretext for spoliation?

Japan's benevolent assimilation of Korea there may be several lessons, varying with our varying information, but, so far as our Mexican prospects are concerned, we may safely say that the "Imperial Conflict" is the conflict, which may be seen all over the world, between greed and hypocrisy on the one hand, and honest self-restraint, conscience and humanity on the other. The California Weekly belongs on the other side from that which would seem to be taken by the writer of the articles in question.

EDWARD S. THACHER.

Norridge, Cal., Nov. 6, 1909.

Our correspondent has us upon the hip. There is nothing more indefensible, or inevitable, than the ways of the world, than the law of evolution, than the survival of the fittest. Before the world's great dramas, aye, tragedies if one will call them so, the legalist and the moralist stand impotent if not dumb and confounded if not consenting. All that we know of evolution is that it is the way God works. Why God works in that way, why he pours out life more prodigally, if anything, than he pours out that nebula from which worlds are made, we do not know. All that we do know is that he does it with a lavishness that pre-supposes a universe charged with life, else the author of it could not squander it with such abandon. There are issues which seem to lie beyond the domain of morals.

For instance, the rights of German women to have two million babies a year can not be questioned. If they persist in having them, and the necessity for German growth keeps all Europe armed to the breaking-down point, the heaviest burden, next to licentiousness and liquor, that the human race has to carry. Despite our too-prevalent race suicide the right of the United States to expand rests along similar lines. Its inevitableness is not less certain than that of Germany.

The decade of American history lying between 1844 and 1854 was a decade of moral disaster. There never was a more unjustifiable iniquity than the war against Mexico, made in the interests of an extension of the human slavery. But how splendidly profitable that iniquity did turn out! But for our great national perfidy our correspondent would not now be living in the beautiful Ojai valley with the Stars and Stripes floating from the center pole of his wigwag.

Between 1844 and the close of 1848 we took from Mexico between half and two thirds of

her territory for no other reason than that we wanted it and could take it. Who outside of Mexico regrets it? Who outside of Mexico would have us make restitution of a single acre? There are events which transcend all legalities and all moralities, as we moralize and legalize, because necessities of races demand it. Trying to legalize and moralize over them is not unlike trying to measure the heavens with a yardstick while we are being whirled through space at the rate of fifty thousand miles an hour.

Right or wrong, by purchase or by conquest (so far as results are concerned it is all one whatever the method), we shall do with Mexico what we have done with her in times past, and we shall do with the Mexican people what we have done with them here in California, and we shall keep on doing it clear down to the Big Ditch unless the tropics prove a buffer to Saxon enterprise and the pioneering spirit. There isn't anything we can do about it. This is a prophecy of it rather than an argument for it. And when we come to the crossing of the Rio Grande we shall find some issue of right by which we shall be able to justify our overflowing necessities for more territory. It is an individual so with a nation, it is a matter of no great difficulty to make it seem right to do what we very much want to do and must do in order to perpetuate and extend those institutions in which we heartily believe.

Editor The California Weekly.

Dear Sir—If I may be permitted to criticize Mr. Reed's recent criticism of your School for Citizenship, I would suggest that he confuses "patriotism" with "citizenship." The former is normally aroused through emotion or sentiment, or drama; a youth is properly schooled in the latter by an appeal to his intelligence and sense of duty which are trained essentially by application and by interesting stories. Hence a school designed to achieve these results—and such as you have conducted and I hope will continue—will set forth the hard facts with which citizenship must be absorbed under guidance of the persons having authority with the youth (for what young person of the usual sort will naturally turn to your weekly without guidance?). If our youth were trained to view their citizenship as they do their bread and meat, and use it as a cocktail, there would be less of this biennial oscillation between Taylors and McCartlys.

E. O. A.

San Francisco, Cal., Nov. 8, 1909.

It is not impossible that, in the minds of some, patriotism and citizenship may have become confused, but it is fairly evident that the sentiment of patriotism must be aroused before there can be any serious preparation for citizenship, and it is to be doubted if "authority" over youth can by any means make our School for Citizenship acceptable to youth. The horse that is not thirsty will not drink whether he be led or driven to water.

The California Weekly.

Gentlemen—You ask for the opinion of your readers as to the value of your "School for Citizenship." The idea seems to me an excellent one, but I have found your articles absolutely unreadable. I have hoped that I might recommend the department to the boys of my school, but I have never myself been able to read more than a few lines on that page, and cannot see how a boy would be interested in the slightest degree. I do not see why the subject could not be treated interestingly, with a certain liveliness of style and concrete examples. But far be it from me to imagine that I could myself do it any better than it has been done, or simply giving you my impression for what it may be worth.

Yours truly,

S. D. F.

The foregoing is frank and straight from the shoulder. The impartiality of a critic who has never read more than five or six lines of any one of our lessons in citizenship is no more to be questioned than that of the critic of a book who has not read the book. Nevertheless we have to confess that, so far as our knowledge goes, persons under twenty-one have not taken to our "Lessons" with much avidity. Older persons have and, because they have found these articles interesting, it has seemed to them that boys ought to. Who knows of a youth that has taken to them?

Editor The California Weekly.

Do not discountage our "School for Citizenship." Unfortunately too many of us know too little of our form of government, and fail to realize the need of knowledge.

Democracy has not yet proven a success; we are stuck in the experimental stage, and as the school house is the foundation stone, citizenship must be the first step up. We need enlightenment, and your lessons, simply explained, will do much good.

Yours truly,

ALLEN GOLDSTEIN.

San Francisco, Cal., Nov. 6, 1909.

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POLITICAL TABLE TALK

By THE WATCHMAN.

A Monumental Mistake Now In the Making

The success of the Union Labor Party appears to have intoxicated Mr. P. H. McCarthy, and his backers, and inspired them with the idea of laying siege to the state. Their purpose appears to be to marshal all the men of the state who toil with their hands, and all the left-over politicians (not now in office) who toil with their jaws, into one indestructible phalanx with the view of governing the whole of California by a single class of the citizenship of California and for the benefit of—well, let us be generous and concede that the common good is the good in view. Nevertheless, the best government that ever was would be as bad as the worst for us if not democratic, as this would not be, for the soil of America is dedicated by all that is holy, all that is sacred, all that is blood-bought, all that is inherited, all that comes to us by tradition, to government of the people rather than for the people. The launching of a Union Labor Party into state politics is a monumental mistake whether viewed from the standpoint of labor or not. The grimmest, cruellest, tendency of our day is the development of that class consciousness which has been the curse of the race, and nothing can so accentuate this miserable tendency as setting the labor folk off by themselves to be counted, not as a part of the whole people, but as the whole of a part of the people. The day that such a thing enters our political life to stay that day the democratic ideal will fly out of the window to come not back again with or without an olive branch of promise.

Eaves Droppings In the Light of Recent Events

It was while the late legislature was in session, and the venal venue bill was up for consideration, that three men held a conference in Sacramento. Two of the three have since been elected to high office in San Francisco and the third was a representative of the Political Bureau of the Southern Pacific company. The discussion waxed warm and the talk louder than the disputants probably realized. In an adjoining room was a man with ears open. He could not hear all that was said, or more than the loudest words. It was like piecing together the fragments of a message over a telephone when some other person persists in breaking in on the party line, but enough was caught to make it certain that the representative of the Political Bureau was making some pledges of support to the Union Labor Party, provided that, the way of reciprocity, the Southern Pacific's United Railroad candidate for district attorney of San Francisco, not yet named, should receive the support of the Union Labor Party in San Francisco. The events of last week have supplied the gaps in that eaves-dropped conversation. A state senator and a noted Union labor leader have promised that McCarthy should receive the Southern Pacific and United Railroads support for mayor, and Tom Finn the same support for sheriff of San Francisco, upon the condition above mentioned. The bargain was made and carried out to the letter. The unfortunate part of it is that it is only in the light of the denouement that the fragments of the utterances overheard at that time become intelligible and convincing. If the dropped phrases could have been supplied then the results of the recent election might have been different.

Will They Try It On the State?

The confidence game operated in San Francisco was too successful, and too simple, to make it likely to be abandoned without first trying it on the state. The scheme was simplicity itself, if given men who can be handled in bunches of hundreds for the carrying out of orders. First register as republicans all the serviceable Union Labor Party voters,

and the solidified tenderloin, for the purpose of controlling Republican nominations at the primary. Then get the labor vote back into the Union Labor Party lines for straight voting in the general election. The Republican party is unwieldy. Without being divided a nomination might be equivalent to an election and, peradventure, some good nominations might slip through. That would not be in accordance with the Southern Pacific's view of the eternal fitness of things; but run the Union Labor Party idea like a rip saw through the middle of the Republican Party, and the Democratic vote, the straight Republican vote, and the vote of the Union Labor Party throughout the state, might not develop such a lack of equality as to make it impossible for a rather small, but thoroughly mobilized, payless, countless, conscienceless brigade of voters to hold the balance of power from top to bottom of the ticket. To discharge this delicate and discriminating function Captain Maquereau, of the associated red-light and white-slave trafficking districts of California, will be commissioned. He proved his efficiency in the recent election in San Francisco and all he asked in return is immunity from persecution in the prosecution of his traffic in the bodies of the Daughters of the Poor. It is a great scheme. And it is so very simple. It is morally certain to be tried on the state.

Where That Non-Voting Twenty-nine Per Cent?

The full registration of voters in San Francisco was 90,790. The total vote cast was 64,362, leaving 26,428, of the face of the returns, who failed to discharge their duty as electors. Of course some deductions must be made for fraudulent registrations and for those who registered in San Francisco and went off and died or settled somewhere else, which is much the same thing. But, yet, after making all proper deductions, there have been somewhere between fifteen thousand and twenty thousand qualified voters who, despite the crucial nature of the contest, were too indifferent to get out and vote. Did these issues mean nothing to them? Is it likely that any of these, if they had voted, would have voted for McCarthy or Fickert? Is it presumable that any considerable percentage of them would have voted for a wide-open town? May we not assume with safety that Fickert, McCarthy and the wide-open fellows got out their full strength? Then what sort of people were those who remained at their jobs notwithstanding the fact that the honor of their city was at stake? Verily, they were of the number of those who never do anything very bad or very good. They were the shirkers, the people who are too good to descend into the pool of politics, but probably would have voted right if they had been haled to the polls and made to vote or suffer consequences serious to themselves. Is it not possible that compulsory voting might have fitted their cases? Are not these they who gave their city to McCarthy, Fickert, et al.?

That Sacramento Stinging Rebuke.

The Watchman has it on the faith of the "Sacramento Weekly and Alta California," a name so long as to suggest a rope by which that paper may sometime be tempted to commit suicide, that M. R. Beard was elected mayor by the good people of that city as a "stinging rebuke" to those who conducted the campaign of the opposition candidate for charging that, if elected, Mr. Beard would make Sacramento a wide-open town, whereas the public and private life of Mr. Beard has always been above reproach. And so it has, in all respects save one. During his term as mayor M. R. Beard never touched an unclean thing. His personal acts were exemplary and his private life beyond criticism. He took care for good cause, and laid a hand to every wholesome enterprise. Only once did he fall down: He permitted Tom Fox, the

political boss who made him mayor, to name the chief-of-police, and Tom Fox's chief of police suffered Sacramento to be as wide-open a town as might be found west of the Mississippi river. When Clinton L. White came into office as mayor, and named Mr. Sullivan chief of police, the gamblers and maquereaux skurried across the Yolo bridge like coyotes ahead of a prairie fire. Was it really so damning a conclusion that Mr. Beard might let Tom Fox select another chief of police? Sacramento is not the only city where venality secures a servicable, but personally unobjectionable, mask behind which to serve the purposes of Satan. The dodge is old but artful. Nor is Sacramento the only city that has administered a "stinging rebuke" to the forces of morality. The tingle of the sting is felt right here in San Francisco.

The Non-Partisan Primary Succeeds at Los Angeles

San Francisco adopted the partisan primary plan with the result that the voters quickly learned so non-partisan that the candidates that headed the ticket of the dominant party proved a poor third in the mayoralty race. Los Angeles adopted the non-partisan primary plan which the Southern Pacific's political bureau immediately sought to make as partisan as possible, and with some success. The candidate for mayor selected by a Republican convention got a place on the final election ticket, but so also did the mayoralty candidate of the forces that stand for non-partisanship in municipal elections. The final battle will be fought between Mayor George Alexander, now in office and who has made good, and one George Smith, a rather unobjectionable man, like our own Bill Crocker, but, like Crocker, a man with a bad backing. The campaign for Alexander will be fought on the issue of Right Things. The campaign for Smith will be made on "loyalty to the grand old party." The campaign will be Grant, of Garfield and Roosevelt," the last refuge of men who must put on the robes of the great in order to get away with the spoils of offices. About half the registered voters discharged the duties of citizenship in face of the trials of a ballot having no party circle and bearing 140 names arranged alphabetically with nothing to distinguish the sheep from the goats, and this is looked upon as having been a great out-pouring of the people! Either the non-voters should be asexualized or the women enfranchised. The present arrangement isn't fair.

The Best Result of All Never has the Was the Beating of Otis

Never has the spirit of malice been carried farther by any newspaper than the Los Angeles Times has carried it in trying to run out of town Dr. E. C. Moore, superintendent of the schools of Los Angeles, and all because Dr. Moore objected to publishing in a little handbook of Los Angeles, especially gotten out for the visiting teachers of the National Educational Association, a caustic "roast" of labor unionism from the pen of Otis. In his determination to get the superintendent's scalp the Times has fought the schools, fought school boards in the election and in the courts, fought the school board at all points and before the people in the primary election just held. Well, the members of that board were all renominated. It is probable that they will all be elected on the 7th of December; but Otis will keep right on fighting just the same until he dies of it. Afterward he will get the devil with fire, for he is as likely to take a fall out of a friend as an enemy, and the Times will be the biggest paper in Tophet. The editor of the Times is a wonderful man. He is probably the only man who ever entered the profession of journalism with no capital except hate and no qualification except love for a fight and made a million out of it.

THE ENGLISH SUFFRAGETTE HUNGER STRIKE.

By Elizabeth Stillman Chamberlain.

Nearly every one in the United States has felt a disrespect at least, for the apparently undignified actions of the English suffragettes. The reason of their demonstration has been to most people unknown, and it has seemed as though it were simply a foolish undisciplined movement with the petty misdemeanor entirely unwarranted.

It is hard for an American to understand the motive underlying their every action. When Miss Cristabel Pankhurst organized the so-called militant movement, she did it under the inspiration of Mr. Gladstone's (now Home

Secretary) remark: "If you want the vote fight for it. Men have gotten everything they wanted by demonstration."

Now in England, one is allowed to "demonstrate" in a way that would not be tolerated in America. So long as the object to be gained is political they are treated as political offenders, that is, simply confined; they are allowed, as prisoners, all the privileges of prisoners of the first class, they can write letters, receive their friends, provide themselves with all necessary comforts not given to any other class of prisoners. For instance, early this year, Mr. Grinnell, Irish member, instigated cattle driving in order to attract attention for some political move and he was not punished for cattle driving as a common crime, but for cattle driving as a political offense. His punishment was first division imprisonment, that is, he was allowed to write, could see his friends and therefore could at all times practically direct his campaign. Mrs. Pankhurst, the leader of the militant movement, on the other hand, was given second division, placed in solitary confinement, could hold no communication with the outside world and knew nothing of what was happening to her party. One of the methods of disapproval used for generations as political protest is to break the windows of the municipal or state building, and when this is done it is not considered a misdemeanor, but is allowed to go unnoticed by the police, or simply fined. The authorities of Winchester, a town not far from London, moved a small cannon from one end of the public square to the other. The cannon had stood in its original spot for many years, and had become a land mark. The men in the town were most indignant and showed their indignation by going en masse to the town hall and by breaking all the windows in the building and in the residences of mayor and town officials. They were not punished in any way, and the next day the cannon was put back in its home spot and quiet reigned supreme.

So it is that when a small body of women break windows or resist the attempt of the guards to keep them from the house of parliament they are not committing misdemeanors but are simply demonstrating in a perfectly authorized British manner in order to call the attention of the public to their demands. But instead of treating them as committing the same offenses have been treated for generations, these women are subjected to the indignity of imprisonment in the third degree, searched, and deprived of all privileges. These women, it must be understood, are not rowdies or hoodlums, they are women of refinement and culture, often professional women, and they are subjected to the humiliation of third class division in jail, while men who have committed far more dreadful offenses have been given first division or not confined at all.

It was this treatment that led to the famous Hunger Strike in July. Thirteen women were sent to prison for breaking windows of the Home Secretary's residence, and they resolved, in order to attract attention to the fact they were not being given the rights of political offenders (and although the government publicly admits them to be), to take no food until they be released. They starved themselves, and since then every suffragette has followed their example, refusing all food brought them by the wardens for six days and thirteen hours, when they were released by the prison authorities.

All England has been moved by this sacrifice, and the government is up a tree. They either have to give the suffragettes first division sentence, let them starve themselves to death, or feed them by force, either of which courses would arouse the deepest public feeling, or release the prisoners; so far they have resorted to the last course, having let them go when they realized that their detention would mean their death.

It has been an all-reaching demonstration and one cannot but hope that at last the public and the authorities will realize that the spirit that moves such deeds is a great spirit, and if they do not yet see the wisdom of granting them their demands, they at least will give them the respect and admiration that their devotion merits.

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AMERICAN SHIPPING IN AMERICAN SHIPS

VI. WHAT OTHER NATIONS DO TO HELP THEIR SHIPPING.

By G. W. DICKIE.

Continuing the inquiry that formed the subject of the last article we find that the Russian government pays yearly to the steamship companies operating under her postal regulations about \$2,000,000. She had created what was called the Russian Volunteer Fleet, which did her mail carrying where other ships were not operating; this fleet was maintained at great expense, accounts of which it is difficult to obtain. Most of these vessels were captured or destroyed during the Russian-Japanese war and have not been replaced. Russia, however, is not seeking a merchant marine, for the destruction of her fleet by the Japanese put an end, for the present at least, to her schemes for developing a great sea power.

What Italy Is Doing.

Italy during the past twenty years has been steadily growing as a naval power and has considerable ambition as a mercantile sea power. There is now a proposal before the Italian parliament concerning subsidies to her shipping amounting in the aggregate to 13,250,000 lire (\$2,650,000) per annum, which is divided about as follows:

Mediterranean and Adriatic shipping	\$95,000
Puglia	480,000
Black sea trade	284,000
Shipping in the East	212,000
Various smaller lines	180,000
Shipping to America	590,000
New lines	2,650,000

Total

This subvention of shipping is for the purpose of maintaining a regular service with countries that Italy wants to do business with.

What Japan Is Doing.

The nation whose attitude toward shipping is at present touching the interests of the United States most closely is Japan. Here is a nation that a few years ago we did not consider as a possible rival suddenly projecting itself into the ocean commerce of the world and far outstripping us in the ocean carrying trade. This condition is especially apparent in the Pacific Ocean.

Thirteen years ago I was walking the quarter-deck of a British warship in the harbor of Yokohama with a Japanese cabinet minister, the captain of the ship and a fleet engineer; we were talking of naval power in relation to the merchant marine when the minister remarked that the ambition of Japan was to be to the Pacific ocean what Great Britain was to the Atlantic. We had been boasting of the naval power, etc., of the several countries we represented and did not consider that there was anything more in the remark made by the Japanese than there was in those made by ourselves. As I write this a stately Japanese liner sweeps down the bay and I am forced to admire her as she passes in full view of my office window carrying to the United States mail and two millions of dollars in gold in her specie room to meet the balance of trade against us in our trade with the Orient.

The Japanese have lately built some liners which are much more advanced in design than any that American designers have had a chance to plan out; naval architecture as an art and science is not stimulated here by any enlightened policy of shipping encouragement, and the shipbuilders of our country have not had a chance to build ships conforming to modern ideas and improvements, although they were building transpacific and transatlantic liners long before the Japanese were building ocean-going vessels of any kind. To account for this condition we must admit that the Japanese government has paid no attention to the building of ships for shipping and commerce. The development of the mercantile marine of Japan has been one of the most important factors in her rapid industrial and commercial progress and it is important to note the conditions that have brought into existence in a remarkably short time a mer-

chant marine that is causing considerable fear to the shipowners of such a great power as Great Britain.

First Japanese Shipping Law.

The first Japanese law for the purpose of encouraging the owning and building of ships was passed in 1870. The law at present in force was passed in 1896 and will expire in 1914. I will take up the provisions of this law under two heads: First in its relations to shipowning and, second, in its relations to shipbuilding.

In this law provision is made for a payment of 12½ cents per gross ton per thousand miles to ships under the Japanese flag engaged in foreign trade of not less than 1,000 tons gross and of not less than 10 knots speed. The amount of payment varies with size and speed, reaching a maximum of 30 cents per ton for ships of not less than 6,000 tons gross and 17 knots speed. (This is just three times as much as was provided by a bill introduced in congress on February 16, this year, by Representative Green of Massachusetts, chairman of the house committee on merchant marine and fisheries.) The amount varies also with the age of the steamers, the full rate being paid for the first five years after launching; it is then reduced by 5 per cent each year up to the fifteenth year and then entirely withdrawn. Ships taking advantage of this law are granted a certificate called the "Navigation Encouragement Certificate."

The encouragement thus provided proved insufficient in competition with foreign companies and in 1899 a very important departure from its limitations was made. Special contracts were entered into with various Japanese steamship companies requiring them to give regular services on certain special routes. The routes and companies obtaining the advantages of these special subsidies are the Europe, Seattle and Australia lines of the Nippon Yusen Kaisha, the San Francisco line of the Toyo Kisen Kaisha, the lines of the Osaka Shosen Kaisha, and two or three local and less known companies and routes. For the line to Europe the contract calls for twelve vessels each of not less than 6,000 tons gross and at least 14 knot speed; for the Seattle line three vessels of not less than 6,000 tons and 15 knots; for the Australia line three vessels of not less than 3,500 tons gross and 16 knots speed; for the San Francisco line three vessels of not less than 6,000 tons gross and 17 knots speed. The number of steamers possessing the "Navigation Encouragement Certificate" in March, 1908, was 52, of an aggregate tonnage of 105,000, and the payments under this head for the year 1908-09 are estimated to be \$1,741,977, taking the yen at 50 cents. The number of steamers owned by the six subsidized companies under contract with the Japanese government to carry out the above services was, in 1907, 204; since then six large steamers have been added. The total tonnage is 406,312 tons gross register and the payment under this head for the year 1908-09 is estimated to be \$3,443,130.

In its relation to shipbuilding the Japanese law of 1896 provides for a payment on both hull and machinery. For the hull the rate is \$6 per ton when the gross tonnage is between 700 and 1,000 and \$10 per ton when the tonnage is above 1,000 tons gross. For machinery the rate is \$2.50 per indicated horse power actually developed on trial, no payment, however, being made for machinery unless the tonnage exceeds 700 gross and the hull thereby entitled to a subsidy.

It seems probable that these subsidies must be built in Japan and comply with the shipbuilding regulations of the Japanese Marine Bureau. About ninety steamers of an aggregate gross tonnage of about 220,000 have been built to take advantage of this law. The estimated payments to be made under this head for the year 1908-09 aggregate \$997,720. As

an illustration of this law and its provisions the well-known liner "Tenyo Maru" is a good example. Her builders received a bounty from the Japanese government of about \$184,500. The total subsidies to be paid by Japan during the current year will be about \$6,182,847.

Subsidies Better Than No Trade.

It may be said that the Japanese government will not be able to continue to pay such large bounties in order to develop her trade on the Pacific; I rather think that she can better afford to pay whatever may be necessary to secure and hold it than to do without the great trade of the Pacific. Bearing on this very topic the following from the Japan Daily Mail is illustrative of the spirit that is enabling Japan to take what she considers her share of the commerce of the Pacific:

"The present expenditure on the navy is part of the nation's policy that is calling forth vehement criticism among the mercantile community at home and the nation's critics both at home and abroad. The encouragement given to shipping and shipbuilding is generally acquiesced in as essential to development. The number of years required before these can be self-supporting and independent of subsidy, can scarcely be estimated, the future alone can decide."

It is manifest from the foregoing that every nation having a frontage on the ocean considers it necessary to maintain a merchant marine in the foreign trade sufficient at least for the requirements of its own ocean commerce, and every nation which seeks power on the ocean considers the merchant ship as an absolute necessity.

Our Navy Without Supply Consorts.

Amid all this activity of other nations the attitude of the United States has been that of an onlooker passively watching the others take all the trade and her own shipping in the foreign trade gradually disappear. The people are willing to pay for the building and maintenance of a very large fleet and to send it round the world to show the maritime nations that the American flag still waves; in very few ports did American vessels salute the flag and the navy. It is supposed that this great and costly navy was built to fight and there is every evidence that it would do so with honor if called upon to do so but no one in authority seems to expect that it will ever be called upon to do so. Other nations have noticed and commented upon the fact that our fleet cannot go out of sight of our own shores without requiring the attendance of a fleet of foreign merchantmen to provide it with fuel and other supplies. If this fleet should be suddenly called upon to do the work it was built and manned to do how would it be supplied with provisions and coal when at a distance from some station? The answer to that question which has been asked many times lately is not comforting; there is no reassuring reply possible when the facts are known as they are getting to be. Here is how Japan on behalf of her policy answers it. Quoting again from the Japan Daily Mail:

"The Japanese government has to choose one of two things; either it must have a special service of government transports or it must bring into existence a mercantile marine such as will furnish transports at any moment. England has subsidized steamship companies whose vessels always hold themselves in readiness to act as transports. Besides, there is the enormous number of vessels plying to and from all parts of the world under the British flag, and upon these she can draw in time of need, and Japan must in proportion to her fleet, have her merchant ships ready in case of need. Without the aid which her merchant fleet was able to furnish in 1904 and 1905 her war with Russia could never have been conducted to a successful issue."

Bearing this in mind, the problem of the Japanese merchant marine is not such a sim-

ple thing as it looks at first sight; its future will be of great interest to California.

The Duty of California.

Before taking up the question of the present duty of the Federal Government toward building up the merchant marine in the foreign trade, I wish to refer to a duty resting on this state in regard to the development of shipping interests both in foreign and domestic trade. We cannot as a state consistently urge action by the Federal Government for the relief of shipping when we tax our own shipping more heavily than any other state in the Union. What interest the states bordering on the Atlantic took in their several shipping trades is clearly shown in their early history, which has already been referred to in these articles.

In San Francisco Bay California has the best harbor on the western side of the American continent; it is central as to the state, the country, and the facilities for distribution. What has the state done to enable or help her citizens take advantage of what nature has done in the way of an outlet on the great highway of commerce? The people of this state pay annually to foreign shipowners more than \$10,000,000 for carrying the result of their industry to market and nearly as much more for bringing foreign products in exchange. It has never occurred to our legislators and the people who send them to represent their interests that the building and operating of great ships is a legitimate and honorable business the encouragement of which would add vastly to the prosperity of our state and provide a means of support to a much larger population than we now have. Legislation cannot of course put enterprise into our business people, but it can be wisely directed to the removal of obstacles that now make such enterprises as depend on shipping impossible.

Even if the California shipowner could have his ship built here as cheaply as the British or Japanese shipowner could build his, and could operate her as cheaply, he could not compete unless his ship were relieved of the taxes with which she is now burdened. The taxation of seagoing vessels is so absurd that

it is difficult to get a foreign merchant shipowner to realize that such an anomalous condition exists. Not one cent either directly or indirectly goes to benefit the property taxed in this flagrant case of taxing seagoing ships; but they have to compete for existence with ships of foreign countries which pursue a more enlightened policy towards their shipping. To remove taxes from their ships would be a simple act of justice to the California shipowner. In no other state has the tax collector such a deadly grip on the throat of shipping.

Harbor Should Be Free to Americans.

If the people of the state ever have the grace to do this tardy act of justice to the shipowner and to themselves one step at least will have been taken to encourage the building and owning of seagoing vessels at this port. I have shown that a ship built here will of necessity cost materially more to build and to operate than a similar vessel built by other nations, and on that very account the home-built ship should be given every advantage that her home port can give. A San Francisco or California ship ought to be entering her home when she steams through the Golden Gate and should get free entry there.

To an American-built ship wholly owned by an American citizen or citizens, registered in California, and engaged in the foreign trade, the harbors of California should be free. There should be on the water front of San Francisco two fitting docks, one between the Ferry building and the South End and one between the Ferry building and the North End. These docks should be fitted with cranes and tracks for handling heavy weights; ships fitting out at them should not be charged wharfage and the use of cranes and power should be fixed at reasonable rates. This is what is being done in other countries and it is found to encourage not only home ships but foreign as well to have their work done where such advantages are available. The German ports, as already noted, take this plan of encouraging home-owned ships, and it is no more than should be done by any seaport that seeks to extend its commerce.

The example of Manchester, England, should be carefully considered when any movement to attract commerce is contemplated. Desirous of building up its commerce which would center in and benefit their own city, although it was many miles from the sea, the citizens of Manchester built a water way to the ocean, constructed extensive docks at the heart of the town, put in every modern convenience and facility for the rapid and economical handling of cargo, offered many advantages to ships that would trade with them and built up the commerce that they sought. This is one of the great engineering and economic achievements of last century. It stands a monument to the genius of the men who planned and executed it in spite of the opposition of many reputed wise men who thought that Manchester was courting ruin in carrying out such a wild scheme. When the great work was finished Manchester set about getting ships to come to her wharves. The first notice given the shipowners was issued in April, 1894, and states in bold and plain words that "seagoing merchant vessels arriving in Manchester will not be charged any ship dues either inward or outward. If a ship uses only the first section of the canal to Rancorn Bridge she must pay ship dues as per schedule; if she goes beyond Rancorn to Lachford locks she pays a lower rate than to Rancorn, while if she goes to Lachford she will not be charged any dues, and further if she is a sailing vessel and going to Manchester she will be towed from the mouth of the canal and back again free of charge."

Manchester's Example Profitable.

This may seem to be overgenerous to the shipowner; Manchester has never regretted her action; the \$150,000,000 she expended in her ship canal and docks is being rapidly refunded; her wealth and commerce have been greatly augmented; her ambition to be a seaport and commercial center of world-wide fame and importance has been achieved. California should profit by the example of Man-

(Concluded on next Page.)

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IN CLOUD LAND.

JIMMY was an odd child—what child is not, to his elders?—living half his life in the kaleidoscopic variety of animal gambols: that is the despair of parents, and half in those wondering meditations, full of mystery and wishfulness, that are the day-dreams of youth.

He had spent the morning playing run-sheep-run and prisoner's base, and the afternoon at some sort of summer hockey, played with broom-handles and an old tin can. Supper ended the day's diversions, for Jimmy's parents had strict notions about children running the streets at night, and the front gate was a dead-line to him after 6 o'clock. When the early supper was finished Jimmy felt that sense of fullness and contentment which men accentuate by an after-dinner cigar, the smoke of peace in the consciousness of weariness laboriously earned. His father and mother stayed at the table, earnestly discussing a problem of household finances, and Jimmy wandered idly through the house and out to the front porch.

The sun was an hour high still, sinking slowly in the glory of a warm October evening, descending in a golden haze. It was very beautiful, as only these first October days are, and Jimmy yielded to the sensuous enjoyment of it. Ideas forsook him, and he was conscious only of a pleasant saturation of the senses in this vision of autumnal loveliness.

The palm tree in the front yard obscured his vision of the scene in full, and he be-thought him of his favorite retreat, on the roof of the house. Here, where the eaves of the ell met the eaves of the main building, ran a gutter, a ready-made couch which he had first discovered when pursuing an imprudent owl that had ventured out too early one evening and had alighted on the ridge-pole, dazed and blinking. The ascent to the place was easy: an acacia tree stood beside the porch, and the roof of the porch was handy to one of the boughs.

In a minute Jimmy was clear of the tree-tops, lying at length on the shingles with his feet braced in the gutter. The vision was now complete. He could see north over the quiet town, west over the dark red to gold, to opal, to infinite depths of violet blue. Across the zenith and others at the west; not clouds, but fiery pennants and burning seas. The mountains, to the east, capped with snow, were glorious in shades of lavender. The western sky rose from dark red to gold, to opal, to infinite depths of violet blue.

As Jimmy watched the west, the darker clouds formed the outlines of a bay, surrounding the shining waters, and between two headlands he could see the smooth vista of the bay. At length, sail, and then the stately ship rode in the gate and anchored in the bay. Unconsciously, Jimmy was aboard her, a sceptre in his hand, the swishing of a scarlet satin robe at his ankles, a retinue of courtiers and knights behind him. He descended from the ship into a barge, while the purple pennants in the sky fluttered above him, and from the barge stepped on the golden shores. Huzzing peoples met him at the beach, and a deputation knelt before him, imploring his pardon for rebellion. He waved his sceptre magnificently over them, gave them their pardon, ordered all captives to be freed, and bestowed the most beautiful lady of his train upon the rebel chief. The joy of magnanimity in power swept over him as he turned again to his barge, leaving a happy, loyal people behind him, and re-entered his ship.

The anchor was raised, a singing wind made melody through the shrouds, and the ship was alone on the sea.

A great storm arose. The women fled below, shrieking in terror. The clouds lowered closer, the wind screamed louder, the waves broke booming over the bow. The white-faced captain crept to his side, to him, the king, who alone was calm and brave. So he stood through the howling gale till the waters leveled off there and the deep, the purple rack flew, and the stars shone brightly above the milk-white sails.

Suddenly he was on the field of battle, in the thick of cannon-smoke, where bullets rang

MORE SMALL TOWN MINIATURES

BY

E. FRENCH STROTHER

sharply overhead and the shouts of the captains rose shrill above the din. A shell exploded near by, but he turned his horse to one side and continued his orders to an aide. His eye swept the battlefield, now was his hour, his soldiers felt the omen of defeat, he knew that victory perched on his saddle bow. His breast swelled with the pride of mastery. A word to his bugler, and the band broke into the strains of one of those church hymns that were fondly meant to call to worship, but really thrill the heart to action, and, spurring his horse, he gloriously led the cavalry charge. His soldiers saw him, burst into a mighty cry, and swept with him the faltering enemy into ignominious rout.

The sun was now on the horizon's rim, glaring red and bulking larger. Above it spread the fan-like rays of light, so often seen in pictures and so rarely in the sky. Masses of heated brass, cauldrons of molten gold, angry rivers of carmine, burned at that verge of the world where earth melted into the tortured, beautiful clouds. Childhood's visual images of the preacher's word-paintings crowded Jimmy's mind and rose in menacing reality before him in the west. Yonder was hell, yawning, fiery, prodigious, terrible, but terrible with a thrilling beauty, a fascinating, gorgeous, sensuous, colorful, and splendid pit, worth being cast into for the sheer enjoyment of its glorious painting.

The sun sank and the illusion faded. Jimmy turned to the east where still the glory glowed on purple peaks and rose-draped canyon walls. He was among them, captain of a band, leading his faithful men over the untracked range, beset by Indians and thrilled by the sense of danger. He sat upon a log by a blazing fire, watching his men bringing in boughs for the night, and hearing off in the forest the baby-wail of the mountain lion. Darkness was falling; the circle of light from his fire grew narrower and the impending wall of blackness grew denser with gloom. He was very tired; he would call his servant—

"Mother, where's that boy?"
"Why, I don't know, I'm sure. You'd better go out and call him."

Calling was vain. An hour's search was fruitless. The mother had no intuition. Jimmy's father looked at the little fellow lying in the gutter between the two caves.

"Asleep, by thunder. Well, I'll be darned!" said the father, as he picked him up and bore him gently to bed.

THE CAVE.

H EY, fellows, race you to the cave!" The "fellows" were tads from six to ten years old. The cave was in keeping with their size, but was an ingenious piece of work withal. A vacant lot, partly piled with lumber, was the site. Here the boys had dug a square hole about five feet deep, and from one side of the shaft had "drifted" in eight or ten feet more, widening and deepening, arching the roof after the fashion of masonry, until they had a snug cave in which, though impossible to stand, a dozen boys could sit with ease. Using a piece of stove-pipe for a drill, a chimney had been pierced to the surface at one corner, and a few bricks sufficed for a stove.

The boy who had challenged to the race was the first to arrive at the cave, having taken care, as boys usually do, to have a rea-

sonable handicap established in the direction of the goal before issuing the challenge. He quickly lifted the wooden shutter that covered the entrance shaft, and dropped out of sight. The two closest pursuers jumped in the hole together, getting jammed in the narrow space so neither could go down. The other boys dragged them out, while Carrots, the winner, tickled their legs from below.

All were soon in, however, the last one being required by custom to be shut out over the hole, leaving only enough crack for fresh air and, especially, for the draft for the stove. It made no difference that it was mid-winter in California, where a cloud had not been seen for two months, nor that the sun had shone a blessing; the stove was the pride of the cave, and must be used.

It was soon alight. Pine shavings, dried pieces of boughs pruned the winter before from fruit trees, and odd scraps of lumber were piled on the hearth.

The smoke would have choked an Esquimau, but, though it brought tears to the cheeks of the boys, their eyes glistened brighter at the thought of a camp-fire, and their community of spirit with the savages made the heat a mere incident of a stealthy adventure. One desperate character, more daring than all the rest, even puffed bravely at a cigarette and proudly exhibited the box that it came from, though the others were too fearful to join in his orgy.

Baked potatoes, though, were in tune with the occasion, and involved no threat of physical displeasure. A dozen were soon in the ashes, where they alternately burned and smoked until the skins were all shriveled and they were declared to be done. Nobody minded burnt fingers, nor grumbled very much that the salt had been forgotten, nor cared at all that only a thin layer of the potatoes was cooked, leaving a cold and raw heart for the last. When the boys got to that point in their eating the remains were thrown in the fire, now blazing brightly and calling the perspiration to the surface.

Then Carrots grunted. A hissing sound rose from the hearth, a choking cloud of smoke rolled through the cave, and a large clod hit Carrots square in the pit of the stomach. Then a cataclysm of water came pouring down the chimney, and the gang rushed for the exit.

They were a sorry looking crew that came up from the earth, mud-spattered and coughing, and crying vengeance on the persons that had spoiled their amusement. But vengeance was in other hands that day.

"So you're the varmints that set fire to my lumber, with yer dod-gasted furnace, are ye? Well, I'll fix ye!"

Poor Carrots was the vicarious sufferer for all. The hand of wrath was upon him, and as his wails rose above the whirr of the fire-engine a haze of dust rose up from Merced street where the gang had stampeded.

("American Shipping"—Concluded.)

Chester, should offer inducements to vessels to come to her harbors, to manufacturers to locate on her shores, to the people to come to her population to come and people her rich valleys and fertile hills; she should adopt some policy of steady commercial progress in all ways but particularly by way of her great natural outlet to the trade of the Pacific, San Francisco bay.

In my next and last article I will try to point out the present duty of the United States government towards her shipping in the foreign trade.

GREAT AUK GREAT NO MORE.

Recently the egg of a great auk was sold in London for \$175. This bird is extinct, but the hen can do so even in these days, but the hen is not extinct, and the auk is, which makes the difference. There now are 75 great auk eggs in existence, which, at the quoted price, should make the crop worth \$12,750. As the bird is extinct, it is not surprising that this record, having gone to join the dodo in the valley of shades. More than three score and ten years have passed since the last of them departed from life on the little island of Funk, near Newfoundland.

("Reform of Law"—Continued.)

measures, which, once enacted, must be entrusted for their enforcement to a profession whose leading lights are largely paid for devising means and theories to evade them.

"In the principal theater of this city, within two weeks, I heard one of the players, himself representing an attorney supposed to head the profession, declare that a lawyer had use for every attribute but conscience. And I heard that sentiment applauded vigorously by an audience that filled every seat in the house. They applauded it because they believed it to be true. And they believed it to be true because their observation of the profession had induced such belief. For the chief thing that tends to bring the legal profession and the law into reproach, is the endeavor, so frequently successful, to obtain from the law for some individual or corporation or class that to which he is not entitled, to which I may add the efforts of some member of the bar to assist him in so doing.

"Why, for instance, do I take for my vote of time the simplest and most obvious illustration; the principle is the same and extends through all the complexities of the law, from the poorest fence of the tenderloin in trouble with the police force to the highest merger in New Jersey defending itself before the highest court of the United States—why, I ask you, should any man who violates the law expect or even hope to escape conviction when brought before a court of justice? For no other reason than because the profession itself encourages him in that expectation. Why should any man who is indebted to his neighbor, believe or hope he can escape a judgment against him when brought into court to answer? For no other reason than because some member of the bar has encouraged him in that belief.

"Shall a man go undefended, then, or his cause untried? Not at all. But why should the guilty man escape or the debtor fail to pay? For no man is entitled to more than justice from any court, and no attorney should encourage him to expect more or help him to obtain it. Why, then, should not an attorney say to his client, 'Yes, if you wish, I will see that you have a fair trial. But I don't see how you are going to escape conviction and I don't see why you should?' Or to the man who is indebted to his neighbor, or who has wrought him injury, 'Yes, if you wish I will see that your case is fairly heard. But I don't see how you are going to avoid a judgment, and I see no reason why you should?' And having said this, if he would then go into court and see that his client gets a fair trial and no more, the guilty would generally be convicted and the debtor lose. But the client would have secured everything to which he was entitled, and the attorney would have done all that is required, and, indeed, all that is warranted or justified by his oath.

"But, you will say, such a procedure would have a tendency to discourage litigation. That is true. It is quite true. In many instances it would undoubtedly 'hurt business.' But in every instance I say it would promote justice. And, after all, is not that what your bar association is to be organized for?

"It would do more than that. It would elevate the profession and bring it to that high standard where it properly belongs and to that place in the estimation of the people which would make the lawyer what he ought to be, a leader in the cause of right. The bar would then be made the nucleus for every movement for the betterment of conditions, while the law itself would become, as it should be, a rule of action to be followed by the willing and enforced against the unwilling through the efforts of the very men to whom the state has entrusted the solemn duty of upholding it. And ultimately, indeed, while we might have fewer lawyers and lawyers poorer in purse, we would inevitably have better ones. I mean better in the broader sense. For any man who then desired to make his name by vicious methods in any of some other field, and those who were left would be engaged in the enforcement and not in the evasion of the law.

"These are not idealistic notions; they are the veriest commonplaces. The obligations laid upon us by our professional oaths should be as certain and as well recognized as any in human life. If the profession had not come to have a distorted view, not only of its duties and obligations, but of its rights and privileges as well, it would be held in vastly higher regard.

"I should not have spoken of this feature, but for the fact that we apparently look far afield for causes that lie close at hand. For even in this strenuous age, this age of strenuous power, when individuals bow to wealth and to power, no just lawyer should preserve inviolate his oath, his high ideals, his spirit of honor and integrity, which is the fairest flower of the profession and the finest fruit of the earnest, studious, and well-regulated life."

PERSONALIA

Oliver Herford, who has been seriously ill with typhoid pneumonia, is slowly recovering.

Wilbur Wright recently said that the aeroplane can be built to attain a speed of 100 miles an hour, and to continue for 1,000 miles and carry six persons.

Captain John Pritchard, commodore of the United Line, who began his 53 years' service at sea in a 150-ton schooner and who ends it in command of the 39,000-ton steamship *Mauritania*, announced, on November 3, upon sailing for Liverpool that he had resigned.

Word comes from Ohio university that a Mrs. A. D. Winslip has just entered the freshman class at the age of 79. For two seasons she has attended the summer school, and now she has planned a course of study which should occupy her mind till she is 90. The B. D. degree should fall to her somewhere about her 88th year.

It looks as if a duel would form one of the chief scenes in the next Bernstein drama. The young author fought one in Paris early in the week with a well-known dramatic critic. Of course no blood was spilled, as it was a real French duel, such as Mark Twain described in the *Gambetta* fracas. The funny part of it all was that Bernstein quite forgot to fire his pistol. The other man shot at him and missed.

Miss Lizzie L. Johnson of Casey, Ill., during the twenty-seven years that she has been raised to her room by illness is said to have raised more than \$17,000 by making and selling bookmarks. Besides giving a large amount to foreign missions, Miss Johnson assists several native Christian workers in the district. She is said to have carried on the large correspondence connected with her work without assistance.

Mrs. Grover Cleveland recently arrived at Lausanne with her children for a stay of two years, while her son and two daughters are being educated in local Swiss schools. Esther and Marion will go to school at the Villa Cyrano on Lake Geneva, and her son to La Villa School for Boys at Echty, near Lausanne. Mrs. Cleveland herself has taken the "dependance" of the Windsor Hotel (Lausanne), which is a villa of fourteen rooms, with a large garden and terrace overlooking the lake.

Governor Hadley recently appointed the committee which will have charge of the competition for a Missouri state song. The sum of \$1,000 has already been raised to be given to the successful author and composer. The committee consists of Capt. Henry King, managing editor of the *St. Louis Globe-Democrat*; ex-Governor David R. Francis, Henry N. Carey of the *St. Louis Republic*; Walter S. Dickey, and Fred N. Gaylord of Kansas City. The committee will have charge of the fund, appointment of judges and other arrangements.

SHORT TALKS ON
DOMESTIC SCIENCE

As a continuation of the previous issue, a history of the home economics movement will not be out of place.

Public interest was aroused about 1870. The first cooking school was opened in 1874 in New York city by Mrs. Juliet Corson. Miss Parloa, who died recently, was the first teacher and lecturer. Boston wards. Her first cooking class was organized in New London, Conn., in 1876. In 1877, her school on Tremont street, Boston, was opened and she lectured at Laselle Seminary, Auburndale, Mass., a year later. Laselle Seminary was one of the first schools to introduce a department of domestic science. Miss Parloa gave a teachers' training course at the Chautauqua Summer School in 1870.

Boston led in introducing cooking and sewing in the public schools and this was accomplished in 1875. Philadelphia, Washington and Providence soon followed.

New York established the first training school for teachers of both domestic science and of art in 1888 and this school is now the Teachers' College of Columbia University.

Miss Devereux, one of Miss Parloa's pupils, started the school which afterward became known as Mrs. Rorer's cooking school of Philadelphia. The Woman's Educational and Industrial Union of Boston nourished a nucleus which four years later became the Boston Cooking School, and closely identified with its progress are Mrs. Lincoln, Miss Barrows, Miss Farmer, Miss Bradley and Mrs. Hill. Nine years later, or in 1902, the Boston Cooking School became a part of Simmons College. The work in the West, particularly in the States, has made its greatest strides in the past five years. During the past ten years there has been greater development, progress and achievement along this line than in the previous twenty-five years, and all indications point to rapid strides ahead during the coming years.

Just as we must have the physical before the mental, so we must have the practical before the scientific. Our primary, secondary and normal schools throughout the country are fairly well launched upon the practical, now let the colleges give the training to the Ethnics, "right living," and deal with science, hygiene and economics. Men and women may be equally well educated and yet not study the same subjects. Chemistry for the young woman, might deal with general chemistry, supplemented or followed by special work upon food, its relation to the human body, and thus include hygiene; while for the young man, general chemistry might be followed by special work in relation to mining. Each would be equally well educated but in entirely different spheres and yet not so divergent but that each could understand and appreciate the other's work, for general chemistry, hygiene and economics would be studied together even if from a different viewpoint and with varying aims. Co-education might then more fully express co-operation and co-ordination.

False modesty is crowding out much of that knowledge which is included in "right living." Classes in entomology, botany and kindred subjects are taught concerning sex relation and habits of the insects, flowers, etc., but the human beginning is kept a mystery unsolved all too often except by physical and moral mistakes, which are "visited upon the children unto the third and fourth generation." Mothers and fathers are equally to blame in believing ignorance is bliss. Can public schools and other institutions of learning find a subject deeper or more fraught with pulsating, physical, mental, moral and spiritual life than this, and if not, why is it such a forbidden topic? Shall children and men be supplied with the different phases of home training and if so, why has the crying need been so long unheeded? M. R. T.

Mill Valley, Cal., Nov. 10.

THE BERKELEY QUARRY INCIDENT.

A mis-understanding of the true facts in the case of the North Berkeley blasting operations is worth clearing up because this mis-understanding has been used to make arguments for and against the initiative clause of the Berkeley charter when the facts, properly stated, show that the utility of the initiative clause was not really involved at all.

The facts are as follows:

The rock quarry has been operated for several years to supply rock for street work within certain real estate tracts opened for settlement. Objections to its operation were based on the too large charges of powder used, on the cutting up of streets by the heavily loaded dump-carts, and on the danger to children of driving these carts on a down grade through the city streets.

Two years ago, under the old charter, the board of trustees passed an ordinance prohibiting blasting in quarries within the city limits except by permit. A permit was issued to the quarry company, to expire September 30, 1909.

Then the new charter was adopted, putting the government of Berkeley under the commission plan. The quarry company recently applied for an extension of the permit for one year, in order to complete certain street work already under way.

The city commissioners threshed the matter out. They learned that the large district mainly affected by the blasting was without high-pressure water mains for fire protection, being above the Berryman reservoir, and being so far below the Summit reservoir that pressure mains were a physical impossibility because the pressure would burst the pipes. They were assured by the water company that, with further excavation of the quarry, the quarry would be ideal for a reservoir, being at the right elevation and of rock bottom and sides; that the quarrying had been done at a greater expense than was necessary if the south wall had not purposely been retained to make of the quarry such a reservoir; and that the People's Water Company would make a reservoir of it for the purpose of fire protection if the city would permit enough more quarrying to be done to make the quarry deep enough to hold the necessary quantity of water.

This situation was explained to the most interested adjacent property-owners, and they agreed to acquiesce in one year of additional blasting, provided no future permits or extensions should be made and provided the quality of rock used on the streets was kept up to a standard understood by all.

This agreement was effected by issuing the permit to the quarry company for six working months (October and November, 1909, and April, May, June and July, 1910), and by passing an ordinance prohibiting blasting in quarries with this one limited exception.

Meanwhile, parties hostile to the new charter and hostile to the city administration, asked the council to pass an ordinance prohibiting all blasting. This ordinance would not be practicable under any conditions, as it would prohibit the city itself from blasting for sewers or roadways. The council therefore refused to pass this ordinance, and the disaffected proponents of it proceeded to circulate a petition for an initiative election to put the ordinance up to the people.

The quarry company thereupon withdrew that part of its request for an extension which relates to next year, leaving the council no alternative but to revoke that part of the permit, which it did.

The proposed initiative movement (the petition has not yet been filed) has had no effect at all so far as the council is concerned, for the subsequent action of the council was automatic and inescapable.

But the practical indirect effect is to cause the city to lose its reservoir and attendant fire protection.

Meanwhile, under the provisions of the curtailed permit, which expires on the 30th of this month, the getting of the rock for the street is graded at the quarry by an expert, and the blasting is being done under the direction of this expert, who was appointed by the Commissioner of Public Works.

SHEAR WIT

Gunner: And now comes a professor who declares that fruit is just as good with the skin on as it is peeled. Guyer: Hm! I'd like to see somebody start him on a diet of pine-apples.—Chicago News.

When a man rushes into your office hurriedly and says: "Jing Dawson! I hate to speak of it, but I need \$500 like the very old Dickens to-day!" Answer: "What a singular coincidence, Binks: I do too!"

As a sample of the humor with which Harry Lauder delights his audiences one of his "new" stories is quoted. "My wife's a verria good woman," he says. "In fact, she's a verria, verria good woman. That wife of mine, you know, is worth her weight in gold." Then after a moment's pause: "I wish I had the gold."

A young girl of fourteen was taking a trip on Lake Michigan in a small steamer. The lake was somewhat rough and many were seasick. The girl sat in the bow and was unusually quiet for her. "Are you feeling sick, daughter?" inquired her father. "No, I don't think I'm sick; but I should hate to yawn."—Life.

"I want you to put in your 'Lost and Found' column an advertisement like this: 'Wallet containing considerable sum of money and papers.' Finder will keep money; return papers." "Don't you think," suggested the clerk, "you had better add 'no questions asked'?" "No, but you may say 'no questions answered.' I'm the finder."—Catholic Standard and Times.

Governor Glasscock of West Virginia, while traveling through Arizona, noticed the dry, dusty appearance of the country. "Doesn't it ever rain around here?" he asked one of the natives. "Rain?" The native spat. "Rain? Why, say, pardner, there's bullfrogs in this here town over five years old that hain't learned to swim yet."—Everybody's.

Lord John Russell, traveling in Spain, met a convivial ecclesiastic who wondered that Russell drank so little. His boon companion proceeded to rebuke him for this departure from sane tradition and concluded by remarking that "even on religious grounds you are wrong. For he who drinks well sleeps ill. He who sleeps well sins not. And he who sins not shall be saved."—London Chronicle.

Senator Beveridge was deprecating a too warm debate between southern congressmen. "A soft answer turneth away wrath," said he, "and vice versa. We should all keep polite tongues in our heads. Only last night I heard a very fat man say with a loud laugh to a bow-legged friend: 'Jim, old man, you look as if you've been riding a barrel!' And you, snapped Jim, sourly, 'look as if you swallowed one.'"

A lady, the wife of an eminent surgeon, happened to be the sole occupant of a horse bus that was slowly climbing the Piccadilly hill. A motor bus passed, and the conductor of it saw fit to indulge in pointed and ill-timed pleasantries. The conductor of the horse bus made no effort to reply, and the lady, to assuage his feelings as he rather savagely punched her ticket, said: "He seems to have the gift of the gab." The reply was: "Yes, but 'a'm, as you vulgarly puts it, he do."—Manchester Guardian.

A young unknown poet hailing from the provinces sent to the author of "Notre Dame de Paris" a copy of his work, which he had just published in the form of a book of poems. Hugo replied in most sympathetic terms, and the young man was delighted with the letter, as well he might have been. His joy, however, was but short lived, for a day or two later his servant announced that the package containing the volume of poems had come back through the post unopened. The package bore the legend: "Refusé par le destin, ainsi qu'il le méritait. Affranchissement insuffisant!"—London Globe.

UP AND DOWN THE STATE.

Up to the fourth of this month 2,091 carloads of apples had been shipped from Watsonville, and an average of about forty cars still is going out daily.

A Greek named Theodoros Firoos claims the grape-picking championship. On a ranch near Lodi he picked four tons of grapes in 9½ hours. To pick two tons is considered a more than ordinary day's work.

George Bande, a resident of Broderick, "didn't know it was loaded," and so he put a bullet from a revolver in his shoulder, inflicting a painful but not serious wound.

The Fresno trustees last week adopted an ordinance permitting the sale of liquors at wholesale and to be served with meals in restaurants, but not to be otherwise drunk on the premises. The ordinance takes effect January 1, and it is expected to put 52 saloons out of business, although the restaurant business may boom.

A eucalyptus planted near Orange 35 years ago now measures 29 feet in circumference at the ground.

The Eureka Times is so prosperous that it recently moved into its own building. Under such circumstances, it is justifiable in declaring that it is "thankful, very thankful."

The raisin-growers about Fresno are encouraged by signs of a better market than they have had for some time past. As high as 2½ and 2¾ cents has been paid for loose raisins.

Ventura is proud of its streets, as it apparently has a right to be, and will hold a celebration during the first week in December with the slogan, "Twelve Miles of Streets, and Every Mile Paved."

The Niles Washington Press, of which Chris Runkel is editor, is not published in a very large town, but it nevertheless has attained to the dignity of a Mergenthaler Linotype, which costs more than half the entire output of a country paper not so many years ago.

By a vote of 69 to 13 the people of Orland, a week ago today, decided to incorporate.

Mrs. Mahala Oliver died at her home in Orland, on the second instant, at the age of 101 years and 15 days. She was a Virginian by birth, although born in that part of the state which now is West Virginia.

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As soon as a bill is introduced in the legislature, and referred to the appropriate committee by the presiding officer, it goes to the state printing office to be printed and copies are placed on the desk of every senator and assemblyman, besides furnishing copies to all the state officers, the reporters of all the newspapers represented, to many newspapers throughout the state and to as many other persons as ask the sergeant-at-arms for them. Usually 500 copies of each bill are printed. Meantime legislation waits, for the committees can do nothing until the printed copies of the original bills are in the hands of the members.

After getting the bills from the state printing office, which is forced to work with night and day shifts in order to keep up with the demand for bills, the committees meet. Each committee has a clerk, and usually a sergeant-at-arms to have the committee room open, lighted, and to act as door keeper. The bills are taken up for committee consideration in the order of the pressure exerted on their behalf, are read and considered section by section. The discussion is frequently informal and any person having an interest in a bill is permitted to address the committee for or against it as interest may prompt. It often happens that two or three members of a committee do the work of the committee. Every legislator is one half a dozen different committees and, with so many irons in the fire, each legislator looks out for the bills, or classes of bills, that interest him most and lets the rest slide. This situation is conducive to star chamber methods and one or two forceful men may dominate nearly any committee. If they stand on opposite sides such measures get well considered in committee.

It is in committee that most of the work of legislation is done. If it seems likely that the legislature will not consider and give a bill the committee to which it is referred will report that it do not pass. That generally seals the fate of that bill, but sometimes a committee that is opposed to the passage of a bill is afraid that it might pass anyhow and so delays its being reported out of committee at all, which is called pigeonholing. If the proponent of a measure can induce the legislative body to sustain him he can insist upon the observance of the rule requiring all bills to be reported in ten days and a delayed bill may be ordered reported forthwith, but if these proposals are voted down the bill is killed in the pigeonhole.

When a committee reports a bill to the parent body it may report it with as many amendments as it pleases or, as frequently happens when a number of different bills relate to the same matter, it may report a substitute bill of its own to take the place of all the other bills dealing with that subject. If a majority of the house consents thereto the other bills relating to that subject are deemed to have been withdrawn and the new bill goes to the printer and is given a place on the floor.

Bills may be amended at any time on the floor of the chamber before final passage, and each time a bill is amended it must go again to the printer and be reprinted with the new words printed in black letter, and the old words proposed to be stricken out enclosed in brackets, so that the legislator may see at a glance just what changes are proposed.

When bills are introduced they are filed in the order of their introduction, but they are put on the reading files—the files from which they are taken to be acted upon—in the order of their being reported out of committee. Inasmuch as the legislature always leaves many unconsidered bills on the files when it adjourns it is important to be "high up on the files." A special file is made up of such urgency measures as relate to the state institutions and to state revenue, bills which must be acted upon if government is to go on, and this file is generally cleared before adjournment. It is the custom, too, to allow each member to select off the general file one or more measures he is especially interested in and advance them on the file, and he may

substitute any measure of his own low down on the file for one of his own higher up, if leave be given him by the chamber.

What constitutes engrossing and enrolling of bills under the law is neither more nor less than sending them to the state printer and taking a receipt for them and, when they have come back, carefully comparing the originals with the copies to see that no errors have been made. This requires great care and great integrity on the part of the engrossing and enrolling clerks. If these clerks have been careless, or have been bribed, they may slip in or slip out words that should not have been allowed, changing the whole meaning of a law, or they may slip a bill from the file, tear it up and so defeat it. Such things have been done and every legislator wise to his own interests personally sees to it that the engrossing and enrolling are carefully and honestly done. He never suffers a bill he is interested in to escape his attention until it is placed in the hands of the governor for executive sanction.

When either house has passed any bill finally it is sent by special messenger to the other house and that house is notified of its passage. It is not sufficient to make them laws that identical bills be passed by both houses separately. One house or other must take any given bill from the other and pass that particular bill. This is accomplished by substituting the bill that has passed through one of the houses for the identical bill that has not yet gotten through the other house.

If one chamber passes a bill, and the other amends it before passing it, it must go back to the house where it originated to have the amendment concurred in. If that chamber does not concur a joint committee is appointed to see if any agreement may be reached. If not reached then one house or the other must recede from its position or the bill fails. Some measures are lost in this way, though many more are lost through failure of one house or the other to act upon them at all.

FRANCIS J. HENEY.

By J. H.

(For The California Weekly.)

Behold the heel on California's neck,
Her stifled enterprise in bondage held,
The grinding tribute from her fields compelled,
Her fame, her conscience and her hope
awreck.

The cunning league of federated banes
Against unled, divided virtues sped,
Outpour upon this man's devoted head
The venom of all menaced ill-got gains,
Now let the insolence of triumph leer,
And joys hilarious of jail-free men
In loud and shameless boasting culminate;
Have care! It may be that within a year,
The chosen leader of two million
He may our commonwealth emancipate



A WORD TO THE PARENT

Educate that boy of
yours for business :

- ¶ IT IS HONORABLE.
- ¶ HE WILL BE LOOKED UP TO.
- ¶ HE WILL HAVE SPLENDID PROSPECTS.

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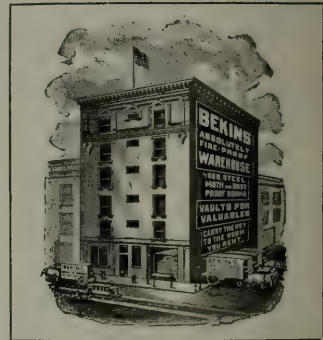
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Which Beat the Other to It?

MESSRS. GOMPERS, MITCHELL AND MORRISON may learn that only multi-millionaires can defy the courts with impunity. Between the time when the injunction against the boycott of the Bucks' Stove and Range Company was granted, and notice thereof was served upon them, the defendants deposited in the mails their final "We don't patronize" warning to the American Federation of Labor. They meant to "beat the courts to it," to use the expressive language of the street, but service upon them was made before this message was delivered. Defendants were properly held to be guilty of contempt. They meant to treat the court with contempt, they still hold it in contempt and their sentiment of contempt for that court and its proceedings is quite generally shared by the American people. Whether or not the injunction was in contravention of a constitutional freedom of speech and liberty of the press is for the Supreme Court of the United States to decide. We think it was. The consequences of sending these men to prison for contempt may be profound, may shake the foundations of social order; but the event may be worth the cost if the result shall be a clear definition of the rights of speech and publication. Let us do our best to keep cool while the problem is being worked out.

A Splendid Array of Reforms.

ATTORNEY GENERAL WICKERSHAM is trying to whip into practical legislative shape President Taft's ideas of the reform work which Congress should take up at the coming session. They are: federal charters for interstate corporations; an interstate commerce court; amplification of powers of the Interstate Commerce Commission; such an amendment to the anti-trust law as will define "crime," as used in that act, to consist in conspiracy or combination to suppress competition and monopolize trade; the retention in the government of the ownership in fee of mineral and other common wealth not susceptible of individual development, while allowing such resources to be utilized under such terms as will insure the common good against corporate exploitation. This is a splendid array of practical reforms, but the first question that suggests itself is, at what stage of the proceedings, first or last, will the big stick swing in their behalf. Without it, nothing. With it, much. The logic of conditions more powerful than laws or constitutions forces the initiative in remedial legislation upon the executive.

John Bull's Fight for Right.

THERE IS NOW WAGING in Great Britain, with what consequences none can foresee, one of the most far-reaching battles for the rights of the common man that Anglo-Saxon civilization has witnessed. The rich want a great navy, but they want the poor to pay for it. Mr. Lloyd-George, Chancellor of the Exchequer, wants a big navy, too, but he wants the rich to pay for it. The House of Commons has stood by Lloyd-George. The Peers have just rejected his budget. The fight between Commons and Peers is on and that fight will involve the existence of the House of Lords, or its inundation by the creation of so many Liberal peers as to reverse the action of that house on the budget. The essential features of the budget are the taxation of the capitalized value of unimproved lands (not heretofore taxed at all); and a division between owner and government of any profit hereafter arising from sales of such lands at prices above the valuation made when the law goes into effect, the government to take one-third and the owner two-thirds of that profit. This involves

the taking for the common benefit of a third part of the unearned increment and all British landlordism is in arms against it. Watch that fight. It will make history.

One More River to Cross.

THE TENDENCY TO EXTOL THE PERSONAL virtues of Mr. Patrick Calhoun, noticeable in many quarters, is more than coincidental. It suggests a planned effort to rehabilitate him in the public estimation. As to his being a man of power there cannot be two opinions. Any man who can break down the judicial machinery of a commonwealth, and block all its wheels, may properly be regarded as strong. Any man, too, who can mobilize the forces of organized labor to fight shoulder to shoulder with the Citizens' Alliance for the overthrow of the power of organized labor, and his own liberation from durance, may be conceded to be masterful. That his conduct as husband, father, associate, friend, is anything less than exemplary we have not heard a lip. Patrick Calhoun is a big man and his bigness has been proven in getting the better of other big men. But he caused to be paid to Abe Ruef \$200,000 wherewith to debauch the government of the city of San Francisco for the advancement of his own interests and the interests of the corporation whose fortunes were confided to his care. Any man who does that is a corruptionist, an enemy to society and the foe of free government. If he were a paragon of all human virtues, and the possessor of all human powers, he would still be unworthy of public regard until he had either affirmatively proved the falsity of these charges, one and all, or expiated his offense against society by suffering that punishment which just laws mete out to high crimes against the state. Triumph over the law he may, but over men's sense of right he never can. That river he will never cross. It was not for nothing that the fruit of the tree of knowledge was eaten in the Garden.

Putting Love to a Final Test.

WERE DR. CHESTER ROWELL, mayor of Fresno, less well beloved in that community than he is he would find Fresno an uncomfortable place of residence. He vetoed a liquor ordinance sanctioned by a majority of the people at the polls, and also by a majority of the common council. That he did it bravely, and in obedience to what he deemed his duty, no one will question. That his reasons were inadequate, and his reasoning fallacious, his own statement proves. He has done the cause of a rational treatment of the liquor evil an incalculable injury by preventing the testing, at Fresno, of a system of control from which public morality had a right to expect much. That plan was to limit liquor selling to bona fide hotels and restaurants, to be served only with meals, and to family liquor stores not to be sold on the premises. No other plan had so much to promise for the temperate use of beverages whose intemperate use will always prove a burden to society. His reasoning raises the presumption that the saloon and saloon license fee are, and must remain, indispensable to municipal life. His stratification of society into those who can afford to drink at restaurants, those who can afford to drink from bottles, and those who can only afford to drink five-cent beer, and contention that legislation for or against any one of these bibulous methods is class legislation, is distinctly humorous. Dr. Rowell has gotten off wrong. So well is he beloved in his home city that the mistake he has made will not seriously hurt him, but he has greatly injured a great movement for social betterment.

Should Cities Own Harbors?

Since Oakland has voted by an overwhelming majority to undertake the improvement of its waterfront as a purely municipal proposition, and as an evidence of good faith has authorized a bond issue of more than two million dollars, it becomes very clear that this is the direction which harbor development is going to take in California. Los Angeles, by its own volition, was left out of the state bond issues for harbor improvements proposed by the last legislature, and since that time San Pedro has been annexed and a pledge given to spend \$10,000,000 on the harbor during the next ten years.

Oakland and Los Angeles will have nothing to do with state harbor commissions, because they believe that in their own hands the future welfare of their ports will be safer than in the hands of the state. These cities prefer to bond themselves rather than ask the state to bond itself on the condition usual in the case of San Francisco, viz.: that the bonds shall be paid, principal and interest, out of the revenues of the harbor.

This latter procedure is practicable, up to a certain point, in the instance of San Francisco, but in the cases of Oakland and Los Angeles, if practicable at all, it would insure only a slow development, owing to the smallness of present revenues. San Diego, whose harbor revenues are the smallest of all, has before the people of the state a proposition for the issue of \$1,500,000 on the same terms.

It is about time to recognize that a live question is whether or not San Francisco should take over from the state, which has been its guardian until now, the control of its harbor and become responsible for the destiny of this great property. In the last state election two bond issues proposed for the further development of this harbor were voted down by voters living outside San Francisco, and if the same fate should at the next general election overtake the two propositions which will then be voted on, we suppose no one will continue to doubt that San Francisco's interests demand that it shall dissolve the present partnership with the state. The city could with good grace say to the state:

"Thanks for the guardianship you have exercised up to this time. We will assume that it has been all for the best, although there have been occasions when the wisdom and justice of your stewardship appeared doubtful. But now I am more than of age, and it seems best that I should control my own water front, as other great cities control theirs. It ought to be developed more rapidly than it has been in the past and more rapidly than it is likely to be so long as it remains under state control. I am willing to pay for progress. It will be best for the state as well as for the city to make the harbor a municipal property. I do not suppose you will seriously object to this demand an equivalent for cession of the water front. With one or two trifling exceptions, no funds derived from state taxation have gone into the improvement of the harbor, and I can see no reason why you should not hand the whole business over to me, ridding yourself of all future responsibility. We can fix the matter up neatly and with despatch by a simple constitutional amendment."

How Heney Defeated Heney.

That Heney defeated Heney in the recent election in San Francisco seems to be conceded on all sides, but there is a difference of opinion as to just how Heney defeated Heney.

The Los Angeles Times declares that Heney defeated Heney because Heney was not an "impartial prosecutor," to which the Springfield (Mass.) Republican replies that it is "the

THE STAFF

A. J. PILLSBURY.....Editor and Manager
A. WATERHOUSE.....Assistant
E. FRENCH STROTHER.....Assistant
V. E. FRANKLIN.....Business Manager

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special function of the judge to be impartial and that of the prosecutor to prosecute." Which is right?

Heney defeated Heney, it is said, because he handled Fickert without gloves. He did. He told the truth about Fickert and there are many who resent the truth as a personal affront.

Heney defeated Heney because Heney went after the rich criminals instead of the poor ones, because he sought to checkmate the influence upon the public of a press hired to lie about the prosecution, day after day and week after week, by going upon the rostrum and blurring out the whole truth in terms that the dullest comprehensions could understand, and so trying his cases at the bar of public opinion, where he was successful, instead of in the courts where the other side could pack the juries against him with dunder-heads if not worse.

Heney defeated Heney because he was in a sense a private prosecutor, working without salary and without rest, whereas, it is contended, prosecutions of malefactors of great wealth should be conducted, if at all, by public prosecutors of their own selection and election through combinations and deals that subvert the very principles of free government, such one, for instance, as has just been so selected and elected to take up the work that Heney must lay down.

Yes, Heney defeated Heney without a doubt. If he had been as mild as a sucking dove, if he had kowtowed before the Big Ones and allowed their attorneys to select his jurors for him without objection, had put one and all through an immunity bath or a process of public whitewash, Heney would not have defeated Heney. He would not have brought into the arena against him all the powers of darkness and all the wealth of the "system" and would have endeared himself to the Devil and made for himself a place in Sheol just near enough to the fire to be comfortable with the social and financial cleft of San Francisco to keep him company for ever and ever.

Yes, on mature reflection, it must be conceded that it was Heney who defeated Heney. In no particular will Charles M. Fickert repeat the "Mistakes of Heney."

Now For a Sierra Water Supply.

Prudent citizenship is demanding to know if it will be wise for San Francisco to go to the Sierras for a municipal water supply while such a supply can be had from the national government free of charge, or if it may not be safer to wait until no Sierra supply can be had without submitting to the exactions of a far-seeing conspiracy of capitalists who can conceive of no use for a municipality except that it may be robbed. Prudent citizenship may not state its case with the same degree of frankness here manifested, but this will be the purport of much that we shall hear during

coming weeks. Opposition to the Sierra supply movement will be devoted to delay, and delay in availing itself of the Garfield permit will cost San Francisco the Tuolumne possibility.

It will be well if the Spring Valley system can be purchased and taken over. It should be. No city needs two water systems any more than it needs two telephone systems, and the existence of two of either is a confession of municipal incapacity to deal in a common sense way with a common sense proposition. An independent municipal system would bankrupt the Spring Valley corporation and no kind of competition would be so hard to meet by a municipal system as that of a bankrupt corporation.

San Francisco, therefore, should be willing to pay the Spring Valley company what its system is reasonably worth, and even to treat it generously. This notwithstanding the fact that the Spring Valley company has been an outlaw for a generation, and has no right which the public is under moral obligations to respect, except that a community, no more than an individual, is justified in wreaking vengeance or cherishing hatred whatever the provocation may be.

The sole issue between municipality and corporation should be the real value of what the corporation has to sell, and if both sides want to get at that real value it will be a matter of small difficulty to determine it. "Millions for actual property, but not one dollar for extortion or graft."

But if San Francisco were to succeed to the ownership of the entire Spring Valley plant it would still need to go to the Sierras for an adequate supply, quantity and quality both being considered; and the time to go is when such a supply is to be had without submitting to a hold-up. To this end the bonds should be voted now and the sudden manifestation of a spirit of comity on the part of the Spring Valley should not be permitted to stand in the way of the Hetch-Hetchy system. It may have no other purpose than to gain time, and so lose to the city its access to the Tuolumne system. Indeed, the presumption is against the sincerity of the maneuver and not favorable to it.

Therefore, now for a Sierra water supply for San Francisco!

A Hundred Million Mouths.

What the Staff of The California Weekly call their "backbone" article has, this week, to do with the State Farm at Davis. It is an enterprise that has a right to demand the intelligent concern of every landowner and farmer, or would-be farmer, in California. Whoever reads what Dr. Leroy Anderson, the superintendent, has to say of the work undertaken there, will feel encouraged for the agricultural progress of the state.

For, let it be admitted, except in some few localities, mainly in Southern California, the soil of California has been mined, not farmed. When a ton of product is taken out of a mine there remains just so much less to be taken out thereafter, whereas, under a proper system of farming, the productivity of the soil should no more be exhausted by cultivation than the power producing effect of the coming down of the waters from the summits of the Sierras should be exhausted by running the water through pipes and turbines. The land no more than the water should wear out.

There is a tremendous awakening in agricultural interest all over the country. It is not necessary to ask who started it. It was started by the same man who started every other forward and upward movement of the decade, Theodore Roosevelt. While others were asleep he foresaw that Uncle Sam would soon have a hundred million mouths to feed

and that, at the rate he was exhausting his heritage, he would soon be unable to feed them, with the result that the cost of living would be raised still higher and the standard of living depressed still lower.

The Farm Land Congress, in session this week at Chicago, was but one manifestation of this wide-spread interest. The Dry Farming Congress, lately held, was another. These are good. They stimulate a far-reaching interest, but, after all, it is in the patient, plodding work of scientific education in intensive farming that progress is to be made if at all. The rule of thumb will not longer serve. Whoever does not mix brain and conscience, scientific truth with intelligent industry, in farming will deplete the soil, destroy the heritage, foster an agricultural peasantry if not peonage and starve those of our people who live up to the new line.

California needs not only a state farm at Davis, and another at Fresno, but half a dozen more preparatory agricultural schools scattered over the state, with an agricultural course in every high school and nature studies worked into every grammar and primary school as feeders for the intensive agricultural education which the few may take, by and by, at the Agricultural College of the State University. From bean planting, that the kindergarten may see the seed germ sprout, to research work into the mysteries of nature, there should not be one link missing in our educational chain.

With the prospect of a hundred million mouths to feed within the next decade this is a present problem and not one for the future.

Reformation By Simplification.

Attention is called to a resume of an address delivered before the State Bar Association by W. R. Davis, which will be found elsewhere in this paper. His theme is the pressing one of the reform of our laws and he deals with concrete instances rather than with general ideas. He proposes that certain specific things be done and that certain others be not done, and each proposal may be met by yes or no. His simile of the vines of technicality having grown over the doorway of the temple of justice is a happy one, and yet there may be some question if that of the spider having spun its web would not have been nearer the fact. However that may be the doorway to the temple of justice has been seriously obstructed and something like ninety millions of American citizens are demanding that the obstructions be cleared away.

Nor has this growth of obstruction been wholly unnatural, as the growth of vines and briars and the spinning of webs would not be. The human mind, spinning by the subtle process of reasoning, and unrestrained by the saving grace of common sense, runs off into refinements of discrimination and absurdities of logical sequence, as certainly self-destructive as any other unbalanced impulse of nature. Half the birds die of starvation every winter, but if they did not we should rarely see the sun for the clouds of birds that would forever be flying over our heads. Logic has its uses, but unbridled it would make the world a madhouse.

The tendencies toward judicial refinements and technical exactness have been unhampered in this country for more than a century and have run their course. They have reached the point of self destruction and limitation, like many another malady, and have broken down under their own weight. That is the whole story and American common sense must now reassert its authority and see to it that its authority is respected.

In this work the bar can help, but it cannot and will not do it all. It will have to unlearn more than the American people will have to unlearn of Jackson's financial absurdities that

a central American bank may be re-established, before it will submit to such a clearing away of the briars and cobwebs as will permit the access of the poor to the temple of justice on terms of equality with the rich. Nothing short of that will serve. As one who goes to a lawyer to have a contract drawn must tell his lawyer what he wants to have put into that contract, so an informed and aroused public sentiment must tell the gentlemen of the bar what reforms are wanted before those gentlemen will be able to whip them into language appropriate to that end.

The bar can help, the press can help, but, in the last analysis, public sentiment will have to lead the riot act to both press and bar if it would be obeyed.

To Lincoln-Roosevelters.

It is time to get busy for the campaign of 1910. Unless all signs fail the Southern Pacific's Political Bureau, re-enforced by the allied infamies that lately overthrew the forces of civic decency in San Francisco (including the McCarthy labor party), have made common cause against a Progressive Republicanism. The issue must be fought out in the coming primaries and for the control of the Republican party machinery. That machinery will still be controlled by a convention and, at the primary election, delegates must be selected to those conventions. Unless the greatest interest is taken those selections will go by default and Herrin will still be found in possession of the works. Anyhow a Progressive Republicanism will have to contend against a solidified tenderloin vote, re-enforced by all others of such elastic consciences as will permit them to register as Republicans for the primary elections, but with full intent and purpose to vote at the general election for the Democratic or McCarthy party candidates. That is what the Lincoln-Roosevelt movement is up against.

Nor is that all. Within its own ranks there are those who have lost their grip. If not downright favorable to Gillett they are unnerved by being told that "he can't be beaten, so what's the use." That kind of timber will not do to build a reform movement on and the sooner those who take that view take themselves out of the reform movement the better for that movement. The interests involved are far beyond those of having a passable governor or a passable government. The issue is as to whether this is to be a free government or one dominated by rapacious and affiliated corporations, a democracy or a plutocracy, a government for the many or for the few already richer than princes; for the preservation of our resources for the common good of all or for the exploitation of the many that the few may become millionaires many times over, perhaps, to astound the world with their largesses.

Let those take a hand in this forward movement who have the stomach for it and let those who have no stomach for a conflict, hand to hand and foot to foot, stay out of it. It is a man's job, anyway.

It is true that the forces of righteousness have just been beaten in San Francisco and beaten soundly, but these forces can do a worse thing than be beaten. They can surrender without a fight. There are those who would like to have such a surrender made. It is not impossible that the Call may counsel it instead of merely foreshadowing it. Things squint that way, but let not those counsels be heeded. They are Greeks bringing gifts. There is every reason for fighting the reelection of Gillett that there is for fighting the election of Curry, and there is every reason for fighting the election of Curry that there would be for fighting McCarthy or Dr. O'Donnell for governor. Give us rather Calhoun, Herrin, Hellman in person.

The Deeper Significance : : : : of Living : : : :

There has arisen in society a figure which is certainly the most mournful, and in some respects the most awful, upon which the eye of the moralist can dwell. That unhappy being whose very name is a shame to speak, whose countenance with a cold heart transports of affection, and submits herself as the passive instrument of lust; who is scorned and insulted as the vilest of her sex, and doomed, like herself, to disease and abject wretchedness and an early death, appears in every age as the perpetual symbol of the degradation and the sinfulness of man. Herself the supreme type of vice, she is ultimately the most efficient guardian of virtue. But for her, the unchallenged purity of countless homes would be polluted, and not a few who, in the pride of their untutored charity, think of her with an indignant shudder, would have known the agony of remorse and of despair. On that one degraded and ignoble form are concentrated the passions that might have filled the world with shame. She remains, while creeds and civilizations rise and fall, the eternal priestess of humanity, blasted for the sins of the people.

The foregoing is from the pen of William Edward Hartpole Lecky, the Irish historian, philosopher and man of letters. Is he right? This we do know: In all ages, in all climes, and in all countries, there have never been a dearth of faithless women to meet the requirements of licentious men. The ranks of the fallen are filled as fast as the chariot closes over them.

Is it unavoidable, inevitable and necessary? It relieves the mind of a great responsibility if one may accept that inevitable and inevitable as axiomatic. Is it? Now that the White Slave Trade is before the public for discussion these queries become pertinent.

The Socialist says "no, the social evil is the fault of capitalism. Revolutionize society, reform it on our plan and every woman will have a husband and every man a wife, poverty will grind nowhere, and it is poverty that produces prostitution." The Socialist is nothing if not sanguine. He is all intellect and, if he were to turn his attention to mechanics, perpetual motion would come easy to him. No sort of mechanism would have so many wheels and balances as it is, as it is so complicated for his comprehension, but the world distrusts his common sense.

There are women, perhaps three to five in the hundred of those who have fallen, who are congenitally evil. Let them go to their place. The rest have been recruited from two principal sources. They have been sinned against or they have yielded to an overwhelming desire to live beyond their means. In strict justice to the male let it be said that the latter cause accounts many times over the other for moral failure among young women. It may be confessed that no woman thus disposed is long left without a market for her wares, but let not men be blamed beyond their deserts.

It has pleased God or modern evolutionary tendencies, one or both, to endow the female of the human species, almost alone of all others, with a love of finery and for making a brave show that she may attract a mate. Outside the human family it is the male that struts and crows and decks himself out in bright colors. Given this instinct in high degree, together with a low earning capacity and an undisciplined moral fibre, and moral failure becomes nearly inevitable.

Sex emotion, love of finery, low earning capacity and undisciplined moral fibre all culminate during the silly age of girlhood, the time of her life when every girl pre-eminently needs a mother and careful loving restraint. Added to this she is likely to have boy on the brain, and boy will further complicate her case. Tide her over this period and she will be as safe as her mother.

The significant culmination of what has been said is that the girl in a broken home has no proper guardianship during this vulnerable period in her life, and it is from the broken homes that the ranks of the prostitution are recruited. It is not so much the "daughters of the poor" who are sacrificed as the daughters of the divorce court. Here is a source of social evil that may be lessened whenever public sentiment gives the word.

WHAT THE WORLD IS DOING

Suicide Is On the Increase.

For several years Frederick L. Hoffman has tabulated the suicide records of the United States, and his tables are recognized as being as authentic as can be compiled. They are not reassuring to one who would believe that the world's misery is decreasing, showing, as they do, that both the number and the rate of suicides are increasing. For instance, there were 601 more suicides in 1908 than there were in 1907, and the rate per 100,000 for the latter year was 18.8, while in 1908 it was 21.8, the highest point yet attained. Nor is it comforting to a Californian to see it demonstrated, by the implacable logic of figures, that there are far more self-murders about our magnificent bay than in any other part of our country, yet this is the statistical fact. In San Francisco, during the decade from 1898 to 1907, inclusive, there were 1,792 suicides, an estimated rate of 5.6 to the 100,000 of population. In 1908 the number rose to 211, and the rate to 55.8. In Oakland, during the 1898-1907 decade, the number of suicides was 233, the rate 32.6, in 1908 the suicides were 54, the rate 66.2. No other city in the country begins to touch these figures, the nearest being Hoboken, St. Louis, and Denver, with rates respectively (for the decade and for the year) of 29.1 and 37.6, 28.2 and 31.9, 24.7 and 36.6. Even New York city, where one might suppose most people would grow weary of the struggle, showed a record for the decade of but 20.8, and 33.7 for 1908, an average of about half the rate about this bay. In Charleston, S. C., the rates for the two terms were only 4.6 and 7.1. Our fearful showing may in part be due to the fact that our population since the earthquake has been more or less an unknown quantity, but, after making liberal allowance for this fact, there is not much room for doubt that the record still is against us. As for the reason, pages might be devoted to it and the answer still be remote.

German Emigrants Well Off.

It is generally recognized that the Germans are a thrifty people, and wherever they go they are likely to carry prosperity with them. Because of this thrift, too, their emigrants more frequently have money than have those from most other nations, notably those from southern Europe. A recent investigation of the emigration from one parish of Berlin revealed the fact that of 1,470 persons who emigrated during the three months ending with last September not more than one-third could be described as poor, the others varying from comfort to comparative wealth. Six had more than \$20,000 each, four over \$12,000, ten over \$10,000, twelve over \$6,000, while the number possessing from \$2,000 to \$6,000 ran into the scores. This is such a showing as probably could not be made by any European nation to the south of Germany, with the exception of Switzerland. These are the kind of people whom Uncle Sam can afford to welcome with open arms, not because they bring wealth, but because they create wealth both for themselves and him.

Facts Concerning Our Roads.

According to Logan W. Page, director of the United States office of public roads, "in mileage we have the most tremendous system of roads which any country has ever possessed since the world began. According to a careful road census the length of all of our roads amounts to 2,155,000 miles." On these roads we expend about \$90,000,000 annually, or \$41.75 per mile. These figures appear to lump big, but compare them with those of England. In that country there are only 150,000 miles of road, and on them annually is spent \$80,000,000, or \$533.10 for each mile. That is to say, for each dollar that we expend on each mile of road the Englishman expends \$12.75. Yet it must be clear that the need of a new

country for road expenditure is greater than that of our old country. Of our road expenditures, too, no small part is used with such poor judgment as to produce little permanent or valuable effect. Indeed, Mr. Page remarks that "about half of the states are operating under practically the same road laws as prevailed in England when America was a colony," it is pleasant to note that California is included in the limited number of states in which Mr. Page finds the road-building conditions most hopeful.

The French Government's Little Rake-Off.

On all money which is won on gambling devices at French resorts the government receives a bonus of 15 per cent. It now is known that its "rake-off" for the season of 1908-9 was \$943,393. This means, if the gamblers did not succeed in evading any payments, that the sum total of bets was \$6,289,286.70, a very pretty sum to be paid in hope of winning a smile from the fickle goddess. Concerning the right or wrong of the government's action in sanctioning gambling something might be said, but, letting that question pass, it is just to say that much of the sum thus secured is put to excellent service. Fully \$600,000 was divided among hospitals, orphanages, etc., of Paris, and other sums went to similar institutions throughout France. Queer about money! It may come covered with filth, and go to do heaven's own work.

A Great Increase in Imports.

The United States bureau of statistics has issued a bulletin showing the great increase in the importation of manufacturers' materials in September of this year as compared with the same month last year. In many instances these increases amount to 40 to 200 per cent. Here are figures relating to some of the staples, in all cases referring to the month of September of either this year or last: Wool imports, 25,250,000 pounds in 1909, \$5,000,000 in 1908; cotton, 6,000,000 to 3,000,000 last year; hides and skins, 51,000,000 to 35,000,000; pig tin, 9,500,000 pounds, to 6,750,000. Most food stuffs, however, show a decline, the following being a few of the notable, with comparison between the same months: Sugar imports, 227,000,000 pounds, against 383,000,000 last year; tea, 11,000,000 pounds, against 14,000,000; cocoa, 4,000,000 pounds, against 6,750,000. Luxuries appear to be booming. In September of this year 50,176 dozen quarts of champagne were imported, while in that month last year the importation was but 18,230 quarts. This year (September) diamonds of the value of \$3,800,000 were imported, while last year the valuation was only \$1,700,000. Probably a deduction from these facts that the American people this year mean to "live higher" and eat less than usual would be fallacious, but this is what a rash reasoner might take the figures to indicate.

English Society Now Is "Bombarding."

English Society—that is, Society of the real tutti-frutti variety—has rather varied that article in its creed which asserted that bridge is the chief end of man and woman, and shows an inclination to adopt "bombarding" in its stead. The average reader does not know what Society bombarding it, and this is to inform him or her. The object is to break into the house of the person to be bombarded, he being notified of the intention. Srenuous measures frequently are adopted. One fair young creature tucked her hair beneath a cap, first, presumably, having doffed any that did not grow on her head, donned a messenger boy's uniform, and delivered a message. The scheme worked. Another being bombarded had herself delivered in a roll of linoleum which the householder was expecting, although he was not expecting to receive her in it. She, too, bombarded with success, but how she unpacked herself has not been told.

Such, briefly sketched, is the game that Society over there now is playing—its own invention, too. Any yet there are people so sacrilegious as to assert that Society—always with a capital letter—is not a sacred institution!

Billions Given to the Public.

It is said that, during the years 1903 to 1906, inclusive, more than four billion dollars (an absolutely inconceivable sum) was given by various individuals for the public good. John D. Rockefeller has thus given nearly \$115,000,000, while Andrew Carnegie is a close second with a sum approximating \$100,000,000, and the beauty of the case is that neither one of these men will miss the money. Next to these two, perhaps, is Mrs. Russell Sage, who, within three or four years, has given away about \$25,000,000 of the \$65,000,000 her husband left her, and if Russell does not turn in his grave they who are over there do not know what is going on this side of the misty boundary line. As is generally known, a very considerable part of these gifts has gone to educational and kindred institutions.

New Stamps for the Red Cross.

The national Red Cross Society has selected the design for its new stamps, and 50,000,000 of them will be issued. These will be placed on sale some time during the present month, and the proceeds will be used by the society in its war-against consumption. Last year it cleared \$140,000 by the sale of such stamps.

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OUR FIVE-FOOT SHELF.

"Tale of Two Cities."

"The least Dickensian of Dickens's works" is the phrase generally applied to the "Tale of Two Cities." This is true only as to the form of the story, which is the most compact, best organized and most logical of his novels. But beneath the form, or dress, of the story, the beloved qualities of Dickens appear clearly; a heart shaken by pity for the unfortunates of the world, a feminine compassion for human frailties, a warm love and admiration for the good and the brave, a passionate hatred of oppression and greed and cruelty, a valiant determination to pursue the strong wicked to their innermost secret refuge and stab their conscience with their own meanness.

As a novel the tale is admirable in its vivid characterization of the people who act the drama, in the steady rise of interest in the plot, in the grand tragedy of the climax where death resolves all complications, freeing the wretched from misery, freeing the innocent from evil, and cleansing a life of weakness and failure by a supreme act of moral heroism. The figure of Sidney Carton goes calmly to the shambles rises amongst the heroes of tragedy with Shakespeare's Brutus. A strange and moving narrative, the "Tale of Two Cities" stands in a region of fiction peculiar to itself, like nothing written before or since, a true tragedy that really points a moral and adorns a tale.

WHY ILLUSTRATE?

The New York Sun once happily hit off a weakness of certain types of mind. In substance, the Sun said:

"One of our contemporaries mourns that so much public interest is aroused over the centenary of the birth of Oliver Wendell Holmes. Our contemporary says that Doctor Holmes was not profound. Another contemporary assures us that the profoundest living thinker is Prof. Josiah Royce, of Harvard."

There the Sun discreetly stopped, leaving the reader to ask the inevitable question, Who the dickens is Royce?

Profundity of the Royce type affects few other minds. Doctor Holmes has touched millions. Perhaps a million blows of a tack-hammer will drive more piles than a pile-driver that hits no piles.

Something of this principle explains the value of illustrating periodicals. The elder Houghton was once urged to illustrate the Atlantic Monthly. He flew into a rage at the thought of such desecration, and the Atlantic Monthly to-day has all of 12,000 subscribers. It is profound, but it is read mainly by people who would have a varied opportunity for culture if it did not endeavor to improve.

The illustrated periodicals, however, stoop to every device to attract the eye, to surprise the mind into taking a nibble, from a nibble to a bite, from a bite to a banquet. Collier's Weekly may not deliver sledge-hammer blows (though we think it does), but every blow strikes nearly a million minds. Everybody's may not have such profound messages to deliver (though Judge Lindsey strikes to the heart of a world tragedy), but its messages are read by more than a half million. The American Magazine touches a reading public that the Atlantic could never reach—a vaster and more potent public.

Illustration helps. Life, the satirical weekly, discovered that tabloid doses of philosophy were avidly devoured when surrounded by large draughts of pictures. There is hardly enough reading matter in Life to occupy one's time on the ferry trip across San Francisco bay, but it is so attractively served that everybody wants it.

The question is all one of effect, and the public seems to have settled in its favor of the decorated and interesting as against the plain and heavily profound.

RARE THACKERAY BOOKS.

The Wilhelmus Mynderse library, which was sold in New York recently, contained several rare volumes of Thackeray's work. The most valuable of them was a copy of "Floret Zephyr, Ballet Mythologique, Par Theophile Wagstaff," folio London and Paris, 1836. Thackeray's first separate publication, consisting of eight plates, "Scenes in the Life of a Ballet Girl," with an account of the various plates. It was knocked down to G. D. Smith for \$700. This same copy was in the Augustin Daily sale and sold there for \$420.

"The Second Funeral of Napoleon and the Chronicle of the Drum," by M. A. Titmarsh, London, 1841, a Thackeray item of great importance, was bought by J. O. Wright for \$200.

Copies of The Snob: A literary and Not-Scientific Journal, Conducted by Members of the University, and The Gownsmen (formerly called The Snob), a Literary and Scientific Journal, now conducted by members of the university, Cambridge, 1820-30, containing original contributions by Thackeray, went to G. D. Smith for \$135.

"The Yellow Plush Correspondence," first edition, Philadelphia, 1838, spoken of by Mrs. Ritchie as the "first of Thackeray's writings ever published as a book," brought only \$10, due in part to spotted pages.

A fine copy of the first edition of "Comic Tales and Sketches," edited and illustrated by Michael Angelo Titmarsh, author of "The Paris Sketch Book," two volumes, binding by Zachusdorf, was knocked down to F. W. Morris for \$92.

Californian Poets' Corner

THE RETURN OF KUNOTSUKI.

By Ralph Erwin Gibbs.

Of all the young men whom California has had and lost none was of greater promise than Ralph Erwin Gibbs, graduate of the University of California, who met with a sad and accidental death just at the beginning of a career of letters which there is reason to believe would have been of more than ordinary distinction.

I came through the village, and none—not one—

Saw aught but a traveler, strange and old;
Still swift as of yore doth the river run.

But fast as the river the years have rolled;
Now are the hearts of men grown cold;

And Youth is a word graven on a tomb;
Yet, ah!—as I came by the riverside,—hold!

'Twas the old sweet scent of Azalea bloom.

The rice-fields, shimmering green in the sun,
Are narrower now than they seemed of old;

Here used we to watch how the dragon-flies spun
About us in mazes of scarlet and gold;

But now the gay haunts of youth are held
Are dimmed,—as the tinsel that used to illumine

Our shadowless world where all grief was consoled
In the sooth sweet scent of Azalea bloom.

Changed, all changed where my life was begun!
New paths they have trodden where once we

were strolled;
And here,—in that garden where, one by one,

We saw the gay haunts of youth are held—
The vine-curtained arbor is sunk into mould,

And only there lingers the old perfume
From the Tale that shall never again be

told,—
The sad sweet scent of Azalea bloom.

Friend of My Youth,—though our hearts be cold,
And new paths trodden where once we

were strolled,—
Lo, the Tale drifts back in this weird perfume—

The old sweet scent of Azalea bloom.

OLD MAGAZINES AND NEW.

Goethe once said that there was really no such thing as originality in literature; all possible subjects had been sounded and their depths were known; and that what is commonly called originality is simply the power to write about old subjects in so fresh a manner as to make them sound new. He tested his theory by taking the ancient story of Faust, around which a dozen classics had been already written, and making it a masterpiece.

The idea seems further justified by contemporaneous American periodical literature. The first American magazines were patterned after the English reviews; those unillustrated, ponderous monthly broadsides of intellect which still find favor across the water. The Atlantic Monthly and the Forum cling to this ideal to-day, and have a profound influence with about 20,000 people out of eighty millions.

Enterprising American publishers concluded that the reason more magazines were not read was that the magazines did not contain things these people wanted to read, and that the magazines cost too much. Frank Munsey led the most radical movement to popularize magazines. He reduced the price to ten cents, introduced elaborate illustrations, shorter and more popular stories, and very light popular descriptions of great men and great movements. He achieved an early and enormous success.

Then S. S. McClure started a magazine with a purpose, the purpose of informing the American public about public affairs in a way that would be interesting as well as significant. He discovered a secret, that the ideal expert in any subject generally knows nothing about writing, whereas a trained newspaper reporter, with a reasonable outlay of time in interviewing the technical expert, can understand the expert's explanations of his information and can then write that information up in an interesting manner that is comprehensible to the average reader.

This discovery has since led to the development of the trained corps of writers on public questions, such as Lincoln Steffens, Ray Stannard Baker, Miss Ida Tarbell, George Kibbe Turner, Henry Beach Needham, and George Kennan. These writers are primarily expert reporters, but their training has made them also expert students of politics, of economics, and of sociology, gatherers of the fruits of labor of thousands of technical experts. But they are first of all entertaining writers.

The result is that American periodicals now get their largest circulation because of the articles they contain on the same subjects that the old-time magazines discussed, with the difference that the new magazines make these subjects interesting and human where the old ones continue to make them dull and technical. And it is noteworthy that Munsey's belongs to the past, though for another reason. It is not dead, but it is not genuinely informing. It has not caught step with the journalism that has a vital connection with vital affairs of life.

THE HUMBLE LIBRETTIST.

In the history of opera there are many curious anomalies, says the Forum; but perhaps the strangest is the role played by the librettist. For the most part obscure and unimportant and generally unremembered, his ranks have nevertheless been recruited from the ablest and most brilliant men of letters. Among those who have undertaken the part are such unlikely names as Voltaire, Goethe, Wieland, Addison and Fielding; while others of considerable poetic talent, for example Metastasio, Calzabigi, Rinuccini, Boito and Coppee, have tried their hand at libretto writing with assurance, giving it their best efforts. And yet the successful librettists are few—the merest handful out of a harvest of three centuries.

REFORM OF LAW AND LAWYERS

REMEDIES SUGGESTED BY W. R. DAVIS, OF OAKLAND.

[The following address concludes the series of speeches delivered at the banquet of November 9th, preceding the formation of the state bar association. The California Weekly has adopted the same method as before in reprinting this address: it is given in its literary unity and style of the original for the purpose of throwing up into bold relief the positive suggestions of the speaker for the reform of our law. —Editor.]

One-third of the cases brought to court go out of court upon technical points of procedure, such cases never being disposed of upon their merits. This is a shocking fact. A system leading to such a result must be radically wrong.

We are making too many lawyers. Competition is a good thing, but there is a limit as to how much raw material any country or any profession can absorb to advantage. The course at the law schools should certainly not be less, and the examination for admission should certainly be more exhaustive than it has been. If it takes one day to examine a class, let us take that. If it takes two, let it be two. And if it takes a week to get to the bottom of their minds before they shall be armed with a license to invade the community, let it take a week. The examining court, in my opinion, can perform its more important public duty during any week of their service than to scan and probe and reach the bottom of the qualifications of these young men.

Nor do I believe that the function of a lawyer before an appellate court is to occupy time to display to his clients his alleged learning. I have always supposed that our service there is to aid the court of appeal by presenting and clarifying what would otherwise require more time on the part of the higher courts. So I suggest that the young novitiate, before he is admitted to the bar he must first practice the profession at least three years in the Superior Court, as a member of that court, before becoming eligible to occupy the time of the courts of last resort.

Now as to procedure. Let me say a word with reference to the forms of doing things. If you wish to raise the question of jurisdiction for any defect in the service of summonses, you must make a special appearance. If you want to appear but are not yet ready to do anything else, why, you appear. If you want to do something else before demurring, you move. If you want to demur, you demur. By-and-by, when you are ready to answer, you answer. Now we have there a series of five forms of getting into court, and yet, generally speaking, all we have done as to the merits between the parties is to have an answer in. Why should not the defendant, when he appears in a case, appear, and if he has any objection to make, make it? His rights can be saved just the same.

Then, too, we have gone on for forty years having to say twice that we objected to the same thing, or else it didn't count. You first objected, and then, if you did not note an exception to the ruling which followed the objection and your statement of the grounds, your objection went for naught. There never was any sense in that, and it never served any purpose except to entrap the unwary or the unskilled.

Another thing as I pass along occurs to me. Who of you would profess to know for sure the difference in this state between a setoff, a recoupment, a counterclaim, and a cross-complaint? The bar does not know it. Nor is it any reflection upon the learning of the bench to say that the bench does not yet know it, either. What sense is there in all that attempted refinement gone to seed in confusion? If a defendant has something against a claim asserted on the part of the plaintiff, why is it not enough that he set it up (whether it is recoupment, setoff, counterclaim, or cross-complaint), in one splendidly simple pleading on behalf of the defendant, and get at the merits of that case? Why not?

One or two things in our probate procedure

have occurred to me as easy of improvement. The present probate machinery which we have is mechanically beautiful. It fits cog into cog like a piece of steel machinery. But most men die without leaving a million. Take the estates under ten thousand, or say under five thousand dollars. Why should all this laborious machinery of a million dollar estate be made applicable to a small estate like that? This little estate cannot bear the burden. If the work is to be paid for in proportion to the value of the unnecessary work required, the estate cannot stand it; and if only in proportion to the net value of the little estate, then there are some hard-working lawyers bearing the burden of that unnecessary labor without fair compensation.

I think there should be an alternative plan for the small estates, illustrated in this way: After the court has obtained jurisdiction of the parties by a notice such as we now give, with or without a will, where there is no contest, or the contest is disposed of as to the administrator or executor, or as to the validity of the will, turn the business administration of that little estate into the hands of the judge of the superior court sitting in probate as a chancellor, clothed with the ordinary powers of a business man, to go on in a business way and handle the affairs of that small estate and wind it up. If it should be necessary under such a plan that additional security should be required, let it be required.

Another thing in the same quarter. There should be a law under which a man, at his option, may file and record his will and have it contested if it is ever to be open to contest, while he is yet a living witness. The testator should have the right to record the instrument by which he proposes to distribute his property and call forth the slumbering contest while he can speak and answer it. It may be well that notice of the recordation should be served upon the heirs resident in the state (as we now do when we come to the probate of a will), and then allow a reasonable number of days, say sixty, within which contests must be filed, if they are ever to be filed, against his own distribution of his property.

If a man does not choose to record his will, then, of course, he might be permitted to follow the old plan. For my part, I can see great advantage in this optional plan and I think I can see the practical annihilation of an illegitimate industry (of contesting wills) and the uplifting of the law in the esteem of the people of the state, whose laws these laws are. These laws are not for us, professionally, but for them and us as citizens of a commonwealth. That is the ever present atmosphere of all this.

Some time when I have been spoken to about remedial legislation to be accomplished through the activity of the bar I have said, "Why, these are not my laws. These are not the bar's laws. You made them. We all want better laws. If you wish better ones, why don't you elect a better man to the legislature and make better laws for yourselves and for us? It is as much your task as mine." But, as I have thought more of it I am convinced that that answer is no better than a plea in abatement. It does not answer to the merits of the difficulty. How can the unskilled make it much better?

All honest men, and nearly all men are honest, want better laws precisely as we do, simpler in their execution and more efficient—just as we do. But they do not know as well how to frame them, and we cannot evade the responsibility of helping to make better laws, of acquiring better education and of elevating the practice of the law and of the better qualification of those promoted to the bench—we cannot evade this responsibility as citizen-lawyers or as lawyer-citizens if we would. If that work is to be done, it must be

formulated, shaped, constructed, fathered and forwarded by the profession of which you and I are members.

Our country is a republic. And the will here which ultimately determines law is that complex, component, collective will of millions of fellow citizens—of whom we lawyers are a small part, yet bearing not only their average responsibility but also the added responsibility to which I have already referred. It is to be regretted that of recent years there has come to be a disintegration of confidence in matters pertaining to the law and its operation. It is chiefly not because many in the profession have been found corrupt, nor because here and there one on the bench has been found derelict; but because in the administration of law the practice and the procedure have grown up so that like an immense, multifarious, irresistible vine the procedure, the forms, the technicalities and the delays of the law have overgrown the doorway of the temple of justice itself, until, when the citizen looks at the law, he sees first of all overgrowth, undergrowth, obstruction, forms, entangling vines and sinuosities by which all direct approach to the merits of a controversy is so encumbered and his time and his experience so increased that he withdraws confidence and commends itself and substitutes condemnation of his own law.

There are millions of that average citizen. Something is the matter when millions of men become dissatisfied with the administration and the practice of the law. How shall we restore that respect for the judiciary and that confidence in the bar which existed fifty years ago? It cannot be done by high sentiments alone, expressed here to-night. We must produce results, must be prepared to frame and to support measures which will cut away some of this growth and these vines and enable the citizen and the litigant to have confidence and to be able to proceed rapidly, safely and with certainty to the proper ends of justice.

One other suggestion and I have done. Every man must contribute in proportion to his taxable property to the school fund, to the maintenance of the public school system of this country, its greatest safety and strength, the greatest factor making for the perpetuity of our institutions. It does not matter that he is unmarried or childless, he must contribute, willingly or unwillingly, his due proportion to the maintenance of that which makes for the public good, for better citizenship, for the perpetuity of the institutions of the republic. And this is right. Without such principles as these, without such enforcements against the will of the unwilling, the narrow and the sordid, this republic could not endure another hundred years.

Now, what is the chief difficulty in getting the best action of the collective legislative will of the state? Or in utilizing it for the greatest general good? In the judicial department we have mandamus to compel action. But there is no corresponding mandamus of compulsion yet adopted in this country by which the citizen, negligent of his duty with reference to the franchise, can be compelled to go to the polls and discharge his duty to his state and to the nation. Yet he holds part of this collective will. He is part of it. We ought to have, and I think with the earnest support of our profession can have, legislation compelling those clothed with the franchise, who are found negligent in the discharge of their duty, to discharge that duty. The very men failing now to discharge their duty are men of property, men of judgment, of sense, of industry, of sobriety and of family, stable men in the community. They should be compelled into that duty by a statute requiring them to perform it. And presently a secondary result from that will follow, equally important with the primary result. They who have no interest in the discharge of the duty of electors, being forced to participate in the discharge of that duty, will presently become informed in it, interested in it, and then they will cease to be stay-aways and become active, intelligent, potent factors in the collective will of the

(Concluded on Page 831.)

AS THE WORLD WAGS

By A. J. WATERHOUSE.

My Nellie.

I wake in the night with a sobbing cry
For Nellie,
And the voice of the wind is an answering
sigh
For Nellie.
Then, seeking and seeking, o'er hill and plain
The wind-wraith presses its search again,
But ever and ever it seeks its vain
For Nellie.

Her feet were as wee as a wee babe's are—
My Nellie—
And yet they have wandered so far, so far!
Ah, Nellie,
Is there never a course from the unseen shore
That little, wee sailors may journey o'er?
Then come, with kisses mine own once more,
My Nellie.

Have the angels taught you, in God's school,
this,
My Nellie,
How our hearts still yearn for the babe we
miss,
My Nellie?

Then whisper a prayer to the Master kind
That he will lead you to find
To the loving ones whom you left behind,
My Nellie.

I wake in the night with a sobbing cry
For Nellie,
For again in my dreams I see her lie,
My Nellie,
With a rosebud clasped in her rosebud hand
As she gently drifts to the unseen land,
And my heart refuses to understand,
My Nellie.

Boston on the Baconian Trail.

A dispatch from Boston announces that a party of men and women of that city, "all noted for their learning and high social position," now are in England, and, guided by a Baconian cipher, are about to find the "secret chamber" in which all of Lord Bacon's manuscripts were hidden by him. Just why Bacon hid them the dispatch does not say, but it does not really matter, for if the Boston people are of "high social position" everything must be all right. However, it is what these people are going to find in the "secret chamber" that most interests. I quote:
"From a literary standpoint, what is considered to be the most important result of this discovery is the expected establishing of Bacon's claim to the authorship of the Shakespeare plays and to much of the writings of Robert Greene, George Peele, Christopher Marlowe's plays, Edmund Spenser's 'Faerie Queene,' Burton's 'Anatomy of Melancholy' and other important historical and literary masterpieces."

The list is good as far as it goes, but it does not go far enough. The world still will demand that those Boston people of "high social position" inform it whether or not Lord Bacon wrote "Beautiful Snow" in some moment of graceful ease. Why should they discover so much, and not discover the rest? It has been claimed that both Ella Wheeler Wilcox and Colonel Joyce wrote "Laugh, and the world laughs with you." Is it not possible to end this controversy by discovering, in the secret chamber, the original manuscript written by Bacon? If so, these people of high social position owe it to suffering mankind to discover it. By the way, the Boston party also owes it to everybody to discover whether anybody besides Bacon wrote anything in his time, for this is becoming a question of serious importance.

The Cynical Creatures.

First Fair Lady—Mrs. Goodleigh says she doesn't know when she has received the spiritual benefit from a sermon that she did from the one she heard on Sunday.
Second Fair Lady—I didn't know that she had bought her new hat yet. What did she pay for it?

The Philosophy of Rufus.

I b'lieve in the survival of the fittest, but when I look at some folks I don't feel high so certain 'bout the fitness of the survival.

The Bible says, "Judge not that ye be not judged," but it don't mean that you can't hold your nose when you git near the reputations of some people.

Their's exceptions to the rule, but lots o' times you can judge a lady or gentleman by the fact that they ain't sayin' anything about it.

When you strike one of these fellers that you have to explain a joke to his morals may be all right, but I don't s'pose he'll add much to the joy of heaven.

The poet spoke 'bout shootin' folly as it flies, but my observation is that it's a dern sight more apt to shoot you.

I understand from San Francisco druggists that there's a powerful demand fer deodorizers since the last election.

I b'lieve in the old-fashioned experience meetin's, fer if some folks don't tell you they're converted how are you ever goin' to find it out?

Lives of rich men oft remind us that if gold our coffers fills we may also leave behind us heirs to contest our last wills.

Seems ter me that the trouble with some good people that want to see things movin' just right is that they ain't willin' to give God time enough.

Life always has its compensations. We know more at forty than we did at twenty; but we don't have near so much fun knowin' it.

My observation is that they's no enemy outside of a church that can hit it as steady an tellin' blows es do some of the people that b'long to it.

I've 'bout come to the conclusion that any man is a good deal better an' a good deal worse than we give him credit for.

Be Pitiful for Him.

Be pitiful for him. Nay, pass him by,
Indifferent, with cold, averted eye.
Stumbling and fallen, cruel is his lot,
Which God shall heed, and shall not you

an
Child of the slums, where litters Evil's brood,
Their atmosphere of death through youth
was his,

Lettered in sin, but all untaught of good,
How should he be save what he must, and
is?

Be pitiful for him.

Be pitiful for him. He is the fruit
Of man's dark upas tree of doubts and fears,
Or, better, is the black, distorted root
Planted with sighs and watered with our
tears.

Here Davy rides, there Lazarus doth creep;
A palace here, a falling hovel there;
Fate dealt you good, to him the woe he weeps;
His heart knew dreams, but all his days
were bare.

Be pitiful for him.

Be pitiful for him. Though lost he be,
God's love may find him in a distant day,
And haply you and I more foul than he
Might now have been if we had walked his
way.

Out of the slum shall dainty things be born?
Yet from the depths a cry may reach to
Him.

Hopeless and sodden, wretched and forlorn,
Man, and man's victim, aye, and menace
grim—

Be pitiful for him.

No Use to Give It Up.

This life is all a riddle

Is a song that is true,

But you'll have to keep on guessing

If you ever guess it right.

A Thanksgiving Ode.

Etftoon Thanksgiving Day is here,
And I a grateful song would raise
To herald blessings far or near
And sum them in a chant of praise.
High ring the notes from my wee lyre—
The price of turkey rises higher.

To sing the good that bides with me,
Ring out, ye notes, all sweet and clear,
A grateful spirit fix the key,

A heart unknowing dread and fear:
Rise fast, ye notes, and doubt o'ermaster—
The price of turkey rises faster.

With bounding feet my spirit runs
To greet the glad Thanksgiving Day,
The day of praise for genial suns
That shine in Californian ways;
It bounds, it speeds, life's lowlands shunning—
The draited turkey beats it running!

* * *

The Daily Papers and Alma Bell.

A Placer county girl, mentally unformed, neglected throughout her childhood and little cared for throughout her unfortunate young womanhood, miserably commonplace, loved a man "not wisely, but too well," and because he deserted her in her sore dilemma, killed the fellow. Perhaps he deserved his fate, possibly he did not; I do not know, and I shall live quite as happily if I never know. It is sufficient to realize that the simple recital of such facts is pathetic and that not one of us all can do anything to make it less so.

But now watch the daily papers. The feast of lecherous foulness and death is spread, and the ghouls do gloat upon it. Inch after inch of space, column after column, page after page—so this menu of moral corruption is dealt out to the "intelligent public" through foul days and filthy weeks. For it reports write their prettiest of drool and slaver, and so mix pathos and bathos that even intelligence scarcely can distinguish between them. Even mighty editors occasionally pause in their majestic careers to dip their pens in the stretch-pots of this case and add their philosophy anent it to the general odor that permeates the moral atmosphere. If you read the daily papers you do not merely touch pitch; you suffocate in it.

And why?

For two reasons. First, this case chanced to come on the boards when there was a dearth of sensations. The sun rose and set, leaving scarcely a streak of yellow on the newspaper sky. This, as every great editor knows, is an unbearable situation. Well, there was considerable yellow to the Alma Bell case. It would do to fill a yawning chasm which the great editors knew the intelligent public insisted should be filled.

Second, there was a streak of lubricity in this case, and do not our great editors know that the public demands this not only for the desert but as the piece de resistance of its newspaper meal? The dear people insist upon a skeleton at their feast. Very well, the great editors are the home missionaries to supply the demand.

It is impossible that I am the only person who turns with repugnance from this window-dish of lechery and murder. It must be that there are others, too, who are nauseated by this thousand-tongued bray concerning an unknown woman's misfortune and crime. But what can we do about it? Do not the great editors know that our moral and intellectual appetites are not normal, that indeed, they must be abnormal, else would they not be content when they are satisfied with something other than filth and corruption? They know what is good for us, and we must take it and look pleasant, or else go without our daily paper—which would be a trying thing to do. But is it really true that there are so few who prefer the decent that no daily paper in San Francisco could afford to pander to them?

LITTLE TALKS WITH OUR READERS

Editor The California Weekly.

Sir:—I had your circular letter, soliciting my subscription to your weekly chiefly or wholly on the ground that it is the "chief advocate" of reform of our American judiciary. I have frequently read the weekly, and like it, but not chiefly as the exponent of the reform of our system of jurisprudence. I do not agree with you that the "administration of justice in this country is on trial at the bar of public opinion." On the other hand I think that public opinion, or, rather, popular government, of which our administration of justice, our system of law-making, etc., are but parts, is itself now and ever since the foundation of our government has been, on trial. The administration of justice is quite as good as the people will permit, quite as good, if not a little better, than they desire. Some of the so-called adverse guard, among whom, I presume, I may without offense, class the "Weekly," do not work for some changes which they think would be improvements but they do not seem to have convinced the people, the real barriers. As yet that they are desirable. The test whether any of the changes urged would be an improvement is, does the government, upon its fitness. If the people don't want it, it is idle to thrust it upon them. If they really want it, they will have it. I have no patience with President Taft's dictum that the "administration of justice in this country is a disgrace to our civilization." The truth is that the administration of justice is, in part, and a great part, of our civilization, or, if not exactly that, it constitutes one of the vital tests of civilization. How else can we measure the degree of civilization which we, as a community or as a people, have attained, except as we find it characterized by the character of our institutions and in all the forms in which it expresses itself? It is of no moment that you say that the administration of law is far from perfect. Of course it is, and it ought to be. So is everything else. So are the people, far very far from perfect, and all their institutions are far from perfect. In New Jersey, recently, the people by their vote refused to adopt a few measures of reform so-called, and those, too, by no means revolutionary, not even very radical, but they were not prepared for them, and wouldn't have them. Institutions are all the time in the process of improvement, more fully reflect the then attained civilization of the people. This is preeminently true of a free people, at liberty to express itself. To say that any form which that civilization expresses itself is a disgrace to that civilization is sheer nonsense, a mere contradiction of terms. Let us admit that some of the more enlightened of our people would like to see radical changes in constitutions, methods and measures. They are discontented with present methods. Very well. A people discontented is, no doubt, the pathway to heaven. Nevertheless, let them keep in mind the eternal unchangeable things; that every age and people must have its own measures and methods, suited to its own special genius, such as it is, and as it can understand. We are a conglomerate people, constantly at variance, still by means of a predominant type, and of our universal system of common education, we are slowly becoming more or less of a homogeneous race. It is indeed a question whether our capacity to assimilate has not been tested to the uttermost and whether a halt should not be called. This has to do, however, chiefly with lowering the standard of our people, and is reflected as it is in our institutions and methods. I welcome the "Weekly" as an instrumentality in the work of education. It does something more than merely reflect existing public sentiment. It is probably an advance agent of the civilization of the future. But let it not be too anxious about immediate changes in methods and forms. These will come as soon and as fast as the people are prepared for them. But rather, "whatever things are true, whatever things are honest, whatever things are just"—to these things, let it continue chiefly to direct its attention, and as a result of its labors, our readers I shall consider myself a thousand times repaid.

Very truly,

GEO. F. CHURCH.

Pismo, Cal., Nov. 16, 1909.

At the risk of overstepping the bounds of the proprieties we give space to the above letter from Superior Judge Church without his specific assent, though he said nothing to the contrary. In our judgment the conservative element has a right to a voice and The California Weekly will as heartily welcome contributions from that quarter as from any other. The trouble with conservatism is that it generally sulks and says nothing, but votes "no" in bitterness and demagoguery. If it would let its mind it would feel better and the public judgment would be better advised.

However, The California Weekly does not believe that the administration of justice in this country is as good as the people will permit or desire, or that the executive department of government, or the legislative, is as good. The people would stand a great deal better government in all its departments than they are getting. The government the people get is not as good as they will stand, but as good as they will have. That is the test.

The administration of justice is just as bad as the people will stand without deposing the judges they have and elevating Judge

Lynch. The bar is as bad as it can be without discrediting every man who belongs to it. Our legislatures and congresses are as regardless of the popular welfare as they dare be with any hope of being retained in office by congress or legislature, all because of the malign influence of an incorporated plutocracy that has no purpose other than gain, no fear of anything except disorder and that revolutionary spirit that would make themselves and their riches unsafe, and they are servile regardless even as to that. The people get what they will have or know the reason why and not one benefit more.

My dear Mr. Pillsbury:

I have received the copy of The California Weekly you kindly sent me. I heard something about your having started a paper, but this is the first copy I have seen. I congratulate you on the paper and what it stands for. I am glad you have had the courage to do it and I trust that you may be able to swing it. Long may it shine and shine brightly! I have read the paper through and I am delighted with your positions, think I rather beat you in getting to some of these positions, but I won't crow. All I am afraid of is that there are not enough people in California who will take the trouble to stand behind you in the long fight which lies ahead. The trouble with the majority in California is that it is a disunion thing, any leader they now are. That's a pretty wide-spread trouble, to be sure, but I really believe it is worse in California than in any other place, and they are fighting it with the Remnant—Mathew Arnold's Remnant, I mean—and the Remnant is often painfully indifferent to holding on the hand of those who are fighting it with it.

I have just read of your defeat on Tuesday, which is deplorable. However there is one comfort: it is absolutely sure that the people of San Francisco get what they have subscribed for. The old boys who used to talk about hell so much had things a little out of perspective, as we now see, but after all they were on the right track. What they meant was that every man was sure to get what he wanted to him. And they were right. San Francisco will get a right good bunch of the article for the solid reason that she deserves it. That is what she has just spoken for.

I herely join the Remnant by enclosing a money order for two dollars. Long live The California Weekly!

Yours,

S. D. AYERS.

Walla Walla, Wash., Nov. 3, 1909.

704 University Street.

That is how it looks to an outsider who, however, was once an insider and still has an interest in California and its affairs. Nevertheless, we protest that what happens in California is not the will of the majority, but only the will of the majority that has the power enough in it, and either good or bad conscience enough, to get out and vote. If the political non-combatants can either be "breeze-shaken and hair-hung over Hades" until they get a first-class care on, or can be shamed or punished into voicing their sentiments it will be found that the dear old ladies of the male persuasion will vote right and for the reason that they weakly and inconsequently wish that Right Things might triumph. Compulsory voting may help. It won't hurt to try it on.

Editors The California Weekly:

By all means continue your School for Citizenship. And the lessons highly instructive, and they may be the means of inspiring some young reader to devote his time to the thorough study of the matter and become a energetic worker for the people. Having the good laws enforced and the bad ones repealed. You could not put a page to better use. I am in thorough accord with the policy of your paper. Every body who reads it will be benefited.

Respectfully,

F. C. JOHNSON.

San Francisco, Nov. 4, 1909.

Perhaps. This is encouraging anyhow, but will someone who has observed carefully tell us at what age youths who do become interested in public affairs become interested? And about where are they in their school work?

Editor The California Weekly.

San Francisco, Cal.

My Dear Sir:—Congratulations on the brighter appearance of the first page of "our paper." That is by all odds the most "speaking" type there is. It may be only a personal fancy, yet I believe that a half measure of words in this larger, clearer type, will speak up, will get more attention and have the weight of a full measure of words in the smaller type.

Also let me enclose the opinion of Mr. Clarence Reed of Palo Alto regarding the "School for Citizenship" page. I find it dry reading but had laid it to a mental review. I have my own part. It lacks a little of going still further in my criticism I will say that is the one defect in the whole paper. It reminds me of a six-kind, were individual sitting up on a high price

(Continued on Page 830.)

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POLITICAL TABLE TALK

By THE WATCHMAN.

Gov. Gillett Banker James N. Gillett is no fool On Full Stomachs and no bull raging in a crockery shop. Without being a suffragist, he has returned from women the best time to handle men. It is when they are gorged. At such a time an insurgent Republican might be minded to greet old Joe Cannon, or Senator Aldrich, with a cheer. It was upon such an occasion that the late E. H. Harriman launched the Gillett candidacy for governor of California back at Washington and commissioned one W. F. Herrin to see the enterprise through, which he did. That dinner was not ostensibly called for any purpose, but before they got away every member of the California delegation was, if not committed to it, at least extorted from opposing that candidacy. Gillett knew the psychological moment to launch his canoe. He may have learned it from Harriman instead of from his own wife, but he knows the power in the banquet and how to turn it to account. Thus endeth the first lesson.

How the Union League The Union League Was Utilized by Gillett Club is an organization of Republicans without distinction with regard to their being "reformers" or "performers." This organization has leased, and moved into, a permanent home on O'Farrell street in San Francisco. What more appropriate than that the event should be signaled by a banquet to which the entire membership should be invited, and what more in keeping with the eternal fitness of things than that the Republican governor of a Republican state should be invited to attend and be given a seat at the table of honor? Such a banquet for such a purpose was given on Saturday night of last week, and Governor James N. Gillett graced the occasion with his presence. Michael Henri De Young is president of the league. It was his function to introduce the speakers and the first speaker was, of course, the governor of the state. Michael Henri is a "performer." In every crucial situation he can be relied on to come to the aid of the "organization." This was a pivotal opportunity and when the members present were now filled with delectables and were merry with wine he, said Michael Henri, apologist and retainer of the higher-ups, sprung the candidacy of Gillett to succeed himself as governor of California. Gillett himself, he "lay low and say nothing," in particular, but Tom Dozier, to use his own expression, "not nasty nice" as to how he "does politics," was called immediately after Gillett. This was a great opportunity for a man with a ringing voice, an alert mind and an eagerness to serve the "organization." Of course he joined with De Young in making of an occasion that was intended to be a dedication of the Union League Club, rooms a launching of a second term for governor for James N. Gillett. It was as adroit a performance as cunning could have devised and no men less brazen than De Young and Tom Dozier could have had the courage to check the thing through. Of course other speakers could not, without being discourteous, avoid saying some kindly thing of the governor. It was a well-planned and well-executed rather surly job. Thus endeth the second lesson.

Would Be Less Dangerous James N. Gillett If He Were a Worse Man

not a bad man. Taken afoot and alone he is a good, clean, kindly, forceful, clear-headed man who would a thousand times rather do a good deed than a bad one. He has neither made the best governor of California ever had nor the worst. He has made good appointments and bad. What governor has not? But what kind of man he is and what sort of governor he has made is not the question. Before he left Eureka to come to Sacramento to be governor he declared that his every appointment would be made to strengthen the "organization" ele-

ment in his party. Every child knows that the term "organization" so employed means the Southern Pacific's Political Bureau, and Gillett has kept that promise to the letter. During his first two years of administration his every appointment was made practically at the dictation of the Herrin machine and its paid manipulators, Parker, Burke and Hatton. If he has seemingly been more independent since then it was because he had redeemed every pre-nomination pledge and had earned a brief opportunity to play governor on his own hook. And even then the independence may be more seeming than real. For we are not at liberty to forget that during the 32d and 33d sessions of the legislature he made, in the senate, such a reputation for freedom from corporation control that he was able to win his way to congress on the strength of it, and yet brought that reputation, all unsullied, to the feet of Harriman and there exchanged it for corporation backing for his gubernatorial aspirations. From the Santa Cruz convention on Saturday night of last week, when the Union League Club was razzle-dazzled into a seeming endorsement of his candidacy, there has not been a day nor an hour in which James N. Gillett has been anything less than a willing worker in the interests of a corporation domination of the political affairs of California. In the person of the late Angel Gabriel, instead of the late E. H. Harriman, (and the never-late William F. Herrin,) there is no reason why his candidacy should appeal to any free Republican in all California. He is a tool of corporate government and an enemy to the state, and if he were a paragon of personal virtues they should not save him from condemnation. It is not enough that government shall be good. It must also be of the people and by the people as well as for the people, and these it must be whether good or not. He would be less dangerous if he were a worse man.

Mrs. Gillett In an interview Governor Or Mr. Herrin? Gillett has said that he will let Mrs. Gillett say whether or not he shall run again for governor. This does not imply that Mr. Herrin may not have the last say, but it has been leaking out that Mrs. Gillett would a good deal rather be the wife of a United States Senator than of the governor. Howbeit that can't be until there is a vacancy in the north end of the state and the good lady may decide that a bird in sight is better than one out of sight and hearing. Then, too, Mrs. Gillett is known not to like Sacramento very well. The social reception accorded the new governor three years ago still produces a chilly feeling. Washington suits her better. It is expected that Mrs. Gillett will make up her mind with the incoming of the new year. Mr. Herrin's name will be made up in time to put the word down the line through all the redlight districts and cheap boarding house centers of the state, through the gin mills and to McCarthy's handy men so that the mobilized infamies may pluck for his cash, never he may be, Gillett or Curry. Neither of these men will know for sure until the votes are counted. For it is understood that the offensive and defensive compact entered into between the Southern Pacific's Political Bureau and the McCarthy labor forces for the San Francisco campaign is to hold good through the state campaign.

Gov. Gillett's Strength The governor stands Not to Be Underrated in better plight before the people today than he stood two years ago. He has earned something of this better public estimation and if it came to him it goes to him. As his good luck would have it the last legislature made a better reputation on the whole than any preceding one for a number of years, notwithstanding its fall-down at the end. He has been industrious in the dispatch of public business and has not procrastinated in

making appointments, perhaps for the reason that many of his appointments were made when he wasn't looking. He signed the anti-race track and the direct primary bills when they got to him, but, as will be remembered, he refused to lift a finger on behalf of either until they got to him. Finally, word has been allowed to filter out to the effect that he is no longer persona grata with the Southern Pacific's Political Bureau. That report is a little belated. It was expected half a year earlier, for, be it remembered, neither the head nor the tailenders of that bureau will hesitate to capitalize the detestation in which the public holds them that the product may be used to further their aims. It need astonish no one if the wildest-eyed opponent of Herrinism and apostle of reform should prove to be in the pay of that bureau. Let no man be deceived by a little plausible and superficial evidence. James N. Gillett has done nothing to make himself unavailable as a Southern Pacific candidate for governor. That den of statecraft wants a plausible quality of candidate and Gillett made the people believe that he was "no man's man" once and he may do it again if the people don't watch out.

The Trend of the Call There is gnashing of Plainly Foreshadowed teeth, if not wailing, in the office of the San Francisco Call. Ernest S. Simpson, the editor, is a clean man who would like to stand for Right Things and stand hard, but his associates are not of tempered steel and the ownership of the paper is injurious. The Call has been falling from grace. At first its feet slipped, then it slid and finally it gathered momentum and did the toboggan act. Sunday morning it got there with both feet—in the middle of the Gillett camp. Its political misfortunes have been confided to one George Van Smith, imported from Minnesota to make the Call's campaign for a direct primary law of some sort for the glory of the Call. Before coming to California Van Smith served the political ends of James J. Hill, the personification of the "system" idea in politics, with the same enthusiasm that he served the cause of justice in San Francisco up to the programming of the late city election. He can accommodate his principles to the exigencies of his employment as readily as a tramp can accommodate his appetite to what is in the hand-out shoved at him through a crack in the door. In the interests of a primary election law he made injurious compromises with the Herrin crowd in two legislatures. A part of the consideration must have been the support by the Call of the candidacy of Gillett to succeed himself as governor, and also the championing of Gillett's eighteen million dollar good name. The Call has given Gillett credit for the manifestation of a political independence that he has never manifested and it played a star part in the De Young-Dozier curtain-raiser for Gillett at the expense of the Union League Club. The Call will have to be born again, and more legitimately, before it will be received back into good society.

Is the Sun About to Shine Word has On the California Democracy? been passed around that

the San Francisco Morning Sun is to be launched with the new year. It is reported also that it is to be a Democratic party organ. That sounds like Caminetti. He is a hawk from the tombs and is still discussing squatter sovereignty and orating about the "sovereign states of this confederacy." San Francisco needs a morning paper that the people can tie to. It was once a paper that is controlled neither by the longest leashed liar, a moral idiot nor millions dominated by intellectual stupidity, but San Francisco will show scant courtesy to a party hawk. The era of the party hawk has passed. The Democrats will not support a paper because it is Democratic. Republi-

icans will not support a paper because it is Republican. Both would join in supporting any paper that would tell the truth, be decent and get the news. What the Democratic party wants is not papers but leaders, men of convictions and ability to stand for them. If we want free government we must have free parties and free papers. There are now no issues between Democrats and Republicans as such, but there are issues without number between those who would control government in the interests of an incorporated plutocracy and those who would re-establish equality of opportunity, equality before the law and the square deal. If the Democratic party can beat the Republican party to that goal it will

win, but that race cannot be won on a party hack.

The Fight for Right Is a Fight for Party Control. In state and national affairs the fight for right is a fight for party control. Progressive Republicans see this and are making a hard fight to get hold of the machinery of their party and progressive Democrats should make the same kind of fight in their own organization. This will keep them all busy without wasting time and effort on political side shows. The Lincoln-Roosevelt Republican League made that fight two years ago and nearly succeeded in winning it. They will shortly be up and at 'em again. This time the direct primary law gives them a better chance of winning. As the Republican party is the dominant party in this state the success of this movement becomes tremendously important to the state. Let the Democrats do likewise and free government will be re-established in California where free government has not existed for more than a quarter of a century. The Southern Pacific's political bureau has held control of the machinery of both parties and Mr. Herrin cares not who does the recruiting so long as he is free to select the officers. A multiplicity of political organizations is not going to help this work. The best interests of the state require a good, strong Republican, and a good, strong Democratic, party. The weakness of the Democratic party in California is a public calamity. It ought to get into fighting trim or get itself buried even if it has to stand the undertaker off for funeral expenses. It ought to be a free party as well as an alive one. Who is doing anything about that?

Perhaps It Is Needed The Good Government League in San Francisco has served a good purpose. Every considerable municipality in California should have a Good Government League. The Good Government League in San Francisco chiefly consisted of Isidor Jacobs, and every considerable municipality in California should have an Isidor Jacobs. Then there would be something doing everywhere every minute. No one but an Isidor Jacobs can think of so many different things that ought to be done as an Isidor Jacobs and no one not an Isidor Jacobs can go about doing them all at the same time with such an unbounded enthusiasm. As The Watchman understands it a purpose has been formed to organize an Isidor Jacobs—no, a Good Government League—in every considerable municipality in the state and then federate them all together into one indissoluble, indestructible phalanx to act in the capacity of "candlestick" with which to steady the political teeterboard so that neither the Republican nor the Democratic end shall hog the whole plank. Perhaps it is needed and perhaps it is not.

Parties for States It will be a sad day when Leagues for Cities political reformers go in for a go-as-you-please, catch-as-catch-can method of selecting public officials in state and nation. Unless state and nation are governed by political parties they will be governed by political factions and that is the next thing to political anarchy. The majority should rule and, that it may rule, there should be only two political parties. Any other plan leads to minority rule by virtue of temporary coalitions of discordant factions with trouble for the administration never out of sight or hearing. The balance of power in such case will be held by the discriminating, self-centered individual who will go with his party when it goes right, or near it, but go against it when it stands for what the independent voter believes to be wrong measures or wrong men. Independent voters, voters who hold country above party and right above office, need no organization. All they need is information. Given information upon which they can act with reliance they will act right without being told as certainly as they will eat and sleep without being urged

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The California Weekly

26 Montgomery St. San Francisco

(Continued on Page 830.)

THE UNIVERSITY FARM AT DAVIS

PRACTICAL DEMONSTRATIONS OF FARM PRACTICE.

By LEROY ANDERSON.

The University Farm is an area of nearly eight hundred acres of land purchased for the University of California by a special act of the legislature of 1905. It is situated at Davis, in Yolo county, is of alluvial formation and capable of the highest degree of productivity. When purchased in 1906 all but a few acres were one big grain field and the work of development into a wholly useful college farm is therefore a big problem entailing large expenditures of money and a long period of time.

Farm a Field Laboratory.

This farm has already come to be something more than land and crops. It comprises buildings and equipment for instruction and most important of all men who are filled with an ardent desire to carry out the purposes of the institution. In a material way there are buildings, either standing or under construction, with laboratories for instruction in dairying, livestock business, fruit growing, cereal production, soil study, irrigation, and living accommodations for students and the working force of the farm proper. The men are a part of the faculty of the College of Agriculture which is much increased in number through larger appropriations made directly to the support of the farm and its varied enterprises. For, in the first and last analysis, this farm is a part and parcel of the College of Agriculture, a field laboratory, as it were, in which and on which may be worked out and taught the increasingly vital questions of rural progress which the college is called upon to aid in solving. This college is not new. It has been in our midst for more than a generation, but this farm part of it is new, thanks to generous appropriations from the last three legislatures, and I believe the peo-

ple and third, that which deals with agriculture as an industry and farmers as a class of people." These three lines, taken together, make up the training of the well-educated farmer. Let us look into them for a moment.

Problem of Soil Fertility.

We are looking for increased production from our soil. We admit that most of California agriculture has consisted of a mining of the soil, not of farming the soil. We have taken out the easily worked gold—the "high

crops of better products at less cost, and still maintain soil fertility, and the solution of the problem is a matter of education.

Farm Administration.

But the farmer is not only a producer, he is also a seller. He has capital invested and is a manager of an industry. The capital invested in agriculture is four-fifths of the capital invested in manufacturing and railway transportation combined. He is of necessity a business man and must handle his enterprise in a business way. He must be possessed of good sense, good judgment, and ability to handle men. These are qualifications that may be difficult to teach a man, but he can study the principles that govern the business of agriculture and thereby improve upon his natural inheritance. The progress of the farmer is retarded and his education incomplete unless he includes the farm administration as one of the essential subjects for study.

The individual farmer may succeed financially if he is thoroughly conversant with the principles of production and farm management. But the farmer of to-day cannot live unto himself alone and give agriculture the full success it deserves. He must have the larger view which arises from a consideration of the farmers as a class and which tends toward the realization of the social position which he and his neighbor farmers ought to occupy. Agriculture is an industry among other industries and is subject to economic laws. Besides growing and selling it involves a study of markets, transportation, taxation, tariff and similar questions common to other industries, and means co-operation for protection and progress. Again, farmers are, or ought to be, social beings. They will



A Demonstration in the Farm Creamery.

grade"—and have left the tougher base which requires the stamp mill and the cyanide process to yield an income. In other words we have depleted the soil of its fertility and have called upon the agricultural experiment station and the scientist to analyze and experiment with our soil to tell us what we must do to restore the virgin productivity. Scientists began a half century ago to study



The Buildings and Gardens at the University Farm.

ple will not be disappointed in the enlarged usefulness the college will be to them by means of the farm. We might properly, then, substitute in our title the words "College of Agriculture" for "University Farm."

Rural progress, like progress in every other field of human activity, is a matter of education, both technical and general. As we learn more of the principles and practices of our varied enterprises and fill our minds with proper knowledge we move forward. President Butterfield, of the Massachusetts Agricultural College, says that the education of the farmer is along three lines, "first, that which deals with the growth of products; second, that which deals with the selling of products;

these things, but it is not much more than a decade since the farmers began to really listen to them or to go to them for help. The farmer who has listened and studied is to-day the more progressive man, he is growing more and better products than he who has not listened. To avail himself of the scientist's discoveries, the farmer must know their meaning and how to apply them to his special need. By this means he is educated and this is agricultural education. This education gives a partial mastery of the principles that govern proper soil management and plant and animal growth. Because the farmer is dealing with natural laws, he must know their application to farm practice. The first demand of modern agriculture is how to grow larger

then consider the social life of the community, its school facilities, its clubs, its privileges, its clubs, organizations or any means to bring the rural community together for common weal and welfare. This is the human side of agricultural education and therefore all important.

This all around training of the farmers—the three-fold training as it were—is what the College of Agriculture is striving for and what the University Farm is established to foster and push forward. The research work of the college has long been recognized as helpful in increased productivity of the soil. Our investigations in soils, cereals, plant production, plant diseases, and the like are of acknowledged financial benefit to the growers

of farm products. We have undertaken the problem of farm management and students of the college may have an introductory knowledge at least of farm administration. The farmers' institutes have done much toward developing the social side of farm life, while at the same time giving technical knowledge of recognized value. California is fully up to her eastern sister states in farmers' organizations with the grange, many farmers' clubs and the various organizations for marketing fruit, vegetables, poultry products and the like. However, there are only at the beginning of what we shall ultimately accomplish in these three lines.

Many Students.

I will be pardoned if I note somewhat in detail what is doing at the University Farm, for it is the center of quite as varied an activity in behalf of rural progress as the college proper at Berkeley. It is less than a year since we opened our doors to receive regular students in agriculture and now there are about forty young men studying in the three years' course. They are admitted when they are at least fifteen years of age and have finished the eighth grade of the public schools. Some statistics of these forty are interesting. One-half have had some high school training—from less than a year to graduation from high school. Their ages range from fifteen to twenty-four and the average is eighteen. They are a sturdy lot of fellows with a purpose in view and a keen desire to know agriculture in all its phases.

In general they are studying the principles and sciences which underlie agriculture, with enough of the practice to fix the principles firmly in mind. In particular, the chief subjects are soil fertility and farm crops, botany, plant propagation, entomology, chemistry, animal and dairy industry, poultry husbandry, horticulture, viticulture, irrigation, farm practice and farm mechanics, farm accounts, English, mathematics, civics and United States history. The subjects sound like those of college. They are named the same but taught in a more elementary manner, easily within reach and calculated to arouse the interest of the boy in rural activities. The total cost per

student, including board, lodging, fees and books, is about \$225 for the year of eight months.

Farmers' Short Courses.

On October fourth the second series of farmers' short courses opened at the farm. The first, dairy manufacture, is a course especially designed for those who wish to become better trained in operation of creameries and cheese factories, or to acquire a better understanding of the principles involved in handling milk and milk products. This course continues for eight weeks. On the seventh three more short courses began, each to be two weeks in length. One in irrigation, field crops and soil fertility, which gives practice in handling instruments for leveling, laying out ditches and land for irrigation and measuring water, teaches the principles and methods of growing grain and sugar beets and fertilizing the soil. Another is for the dairy farmer who sells milk or cream. He is taught the most improved methods of handling his milk and separating and handling cream. The farm has one of the best dairy barns and best equipped creameries in the United States and two weeks working with this equipment means much to the dairyman. The third is in poultry husbandry and is of interest to the man or woman who specializes in poultry or other farm products of general farming. The course includes feeding, breeding, care and management, construction of incubators, brooders and houses, scoring and judging and marketing fowls.

Beginning with November fifth are two more short courses, horticulture for two weeks and animal industry for three weeks. The first includes viticulture and entomology and instruction is given by lecture and field and laboratory work. Animal industry covers briefly a study of the different breeds of livestock with each afternoon of practice in scoring and judging animals and study of anatomy and treatment of the more common diseases. All of the courses are the epitome of condensation in order that the busy farmer may learn a large amount in as short a time as possible. The days are full from eight in the morning until five in the afternoon with evenings occupied in the library or more lectures. The courses are free with the exception of a small fee on the basis of one dollar per week. Similar short courses may be expected each year at about the same time.

Farmers' Week.

The desire to have something for everybody has led us to establish an even shorter course than any yet mentioned. We call it Farmers' Week. The name is not original with us for it has been used two or three years in eastern institutions. Ours this year was the last week in October, beginning Monday the twenty-fifth. There are to be from two to five lectures on each leading agricultural topic by members of the college faculty and each day a demonstration in judging some breed of livestock. Afternoons and evenings are to be given to addresses and discussions on topics of live rural interest. Farmers' Week does not take the place of any of the short courses and we hope it will not reduce the attendance upon these courses. On the other hand we are trusting it may prove a means of getting together a large number of farmers who cannot leave home for long and who can help their fellow men by rubbing elbows in a class-room and laboratory for a few days. Farmers from different parts of the state need to know each other better. This is a grand opportunity amid educational surroundings.

Practical Work for College Men.

I have described how the college, through its farm, is touching the boy who is the farmer of the future and the farmer who is now in the harness. We also use the farm to give the four-year college man a taste of the soil and of real farm life and atmosphere. At present the men and women in the four-year agricultural course spend a half year on the farm pursuing chiefly studies in animal and dairy industry, horticulture and plant production. When the new buildings now under way are completed and needed equipment

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(Continued on Page 831.)

IF the reader will turn to page 137 of the minutes of the Society for the Promotion and Prosecution of Research in the Domain of the Spiritual and Occult he will find the record of the resolution from which the following excerpt is taken:

"And it is further directed and ordered that the person thus responsible and blameable for the deplorable mishap do write and publish a full and succinct account of it, to the end, first, that the misapprehension concerning the affair which now is on the tongue of a cold and unsympathetic world may be hushed, and, second, that any money which may be received from said publication may be added to the Fund for the Benefit of Broken, Crushed and Maltreated Spirits."

I am "the person thus responsible and blameable," and what follows written in accordance with the terms of the foregoing resolution. Yet, before proceeding farther, I feel that it is due to myself to say that I cannot hold myself entirely blame-worthy, for, in the first place, I really did at the time believe that the work was my own, and, in the second place, I had not the least realization that a spirit could be so easily damaged. Prior to then I never had seen a spirit with a blacked eye and a bloody—But I perceive that I am getting ahead of my simple narrative; so I will take a fresh start and begin at the beginning.

When I began writing that evening I glanced at the clock and noted that the time was twenty-five minutes after seven. When the last line had been written, and, satisfied with my—that is, with the spirit's work—I was ready to retire, the same timepiece indicated 3:50 a. m. I had—I should say, the spirit had—consumed eight hours and twenty-five minutes in our labor, and an ineffably sweet poem, instinct with the mystery of life, was the result. Its soulful quality will best be indicated by quoting the first verse:

"They walk beside us on the way,
Our astral friends who urge us on;
The Elementals in the fray
Cheer us, with faces weird and wan;
They come to us when lights are low
And test conditions they can choose,
And flit and flit, both to and fro,
When they the medium can use."

Probably there are thousands of people who would like to read the remainder of this poem of intangible sweetness, but the editor will pay only prose rates for it in this connection, and so I will save it until a time when it will add more to the Fund for the Benefit of Broken, Crushed and Maltreated Spirits.

I was very proud of what I then considered my own poem, and on the following evening I read it to my friend, Horatio K. Browne, who is, like myself, a thoughtful member of the Society for the Promotion and Prosecution of Research in the Domain of the Spiritual and Occult. After I had concluded, he said:

"Beautiful! It is beautiful! How I wish the spirits would write poems for me, too!"

"Hey! What?" I responded, for I did not fully catch his idea.

"It is so good of them to write these poetical gems for you. I should be so happy if they would write even one for me. And I would not ask them to write an epic, either; some little, simple lay would be sufficient to fill my soul with glad—"

"Do you mean to say that spirits wrote the poem I just read to you?"

"Of course. That is, some spirit wrote it. To be sure, I do not know exactly which spirit it was, and I could not tell you his name, but you may be very certain that an unseen presence wrote the beautiful poem to which you have attached your name. I do not suggest that in doing so you have committed a forgery, but—"

"And you contend that this is not my poem?"

"Certainly I do. There can be no doubt of it."

"And that I did not write it?"

"Then what I want to know is what I really was doing between 7:25 p. m. and 3:50 a. m. last night, when I was scratching my head

WHO STRUCK THE MEDIUM?

BY
ALPHEUS JAMES

and biting my pencil and perspiring in what I supposed to be a search for poetical ideas and expressions. What was I doing then?"

"You simply were the medium through whom the beneficent spirit gave a new poem to the waiting world, and the part of the medium frequently is laborious and painful."

I refused to be convinced. I told Horatio K. Browne that to sweat all night in order that some anonymous citizen of the unseen world might have the credit seemed to me unfair; I said it was too tough on the medium. He admitted that it might appear hard to the thoughtless, but held to his position, and suggested that if I would be at the next meeting of the Circle within the Society I might obtain light.

The Circle met on Thursday evening, and I was present. It was a materializing circle, and the mediums were a large man, who owed me ten dollars for borrowed money, and his wife. The lights were turned very low, and, sitting in darkness, an eerie feeling crept upon me. Pale blue sparks flitted to and fro, soft, tinkling music filled the room; a vague rustling was heard, and gentle hands caressed us who sat there. Dear departed friends came, and some of those about me wept in the happiness of this reunion.

It was a solemn, an impressive, an almost sacred hour. To think that we were sitting there and conversing with gentlemen and ladies who had been advertised as dead for some time was so awful a thought that it nearly overcame me. But, after a time, a sense of disquietude crept upon me, for I could not fail to notice that I alone, of all present, had not been visited by one of the departed. Was it possible that I was not on the spirits' calling list? This question was disconcerting me more and more, when the male medium spoke, and in his voice there was an indefinable shudder.

"A mighty, a potent, a master spirit is here," he said; then, after a moment's pause: "He will speak with him before whom his astral lamp shall linger."

A pale blue spark descended from the ceiling, wandered about for a time like some miniature and elusive will-o'-the-wisp, and finally paused in front of me. Gradually, from out of the darkness, a form dimly took semblance of the human; then a sepulchral voice was heard.

"Child, man," it said; "I am he who wrote the lyric beginning, 'They walk beside us on the way.'"

My words were spoken impulsively, because I still felt that I had more or less to do with writing the lyric. In passionless tones the spirit responded:

"You think that you wrote it, yet you were but the plastic medium through which my poetical soul spoke. I am William Shakespeare."

I felt flattered, as I think that anybody must. I had realized that the verses were good; in fact, I had considered them very good, but to think that Shakespeare would claim them as his own! Oh, it was wonderful! Who now would deny that I possessed genius? But with the pride came also a sense of grievance and injury. I determined that not even the peerless Shakespeare would deprive me of the result of my labor.

"I feel honored," I said, "by your evident

desire to add my laurels to your own, but the verses are mine; I wrote them."

"Nay, child of man, struggle not against the omnipotent truth. Verily I wrote the lyric."

Never can I sufficiently regret the immediately subsequent events. Naturally I am impatient, and my temper is not readily controlled. Before I realized what I was doing my arm had been drawn back, and I had struck out for where the face of Shakespeare was dimly visible through the darkness.

The processes of thought and electric in their swiftness. Before my doubled fist reached its destination I had time to realize my folly. "Here you go again!" I said to myself, "exhibiting yourself as a hopeless imbecile, trying to fight an intangible nothing through which your arm will pass as if it were the phantasm that it really is." But it was too late to check the blow; it landed, and Shakespeare dropped. Me miserable! I had laid out the great bard.

A scene of indescribable confusion followed, and when the lights were turned up the male medium was discovered lying on the floor, with one eye closed and his nose slowly dripping gore. I was astounded. Who had struck the medium? The answer to this question seemed to be beyond my ken.

Finally, after the medium had been raised to his feet, amidst the muttered imprecations and lamentations of masculine and feminine true-believers; after a raw beefsteak had been applied to his eye and his nose had been tenderly bathed, I took one of the faithful to one side, and sought for light on the problem that perplexed me.

"Who struck the medium?" I anxiously inquired.

"Why, you did, and you ought to be ashamed of yourself."

No, I didn't; I give you my word that I didn't. I struck William Shakespeare. Of course I know that I should not have done it, but I was nervous and exasperated. Don't you suppose it was Shakespeare that struck the medium?

After several people had explained the matter to me all was very clear, and I condemned myself for not sooner understanding the situation. It appears, as anyone should know, that, in materializing, the disembodied spirit uses the matter contained in the form of the medium. I indeed struck Mr. Shakespeare, but the blow affected the medium's matter; in fact, his matter carried a black eye for several days. This is what was the matter with the medium.

So far as the medium was concerned, the misadventure was happily adjusted, he forgiving me on condition that I would forgive him the ten dollars he owed me. But I greatly fear that William Shakespeare and myself are hopelessly estranged, as the medium informs me that the immortal bard feels that my offense cannot be condoned. The information is in line with deep reason, for I had ventured to hope that we might become quite intimate, not to say friendly.

This really is all there is to the story, and it would have been unnecessary to have written it had not a rumor of the affair reached the outside world, only to be mangled and grossly misrepresented on the wagging tongues of men. I hope that the publication of this truthful account, together with my admission that the credit for the poem does not belong to me, may add no inconsiderable amount to the Fund for the Benefit of Broken, Crushed and Maltreated Spirits, although the distinction between the spirit and the medium, in such a case, still is not entirely clear to me.

In conclusion, it must be unnecessary for me to repeat that I always shall deeply regret the acquaintance with the great of all bards was thus unfortunately nipped in the bud.

The election of L. C. Hull, a Rhodes scholar in Oxford, to the place of president of the Oxford University Athletic Club marks a signal honor to an American student in the British university. It is probably the first time that any American has headed a varsity athletic team at Oxford.

("Little Talks"—Concluded.)

and preaching an irreproachable philosophy about things in general. Another fancy of my own, possibly. The great leaders of the California Weekly are monthly periodicals. The California Weekly is a monthly paper for leadership. But it seems to want focus. It seems to lack concentration of purpose.

(One other point: Why not make The California Weekly a popular stock company with shares, say at \$20 each? Its stockholders could help build the paper and thus come into closer touch with its aims and purposes.)

Sincerely yours,

RAY P. BRUBAKER.

Shandon, Cal., Nov. 2, 1909.

The foregoing was read with mingled feelings. If the writer of the School for Citizenship had thought himself sitting in a high place and talking down the foregoing would certainly have brought him to his level. The idea of making The California Weekly company a popular stock company, with shares at \$5.00, is good, only we have already done better by making the shares at \$20.00. Every subscriber is a shareholder with the difference that he escapes liability for bad management. We want 10,000 just such stockholders before the first of January. Will everybody please tell everybody else of this rare opportunity?

Editor The California Weekly.

Dear Sir: In partial answer to your questions on page 760, I wish to say that I approve of your School for Citizenship, and wish it continued. I read it weekly, but have such doubts of its accuracy that I do not commend it to my children. Its writer's intent is unquestionable. If, before publication, it was submitted to legal criticism, it might be bettered.

Very respectfully,

WILLIAM CROSBY.

Mullfones, Livermore P. O., Cal., Nov. 10, 1909.

The writer of the School for Citizenship has had a legal education, and somewhere among his traps is a certificate of admission to the bar of the supreme court of one of the states in this union. All those articles were submitted to one lawyer before publication some gain in accuracy might be made, but if they were submitted to two lawyers they would have to go to a judge for final decision and heaven knows when a decision could be reached. It is short in mind that California has fifty-four times as many judges in proportion to population as England and the more judges the longer it takes to decide cases. If our correspondent allows his children access to only those sources of knowledge for whose accuracy he can vouch they must be confined to a strictly mathematical intellectual diet.

Editor The California Weekly.

Dear Sir: I want to thank you for the splendid paper you are making; there is nothing that strikes so high and strong a note for civic righteousness; and then the sanity of your utterances is a constant delight to me. I never take it up but I say to myself, "what a shame that wisdom lifts up its voice in the streets and no man regards it with a loss to our citizenry that they do not know that a prophet is crying in the wilderness."

Never mind, it took a Bull Run to prepare the way for Appomattox—the triumph at the polls last week of the appointed villainies—the Herod of Union Labor and the Pilate of the United Alliance—has not been so cruelly the Lord, will I believe, when we see what it takes for the popular heart which is, after all, sound at the core.

I thank you for the nomination of Henry for governor. He has a right to it. He has a right to sweep the state if he were nominated and the election were held to-morrow. He stands for and embodies the people's ideals. I think he is the best man for the job.

Again I thank you for the course of the Weekly. It gets better and better. It is no muckraker, running amuck and discounting itself Alliance and muckless criticism. Long may the Weekly wave!

Yours truly,

ALBERT R. DILLE.

San Francisco, Nov. 12, 1909.

The foregoing would put courage into a mugwump and we value it particularly because of the personality and vigor of the man whose name is attached. He is of a type of manhood that made the Great West what it is, the heart of the Great Republic. But we get lots of encouragement for The California Weekly. What we want our good friends particularly to do is to pass the good word along as far and as fast as possible, that we may get subscriptions and advertising as well as praise and appreciation. In the long run it is business that counts. Therefore let every friend to The California Weekly tell every friend he meets what Dr. Dille says of The California Weekly, adding the gentle hint that he ought also to subscribe for it.

("Political Table Talk"—Concluded.)

to do so. They will gain the advice and information they require from the papers in which they believe and from individual men in whom they have confidence, not from leagues whose moving spirits they do not know. Good Government Leagues can exercise influence only at short range. Beyond arm's length the issue must be left to political parties and independent voters.

Will It Be a Partisan Party politics in municipal affairs has had its day and is done for.

Its only purpose now is to enable political fixers, in the control of predominating interests, to hold some forces in leash while unruly actors are being corralled. Voters with intelligence little heed the party call to arms. This affords a fine field for thoroughly representative good government leagues to perform a useful service in municipalities, but only in one way—by recommending to the people what the people themselves know to be the wisest course, the bestest course, to pursue in any given emergency. A mistake in judgment is as certainly fatal to the influence of a good government league as a suspicion of dishonesty. It is only as such a league can commend exactly the right thing that it can commend anything with any hope of its being accepted. The independent voter is just as intelligent and as discriminating as the moving spirits in a good government league. If the Good Government League in San Francisco accomplished less in the late election than was hoped for, in the light of the good it did in the election of two years ago, it was because many had come to distrust its good judgment rather than its good intentions. But suppose the non-partisan element were organized into a compact body enduring from election to election, and covering the state as well as all the cities in the state, how long before it would be as partisan as the partisan parties?

Superintendent Randall It has been kept very quiet at Preston School

W. T. Randall has been dropped from the superintendency of Preston State School at Lone, and President Dutton, of the board of trustees, is expected to take his place. It is not anticipated that Dutton will keep the place permanently, but only until the political bureau that runs the state can fix on the man. Rumor has it that Randall wallowed some boy unmercifully and was degraded upon resigning without having been fired. The Watchman does not know the facts but he does know Randall and he will wager something to nothing that the boy deserved all he got. There are at that school, besides a lot of boys who have not had a fair chance, as bad a lot of criminals as may be found either at San Quentin or Folsom, and without that saving grace of common sense that age imparts even to criminality. The most dangerous period of a criminal's life is between seventeen and twenty-two years, the period of the "lone," especially characteristic of the lone commitment. If Mr. Randall were to handle some one of these fellows man-fashion, and did it up brown, he is not to be blamed for it, whatever a mawkish public sentiment may have to say. William T. Randall is not without his limitations, but he has fewer of them than Dutton, and fewer than any other superintendent that Preston State School has ever had, and the public has a right to know the whys and wherefores of his being forced out of that institution. It is not the excuse that is important. It is the real reason why.

"While the Letter does not agree with it in every particular, still it is wished every man in California capable of reading and digesting what he reads would take The California Weekly and form the habit of scanning its pages carefully. And every man who does. Taken by and large, it is by far the most wholesome and uplifting publication printed on the Pacific Coast, or elsewhere. Nothing of which the Letter has a knowledge approaches it—and that knowledge is pretty complete."—Saul's Letter.

SHORT TALKS ON DOMESTIC SCIENCE

By Mary Robinson Thomas.

Mr. William Watson, when ill in London, and attempting a dinner for which he had no appetite, scribbled these lines on a scrap of paper, which he threw to his attendant:

"Strange sauce that's mingled with the meat,
Strange meat that's mingled with the sauce
—in vain;

I eat, and wondering what and why I eat,
Long for the porridge of my youth again."

Apologies of the foregoing gastronomic stanza, diet, dietetics and the dietitian will be discussed.

Medical and domestic science should go hand in hand. While the latter is slower in its results, it is quite as important and effectual and more permanent in its cure. The cure of nearly all diseases is hastened by a restricted or special diet, and there are several diseases which can be cured only by diet.

Lack or misuse of nourishment is the most frequent cause of disease. A pampered appetite takes to itself only that which tastes good, regardless of food values, and it is as unreasonable to hope that a sound human body can be built upon such diet as that a substantial house can be built of shakes instead of stone or brick. Good material, whether found in a house, land, clothes, or food, makes a perfect whole.

The needs of the normal and abnormal human body demand more scientific research year by year. Let us hope that the time is not far distant when all mothers will know why raw starch, in the shape of an uncooked banana, for instance, is indigestible for young children. The preparation of food is a science as well as an art, the chemistry of which is as precise as the chemistry of the laboratory. When we are willing to be as exact and careful in our work as we are in chemical experiments our success will become a certainty. No other technical art can, with so little practical knowledge, go so far in simplifying that which is otherwise complicated and laborious, or do more towards accomplishing that which is the chief result of all science—adding to the comfort and happiness of the human race. Too much emphasis cannot be laid on the importance of diet from infancy to old age. In dietetic requirements infancy is vastly different from adolescence, adolescence from middle life and middle life from old age. Variety is the key note of proper feeding at all times. Not that each meal should provide the variety, but the day, the week. While our markets are liberal providers we must repeat a dish too often if a great variety is placed before us at one meal. Housekeepers, whether in public institutions or private homes, are just beginning to realize the necessity of different diets for different ages or occupations of different individuals. In an institution the portion given the book-keeper would be better fitted to nourish a gardener and often the physician and patient are given the same diet, and in the home the young child is allowed the school girl's diet and so on ad libitum.

Undoubtedly the meaning of the word diet is not known as it is rarely used correctly. The dictionary tells us "diet is a course of living or nourishment, habitual food, etc.," but in common use it is applied only in connection with disease!

A good authority tells us that "invalid cooking should form the basis of all 'trained' education." Nursing, after all, is largely housekeeping for the sick, and depends primarily upon such thorough knowledge of housekeeping for the well as can be obtained only from both instruction and long practice.

(To Be Continued Next Week.)

PERSONALIA

A pronounced success has been scored in the well-known municipal opera at Trier, South Germany, by the Boston tenor, Gardner Lamson.

Senator Gore, although blind, has been present at a number of airplane flights. He says that he cannot "watch" them as well as he can a ball game.

Sir Oliver Lodge's long expected book on psychical research, "The Survival of Man," will be ready, on this side of the Atlantic, at the end of the month.

The Rev. Sarah A. Dixon, Ph. D., has been made pastor of the Congregational Church at Tewksbury, Mass. Miss Dixon is a graduate of the Boston University. She formerly held a pastorate at Tyngsboro, Mass.

Mrs. Nellie Showman has been licensed to preach in the Church of the United Brethren. She passed the examination for the ministry at the recent conference of the denomination held in Altoona, Pa., and a short time later received her license.

George F. Durant, general manager of the Bell Telephone company of Missouri, who died the other day, was the pioneer in its introduction in St. Louis and beyond. He helped Professor Bell make the first exhibit of the telephone in St. Louis in 1878.

Mayor McClellan has surprised and greatly pleased the women of New York city by appointing three women as commissioners of the board of education. They are Mrs. Helen Carroll Robbins, a Roman Catholic, Miss Olivia Leventritt, a Jewess, and Mrs. Alice L. Post, an Episcopalian.

The American operatic invasion of Europe is extending. Recently four new American singers, all young women, have been engaged for the operas in Germany and Switzerland, including Miss Alice Sovern, at Posen, Miss Cal Dollmann at Crefeld, Miss Edna Hoff at St. Gall, and Miss May Scheider at Zurich.

Another of the Kaiser's personally supervised dramatic productions, "The German King," a fervidly patriotic melodrama written by the late Poet Laureate of the present reign, Ernest von Wildenbruch, had its first performance on any stage at the Theater Royal, in Berlin, on the night of November 2nd. It failed to win the critics.

King Menelik, of Abyssinia, is a heavy investor in American railroad securities. He styles himself Conquering Lion of the Tribe of Juda, Elect of the Savior, King of Kings of Ethiopia; but he is a progressive monarch, having abolished slavery and introduced European improvements and a constitutional form of government.

The new piece by Moreau with Mme. Bernhardt will shortly produce at her theater, appearing herself in the principal role, is exactly what the title, "Le Procès de Jeanne d'Arc," would indicate. It is almost entirely taken up with the trial of the maid of Orleans, the whole action passing at Rouen, two of the scenes in the castle of Philippe Auguste, one in the cell of the accused, and one in the grand hall of Parliament overlooking the place of execution.

Franz Lehár, composer of "The Merry Widow," produced during last summer no less than three new operettas. The first of these, "The Prince's Child," now being performed at the Johann Strauss Theater, is not evoking anything like the enthusiasm created by "The Merry Widow." The libretto is by Victor Leon, who wrote that of "The Merry Widow." The one entitled "The Gypsy's Child," will be produced shortly at the Vienna Carl Theater; the other, called "The Count of Luxemburg," will be brought out at the Theater an der Wien, the same house at which "The Merry Widow" first made her bow to the Viennese public.

SHEAR WIT

"Bliggins says he believes in telepathy." "Yes. But when he wants to be sure of being understood he reaches for the telephone like the rest of us."—Washington Star.

Noitt: "Jagsby is the most popular after-dinner speaker in the state." Askitt: "Indeed! What is the secret of his popularity?" Noitt: "By the time he is called upon to speak he is speechless."—Chicago News.

An English minister announced from his pulpit that there would be a christening the next Sunday in the church. Then, as an afterthought, "Remember, Mrs. Tomlinson, I said 10.30. You were late a year ago."—Springfield Republican.

Two men had finished their dinner in a Springfield cafe when one of them ordered the waiter to bring a couple of cigars. "Don't order more than one," put in the other man, "I've got a whole pocketful."—Kansas City Star.

"How is your courtship coming along?" "Oh, fairly well." "Are you getting any nearer her father?" "A trifle since fall began. We've moved in from the front veranda to the parlor and he's moved in from the back porch to the kitchen."—Washington Herald.

"How do you like this system by which you deposit your fare instead of waiting for the conductor to come and collect it?" "First rate," answered Mr. Groucher. "But why don't they go a little further and put in a treadmill so that the passengers can furnish their own power?"—Washington Star.

A group of politicians agreed to go on a fishing expedition to Florida if the late election turned their way. "Well," inquired an outsider, "if it is on the program, I am going to Florida to hunt if you win, what'll you do if you lose?" "Oh," replied one of the statesmen carelessly, "I guess we'll go down on Salt river and fish!"—Louisville Courier-Journal.

"Look here, uncle," said the impecunious young man, "you've promised to give me all your money when you die, haven't you?" "Yes." "Well, why wait? Give me a little of it now, and I'll pray every night that you may live long, and be happy." "I'll tell you what I'll do. You pray every night for six months that you may develop a liking for work and if at the end of that time it appears that your prayers are worth bargaining for, I'll take your proposition under consideration."—Chicago Record-Herald.

A minister, frequently away from home, was in the habit of getting some one to stay with his wife and small daughter in his absence. Once, however, he went so unexpectedly and hurriedly that he had no time to make such provision for them. The wife was very brave until night came, when her courage began to fail. After exhausting every reasonable excuse for staying up, she put the child to bed with the injunction to pray especially for God's protection during her father's absence. "Yes, mother, we will do that to-night," said the little girl, "but the next time we will make better arrangements."—Delineator.

Not long since a devotee was overheard interpreting to a poor woman the ceremony accompanying the penance of Ash Wednesday. The priest on that day, as he marks the penitent's forehead with ashes, pronounces the text, "Pulvis es et in pulverem reverteris" (Dust thou art and to dust thou shalt return). On coming out of chapel, this poor woman asked the devotee what the words were. "They're Latin; that's what they are." "But what do they mean?" Sure it's what they mean," said the Ash Wednesday devotee. "They're the manin' of it?" "Oh, the manin' of it. Well, it's this way, it is. It manes, in a way of speakin', 'If it don't do you no good, it won't do you no harm.'"—Northwestern Christian Advocate.

("University Farm"—Concluded.)

added, we expect these college men to spend at least a full year on the farm and so round out their technical and scientific training.

The field of direct influence of the college in the great educational movement for rural progress is limited—limited to the students of the three sorts above named who come to it, to the adults reached in farmers' institutes and to those reached by our bulletins and correspondence. Somehow this rural education must filter down to the children in the schools. We must interest the teachers and gain their co-operation in the problem. To do this we have now under contemplation a summer course of three or four weeks for teachers. If our plans materialize we will ask them to come to the farm and throw open our gardens, laboratories and everything we have of use to help them teach a little agriculture in the little red school houses. Our men will be there to guide and instruct and inspire, and our dormitory and dining hall for their comfort.

Our motto is "Something for Everybody." We cannot realize it just now, for we have not sufficient equipment either material or human, but we are working toward it fast. The success of our republic is dependent upon an educated rural population. "Agriculture must be made to pay for itself in wealth, in opportunity, in contentment, in social position, sufficient to attract and to hold to it a class of intelligent, educated American citizens. This is an end vital to the preservation of American democratic ideals." This is the problem of rural progress. It demands the co-operation of all who love the soil and who love America.

("Reform of Law"—Concluded.)

state and nation. Then we shall have a legislative better than we sometimes have. Then we can rally behind the bar association a citizenship endorsing and, at the polls, supporting men and measures making for better laws and better government, and as I verily believe, making for the perpetuity, the integrity and the betterment of the states, as states, and for the perpetuity and splendor of the nation as a nation. Spain has just adopted such a compulsory voting law. Cannot we progress faster than Spain?

Let us consider these things, then, in that atmosphere, not merely as matters of lawyerlyship, but of lawyer-citizenship; not as mere matters of jurisprudence or legislation, but as matters of the power and possibilities of the collective will of an intelligent and great people moving on in this republic, striving to uplift the human level through better citizenship, better laws, better administration and better manhood. It is not easy, but it is worth while.

"Spelling is now absolutely no guide to pronunciation," said Professor Jones speaking on "Phonetics" at University College, London, recently. This is exemplified by a puzzle which required the word "fixture" to be spelt without using any of the letters in it. The answer is "physksha."

Potato could be spelt "ghoughphightheiteau," "gh" representing "p" in "hiccough," "ough"—"o" in "though," "phth"—"t" in "phthisis," "eigh"—"a" in "weigh," "tte"—"t" in "gazette," and "eau"—"o" in "beau."

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How the State's Budget Is Made Up.

A government partakes of the nature of a family, and also something of the nature of a big business corporation. It partakes of the nature of a family in that it has a great many dependents to support, a great many innumerable mouths to feed, backs to clothe and heads that must have roofs kept over them. It partakes of the nature of a business concern in that it handles many millions of dollars, buys largely if it sells little, and hires a great deal of help. But government does not try to make money. It is content if it can make the money that is given it meet the necessities of its numerous and ever increasing family of dependents. There are those who think that government should undertake all gainful pursuits that have to do with production or distribution, in fact take the whole function of doing business into its own hands, but the majority is far from being convinced of the wisdom of this policy and state socialism is yet a long way off. A government lives on its income and its income is withdrawn from the people under it are minded to give it in the shape of taxes. Taxation itself will be the subject of a special lesson.

The legislature has control of the public purse. Everywhere in the world where free government has obtained any foothold it was over the issue as to who should control the purse and, step by step, the representatives of the people who pay the taxes have, in most countries, won that much of control. Therefore no dollar can be paid out of the state treasury without legislative sanction.

Sometimes before the legislature meets the state controller makes an estimate of the probable income and expenditure of the state government for the next two years, each fiscal year ending June 30th.

As soon as the legislature meets and organizes the state senate constitutes a finance committee of, usually, fifteen members and, for this committee, as strong and seasoned legislators as possible are selected. The assembly likewise selects a ways and means committee, also numbering fifteen strong men. The greatest honor to be conferred, next to being elected speaker, is to be selected as chairman of the committee on ways and means.

To these committees are referred all bills that carry appropriations. Also to these committees go all persons who want appropriations, especially the heads of state institutions and their local boards of managers.

Here lies an evil tendency in our institutional life. The state institutions of California are widely scattered and they are managed by localized boards of control. Precinct patriotism requires each community where is located a state institution to stand by, and pull for, that institution, and the assemblyman and senator from each such district is expected to act as a special pleader and worker for the home institution. Nothing is more natural, therefore, than that all such assemblymen and senators, from districts wherein state institutions are located, should stand together to help each other out in getting their bills through. This combination results in very generous appropriations being made for all state institutions, and encourages each such institution to ask for more and more. Nevertheless, the actual needs of all such institutions are so great that, even by this unfortunate process, they seldom get more money in the aggregate than they can make use of, although they do get more for some things and less for some others.

The appropriations for state government and state institutions go into one omnibus bill known as the general appropriation bill, setting out so much for each state office and so much for each state institution. Then the whole is totalled. The total is generally too big. What makes it too big? Well, it being bigger than the taxpayers will stand without turning out of office everybody who had anything to do with making it so big. It is the desire for re-election to senate and assembly, and for the success of the dominant party, that limits taxation. Nothing else does. The issue

is: How much will the people stand and not kick us out? That is a question of judgment upon which, first the two committees mentioned, then both houses of the legislature and, finally, the governor of the state, take their guess. Having stuck their peg at what they think the people will stand, if the total be too great when all the items asked for are in (and it always is) the pruning process begins. Estimates are cut down, items are cut out and the general appropriation bill brought within reasonable limits before passing the two houses. Then it goes to the governor and the constitution allows him to do with this bill, what he cannot do with any other, veto special items without vetoing the whole bill. By the time he gets through with it there is usually wailing and gnashing of teeth in the state institutions, for, as with individuals, so with institutions, they always want a lot of things that they have got to wait for until they are able to afford them.

The final act of legislation regarding the tax budget is to fix the amounts to be raised for each of the two succeeding fiscal years. These two sums the legislature fixes to a dollar. Afterwards, when the state assessment roll is made up and equalized, and 5 per cent. deducted to cover anticipated delinquencies, the net sum is divided into the sum that the legislature declared must be raised for the next year, after deducting anticipated receipts from other sources, and the quotient is the state rate of taxation.

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